

GW - 238

**PERMITS,
RENEWALS,
& MODS
Application**

Mr. L.E. "Bud" Dehner
Philip Environmental
Page 3
April 16, 1996

RECEIVED

MAY 13 1996

Environmental Bureau
Oil Conservation Division

ATTACHMENT TO DISCHARGE PLAN GW-238
Philip Environmental - Farmington Facility
DISCHARGE PLAN REQUIREMENTS
April 16, 1996

1. **Payment of Discharge Plan Fees:** The \$50 filing fee will be submitted upon receipt of this approval. The \$1,380 flat fee shall be submitted upon receipt of this approval. The required flat fee may be paid in a single payment due at the time of approval, or in equal annual installments over the duration of the plan, with the first payment due upon receipt of this approval.
2. **Philip Environmental Commitments:** Philip Environmental will abide by all commitments submitted in the Discharge Plan Application dated February 27, 1996 as well as this Discharge Plan Approval from OCD dated April 16, 1996.
3. **Drum Storage:** All drums containing materials other than fresh water must be stored on an impermeable pad and curb type containment. All empty drums should be stored on their sides with the bungs in place and lined up on a horizontal plane. Chemicals in other containers such as sacks or buckets should also be stored on an impermeable pad and curb type containment.
4. **Process Areas:** All process and maintenance areas which show evidence that leaks and spills are reaching the ground surface must be either paved and curbed or have some type of spill collection device incorporated into the design.
5. **Above Ground Tanks:** All above ground tanks which contain fluids other than fresh water must be bermed to contain a volume of one-third more than the total volume of the largest tank or of all interconnected tanks. All new facilities or modifications to existing facilities must place the tank on an impermeable type pad.
6. **Above Ground Saddle Tanks:** Above ground saddle tanks must have impermeable pad and curb type containment unless they contain fresh water or fluids that are gases at atmospheric temperature and pressure.
7. **Tank Labeling:** All tanks should be clearly labeled to identify their contents and other emergency information necessary if the tank were to rupture, spill, or ignite.

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8. **Below Grade Tanks/Sumps:** All below grade tanks, sumps, and pits must be approved by the OCD prior to installation or upon modification and must incorporate secondary containment and leak-detection into the design. All pre-existing sumps and below-grade tanks that do not have secondary containment and leak detection must demonstrate integrity on an annual basis. Integrity tests include pressure testing to 3 pounds per square inch above normal operating pressure and/or visual inspection of cleaned out tanks /or sumps.

9. **Underground Process/Wastewater Lines:** All underground process/wastewater pipelines must be tested to demonstrate their mechanical integrity at present and then every 5 years there after. Companies may propose various methods for testing such as pressure testing to 3 pounds per square inch above normal operating pressure or other means acceptable to the OCD.

10. **Housekeeping:** All systems designed for spill collection/prevention should be inspected to ensure proper operation and to prevent overtopping or system failure.

Any contaminated soils that are collected at the facility will be tested for hazardous constituents, and after receiving OCD approval, will be disposed of at an OCD approved site.

11. **Spill Reporting:** All spills/releases shall be reported pursuant to OCD Rule 116 and WQCC 1203 to the Aztec OCD District Office at (505)-334-6178.

12. **Transfer of Discharge Plan:** The OCD will be notified prior to any transfer of ownership, control, or possession of a facility with an approved discharge plan. A written commitment to comply with the terms and conditions of the previously approved discharge plan must be submitted by the purchaser and approved by the OCD prior to transfer.

13. **Closure:** The OCD will be notified when operations of the facility are discontinued for a period in excess of six months. Prior to closure of the facility a closure plan will be submitted for approval by the director. Closure and waste disposal will be in accordance with the statutes, rules and regulations in effect at the time of closure.

14. **Conditions accepted by:** *[Signature]* 4/23/95
Company Representative Date

Senior Ops Mgr.
Title



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
2040 S. PACHECO
SANTA FE, NEW MEXICO 87505
(505) 827-7131

April 16, 1996

CERTIFIED MAIL
RETURN RECEIPT NO. Z-765-963-127

Mr. L.E. "Bud" Dehner
Philip Environmental
4000 Monroe Rd.
Farmington, NM 87401

**RE: Approval of Discharge Plan GW-238
Farmington Facility
San Juan County, New Mexico**

Dear Mr. Dehner:

The discharge plan GW-238 for the Philip Environmental Farmington Facility located in SW/4 SE/4, Section 13, Township 29 North, Range 13 West, NMPM, San Juan County, New Mexico, is hereby approved under the conditions contained in the enclosed attachment. The discharge plan consists of the application dated February 27, 1996 from Philip Environmental as well as the attached permit conditions. Enclosed are two copies of the conditions of approval. Please sign and return one copy to the New Mexico Oil Conservation Division (OCD) Santa Fe Office within five working days of receipt of this letter.

The discharge plan renewal application was submitted pursuant to Section 3106 of the New Mexico Water Quality Control Commission Regulations. Please note Sections 3109.E and 3109.F which provide for possible future amendments or modifications of the plan. Please be advised that the approval of this plan does not relieve **Philip Environmental** of liability should the operations associated with this facility result in pollution of surface water, ground water, or the environment.

Please be advised that all exposed pits, including lined pits and open top tanks (tanks exceeding 16 feet in diameter), shall be screened, netted, or otherwise rendered nonhazardous to wildlife including migratory birds.

Mr. L.E. "Bud" Dehner
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Please note that Section 3104 of the regulations requires that "When a plan has been approved, discharges must be consistent with the terms and conditions of the plan." Pursuant to Section 3107.C Philip Environmental is required to notify the Director of any facility expansion, production increase, or process modification that would result in any change in the discharge of water quality or volume.

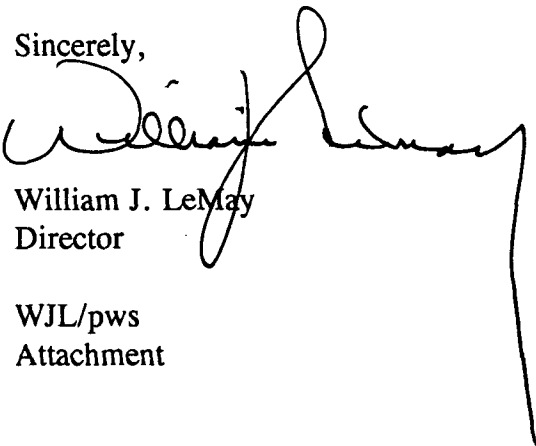
Pursuant to Section 3109.G.4, this plan is for a period of five (5) years. This approval will expire April 16, 2001, and an application for renewal should be submitted in ample time before that date. It should be noted that all discharge plan facilities will be required to submit plans for, or the results of, an underground drainage testing program as a requirement for discharge plan approval.

The discharge plan approval for the Philip Environmental Farmington Facility GW-238 is subject to the WQCC Regulation 3114 discharge plan fee. Every billable facility submitting a discharge plan will be assessed a fee equal to the filing fee of fifty dollars (\$50) plus the flat fee of one thousand three-hundred and eighty dollars (\$1,380) for Service Companies.

The \$50 filing fee has not been received by the OCD. The flat fee for an approved discharge plan has not been received by the OCD. Make all checks payable to NMED - Water Quality Management, and mail to the OCD at the letterhead address.

On behalf of the staff of the Oil Conservation Division, I wish to thank you and your staff for your cooperation during this discharge plan review.

Sincerely,

A handwritten signature in black ink, appearing to read "William J. LeMay", with a long vertical line extending downwards from the end of the signature.

William J. LeMay
Director

WJL/pws
Attachment

xc: Mr. Denny Foust

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14. **Conditions accepted by:**

Company Representative

Date

Title

Z 765 963 127



**Receipt for
Certified Mail**

**No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)**

PS Form 3800, March 1993

Sent to	
Street and No.	
P.O., State and ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	