

GW - 264

**GENERAL
CORRESPONDENCE**

YEAR(S):
2007-1996



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joa nna Prukop

Cab ine Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

April 3, 2007

Floyd Abbott
President
Abbott Brothers Rat Hole Service Co.
P.O. Box 305
Hobbs, New Mexico 88241

Re: Discharge Permit GW264
Abbott Brothers Rat Hole Service Company

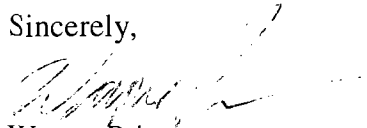
Dear Mr. Abbott:

Pursuant to Water Quality Control Commission (WQCC) Regulations 20.6.2.3000 - 20.6.2.3114 NMAC, the Oil Conservation Division (OCD) hereby approves the discharge permit for the Abbott Brothers Company, Inc. (owner/operator) Abbott Brothers Rat Hole Service Company GW264 located in the NW/4 of the NW/4 of Section 28, Township 18 North, Range 38 East, NMPM, Lea County, New Mexico, under the conditions specified in the enclosed **Attachment To The Discharge Permit**. 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 30 working days of receipt of this letter including permit fees.**

Please be advised that approval of this permit does not relieve the owner/operator of responsibility should operations result in pollution of surface water, ground water or the environment. Nor does approval of the permit relieve the owner/operator of its responsibility to comply with any other applicable governmental authority's rules and regulations.

If you have any questions, please contact Edward J. Hansen of my staff at (505-476-3489) or E-mail edwardj.hansen@state.nm.us. On behalf of the staff of the OCD, I wish to thank you and your staff for your cooperation during this discharge permit review.

Sincerely,


Wayne Price
Environmental Bureau Chief

LWP/ejh
Attachments-1
xc: OCD District Office

ATTACHMENT TO THE DISCHARGE PERMIT RENEWAL
Abbott Brothers Rat Hole Service Company (GW264)
DISCHARGE PERMIT APPROVAL CONDITIONS
April 3, 2007

Please remit a check for \$1700.00 made payable to Water Quality Management Fund:

Water Quality Management Fund
c/o: Oil Conservation Division
1220 S. Saint Francis Drive
Santa Fe, New Mexico 87505

- 1. Payment of Discharge Plan Fees:** All discharge permits are subject to WQCC Regulations. Every billable facility that submits a discharge permit application will be assessed a filing fee of \$100.00, plus a renewal flat fee (*see* WQCC Regulation 20.6.2.3114 NMAC). The Oil Conservation Division ("OCD") has received the required \$100.00 filing fee. However, the owner/operator still owes the required \$1700.00 renewal permit fee for an oil and gas service company.
- 2. Permit Expiration, Renewal Conditions and Penalties:** Pursuant to WQCC Regulation 20.6.2.3109.H.4 NMAC, this permit is valid for a period of five years. **The permit will expire on November 25, 2011** and an application for renewal should be submitted no later than 120 days before that expiration date. Pursuant to WQCC Regulation 20.6.2.3106.F NMAC, if a discharger submits a discharge permit renewal application at least 120 days before the discharge permit expires and is in compliance with the approved permit, then the existing discharge permit will not expire until the application for renewal has been approved or disapproved. *Expired permits are a violation of the Water Quality Act {Chapter 74, Article 6, NMSA1978} and civil penalties may be assessed accordingly.*
- 3. Permit Terms and Conditions:** Pursuant to WQCC Regulation 20.6.2.3104 NMAC, when a permit has been issued, the owner/operator must ensure that all discharges shall be consistent with the terms and conditions of the permit. In addition, all facilities shall abide by the applicable rules and regulations administered by the OCD pursuant to the Oil and Gas Act, NMSA 1978, Sections 70-2-1 through 70-2-38.
- 4. Owner/Operator Commitments:** The owner/operator shall abide by all commitments submitted in its December 26, 2006 discharge plan renewal application, including attachments and subsequent amendments and these conditions for approval. Permit applications that reference previously approved plans on file with the division shall be incorporated in this permit and the owner/operator shall abide by all previous commitments of such plans and these conditions for approval.

- 5. Modifications:** WQCC Regulation 20.6.2.3107.C, and 20.6.2.3109 NMAC addresses possible future modifications of a permit. The owner/operator (discharger) shall notify the OCD of any facility expansion, production increase or process modification that would result in any significant modification in the discharge of water contaminants. The Division Director may require a permit modification if any water quality standard specified at 20.6.2.3103 NMAC is being or will be exceeded, or if a toxic pollutant as defined in WQCC Regulation 20.6.2.7 NMAC is present in ground water at any place of withdrawal for present or reasonably foreseeable future use, or that the Water Quality Standards for Interstate and Intrastate streams as specified in 20.6.4 NMAC are being or may be violated in surface water in New Mexico.
- 6. Waste Disposal and Storage:** The owner/operator shall dispose of all wastes at an OCD-approved facility. Only oil field RCRA-exempt wastes may be disposed of by injection in a Class II well. RCRA non-hazardous, non-exempt oil field wastes may be disposed of at an OCD-approved facility upon proper waste determination pursuant to 40 CFR Part 261. Any waste stream that is not listed in the discharge permit application must be approved by the OCD on a case-by-case basis.
- A. OCD Rule 712 Waste:** Pursuant to OCD Rule 712 (19.15.9.712 NMAC) disposal of certain non-domestic waste without notification to the OCD is allowed at NMED permitted solid waste facilities if the waste stream has been identified in the discharge permit and existing process knowledge of the waste stream does not change.
- B. Waste Storage:** The owner/operator shall store all waste in an impermeable bermed area, except waste generated during emergency response operations for up to 72 hours. All waste storage areas shall be identified in the discharge permit application. Any waste storage area not identified in the permit shall be approved on a case-by-case basis only. The owner/operator shall not store oil field waste on-site for more than 180 days unless approved by the OCD.
- 7. Drum Storage:** The owner/operator must store all drums, including empty drums, containing materials other than fresh water on an impermeable pad with curbing. The owner/operator must store empty drums on their sides with the bungs in place and lined up on a horizontal plane. The owner/operator must store chemicals in other containers, such as tote tanks, sacks, or buckets on an impermeable pad with curbing.
- 8. Process, Maintenance and Yard Areas:** The owner/operator shall either pave and curb or have some type of spill collection device incorporated into the design at all process, maintenance, and yard areas which show evidence that water contaminants from releases, leaks and spills have reached the ground surface.

9. Above Ground Tanks: The owner/operator shall ensure that all aboveground tanks have impermeable secondary containment (e.g., liners and berms), which will contain a volume of at least one-third greater than the total volume of the largest tank or all interconnected tanks. The owner/operator shall retrofit all existing tanks before discharge permit renewal. Tanks that contain fresh water or fluids that are gases at atmospheric temperature and pressure are exempt from this condition.

10. Labeling: The owner/operator shall clearly label all tanks, drums, and containers to identify their contents and other emergency notification information. The owner/operator may use a tank code numbering system, which is incorporated into their emergency response plans.

11. Below-Grade Tanks/Sumps and Pits/Ponds.

A. All below-grade tanks and sumps must be approved by the OCD prior to installation and must incorporate secondary containment with leak detection into the design. The owner/operator shall retrofit all existing systems without secondary containment and leak detection before discharge permit renewal. All existing below-grade tanks and sumps without secondary containment and leak detection must be tested annually or as specified herein. Systems that have secondary containment with leak detection shall have a monthly inspection of the leak detection system to determine if the primary containment is leaking. Small sumps or depressions in secondary containment systems used to facilitate fluid removal are exempt from these requirements if fluids are removed within 72 hours.

B. All pits and ponds, including modifications and retrofits, shall be designed by a certified registered professional engineer and approved by the OCD prior to installation. In general, all pits or ponds shall have approved hydrologic and geologic reports, location, foundation, liners, and secondary containment with leak detection, monitoring and closure plans. All pits or ponds shall be designed, constructed and operated so as to contain liquids and solids in a manner that will protect fresh water, public health, safety and the environment for the foreseeable future. The owner/operator shall retrofit all existing systems without secondary containment and leak detection before discharge permit renewal.

C. The owner/operator shall ensure that all exposed pits, including lined pits and open top tanks (8 feet in diameter or larger) shall be fenced, screened, netted, or otherwise rendered non-hazardous to wildlife, including migratory birds.

D. The owner/operator shall maintain the results of tests and inspections at the facility covered by this discharge permit and available for OCD inspection. The owner/operator shall report the discovery of any system which is found to be leaking or has lost integrity to the OCD within 15 days. The owner/operator may propose various methods for testing such as pressure testing to 3 pounds per square inch greater than normal operating pressure and/or visual inspection of cleaned tanks and/or sumps, or other OCD-approved methods. The owner/operator shall notify the OCD at least 72 hours prior to all testing.

12. Underground Process/Wastewater Lines:

A. The owner/operator shall test all underground process/wastewater pipelines at least once every five (5) years to demonstrate their mechanical integrity, except lines containing fresh water or fluids that are gases at atmospheric temperature and pressure. Pressure rated pipe shall be tested by pressuring up to one and one-half times the normal operating pressure, if possible, or for atmospheric drain systems, to 3 pounds per square inch greater than normal operating pressure, and pressure held for a minimum of 30 minutes with no more than a 1% loss/gain in pressure. The owner/operator may use other methods for testing if approved by the OCD.

B. The owner/operator shall maintain underground process and wastewater pipeline schematic diagrams or plans showing all drains, vents, risers, valves, underground piping, pipe type, rating, size, and approximate location. All new underground piping must be approved by the OCD prior to installation. The owner/operator shall report any leaks or loss of integrity to the OCD within 15 days of discovery. The owner/operator shall maintain the results of all tests at the facility covered by this discharge permit and they shall be available for OCD inspection. The owner/operator shall notify the OCD at least 72 hours prior to all testing.

13. Class V Wells: The owner/operator shall close all Class V wells (e.g., septic systems, leach fields, dry wells, etc.) that inject non-hazardous industrial wastes or a mixture of industrial wastes and domestic wastes unless it can be demonstrated that ground water will not be impacted in the reasonably foreseeable future. Leach fields and other wastewater disposal systems at OCD-regulated facilities that inject non-hazardous fluid into or above an underground source of drinking water are considered Class V injection wells under the EPA UIC program. Class V wells that inject domestic waste only, must be permitted by the New Mexico Environment Department (NMED).

14. Housekeeping: The owner/operator shall inspect all systems designed for spill collection/prevention and leak detection at least monthly to ensure proper operation and to prevent over topping or system failure. All spill collection and/or secondary containment devices shall be emptied of fluids within 72 hours of discovery. The owner/operator shall maintain all records at the facility and available for OCD inspection.

15. Spill Reporting: The owner/operator shall report all unauthorized discharges, spills, leaks and releases and conduct corrective action pursuant to WQCC Regulation 20.5.12.1203 NMAC and OCD Rule 116 (19.15.3.116 NMAC). The owner/operator shall notify both the OCD District Office and the Santa Fe Office within 24 hours and file a written report within 15 days.

16. OCD Inspections: The OCD may place additional requirements on the facility and modify the permit conditions based on OCD inspections.

17. Storm Water: The owner/operator shall implement and maintain run-on and runoff plans and controls. The owner/operator shall not discharge any water contaminant that exceeds the WQCC standards specified in 20.6.2.3101 NMAC or 20.6.4 NMAC (Water Quality Standards for Interstate and Intrastate Streams) including any oil sheen in any stormwater run-off. The owner/operator shall notify the OCD within 24 hours of discovery of any releases and shall take immediate corrective action(s) to stop the discharge.

18. Unauthorized Discharges: The owner/operator shall not allow or cause water pollution, discharge or release of any water contaminant that exceeds the WQCC standards listed in 20.6.2.3101 NMAC or 20.6.4 NMAC (Water Quality Standards for Interstate and Intrastate Streams) unless specifically listed in the permit application and approved herein. *An unauthorized discharge is a violation of this permit.*

19. Vadose Zone and Water Pollution: The owner/operator shall address any contamination through the discharge permit process or pursuant to WQCC 20.6.2.4000-.4116 NMAC (Prevention and Abatement of Water Pollution). The OCD may require the owner/operator to modify its permit for investigation, remediation, abatement, and monitoring requirements for any vadose zone or water pollution. Failure to perform any required investigation, remediation, abatement and submit subsequent reports will be a violation of the permit.

20. Additional Site Specific Conditions: N/A

21. Transfer of Discharge Permit (WQCC 20.6.2.3111) Prior to any transfer of ownership, control, or possession (whether by lease, conveyance or otherwise) of a facility with a discharge permit, the transferor shall notify the transferee in writing of the existence of the discharge permit, and shall deliver or send by certified mail to the department a copy of such written notification, together with a certification or other proof that such notification has in fact been received by the transferee. Upon receipt of such notification, the transferee shall have the duty to inquire into all of the provisions and requirements contained in such discharge permit, and the transferee shall be charged with notice of all such provisions and requirements as they appear of record in the department's file or files concerning such discharge permit. The transferee (new owner/operator) shall sign and return an original copy of these permit conditions and provide a written commitment to comply with the terms and conditions of the previously approved discharge permit.

22. Closure: The owner/operator shall notify the OCD when operations of the facility are to be discontinued for a period in excess of six months. Prior to closure of the facility, the operator shall submit a closure plan for approval. Closure and waste disposal shall be in accordance with the statutes, rules and regulations in effect at the time of closure.

23. Certification: Abbott Brothers Company, Inc., (Owner/Operator), by the officer whose signature appears below, accepts this permit and agrees to comply with all submitted commitments, including these terms and conditions contained here. **Owner/Operator** further acknowledges that the OCD may, for good cause shown, as necessary to protect fresh water, public health, safety, and the environment, change the conditions and requirements of this permit administratively.

Conditions accepted by: "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment."

Company Name-print name above

Company Representative- print name

Company Representative- signature

Title_____

Date:_____

1AFFIDAVIT OF PUBLICATION

State of New Mexico,
County of Lea.

I, KENNETH NORRIS

ADVERTISING MANAGER

of the Hobbs News-Sun, a news-
paper published at Hobbs, New
Mexico, do solemnly swear that
the clipping attached hereto was
published once a week in the reg-
ular and entire issue of said
paper, and not a supplement
thereof for a period

of 1

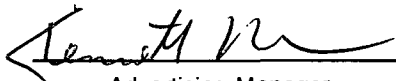
issue(s).

Beginning with the issue dated

March 8, 2007

and ending with the issue dated

March 8, 2007



Advertising Manager

Sworn and subscribed to before

this 13th day of

March, 2007

Notary Public

My Commission expires
February 07, 2009
(Seal)



OFFICIAL SEAL
DORA MONTZ
NOTARY PUBLIC
STATE OF NEW MEXICO

My Commission Expires: _____

This newspaper is duly qualified to
publish legal notices or advertise-
ments within the meaning of
Section 3, Chapter 167, Laws of
1937, and payment of fees for said
publication has been made.

01105254-000

49654011

ABBOTT BROS. RAT HOLE SVC.
P.O. BOX 305
HOBBS, NM 88241

RECEIVED

MAR 19 2007

Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, NM 87505
361-8750

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courtroom, Mark Lunsford
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**charged in
kidnapping fired**

VERAL, Fla. (AP) —
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ns of a space shuttle pilot.
ds said Nowak's dismissal
the space agency's belief in
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because Nowak is a naval
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NASA spokesman James
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Couey

For more information visit: www.csw.edu/SpringLecture.

COLLEGE OF THE
SOUTHWEST

PUBLIC NOTICE

Abbott Brothers Company, Inc., Floyd Abbott, President, PO Box 305, Hobbs, NM 88241, has submitted a renewal application for the previously approved discharge plan (GW-264) for their shop and yard, located in the NW/4 of the NM/4 of Section 28, Township 18S, Range 38E, NMPM, Lea County, NM (1923 West Bender, Hobbs, NM). Approximately 1200 gallons of wash-down water, 50 gallons of used oil, 25 used oil filters, and 10 empty cans are generated on site annually, which are collected and temporarily stored in containment vessels prior to transport and disposal at a NMOC approved facility. Groundwater most likely to be affected by a spill, leak or accidental discharge is at a depth of approximately 89 to 97 feet, with a total dissolved solids concentraton of approximately 200 to 800 mg/l. The discharge plan addresses how oilfield products and waste will be properly handled, stored, and disposed of, including how spills, leaks, and other accidental discharges to the surface will be managed in order to protect fresh water. Any interested person may obtain information, submit comments or request to be placed on a facility specific mailing list for future notices by contacting Edward J. Hansen at the New Mexico OCD at 1220 South St. Francis Drive, Santa Fe, NM 87505. Telephone (505) 476-3489. The OCD will accept comments and statements of interest regarding the renewal and will create a facility-specific mailing list for persons who wish to receive future notices.

NOTICA PUBLICA

Abbott Brothers Company, Inc. Floyd Abbot Presidente, PO Box 305 Hobbs, NM 88241. A. Sometido una aplicacion para renobar el plan de descarga (GW-264) para el taller y el patio. Localizado en NW/4 seccion 28 en el poblado 18S. Cobertura 38E, NMPM en el condado Lea, NM (1923 Oeste Bender Hobbs, NM). Se recolectaran aproximadamente 1200 gl de agua la cual se utiliza para labar las trocas, 50 gl de aceite usado y 25 filtros de aceite usados los cuales estan temporalmente almacenados en contenedores para su transportacion y para su reciclaje en el edificio nmocd. el agua supterranea se podria contaminar con cualquier fuga, derrame, o accidente al descargar estos liquidos. Asta una profundidad de 89 A 97 pies con una disolbencia aproximada de 200 A 800 mg/l. El plan de descarga nos ayuda a almacenary manejar correctamente, los productos del aceite para proteger nuestras aguas. Cualquier persona interesada en obtener informacion comentarios o peticiones embiarlos via correo a Edward Hansen en nmocd en 1220 sur calle Fancis en Santa Fe, NM 87505 Tel 505-476-3489 el ocd estara aceptando cualquier comentario Y estimaciones con el interes de optner noticias sobre la renobacion por correo.

**NOTICE OF
PUBLICATION**

**STATE OF
NEW MEXICO
ENERGY, MINERALS
AND NATURAL
RESOURCES
DEPARTMENT
OIL CONSERVATION
DIVISION**

Notice is hereby given that pursuant to New Mexico Water Quality Control Commission Regulations (20.6.2.3106 NMAC), the following discharge permit renewal application has been submitted to the Director of the New Mexico Oil Conservation Division ("NMOCD"), 1220 S. Saint Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

(GW264) **Abbott Brothers Co., Inc., Floyd Abbott, President, P.O. Box 305, Hobbs, New Mexico 88241, has submitted a renewal application for the previously approved discharge plan (GW-264) for their shop and yard located in the NW/4 of the NW/4 of Section 28, Township 18 South, Range 38 East, CLAPM, Lea County, New Mexico (L23 banner, Hobbs, New Mexico). Approximately 1,200 gallons of wash-down water, 50 gallons of used oil, 25 used oil filters, and 10 empty cans are generated on site annually, which are collected and temporarily stored in containment vessels prior to transport and disposal at an NMOCD-approved facility. Groundwater most likely to be affected by a spill, leak or accidental discharge is at a depth of approximately 89 to 97 feet below ground surface, with a total dissolved solids concentration of approximately 200 to 800 mg/L. The discharge plan addresses how oilfield products and waste will be properly handled, stored, and disposed of, including how spills, leaks, and other accidental discharges to the surface will be managed in order to protect base water.**

The NMOCD has determined that the application is administratively complete and has prepared a draft permit. The NMOCD will accept comments and statements of interest regarding this application and will create a facility-specific mailing list for persons who wish to receive future notices. Persons interested in obtaining further information, submitting comments or requesting to be on a facility-specific mailing list for future notices may contact the Environmental Bureau Chief of the Oil Conservation Division at the address given above. The administrative completeness determination and draft permit may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday, or may also be viewed at the NMOCD web site <http://www.emnrd.state.nm.us/ocd/>. Persons interested in obtaining a copy of the application and draft permit may contact the NMOCD at the address given above. Prior to ruling on any proposed discharge permit or major modification, the Director shall allow a period of at least thirty (30) days after the date of publication of this notice, during which interested persons may submit comments or request that NMOCD hold a public hearing. Requests for a public hearing shall set forth the reasons why a hearing should be held. A hearing will be held if the Director determines that there is significant public interest.

If no public hearing is held, the Director will approve or disapprove the proposed permit based on information available, including all comments received. If a public hearing is held, the director will approve or disapprove the proposed permit based on information in the permit application and information submitted at the hearing.

Para obtener más información sobre esta solicitud en español, sírvase comunicarse por favor: New Mexico Energy, Minerals and Natural Re-

Sources Department (Depto. Del Energía, Minerals y Recursos Naturales de Nuevo México), Oil Conservation Division (Depto. Conservación Del Petróleo), 1220 South St. Francis Drive, Santa Fe, New Mexico (Contacto: Dorothy Phillips, 505-476-3461)

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 27th day of February, 2007.

**STATE OF
NEW MEXICO
OIL CONSERVATION
DIVISION**

S E A L

Mark Fesmire,
Director

Legal #80475

Pub. March 2, 2007

THE SANTA FE
NEW MEXICAN
Founded 1849

NM EMNRD OIL CONSERVATION

ATTN: Edward Hansen

220 S ST FRANCIS DR
SANTA FE NM 87505

ALTERNATE ACCOUNT: 56689

AD NUMBER: 00204783 ACCOUNT: 00002212

LEGAL NO: 80475 P.O. #: 52100-3956

315 LINES 1 TIME(S) 176.40

AFFIDAVIT: 6.00

TAX: 13.91

TOTAL: 196.31

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO
COUNTY OF SANTA FE

I, R. Lara, being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily newspaper published in the English language, and having a general circulation in the Counties of Santa Fe and Los Alamos, State of New Mexico and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the publication # 80475 a copy of which is hereto attached was published in said newspaper 1 day(s) between 03/02/2007 and 03/02/2007 and that the notice was published in the newspaper proper and not in any supplement; the first date of publication being on the 2nd day of March, 2007 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

/S/ _____
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 2nd day of March, 2007

Notary *Laure J. Harding*
Commission Expires: *11/23/07*

*OK to pay
Edward Hansen
3-20-07*

11/23/07

AFFIDAVIT OF PUBLICATION

State of New Mexico,
County of Lea.

I, KATHI BEARDEN

Publisher

of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, do solemnly swear that the clipping attached hereto was published once a week in the regular and entire issue of said paper, and not a supplement thereof for a period.

of 1 weeks.

Beginning with the issue dated

March 2 2007

and ending with the issue dated

March 2 2007

Kathi Bearden

Publisher

Sworn and subscribed to before

me this 5th day of

March 2007

Notary Public.

My Commission expires
February 07, 2009
(Seal)



OFFICIAL SEAL
DORA MONTZ
NOTARY PUBLIC
STATE OF NEW MEXICO

My Commission Expires: _____

This newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Laws of 1937, and payment of fees for said publication has been made.

LEGAL NOTICE
March, 2, 2007

NOTICE OF PUBLICATION

STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to New Mexico Water Quality Control Commission Regulations (20.6.2.3106 NMAC), the following discharge permit renewal application has been submitted to the Director of the New Mexico Oil Conservation Division ("NMOCD"), 1220 S. Saint Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

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The NMOCD has determined that the application is administratively complete and has prepared a draft permit. The NMOCD will accept comments and statements of interest regarding this application and will create a facility-specific mailing list for persons who wish to receive future notices. Persons interested in obtaining further information, submitting comments or requesting to be on a facility-specific mailing list for future notices may contact the Environmental Bureau Chief of the Oil Conservation Division at the address given above. The administrative completeness determination and draft permit may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday, or may also be viewed at the NMOCD web site <http://www.emnrd.state.nm.us/ocd/>. Persons interested in obtaining a copy of the application and draft permit may contact the NMOCD at the address given above. Prior to ruling on any proposed discharge permit or major modification, the Director shall allow a period of at least thirty (30) days after the date of publication of this notice, during which interested persons may submit comments or request that NMOCD hold a public hearing. Requests for a public hearing shall set forth the reasons why a hearing should be held. A hearing will be held if the Director determines that there is significant public interest.

If no public hearing is held, the Director will approve or disapprove the proposed permit based on information available, including all comments received. If a public hearing is held, the director will approve or disapprove the proposed permit based on information in the permit application and information submitted at the hearing.

Para obtener más información sobre esta solicitud en español, sírvase comunicarse por favor: New Mexico Energy, Minerals and Natural Resources Department (Depto. Del. Energía, Minerales y Recursos Naturales de Nuevo México), Oil Conservation Division (Depto. Conservación Del Petróleo), 1220 South St. Francis Drive, Santa Fe, New México (Contacto: Dorothy Phillips, 505-476-3461)

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 27th day of February, 2007.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

SEAL

#23062

Mark Fesmire, Director

01101546000 02591659
OIL CONSERVATION DIVISION *
1220 S. SAINT FRANCIS
SANTA FE, NM 87505

Advertising Receipt

Hobbs Daily News-Sun

201 N Thorp
P O Box 850
Hobbs, NM 88241-0850
Phone: (505) 393-2123
Fax: (505) 397-0610

EDWAR DJ. HANSEN
OIL CONSERVATION DIVISION *
EMNRD
1220 S. SAINT FRANCIS
SANTA FE, NM 87505

Cust#: 01101546-000
Ad#: 02591659
Phone: (505)476-3489
Date: 03/07/07

Ad taker: 02

Salesperson: 08

Classification: 673

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
07 07 Daily News-Sun	03/02/07	03/02/07	1	134.26		134.27
Bold						1.00
Affidavit for legals						3.00

Payment Reference:

LEGAL NOTICE
March, 2, 2007

NOTICE OF PUBLICATION

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to New Mexico Water Quality Control Commission Regulations (20.6.2.3106 NMAC), the following discharge permit renewal application has been submitted to the Director of the New Mexico Oil Conservation Division ("NMOCD"), 1220 S. Saint Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

(GW264) Abbott Brothers Co., Inc., Floyd Abbott, President, P.O. Box 305, Hobbs, New Mexico 88241, has submitted a renewal application for the previously approved discharge plan (GW-264)

Total: 138.27

Tax: 0.00

Net: 138.27

Prepaid: 0.00

Total Due 138.27

OK. to pay
Edward Hansen
3-13-07

Hansen, Edward J., EMNRD

From: Hansen, Edward J., EMNRD
Sent: Monday, February 26, 2007 2:59 PM
To: 'legals@sfnewmexican.com'
Subject: GW264 Public Notice
Attachments: GW264PermitNotice2_27_2007.DOC

Dear Sir or Madam:

Please publish the attached notice(s) once in the classified-legal notice section of the newspaper. PO # is 52100-0000000044 Account # 56689 (account # included for Santa Fe paper only). Please mail an affidavit of proof of publication for the notice. Please contact me if you have questions. Thank you.

The Oil Conservation Division (OCD) appreciates the ad placement services that you provide to our agency. In order to streamline the review and approval process for newspaper ad invoices, the OCD requests that you send the original invoice with an original affidavit of proof of posting directly to the OCD requestor (contact info. usually at the bottom of e-mails or letters). This will help the proper OCD staff person responsible for the ad placement to promptly receive invoices from newspaper companies and quickly approve invoices for payment.

The OCD appreciates your cooperation and we look forward to working with you in the future. Please contact me if you have questions or need further assistance in this matter.

Edward J. Hansen
Oil Conservation Division
EMNRD
1220 S. St. Francis Dr.
Santa Fe, New Mexico 87505

505-476-3489

Hansen, Edward J., EMNRD

From: Hansen, Edward J., EMNRD
Sent: Monday, February 26, 2007 2:56 PM
To: 'classifieds@hobbsnews.com'
Subject: GW264 Public Notice
Attachments: GW264PermitNotice2_27_2007.DOC

Dear Lisa,

Please publish the attached notice(s) once in the classified-legal notice section of the newspaper. PO # is 52100-0000000040. Please mail an affidavit of proof of publication for the notice. Please contact me if you have questions. Thank you.

The Oil Conservation Division (OCD) appreciates the ad placement services that you provide to our agency. In order to streamline the review and approval process for newspaper ad invoices, the OCD requests that you send the original invoice with an original affidavit of proof of posting directly to the OCD requestor (contact info. usually at the bottom of e-mails or letters). This will help the proper OCD staff person responsible for the ad placement to promptly receive invoices from newspaper companies and quickly approve invoices for payment.

The OCD appreciates your cooperation and we look forward to working with you in the future. Please contact me if you have questions or need further assistance in this matter.

Edward J. Hansen
Oil Conservation Division
EMNRD
1220 S. St. Francis Dr.
Santa Fe, New Mexico 87505

505-476-3489

STATE OF NEW MEXICO
ENERGY MINERALS AND
NATURAL RESOURCES DEPARTMENT
1220 SOUTH SAINT FRANCIS DRIVE
SANTA FE, NEW MEXICO 87505

Field Supervisor
US Fish & Wildlife Service
2105 Osuna Road, Northeast
Albuquerque, NM 87113-1001

GW264

STATE OF NEW MEXICO
ENERGY MINERALS AND
NATURAL RESOURCES DEPARTMENT
1220 SOUTH SAINT FRANCIS DRIVE
SANTA FE, NEW MEXICO 87505

~~RECEIVED~~ sent 5
FEB 26 2007
Environmental Bureau
Oil Conservation Division

Dr. Harry Bishara
P. O. Box 748
Cuba, NM 87013

STATE OF NEW MEXICO
ENERGY MINERALS AND
NATURAL RESOURCES DEPARTMENT
1220 SOUTH SAINT FRANCIS DRIVE
SANTA FE, NEW MEXICO 87505

Elmo Baca
State Historic Preservation Officer
228 East Palace Avenue
Villa Rivera Room 101
Santa Fe, NM 87503

Hansen, Edward J., EMNRD

From: Hansen, Edward J., EMNRD
Sent: Monday, February 26, 2007 2:42 PM
To: Stone, Ben, EMNRD
Subject: GW264 website posting
Attachments: GW264_AdminCompLetter2_23_07.pdf; GW264Discharge Plan draft approval_02_27_07.pdf;
GW264PermitNotice2_27_2007.pdf

Ben,
Please post these three documents on the OCD website.
Thank you.

2/26/2007

Hansen, Edward J., EMNRD

From: Hansen, Edward J., EMNRD
Sent: Monday, February 26, 2007 3:03 PM
To: Thompson, Bruce C., DGF; Shendo, Benny, DIA; 'ddapr@nmda.nmsu.edu'; 'Linda_Rundell@nm.blm.gov'; 'sthompson@ago.state.nm.us'; 'r@rthicksconsult.com'; 'sricdon@earthlink.net'; 'nmparks@state.nm.us'; Dantonio, John, OSE; 'seligman@nmoga.org'; Martinez, Elysia, NMENV; 'lwa@lwasf.com'; 'lazarus@glorietageo.com'; Stone, Marissa, NMENV; 'ron.dutton@xcelenergy.com'; 'cgarcia@fs.fed.us'; 'jbarnett@barnettwater.com'; Bearzi, James, NMENV; 'mschulz@theitgroup.com'; 'bsg@garbhall.com'; 'jcc_crb@pacbell.net'; Olson, Bill, NMENV; 'claudette.horn@pnm.com'; 'ekendrick@montand.com'; 'ken@crihobbs.com'
Subject: GW264: Public Notice for Renewal of Discharge Permit
Attachments: GW264PermitNotice2_27_2007.pdf

2/26/2007

NOTICE OF PUBLICATION

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to New Mexico Water Quality Control Commission Regulations (20.6.2.3106 NMAC), the following discharge permit renewal application has been submitted to the Director of the New Mexico Oil Conservation Division ("NMOCD"), 1220 S. Saint Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

(GW264) Abbott Brothers Co., Inc., Floyd Abbott, President, P.O. Box 305, Hobbs, New Mexico 88241, has submitted a renewal application for the previously approved discharge plan (GW-264) for their shop and yard located in the NW/4 of the NW/4 of Section 28, Township 18 South, Range 38 East, NMPM, Lea County, New Mexico (1923 Bender, Hobbs, New Mexico). Approximately 1,200 gallons of wash-down water, 50 gallons of used oil, 25 used oil filters, and 10 empty cans are generated on site annually, which are collected and temporarily stored in containment vessels prior to transport and disposal at an NMOCD-approved facility. Groundwater most likely to be affected by a spill, leak or accidental discharge is at a depth of approximately 89 to 97 feet below ground surface, with a total dissolved solids concentration of approximately 200 to 800 mg/L. The discharge plan addresses how oilfield products and waste will be properly handled, stored, and disposed of, including how spills, leaks, and other accidental discharges to the surface will be managed in order to protect fresh water.

The NMOCD has determined that the application is administratively complete and has prepared a draft permit. The NMOCD will accept comments and statements of interest regarding this application and will create a facility-specific mailing list for persons who wish to receive future notices. Persons interested in obtaining further information, submitting comments or requesting to be on a facility-specific mailing list for future notices may contact the Environmental Bureau Chief of the Oil Conservation Division at the address given above. The administrative completeness determination and draft permit may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday, or may also be viewed at the NMOCD web site <http://www.emnrd.state.nm.us/ocd/>. Persons interested in obtaining a copy of the application and draft permit may contact the NMOCD at the address given above. Prior to ruling on any proposed discharge permit or major modification, the Director shall allow a period of at least thirty (30) days after the date of publication of this notice, during which interested persons may submit comments or request that NMOCD hold a public hearing. Requests for a public hearing shall set forth the reasons why a hearing should be held. A hearing will be held if the Director determines that there is significant public interest.

If no public hearing is held, the Director will approve or disapprove the proposed permit based on information available, including all comments received. If a public hearing is held, the director will approve or disapprove the proposed permit based on information in the permit application and information submitted at the hearing.

Para obtener más información sobre esta solicitud en español, sirvase comunicarse por favor: New Mexico Energy, Minerals and Natural Resources Department (Depto. Del Energia, Minerals y Recursos Naturales de Nuevo México), Oil Conservation Division (Depto. Conservación Del Petróleo), 1220 South St. Francis Drive, Santa Fe, New México (Contacto: Dorothy Phillips, 505-476-3461)

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 27th day of February, 2007.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

S E A L

Mark Fesmire, Director



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

February 27, 2007

Floyd Abbott
President
Abbott Brothers Rat Hole Service Co.
P.O. Box 305
Hobbs, New Mexico 88241

Re: Discharge Permit GW264 **DRAFT**
Abbott Brothers Rat Hole Service Company

Dear Mr. Abbott:

Pursuant to Water Quality Control Commission (WQCC) Regulations 20.6.2.3000 - 20.6.2.3114 NMAC, the Oil Conservation Division (OCD) hereby approves the discharge permit for the Abbott Brothers Company, Inc. (owner/operator) Abbott Brothers Rat Hole Service Company GW264 located in the NW/4 of the NW/4 of Section 28, Township 18 North, Range 38 East, NMPM, Lea County, New Mexico, under the conditions specified in the enclosed **Attachment To The Discharge Permit**. 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 30 working days of receipt of this letter including permit fees.**

Please be advised that approval of this permit does not relieve the owner/operator of responsibility should operations result in pollution of surface water, ground water or the environment. Nor does approval of the permit relieve the owner/operator of its responsibility to comply with any other applicable governmental authority's rules and regulations.

If you have any questions, please contact Edward J. Hansen of my staff at (505-476-3489) or E-mail edwardj.hansen@state.nm.us. On behalf of the staff of the OCD, I wish to thank you and your staff for your cooperation during this discharge permit review.

Sincerely,

Wayne Price
Environmental Bureau Chief

LWP/ejh
Attachments-1
xc: OCD District Office

Floyd Abbott
GW264
February 27, 2007
Page 2 of 7

ATTACHMENT TO THE DISCHARGE PERMIT RENEWAL
Abbott Brothers Rat Hole Service Company (GW264)
DISCHARGE PERMIT APPROVAL CONDITIONS
February 27, 2007

Please remit a check for \$1700.00 made payable to Water Quality Management Fund:

Water Quality Management Fund
c/o: Oil Conservation Division
1220 S. Saint Francis Drive
Santa Fe, New Mexico 87505

- 1. Payment of Discharge Plan Fees:** All discharge permits are subject to WQCC Regulations. Every billable facility that submits a discharge permit application will be assessed a filing fee of \$100.00, plus a renewal flat fee (*see* WQCC Regulation 20.6.2.3114 NMAC). The Oil Conservation Division ("OCD") has received the required \$100.00 filing fee. However, the owner/operator still owes the required \$1700.00 renewal permit fee for an oil and gas service company.
- 2. Permit Expiration, Renewal Conditions and Penalties:** Pursuant to WQCC Regulation 20.6.2.3109.H.4 NMAC, this permit is valid for a period of five years. **The permit will expire on November 25, 2011** and an application for renewal should be submitted no later than 120 days before that expiration date. Pursuant to WQCC Regulation 20.6.2.3106.F NMAC, if a discharger submits a discharge permit renewal application at least 120 days before the discharge permit expires and is in compliance with the approved permit, then the existing discharge permit will not expire until the application for renewal has been approved or disapproved. ***Expired permits are a violation of the Water Quality Act {Chapter 74, Article 6, NMSA1978} and civil penalties may be assessed accordingly.***
- 3. Permit Terms and Conditions:** Pursuant to WQCC Regulation 20.6.2.3104 NMAC, when a permit has been issued, the owner/operator must ensure that all discharges shall be consistent with the terms and conditions of the permit. In addition, all facilities shall abide by the applicable rules and regulations administered by the OCD pursuant to the Oil and Gas Act, NMSA 1978, Sections 70-2-1 through 70-2-38.
- 4. Owner/Operator Commitments:** The owner/operator shall abide by all commitments submitted in its December 26, 2006 discharge plan renewal application, including attachments and subsequent amendments and these conditions for approval. Permit applications that reference previously approved plans on file with the division shall be incorporated in this permit and the owner/operator shall abide by all previous commitments of such plans and these conditions for approval.

5. Modifications: WQCC Regulation 20.6.2.3107.C, and 20.6.2.3109 NMAC addresses possible future modifications of a permit. The owner/operator (discharger) shall notify the OCD of any facility expansion, production increase or process modification that would result in any significant modification in the discharge of water contaminants. The Division Director may require a permit modification if any water quality standard specified at 20.6.2.3103 NMAC is being or will be exceeded, or if a toxic pollutant as defined in WQCC Regulation 20.6.2.7 NMAC is present in ground water at any place of withdrawal for present or reasonably foreseeable future use, or that the Water Quality Standards for Interstate and Intrastate streams as specified in 20.6.4 NMAC are being or may be violated in surface water in New Mexico.

6. Waste Disposal and Storage: The owner/operator shall dispose of all wastes at an OCD-approved facility. Only oil field RCRA-exempt wastes may be disposed of by injection in a Class II well. RCRA non-hazardous, non-exempt oil field wastes may be disposed of at an OCD-approved facility upon proper waste determination pursuant to 40 CFR Part 261. Any waste stream that is not listed in the discharge permit application must be approved by the OCD on a case-by-case basis.

A. OCD Rule 712 Waste: Pursuant to OCD Rule 712 (19.15.9.712 NMAC) disposal of certain non-domestic waste without notification to the OCD is allowed at NMED permitted solid waste facilities if the waste stream has been identified in the discharge permit and existing process knowledge of the waste stream does not change.

B. Waste Storage: The owner/operator shall store all waste in an impermeable bermed area, except waste generated during emergency response operations for up to 72 hours. All waste storage areas shall be identified in the discharge permit application. Any waste storage area not identified in the permit shall be approved on a case-by-case basis only. The owner/operator shall not store oil field waste on-site for more than 180 days unless approved by the OCD.

7. Drum Storage: The owner/operator must store all drums, including empty drums, containing materials other than fresh water on an impermeable pad with curbing. The owner/operator must store empty drums on their sides with the bungs in place and lined up on a horizontal plane. The owner/operator must store chemicals in other containers, such as tote tanks, sacks, or buckets on an impermeable pad with curbing.

8. Process, Maintenance and Yard Areas: The owner/operator shall either pave and curb or have some type of spill collection device incorporated into the design at all process, maintenance, and yard areas which show evidence that water contaminants from releases, leaks and spills have reached the ground surface.

9. Above Ground Tanks: The owner/operator shall ensure that all aboveground tanks have impermeable secondary containment (e.g., liners and berms), which will contain a volume of at least one-third greater than the total volume of the largest tank or all interconnected tanks. The owner/operator shall retrofit all existing tanks before discharge permit renewal. Tanks that contain fresh water or fluids that are gases at atmospheric temperature and pressure are exempt from this condition.

10. Labeling: The owner/operator shall clearly label all tanks, drums, and containers to identify their contents and other emergency notification information. The owner/operator may use a tank code numbering system, which is incorporated into their emergency response plans.

11. Below-Grade Tanks/Sumps and Pits/Ponds.

A. All below-grade tanks and sumps must be approved by the OCD prior to installation and must incorporate secondary containment with leak detection into the design. The owner/operator shall retrofit all existing systems without secondary containment and leak detection before discharge permit renewal. All existing below-grade tanks and sumps without secondary containment and leak detection must be tested annually or as specified herein. Systems that have secondary containment with leak detection shall have a monthly inspection of the leak detection system to determine if the primary containment is leaking. Small sumps or depressions in secondary containment systems used to facilitate fluid removal are exempt from these requirements if fluids are removed within 72 hours.

B. All pits and ponds, including modifications and retrofits, shall be designed by a certified registered professional engineer and approved by the OCD prior to installation. In general, all pits or ponds shall have approved hydrologic and geologic reports, location, foundation, liners, and secondary containment with leak detection, monitoring and closure plans. All pits or ponds shall be designed, constructed and operated so as to contain liquids and solids in a manner that will protect fresh water, public health, safety and the environment for the foreseeable future. The owner/operator shall retrofit all existing systems without secondary containment and leak detection before discharge permit renewal.

C. The owner/operator shall ensure that all exposed pits, including lined pits and open top tanks (8 feet in diameter or larger) shall be fenced, screened, netted, or otherwise rendered non-hazardous to wildlife, including migratory birds.

D. The owner/operator shall maintain the results of tests and inspections at the facility covered by this discharge permit and available for OCD inspection. The owner/operator shall report the discovery of any system which is found to be leaking or has lost integrity to the OCD within 15 days. The owner/operator may propose various methods for testing such as pressure testing to 3 pounds per square inch greater than normal operating pressure and/or visual inspection of cleaned tanks and/or sumps, or other OCD-approved methods. The owner/operator shall notify the OCD at least 72 hours prior to all testing.

12. Underground Process/Wastewater Lines:

A. The owner/operator shall test all underground process/wastewater pipelines at least once every five (5) years to demonstrate their mechanical integrity, except lines containing fresh water or fluids that are gases at atmospheric temperature and pressure. Pressure rated pipe shall be tested by pressuring up to one and one-half times the normal operating pressure, if possible, or for atmospheric drain systems, to 3 pounds per square inch greater than normal operating pressure, and pressure held for a minimum of 30 minutes with no more than a 1% loss/gain in pressure. The owner/operator may use other methods for testing if approved by the OCD.

B. The owner/operator shall maintain underground process and wastewater pipeline schematic diagrams or plans showing all drains, vents, risers, valves, underground piping, pipe type, rating, size, and approximate location. All new underground piping must be approved by the OCD prior to installation. The owner/operator shall report any leaks or loss of integrity to the OCD within 15 days of discovery. The owner/operator shall maintain the results of all tests at the facility covered by this discharge permit and they shall be available for OCD inspection. The owner/operator shall notify the OCD at least 72 hours prior to all testing.

13. Class V Wells: The owner/operator shall close all Class V wells (e.g., septic systems, leach fields, dry wells, etc.) that inject non-hazardous industrial wastes or a mixture of industrial wastes and domestic wastes unless it can be demonstrated that ground water will not be impacted in the reasonably foreseeable future. Leach fields and other wastewater disposal systems at OCD-regulated facilities that inject non-hazardous fluid into or above an underground source of drinking water are considered Class V injection wells under the EPA UIC program. Class V wells that inject domestic waste only, must be permitted by the New Mexico Environment Department (NMED).

14. Housekeeping: The owner/operator shall inspect all systems designed for spill collection/prevention and leak detection at least monthly to ensure proper operation and to prevent over topping or system failure. All spill collection and/or secondary containment devices shall be emptied of fluids within 72 hours of discovery. The owner/operator shall maintain all records at the facility and available for OCD inspection.

15. Spill Reporting: The owner/operator shall report all unauthorized discharges, spills, leaks and releases and conduct corrective action pursuant to WQCC Regulation 20.5.12.1203 NMAC and OCD Rule 116 (19.15.3.116 NMAC). The owner/operator shall notify both the OCD District Office and the Santa Fe Office within 24 hours and file a written report within 15 days.

16. OCD Inspections: The OCD may place additional requirements on the facility and modify the permit conditions based on OCD inspections.

17. Storm Water: The owner/operator shall implement and maintain run-on and runoff plans and controls. The owner/operator shall not discharge any water contaminant that exceeds the WQCC standards specified in 20.6.2.3101 NMAC or 20.6.4 NMAC (Water Quality Standards for Interstate and Intrastate Streams) including any oil sheen in any stormwater run-off. The owner/operator shall notify the OCD within 24 hours of discovery of any releases and shall take immediate corrective action(s) to stop the discharge.

18. Unauthorized Discharges: The owner/operator shall not allow or cause water pollution, discharge or release of any water contaminant that exceeds the WQCC standards listed in 20.6.2.3101 NMAC or 20.6.4 NMAC (Water Quality Standards for Interstate and Intrastate Streams) unless specifically listed in the permit application and approved herein. *An unauthorized discharge is a violation of this permit.*

19. Vadose Zone and Water Pollution: The owner/operator shall address any contamination through the discharge permit process or pursuant to WQCC 20.6.2.4000-.4116 NMAC (Prevention and Abatement of Water Pollution). The OCD may require the owner/operator to modify its permit for investigation, remediation, abatement, and monitoring requirements for any vadose zone or water pollution. Failure to perform any required investigation, remediation, abatement and submit subsequent reports will be a violation of the permit.

20. Additional Site Specific Conditions: N/A

21. Transfer of Discharge Permit (WQCC 20.6.2.3111) Prior to any transfer of ownership, control, or possession (whether by lease, conveyance or otherwise) of a facility with a discharge permit, the transferor shall notify the transferee in writing of the existence of the discharge permit, and shall deliver or send by certified mail to the department a copy of such written notification, together with a certification or other proof that such notification has in fact been received by the transferee. Upon receipt of such notification, the transferee shall have the duty to inquire into all of the provisions and requirements contained in such discharge permit, and the transferee shall be charged with notice of all such provisions and requirements as they appear of record in the department's file or files concerning such discharge permit. The transferee (new owner/operator) shall sign and return an original copy of these permit conditions and provide a written commitment to comply with the terms and conditions of the previously approved discharge permit.

22. Closure: The owner/operator shall notify the OCD when operations of the facility are to be discontinued for a period in excess of six months. Prior to closure of the facility, the operator shall submit a closure plan for approval. Closure and waste disposal shall be in accordance with the statutes, rules and regulations in effect at the time of closure.

Floyd Abbott
GW264
February 27, 2007
Page 7 of 7

23. Certification: Abbott Brothers Company, Inc., (Owner/Operator), by the officer whose signature appears below, accepts this permit and agrees to comply with all submitted commitments, including these terms and conditions contained here. **Owner/Operator** further acknowledges that the OCD may, for good cause shown, as necessary to protect fresh water, public health, safety, and the environment, change the conditions and requirements of this permit administratively.

Conditions accepted by: "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment."

Company Name-print name above

Company Representative- print name

Company Representative- signature

Title_____

Date:_____



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

February 23, 2007

Floyd Abbott
President
Abbott Brothers Rat Hole Service Co.
P.O. Box 305
Hobbs, New Mexico 88241

**RE: Discharge Permit (GW-264) Renewal
Abbott Brothers Rat Hole Service Company
Lea County, New Mexico
Determination of Administratively Complete**

Dear Mr. Abbott:

The New Mexico Oil Conservation Division (OCD) has received the Abbott Brothers Company, Inc., application, dated December 18, 2006, to renew the discharge permit, GW-264, for the Abbott Brothers Rat Hole Service Company located in the NW/4 of the NW/4 of Section 28, Township 18 South, Range 38 East, NMPM, Lea County, New Mexico. The application and filing fee were received on December 26, 2006. The application and a follow-up correspondence, which proposed the newspaper to publish the public notice, provided the required information in order to deem the application "administratively" complete.

Now that the submittal is deemed "administratively" complete, the New Mexico Water Quality Control Commission regulations (WQCC) public notice requirements of 20.6.2.3108 NMAC must be satisfied and demonstrated to the OCD. The OCD hereby approves your submitted draft version of the public notice for translation into Spanish and publication in the specified newspaper in both English and Spanish.

The public notice must be given no later than March 25, 2007. Once the notice has been given, then please submit to the OCD within 15 days of public notice:

- 1) proof that the notice was published in the newspaper in both English and Spanish (affidavit of publication from the newspaper) and
- 2) proof that the notice was sent via certified mail to each landowner [signed certified mail receipt (green card) by each landowner – *this is not required if you are the landowner*].

If you have any questions regarding this matter, please do not hesitate to contact me at (505) 476-3489 or edwardj.hansen@state.nm.us. On behalf of the staff of the OCD, I wish to thank you and your staff for your cooperation during this discharge permit renewal review.

Sincerely,



Edward J. Hansen
Hydrologist
Environmental Bureau

EJH:ejh

CLYDE M. ABBOTT 1901-1983
MURRELL ABBOTT 1915-1995

RAT HOLE SERVICE
P. O. BOX 305

ABBOTT BROTHERS

PHONE: 800-781-8228 or 505-393-8228

FAX: 505-397-4814

HOBBS, NEW MEXICO 88241

DRLG. LIC.: WD-48
CONTR. LIC.: 52908

DRILLING CONTRACTORS
P. O. BOX 637

February 14, 2007

Mr. Edward J. Hansen
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

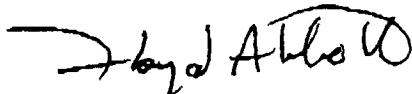
Re: Renewal of Discharge Permit, GW264

Dear Mr. Hansen:

Enclosed is a draft of the Public Notice for your review.

It is our intention to publish the Notice in the Hobbs News-Sun (circ. 10,000).

Sincerely,



Floyd Abbott

CLYDE M. ABBOTT 1901-1983
MURRELL ABBOTT 1915-1995

RAT HOLE SERVICE
P. O. BOX 305

ABBOTT BROTHERS

PHONE: 800-781-8228 or 505-393-8228

FAX: 505-397-4814

HOBBS, NEW MEXICO 88241

DRLG. LIC.: WD-46
CONTR. LIC.: 52908

DRILLING CONTRACTORS
P. O. BOX 637

PUBLIC NOTICE

Abbott Brothers Co., Inc., Floyd Abbott, President, P. O. Box 305, Hobbs, NM 88241, has submitted a renewal application for the previously approved discharge plan (GW-264) for their shop and yard, located in the NW/4 of the NW/4 of Section 28, Township 18S, Range 38E, NMPM, Lea County, NM (1923 West Bender, Hobbs, NM). Approximately 1200 gallons of wash-down water, 50 gallons of used oil, 25 used oil filters, and 10 empty cans are generated on site annually, which are collected and temporarily stored in containment vessels prior to transport and disposal at an NMOCD approved facility. Groundwater most likely to be affected by a spill, leak, or accidental discharge is at a depth of approximately 89 to 97 feet, with a total dissolved solids concentration of approximately 200 to 800 mg/l. The discharge plan addresses how oilfield products and waste will be properly handled, stored, and disposed of, including how spills, leaks, and other accidental discharges to the surface will be managed in order to protect fresh water. Any interested person may obtain information, submit comments or request to be placed on a facility specific mailing list for future notices by contacting Edward J. Hansen at the New Mexico OCD at 1220 South St. Francis Drive, Santa Fe, NM 87505, Telephone (505) 476-3489. The OCD will accept comments and statements of interest regarding the renewal and will create a facility-specific mailing list for persons who wish to receive future notices.



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

February 5, 2007

Floyd Abbott
President
Abbott Brothers Rat Hole Service Co.
P.O. Box 305
Hobbs, New Mexico 88241

RE: Renewal of Discharge Permit, GW264

Dear Mr. Abbott:

Thank you for your timely submittal of the Renewal Application Form for the renewal of Discharge Permit, GW264. The New Mexico Oil Conservation Division (OCD) has reviewed the application for administrative completeness. The OCD has determined that the application is not complete; and therefore, is requesting additional information.

You must provide information regarding which newspaper will be used for your public notice for OCD approval. Please provide the name of the newspaper and the circulation of the newspaper (i.e., is the newspaper of general circulation in the location of the facility?) that you intend to use for your public notice regarding the renewal of your discharge permit.

The OCD strongly recommends that you submit a draft (see attached example) public notice to the OCD for review prior to publication; thereby, avoiding republication due to possible errors or omissions. The public notice must be given in accordance with Subsection C of 20.6.2.3108 NMAC, including publishing the notice in both English and Spanish. Therefore, please submit a draft notice in English for OCD review. Once the OCD has approved the draft public notice in English, then you must have it translated into Spanish and have it published in both English and Spanish in the OCD approved newspaper.

Below are excerpts from the Rules that indicate the specific information required to be included in the public notice. The required information [F(1) through F(5) below] must be updated to reflect the current operations (e.g., the operational information regarding the reduced laboratory waste generation should be included in addition to any other current practices).

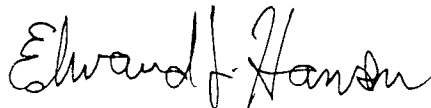
20.6.2.3108 PUBLIC NOTICE AND PARTICIPATION:

F. The notice provided under Subsection B, C and E of 20.6.2.3108 NMAC shall include:

- (1) the name and address of the proposed discharger (*as submitted with your Application Form*);
- (2) the location of the discharge, including a street address, if available, and sufficient information to locate the facility with respect to surrounding landmarks (*e.g., this could be the distance from a particular intersection*);
- (3) a brief description of the activities that produce the discharge described in the application (*please update this information if appropriate*);
- (4) a brief description of the expected quality and volume of the discharge (*please update this information if appropriate*);
- (5) the depth to and total dissolved solids concentration of the ground water most likely to be affected by the discharge (*please update this information if appropriate*);
- (6) the address and phone number within the department by which interested persons may obtain information, submit comments, and request to be placed on a facility-specific mailing list for future notices (*see attached example*); and
- (7) a statement that the department will accept comments and statements of interest regarding the application and will create a facility-specific mailing list for persons who wish to receive future notices (*see attached example*).

Please submit the required information within 30 days of receipt of this letter. If you have any questions regarding this matter, please call me at 505-476-3489.

Sincerely,



Edward J. Hansen
Hydrologist
Environmental Bureau

EJH:ejh

attachment

PUBLIC NOTICE

Enterprise Products Operating, L.P., Shiver J. Nolan, Senior Compliance Administrator, P.O. Box 4324, Houston, Texas 77210-4324, has submitted a renewal application for the previously approved discharge plan (GW-332) for their San Ysidro Pump Station, located in the SE/4 of the NW/4 of Section 19, Township 15 North, Range 2 East, NMPM, Sandoval County, New Mexico, approximately three miles south of San Ysidro, New Mexico. Approximately 1000 gallons of wash-down water, 100 gallons of used oil, 4 used oil filters, 75 used process filters, and 20 empty barrels are generated on site annually, which are collected and temporarily stored in containment vessels prior to transport and disposal at an NMOCD approved facility. Groundwater most likely to be affected by a spill, leak or accidental discharge is at a depth of approximately 30 to 50 feet, with a total dissolved solids concentration of approximately 200 to 2000 mg/l. The discharge plan addresses how oilfield products and waste will be properly handled, stored, and disposed of, including how spills, leaks, and other accidental discharges to the surface will be managed in order to protect fresh water. Any interested person may obtain information, submit comments or request to be placed on a facility specific mailing list for future notices by contacting Edward J. Hansen at the New Mexico OCD at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3489. The OCD will accept comments and statements of interest regarding the renewal and will create a facility-specific mailing list for persons who wish to receive future notices.

EXAMPLE

District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Revised June 10, 2003

Submit Original
Plus 1 Copy
to Santa Fe
1 Copy to Appropriate
District Office

2006 DEC 26 PM 1 14

**DISCHARGE PLAN APPLICATION FOR SERVICE COMPANIES, GAS PLANTS,
REFINERIES, COMPRESSOR, GEOTHERMAL FACILITIES
AND CRUDE OIL PUMP STATIONS**

(Refer to the OCD Guidelines for assistance in completing the application)

☐ New ☒ Renewal ☐ Modification

G.W. - 100'

1. Type: Office, shop and yard location for providing drilling services

2. Operator: Abbott Brothers

Address: P.O. Box 305 Hobbs, NM 88241

Contact Person: Floyd Abbott Phone: 505-393-8228

3. Location: NW /4 NW /4 Section 28 Township 18S Range R38E
Submit large scale topographic map showing exact location.

4. Attach the name, telephone number and address of the landowner of the facility site.

5. Attach the description of the facility with a diagram indicating location of fences, pits, dikes and tanks on the facility.

6. Attach a description of all materials stored or used at the facility.

7. Attach a description of present sources of effluent and waste solids. Average quality and daily volume of waste water must be included.

8. Attach a description of current liquid and solid waste collection/treatment/disposal procedures.

9. Attach a description of proposed modifications to existing collection/treatment/disposal systems.

10. Attach a routine inspection and maintenance plan to ensure permit compliance.

11. Attach a contingency plan for reporting and clean-up of spills or releases.

12. Attach geological/hydrological information for the facility. Depth to and quality of ground water must be included.

13. Attach a facility closure plan, and other information as is necessary to demonstrate compliance with any other OCD rules, regulations and/or orders.

14. CERTIFICATION I hereby certify that the information submitted with this application is true and correct to the best of my knowledge and belief.

Name: Floyd Abbott

Title: President/Owner

Signature: Floyd Abbott

Date: 12/18/06

E-mail Address: Bta14@netscape.net

ABBOTT BROTHERS
RAT HOLE SERVICE CO.
A DIV. OF ABBOTT BROS., CO.

DETACH AND RETAIN THIS STUB
THIS CHECK IS FOR PAYMENT OF ITEMS DESCRIBED BELOW
IF INCORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT NECESSARY.

Licenses and Permits

100.00

Renewal of Discharge Permit # GW264

Hansen, Edward J., EMNRD

From: Hansen, Edward J., EMNRD
Sent: Wednesday, December 13, 2006 10:31 AM
To: 'btal4@netscape.net'
Subject: RE: Renewal of Discharge Permit GW264
Attachments: Renewal WQCC Notice Regs.pdf; Discharge Plan App Form.pdf; Guidelines For Discharge Plans.pdf; PN Flow Chart.20.6.2renewal.pdf

with attachments

From: Hansen, Edward J., EMNRD
Sent: Wednesday, December 13, 2006 10:22 AM
To: 'btal4@netscape.net'
Subject: Renewal of Discharge Permit GW264

Dear Discharge Permit (GW264) Holder:

The Oil Conservation Division's (OCD) records indicate that your discharge plan has expired. New Mexico Water Quality Control Commission regulations (WQCC) Section 3106.F (20.6.2.3106.F NMAC) specifies that if a discharger submits a discharge plan renewal application at least 120 days before the discharge plan expires and is in compliance with the approved plan, then the existing discharge plan will not expire until the application for renewal has been approved or disapproved. You may be operating without a permit. Please submit a permit renewal application with a filing fee (20.6.2.3114 NMAC) of \$100.00 by December 31, 2006. Please make all checks payable to the **Water Quality Management Fund** and addressed to the OCD Santa Fe Office. There is also a discharge plan permit fee, based on the type of facility, which OCD will assess after processing your application. An application form and guidance document is attached in order to assist in expediting this process.

In accordance with the public notice requirements (Subsection A of 20.6.2.3108 NMAC) of the newly revised (July, 2006) WQCC regulations, "...to be deemed administratively complete, an application shall provide all of the information required by Paragraphs (1) through (5) of Subsection F of 20.6.2.3108 NMAC and shall indicate, for department approval, the proposed locations and newspaper for providing notice required by Paragraphs (1) through (4) of Subsection B or Paragraph (2) of Subsection C of 20.6.2.3108 NMAC." You are required to provide the information specified above in your permit renewal application submittal. Attached are a flow chart and the regulatory language pertaining to the new WQCC public notice requirements for your convenience. After the application is deemed administratively complete, the revised public notice requirements of 20.6.2.3108 NMAC must be satisfactory demonstrated to OCD. OCD will provide public notice pursuant to the revised WQCC notice requirements of 20.6.2.3108 NMAC to determine if there is any public interest.

Please contact me by phone 505-476-3489 or email <mailto:edwardj.hansen@state.nm.us> if you have any questions regarding this matter.

Sincerely,

Edward J. Hansen
Hydrologist
Environmental Bureau

12/13/2006

Affidavit of Publication

STATE OF NEW MEXICO)

) ss.

COUNTY OF LEA)

Joyce Clemens being first duly sworn on oath deposes and says that she is Advertising Director of **THE LOVINGTON DAILY LEADER**, a daily newspaper of general paid circulation published in the English language at Lovington, Lea County, New Mexico; that said newspaper has been so published in such county continuously and uninterruptedly for a period in excess of Twenty-six (26) consecutive weeks next prior to the first publication of the notice hereto attached as hereinafter shown; and that said newspaper is in all things duly qualified to publish legal notices within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico.

That the notice which is hereto attached, entitled

Legal Notice

was published in a regular and entire issue of **THE LOVINGTON DAILY LEADER** and not in any supplement thereof, for one (1) day, beginning with the issue of March 9, 2001 and ending with the issue of March 9, 2001.

And that the cost of publishing said notice is the sum of \$ 50.16 which sum has been (Paid) as Court Costs.

Joyce Clemens

Subscribed and sworn to before me this 21st day of March 2001

Debbie Schilling

Debbie Schilling

Notary Public, Lea County, New Mexico

My Commission Expires June 22, 2002

LEGAL NOTICE
NOTICE OF
PUBLICATION
STATE OF
NEW MEXICO
ENERGY, MINERALS
AND NATURAL
RESOURCES DEPARTMENT
OIL CONSERVATION
DIVISION

Notice is hereby given that pursuant to the New Mexico Water Quality Control Commission Regulations, the following discharge plan application has been submitted to the Director of the Oil Conservation Division, 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

(GW-264) - Abbott Brothers, Mr. Floyd Abbott, P.O. Box 305, Hobbs, New Mexico 88241, has submitted a discharge plan renewal application for their Hobbs Service Facility located in the NW/4 NW/4, Section 28, Township 18 South, Range 38 East, NMPM, Lea County, New Mexico. Any potential discharge at the facility will be stored in a closed top receptacle prior to transport to an OCD approved off-site disposal facility. Groundwater most likely to be affected by an accidental discharge is at a depth of 71 feet with a total dissolved solids of approximately 490 mg/l. The discharge plan addresses how spill, leaks, and other accidental discharges to the surface will be managed.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The discharge plan application may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday thru Friday. Prior to ruling on any proposed discharge plan or its modification, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him and public hearing may be requested by any interested person. Request for public hearing shall set forth the reasons why a hearing shall be held. A hearing will be held if the director determines that there is significant public interest.

If no hearing is held, the Director will approve or disapprove the plan based on the information available. If a public hearing is held, the Director will approve the plan based on the information in the plan and information presented at the hearing.

GIVEN under the Seal of New Mexico Conservation Commission at Santa Fe, New Mexico, on this 1st day of March, 2001.

STATE OF
NEW MEXICO
OIL CONSERVATION
DIVISION

LORI WROTENBERY,
SEAL

Published in the
Lovington Daily Leader
March 11, 2001.



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON

Governor

Jennifer A. Salisbury

Cabinet Secretary

April 16, 2001

Lori Wrotenbery

Director

Oil Conservation Division

CERTIFIED MAIL

RETURN RECEIPT NO. 5051 0258

Mr. Floyd Abbott
Abbott Brothers Co., Inc.
P.O. Box 305
Hobbs, New Mexico 88240

**RE: Discharge Plan Approval GW-264
Abbott Brothers Co., Inc.
Hobbs Service Facility
Lea County, New Mexico**

Dear Mr. Abbott:

The ground water discharge plan renewal, GW-264, for the Abbott Brothers Co., Inc. Hobbs Service Facility located in the NW/4 NW/4 of Section 28, Township 18 South, Range 38 East, NMPM, Lea County, New Mexico, **is hereby approved** under the conditions contained in the enclosed attachment. 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 10 working days of receipt of this letter.**

The original discharge plan application was submitted on October 3, 1996 and approved November 25, 1996. The discharge plan renewal application, dated February 20, 2001, submitted pursuant to Sections 5101.B.3. of the New Mexico Water Quality Control Commission (WQCC) Regulations also includes all earlier applications and all conditions later placed on those approvals. The discharge plan is renewed pursuant to Sections 5101.A. and 3109.C. Please note Section 3109.G., which provides for possible future amendment of the plan. Please be advised that approval of this plan does not relieve Abbott Brothers Co., Inc. of liability should operations result in pollution of surface water, ground water, or the environment.

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

Please note that Section 3104 of the regulations provides: "When a plan has been approved, discharges must be consistent with the terms and conditions of the plan." Pursuant to Section 3107.C., Abbott Brothers Co., Inc. 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.

Mr. Glen Abbott

GW- Hobbs Service Facility

April 16, 2001

Page 2

Paragraph 3 of the regulations requires for a period of five years. This plan will expire on November 15, 2001. Abbott Brothers Co., Inc. should submit an application in writing to the WQCC before the expiration of the plan. Paragraph 3106.F. of the regulations, if a discharger submits a discharge plan to the WQCC at least 120 days before the discharge plan expires and is in compliance with the regulations, then the existing discharge plan will not expire until the application for renewal is approved or disapproved. It should be noted that all facilities are required to submit the results of an underground drainage testing program as a requirement of the regulations.

Abbott Brothers Co., Inc. should submit a water run-off plan for approval by the OCD within six months of the date of the approval letter for the Hobbs Service Facility.

A discharge plan application for Abbott Brothers Co., Inc. Hobbs Service Facility is required by the WQCC Regulations. The fee for submitting a discharge plan will be assessed. The fee for the application is equal to the filing fee of \$100. There is a fee for the discharge plan itself, which is equal to \$1,700.00. The OCD has received the fee and the discharge plan.

For all other information, please contact the Waste Management Quality Management Fund, Conservation Division, 20 South St. Francis Drive, Santa Fe, New Mexico 87505.

If you have any questions, please contact Jack Ford at (505) 476-3489. On behalf of the staff of the OCD, I thank you for your cooperation during this discharge plan review.

Sincerely,

[Signature]
Glen Abbott

Manager, Anderson
Hobbs Service Facility

WQCC

Conservation Division

20 South St. Francis Drive

Santa Fe, New Mexico 87505

Phone: (505) 476-3489

Fax: (505) 476-3489

E-mail: gabbott@wqcc.org

Internet: www.wqcc.org

Web: www.wqcc.org

7099 3220 0000 5051 0258

PS Form 3800, July 1999

See Reverse for Instructions

U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Name (Please Print Clearly) (To be completed by mailer)

F. Abbott

Street, Apt. No.; or PO Box No.

Abbott Bros.

City, State, ZIP+ 4

SW264

PS Form 3800, July 1999

See Reverse for Instructions

ATTACHMENT TO THE DISCHARGE PLAN GW-264
ABBOTT BROTHERS CO., INC.
HOBBS SERVICE FACILITY
DISCHARGE PLAN APPROVAL CONDITIONS
(April 16, 2001)

1. Payment of Discharge Plan Fees: The \$100.00 filing fee has been received by the OCD. There is a flat fee assessed for crude oil pump stations equal to \$1,700.00. The required flat fee has been received by the OCD.
2. Abbott Brothers Co., Inc. Commitments: Abbott Brothers Co., Inc. will abide by all commitments submitted in the discharge plan application dated February 20, 2001 and these conditions for approval.
3. Waste Disposal: All wastes will be disposed of at an OCD approved facility. Only oilfield exempt wastes shall be disposed of down Class II injection wells. Non-exempt oilfield wastes that are non-hazardous may be disposed of at an OCD approved facility upon proper waste determination per 40 CFR Part 261. Any waste stream that is not listed in the discharge plan will be approved by OCD on a case-by-case basis.
4. Drum Storage: All drums containing materials other than fresh water must be stored on an impermeable pad with curbing. All empty drums will be stored on their sides with the bungs in and lined up on a horizontal plane. Chemicals in other containers such as sacks or buckets will also be stored on an impermeable pad and curb type containment.
5. 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.
6. 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 tanks or existing tanks that undergo a major modification, as determined by the Division, must be placed within an impermeable bermed enclosure.
7. 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.

8. Labeling: All tanks, drums and containers will be clearly labeled to identify their contents and other emergency notification information.
9. 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 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 and/or sumps, or other OCD approved methods. The OCD will be notified at least 72 hours prior to all testing.
10. Underground Process/Wastewater Lines: All underground process/wastewater pipelines must be tested to demonstrate their mechanical integrity every 5 years. The permittee 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. The OCD will be notified at least 72 hours prior to all testing.
11. Class V Wells: No Class V wells that inject non-hazardous industrial wastes or a mixture of industrial wastes and domestic wastes will be closed unless it can be demonstrated that groundwater will not be impacted in the reasonably foreseeable future. Leach fields and other wastewater disposal systems at OCD regulated facilities which inject non-hazardous fluid into or above an underground source of drinking water are considered Class V injection wells under the EPA UIC program. Class V wells that inject domestic waste only must be permitted by the New Mexico Environment Department.
12. Housekeeping: All systems designed for spill collection/prevention will be inspected weekly and after each storm event to ensure proper operation and to prevent overtopping or system failure. A record of inspections will be retained on site for a period of five years.
13. Spill Reporting: All spills/releases will be reported pursuant to OCD Rule 116 and WQCC 1203 to the OCD Hobbs District Office.
14. 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.
15. Storm Water Plan: The facility will have an approved storm water run-off plan.

16. Closure: The OCD will be notified when operations of the Hobbs Service Facility are discontinued for a period in excess of six months. Prior to closure of the Hobbs Service 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.
17. Certification: Abbott Brothers Co., Inc., by the officer whose signature appears below, accepts this permit and agrees to comply with all terms and conditions contained herein. Abbott Brothers Co., Inc. further acknowledges that these conditions and requirements of this permit may be changed administratively by the Division for good cause shown as necessary to protect fresh water, human health and the environment.

Accepted:

ABBOTT BROTHERS CO., INC.

by _____
Title

THE SANTA FE
NEW MEXICAN
Founded 1849

MAR 16

NM OIL CONSERVATION DIVISION
ATTN: ED MARTIN
1220 S. ST. FRANCIS DR.
SANTA FE, NM 87505

AD NUMBER: 196941 ACCOUNT: 56689
LEGAL NO: 68966 P.O.#: 01199000033
171 LINES 1 time(s) at \$ 75.38
AFFIDAVITS: 5.25
TAX: 5.04
TOTAL: 85.67

NOTICE OF PUBLICATION

**STATE OF NEW MEXICO
ENERGY, MINERALS AND
NATURAL RESOURCES
DEPARTMENT
OIL CONSERVATION
DIVISION**

Notice is hereby given that pursuant to the New Mexico Water Quality Control Commission Regulations, the following discharge plan application has been submitted to the Director of the Oil Conservation Division, 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

(GW-264) - Abbott Brothers, Mr. Floyd Abbott, P.O. Box 305, Hobbs, New Mexico 88241, has submitted a discharge plan renewal application for their Hobbs Service Facility located in the NW/4 NW/4, Section 28, Township 18 South, Range 38 East, NMPM, Lea County, New Mexico. Any potential discharge at the facility will be stored in a closed top receptacle prior to transport to an OCD approved off-site disposal facility. Groundwater most likely to be affected by an accidental discharge is at a depth of 71 feet with a total dissolved solids of approximately 490 mg/l. The discharge plan addresses how spill, leaks, and other accidental discharges to the surface will be managed.

Any interested person may obtain further information from the Oil Conservation

Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The discharge plan application may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday thru Friday. Prior to ruling on any proposed discharge plan or its modification, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him and public hearing may be requested by any interested person. Request for public hearing shall set forth the reasons why a hearing shall be held. A hearing will be held if the director determines that there is significant public interest.

If no hearing is held, the Director will approve or disapprove the plan based on the information available. If a public hearing is held, the Director will approve the plan based on the information in the plan and information presented at the hearing.

GIVEN under the Seal of New Mexico Conservation Commission at Santa Fe, New Mexico, on this 1st day of March, 2001.

STATE OF NEW MEXICO
OIL CONSERVATION
DIVISION

LORI WROTENBERY,
Director

Legal #68966
Pub. March 14, 2001

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO
COUNTY OF SANTA FE

I, B. Blener being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily newspaper published in the English language, and having a general circulation in the Counties of Santa Fe and Los Alamos, State of New Mexico and being a Newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the publication #68966 a copy of which is hereto attached was published in said newspaper 1 day(s) between 03/14/2001 and 03/14/2001 and that the notice was published in the newspaper proper and not in any supplement; the first publication being on the 14 day of March, 2001 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

/S/

Betsy Blener
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this
14 day of March A.D., 2001

Notary

Laura E. Harding

Commission Expires 11/23/03

Ford, Jack

From: Martin, Ed
Sent: Thursday, March 08, 2001 10:22 AM
To: 'Santa Fe New Mexican'
Cc: Ford, Jack; Anaya, Mary
Subject: FW: Public Notices

Attn: Betsy Perner

Please publish the attached notice one time immediately on receipt of this request.

Upon publication, please send the following to this office:

1. Publisher's affidavit
2. Your invoice to us

Please publish the notices no later than March 12, 2001

If you have any questions, do not hesitate to contact me.

Our P.O. number is 01199000033

Thank you.

From: Ford, Jack
Sent: Monday, March 05, 2001 1:59 PM
To: Martin, Ed
Subject: Public Notices

Two separate public notices in separate counties.

Ford, Jack

From: Martin, Ed
Sent: Thursday, March 08, 2001 10:44 AM
To: Lovington Daily Leader
Cc: Ford, Jack; Anaya, Mary
Subject: FW: Public Notices

Attn: Judy Stoops

Please publish the attached notice one time immediately on receipt of this request.

Upon publication, please send the following to this office:

Publisher's affidavit

Your invoice to us

Our P.O. number is 01199000032

If you have any questions, do not hesitate to contact me.

Thank you.

From: Ford, Jack
Sent: Monday, March 05, 2001 1:59 PM
To: Martin, Ed
Subject: Public Notices

Two separate public notices in separate counties.

NOTICE OF PUBLICATION

STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to the New Mexico Water Quality Control Commission Regulations, the following discharge plan application has been submitted to the Director of the Oil Conservation Division, 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

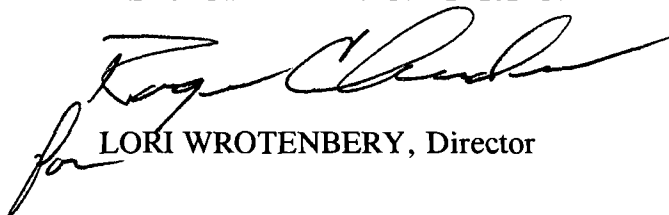
(GW-264) – Abbott Brothers, Mr. Floyd Abbott, P.O. Box 305, Hobbs, New Mexico 88241, has submitted a discharge plan renewal application for their Hobbs Service Facility located in the NW/4 NW/4, Section 28, Township 18 South, Range 38 East, NMPM, Lea County, New Mexico. Any potential discharge at the facility will be stored in a closed top receptacle prior to transport to an OCD approved off-site disposal facility. Groundwater most likely to be affected by an accidental discharge is at a depth of 71 feet with a total dissolved solids of approximately 490 mg/l. The discharge plan addresses how spill, leaks, and other accidental discharges to the surface will be managed.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The discharge plan application may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday thru Friday. Prior to ruling on any proposed discharge plan or its modification, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him and public hearing may be requested by any interested person. Request for public hearing shall set forth the reasons why a hearing shall be held. A hearing will be held if the director determines that there is significant public interest.

If no hearing is held, the Director will approve or disapprove the plan based on the information available. If a public hearing is held, the Director will approve the plan based on the information in the plan and information presented at the hearing.

GIVEN under the Seal of New Mexico Conservation Commission at Santa Fe, New Mexico, on this 1 st day of March, 2001.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION


LORI WROTENBERY, Director

SEAL

ACKNOWLEDGEMENT OF RECEIPT
OF CHECK/CASH

I hereby acknowledge receipt of check No. dated 2/20/01,
or cash received on in the amount of \$ 1800.00
from Abbott Brothers Rat Hole Service
for Hobbs Service Facility GW-264
Submitted by: W. J. F. J. (Facility Name) Date: 2-27-01 (DP No.)
Submitted to ASD by: Date:
Received in ASD by: Date:

Filing Fee ☒ New Facility ☐ Renewal ☒
Modification ☐ Other (specify)

Organization Code 521.07 Applicable FY 2001

To be deposited in the Water Quality Management Fund.

Full Payment ☒ or Annual Increment ☐

ABBOTT BROTHERS
RAT HOLE SERVICE CO.
A DIVISION OF ABBOTT BROTHERS, CO.
BOX 305
HOBBS, NM 88241

**WELLS
FARGO** Wells Fargo Bank New Mexico, N.A.
1910 North Turner Street
Hobbs, NM 88240
www.wellsfargo.com

Nº
36936

95-219 616
1070

Feb 20, 2001

One Thousand Eight Hundred and 0/100 Dollars

1800.00

PAY DOLLARS \$

TO
THE
ORDER
OF

NMED - WATER QUALITY MGMT
2040 A. Pacheco
Santa Fe, NM 87505

[Handwritten Signature]

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT REQUIRED.

ABBOTT BROTHERS
RAT HOLE SERVICE CO.
A DIV. OF ABBOTT BROS., CO.

INVOICE		DESCRIPTION	TOTAL AMOUNT	DEDUCTIONS		NET AMOUNT
DATE	NO.			DISCOUNT	FREIGHT	
		Licenses and Permits			1,800.00	

District I - (505) 393-6161
P. O. Box 1980
Hobbs, NM 88241-1980
District II - (505) 748-1283
811 S. First
Artesia, NM 88210
District III - (505) 334-6178
1000 Rio Brazos Road
Ztec, NM 87410
District IV - (505) 827-7131

New Mexico
Energy Minerals and Natural Resources Department
Oil Conservation Division
2040 South Pacheco Street
Santa Fe, New Mexico 87505
(505) 827-7131

Revised 12

Submit Or
Plus 1 C
to Sar
1 Copy to apprc
District

DISCHARGE PLAN APPLICATION FOR SERVICE COMPANIES,
GAS PLANTS, REFINERIES, COMPRESSOR, AND CRUDE OIL PUMP STATIONS
(Refer to the OCD Guidelines for assistance in completing the application)

☐ New

☒ Renewal

☐ Modification

1. Type: Oilfield Service Company
2. Operator: Abbott Brothers Co., Inc.
Address: PO Box 305 Hobbs, NM 88240
Contact Person: Floyd Abbott Phone: 505-393-8228
3. Location: NW /4 NW /4 Section 28 Township 18S Range 38E
Submit large scale topographic map showing exact location.
4. Attach the name, telephone number and address of the landowner of the facility site.
5. Attach the description of the facility with a diagram indicating location of fences, pits, dikes and tanks on the facility.
6. Attach a description of all materials stored or used at the facility.
7. Attach a description of present sources of effluent and waste solids. Average quality and daily volume of waste water must be included.
8. Attach a description of current liquid and solid waste collection/treatment/disposal procedures.
9. Attach a description of proposed modifications to existing collection/treatment/disposal systems.
10. Attach a routine inspection and maintenance plan to ensure permit compliance.
11. Attach a contingency plan for reporting and clean-up of spills or releases.
12. Attach geological/hydrological information for the facility. Depth to and quality of ground water must be included.
13. Attach a facility closure plan, and other information as is necessary to demonstrate compliance with any other O rules, regulations and/or orders.
14. CERTIFICATION

I hereby certify that the information submitted with this application is true and correct to the best of my knowledge and belief.

NAME: Floyd Abbott Title: President
Signature: Floyd Abbott Date: February 20, 2001

20.6.2.3114 TABLE 1 (gpd=gallons per day)

	Permit Fee
Agriculture <10,000 gpd	\$ 1,150
Agriculture 10,000 to 49,999 gpd	\$ 2,300
Agriculture 50,000 to 99,999 gpd	\$ 3,450
Agriculture 100,000 gpd or greater	\$ 4,600
Domestic Waste <10,000 gpd	\$ 1,150
Domestic Waste 10,000 to 49,999 gpd	\$ 2,300
Domestic Waste 50,000 to 99,999 gpd	\$ 3,450
Domestic Waste 100,000 to 999,999 gpd	\$ 4,600
Domestic Waste 1,000,000 to 9,999,999 gpd	\$ 7,000
Domestic Waste 10,000,000 gpd or greater	\$ 9,200
Food Processing <10,000 gpd	\$ 1,150
Food Processing 10,000 to 49,999 gpd	\$ 2,300
Food Processing 50,000 to 99,999 gpd	\$ 3,450
Food Processing 100,000 to 999,999 gpd	\$ 4,600
Food Processing 1,000,000 or greater	\$ 7,000
Grease/Septage surface disposal <10,000 gpd	\$ 1,725
Grease/Septage surface disposal 10,000 gpd or greater	\$ 3,450
Industrial <10,000 gpd; or <10,000 yd ³ of contaminated solids	\$ 1,725
Industrial 10,000 to 99,999 gpd; or 10,000 to 99,999 yd ³ of contaminated solids	\$ 3,450
Industrial 100,000 to 999,999 gpd; or 100,000 to 999,999 yd ³ of contaminated solids or greater	\$ 6,900
Industrial 1,000,000 gpd or greater; or 1,000,000 yd ³ of contaminated solids or greater	\$10,350
Discharge of remediation system effluent - remediation plan approved under separate regulatory authority	\$ 1,600
Mining dewatering	\$ 3,250
Mining leach dump	\$13,000
Mining tailings	\$13,000
Mining waste rock	\$13,000
Mining in-situ leach (except salt) and old stope leaching	\$13,000
Mining other (mines with minimal environmental impact, post closure operation and maintenance, evaporation lagoons and land application at uranium mines)	\$ 4,750
Gas Compressor Stations 0 to 1000 Horsepower	\$ 400
Gas Compressor Stations >1001 Horsepower	\$ 1,700
Gas Processing Plants	\$ 4,000
Injection Wells: Class I	\$ 4,500
Injection Wells: Class III and Geothermal	\$ 1,700
Oil and Gas Service Companies	\$ 1,700
Refineries	\$ 8,400
Crude Pump Station	\$ 1,200
Underground Gas Storage	\$ 1,700
Abatement of ground water and vadose zone contamination at oil and gas Sites	\$ 2,600
General permit	\$ 600

* + 100⁰⁰ = 1800⁰⁰

20.6.2.3114 Table 2

	Fee Amount
Filing fee	\$ 100
Temporary permission	\$ 150
Financial assurance: approval of instrument	greater of \$250 or .01%
Financial assurance: annual review	greater of \$100 or .001%

[8-17-91, 12-1-95; 20.6.2.3114, Rn & A, 20 NMAC 6.2.III.3114, 01-01-01]

Discharge Plan Application for Oilfield Service Facilities

Submitted by: Abbott Brothers Co., Inc.,
dba Abbott Brothers Rat Hole Service and
Abbott Brothers Drilling Contractors

I. Type: Office, shop, and yard location for providing drilling services to the
oilfield and construction industries.

II. Operator: Abbott Brothers
P. O. Box 305
Hobbs, NM 88241

Contact: Floyd Abbott
505-393-8228

III. Location: NW/4 NW/4 Sec. 28, T18S, R38E, Lea County, NM

1923 West Bender
Hobbs, NM 88240

Exhibit A

IV. Land Owner: Abbott Brothers
P. O. Box 305
Hobbs, NM 88241
505-393-8228

V. Facility Description (diagram indicating location of fences, pits, dikes and tanks
on the facility):

Exhibit B

VI. Materials Stored or Used at the Facility:

Exhibit C

VII. Sources of Effluent and Waste Solids Generated at the Facility:

Exhibit D

VIII. Description of Current Liquid and Solid Waste Collection/Storage/Disposal Procedures:

Exhibit E

IX. Proposed Modifications to Existing Systems:

Exhibit F

X. Inspection, Maintenance and Reporting:

Exhibit G

XI. Spill/Leak Prevention and Reporting Procedures (Contingency Plans):

Exhibit H

XII. Site Characteristics:

Exhibit I

XIII. Other Compliance Information:

Exhibit J

XIV. Certification:

I hereby certify that the information submitted with this application is true and correct to the best of my knowledge and belief:

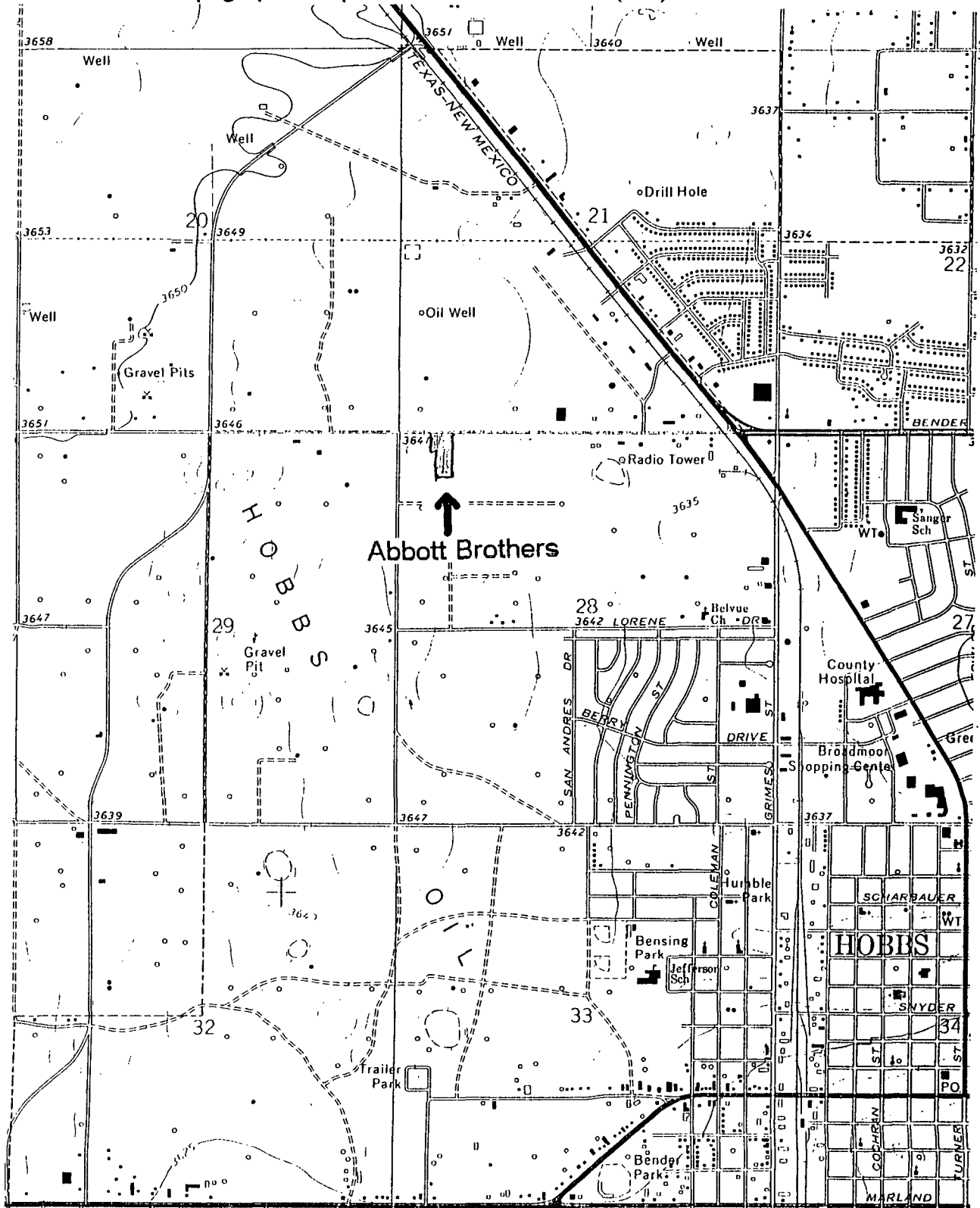
Signature: Floyd Abbott Date: 2-21-01
Floyd Abbott, President

Exhibit A

III. Location and Topographic Maps

Exhibit A Part 2

Topographic Map - U.S.G.S. Hobbs West (7.5') 1969



Location Map - City of Hobbs (NW portion)

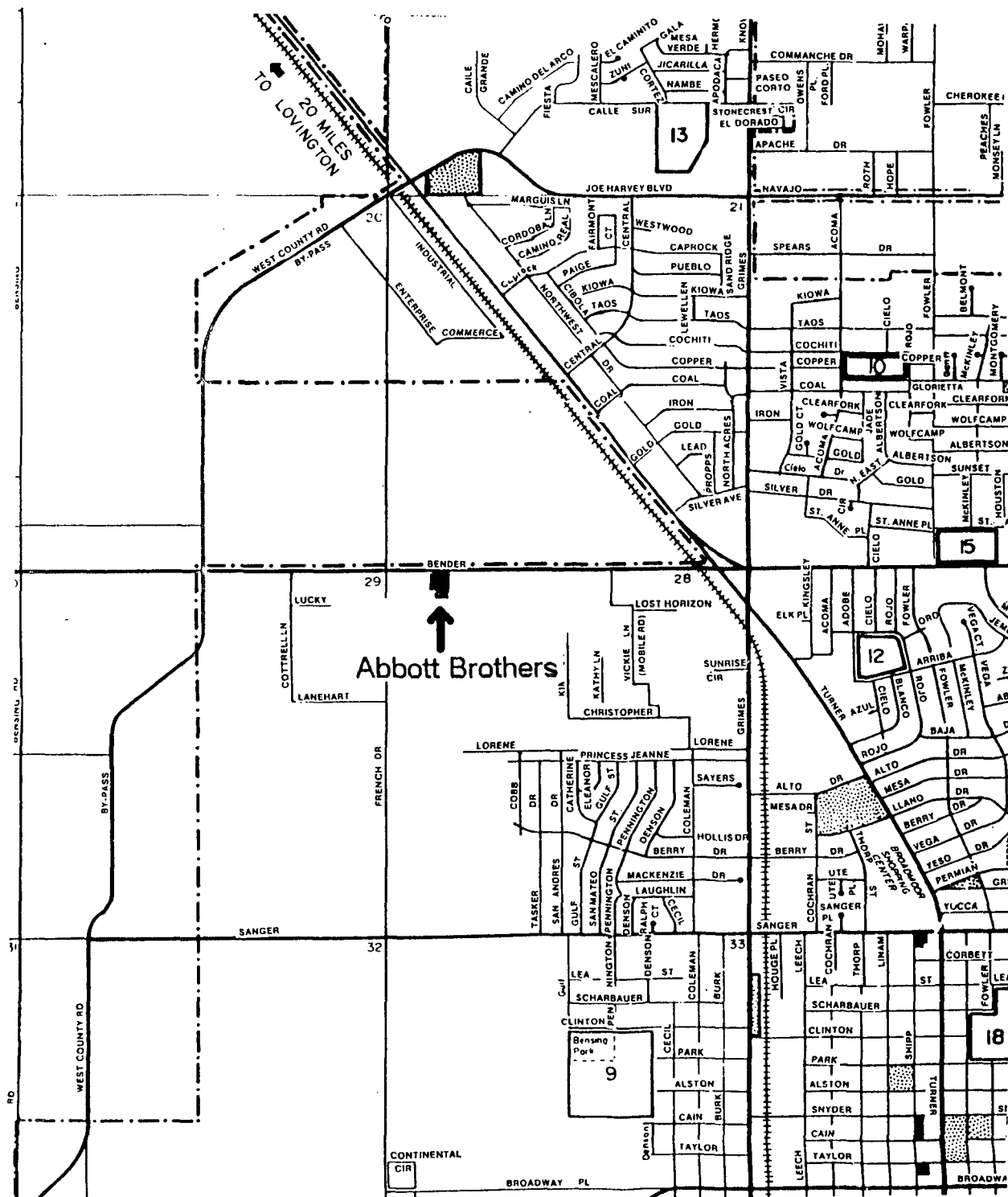
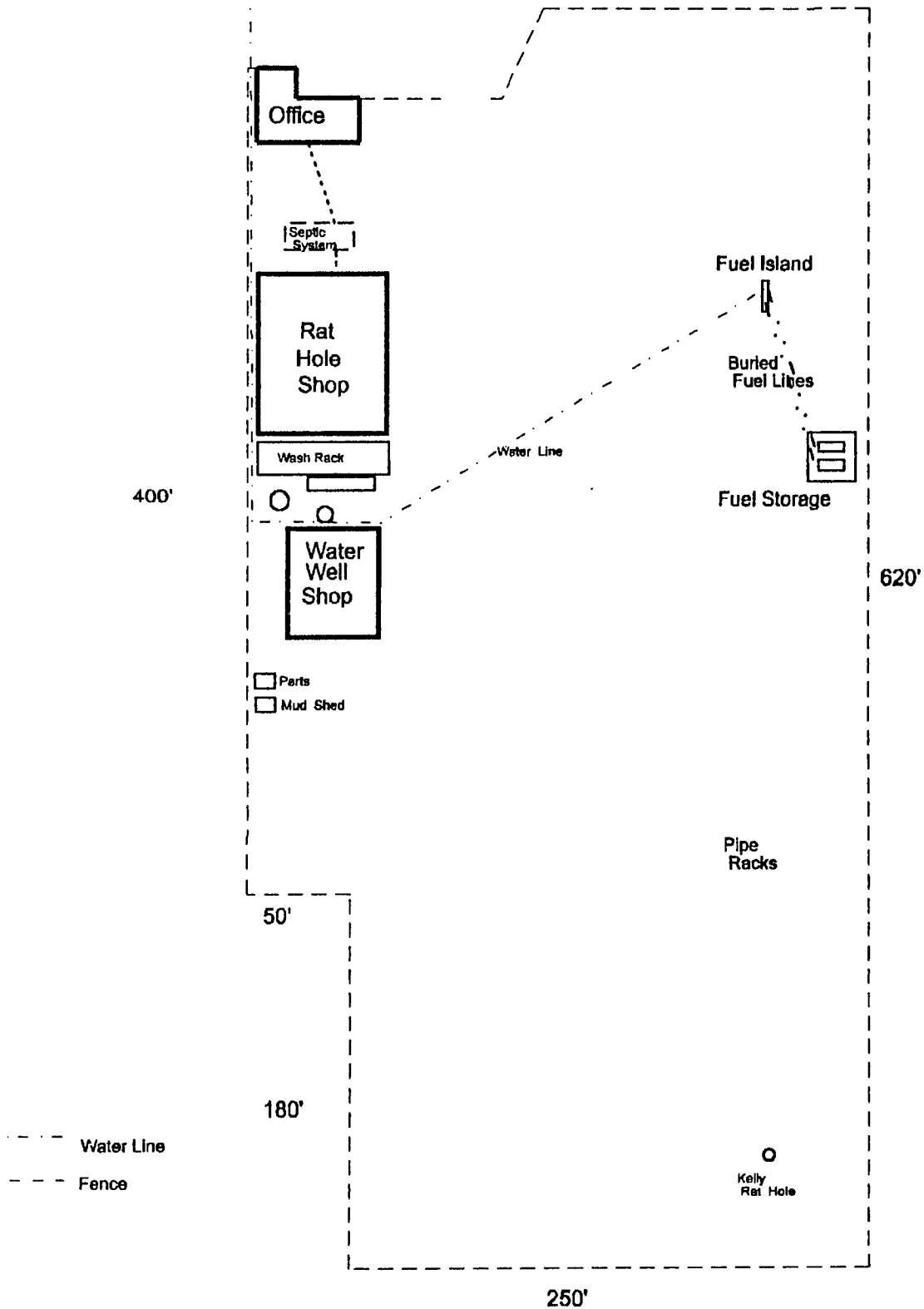


Exhibit B

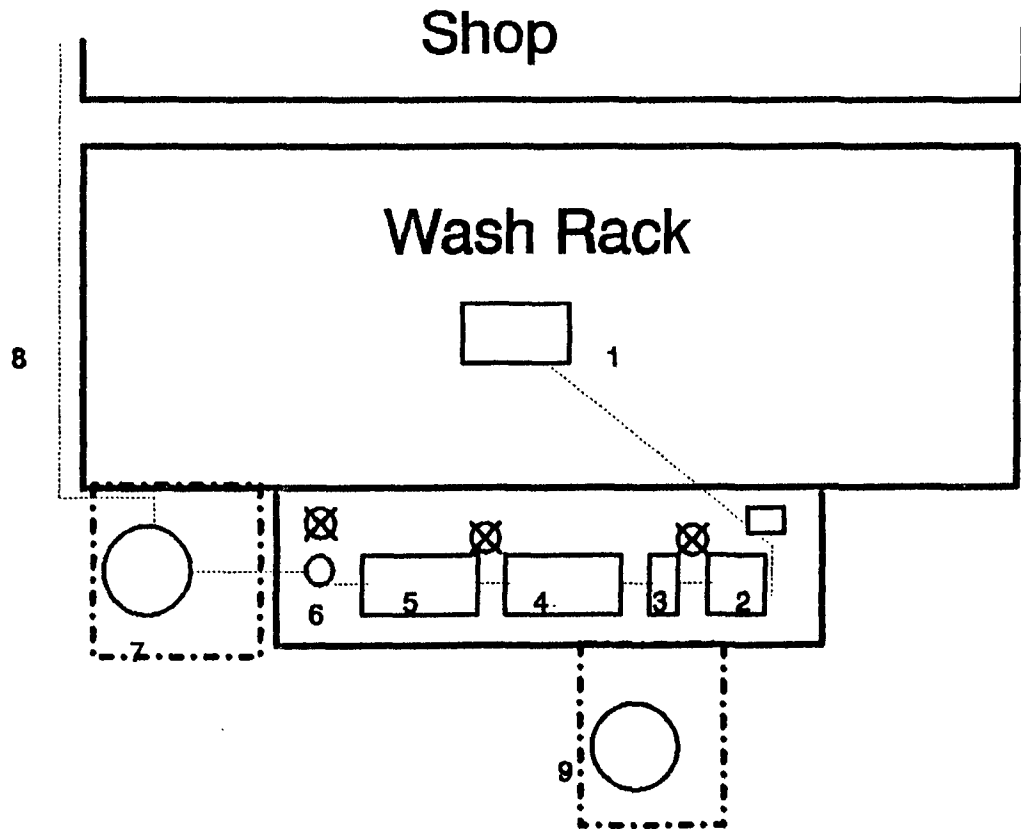
V. Facility Description

Exhibit B

Abbott Brothers Yard



Wash Rack Installation



1. Wash rack sump and dirt trap
2. Primary oil and grease trap
3. Secondary oil and grease trap
4. Primary sand trap
5. Secondary sand trap
6. Water sump with float activated pump
7. Recycled water storage tank (above ground)
8. Water line to pressure tank (housed in shop)
9. Oil and grease storage tank (skimmed from 1., 2. and 3.)
(to be held for E & E Enterprises)

⊗ Monitoring ports

□ Clean out port

⋮ Tank pads and curbing

Exhibit C

VI. Materials Stored or Used at the Facility

Exhibit C

VI. Materials Stored or Used at the Facility

Name	Solid or Liquid	Type of Container	Estimated Volume	Location
1. Drilling Fluids				
a. Bentonite	Solid	Sack	As needed 10 max	Mud shed
2. Brines				
n/a				
3. Acids/Caustics				
a. Muriatic acid (HCl) Liquid		Jug	1 gal	Shop
4. Detergents/Soaps				
a. Hand cleaner	Liquid	Can	<1 gal	Shop
b. Steamer Soap	Liquid	Barrel	<30 gal	Shop
5. Solvents and degreasers				
n/a				
6. Paraffin Treatment/Emulsion Breakers				
n/a				
7. Biocides				
n/a				
8. Others				
a. Diesel	Liquid	Tank	<1000 gal	East side
b. Gasoline	Liquid	Tank	<1000 gal	East side
c. Gear lubricants	Liquid	Cans	<100 gal	Shop

d. Antifreeze	Liquid	Cans	<50 gal	Shop
e. Hydraulic Fluid	Liquid	Cans	<20 gal	Shop
f. Paint	Liquid	Cans	~5 gal	Shop
g. Motor oil	Liquid	Cans	<10 gal	Shop
h. Brake fluid	Liquid	Cans	<2 gal	Shop
i. Window cleaner	Liquid	Cans	<2 gal	Shop
j. Starting fluid	Liquid	Cans	<2 gal	Shop
k. Oxygen	Gas	Cylinder	<6 cyl	Shop
l. Acetylene	Gas	Cylinder	<6 cyl	Shop
m. Nitrous Oxide	Gas	Cylinder	<2 cyl	Shop

Material Safety Data Sheets (MSDS) for specific products are on file in the office and will be furnished upon request.

Exhibit D

VII. Sources and Quantities of Effluent and Waste Solids Generated at the Facility

Exhibit D

VII. Sources and Quantities of Effluent and Waste Solids Generated at the Facility

Waste Type	Source and Composition	Volume Per Mo.
1. Truck Wastes		none
2. Truck, tank and drum washing		see next item
3. Steam cleaning	Effluent from equipment cleaning; water, grease and dirt	<50 gal/mo
	Filter cartridge	<1/mo
4. Solvent/degreaser use		none
5. Spent acids or caustics		none
6. Waste slop oil		none
7. Used lubrication and motor oils	Equipment lubricant changes; oil, transmission fluids, hydraulic fluids	~10 gal/mo
8. Oil filters	Filter changes; cartridges	~3 items/mo
9. Solids and sludges from tanks		none
10. Painting wastes	Equipment painting; empty cans and spray cans	~3 items/mo
11. Sewage	Restrooms (office and shop) and wash basin; gray water	unknown
12. Laboratory Wastes		none
13. Other waste liquids	Antifreeze	<5 gal/mo
14. Other waste solids	Shop absorbent	<25 lb/mo

Exhibit E

VIII. Current Liquid and Solid Waste Collection/Storage/Disposal Procedures

Exhibit E

VIII. Current Liquid and Solid Waste Collection/Storage/Disposal Procedures

<u>Waste Type</u>	<u>Current Procedure</u>
Steam Cleaning	Steam cleaning effluent is recycled through a system installed by Mr. Don Trusty with prior approval of the NMOCD (Exhibit J). Effluent from the grease traps are pumped into a tank for pick up and reclamation by E & E Enterprises of Brownfield, TX. Sludge and free liquid is to be picked by a NMOCD approved, permitted facility, e. g. CRI. Filter cartridge volume is considered to be incidental waste by Mr. Lee Coffman of Waste Management of SENM and placed in dumpster for disposal.
Used lubricants	Used lubricants are kept segregated and are picked up by E & E Enterprises for reclamation.
Oil filters	Used filters are punctured and drained into recyclable oil drum for reclamation. The used filters generated are picked up by E & E Enterprises for reclamation.
Painting wastes	Cans containing paint wastes are left to completely dry. The amount of cans and empty spray cans generated is considered by Mr. Lee Coffman of Waste Management of SENM to be incidental waste and is placed in the dumpster for disposal.
Sewage	"Gray" water from office and shop restrooms and wash basin is treated by septic system.
Other liquid wastes	Used antifreeze is kept segregated and is picked up by E & E Enterprises for reclamation.
Other solid wastes	The amount of shop absorbent waste generated is considered by Mr. Lee Coffman of Waste Management of SENM to be incidental waste and is placed in the dumpster for disposal.

Exhibit F

IX. Proposed Modifications

Exhibit F

IX. Proposed Modifications

A. The two 1000 gal fuel storage tanks are presently contained within a 24" block wall; however there is no impermeable pad. Proposed modification will be to lift the tanks and install a double layer of "pit lining" plastic to cover the entire base of the enclosure. The plastic will be covered with ~2" of sand to prevent photodecomposition of the liner. Estimated date of completion: 12/1/96.

B. The "mud shed" currently contains sacks of bentonite stored on a pallet. Proposed modification is to cover the pallet with a double layer of "pit lining" plastic with enough excess liner to cover the sacks of bentonite on the pallet. This action will prevent any spillage of bentonite from a torn sack.

Exhibit G

X. Inspection, Maintenance and Reporting

Exhibit G

X. Inspection, Maintenance and Reporting

The Abbott Brothers facility operates on a 6-12 hour per day, 6 day per week schedule. All drums, tanks, berms, etc. are to be visually inspected each work day. These inspections are to be recorded weekly (see attached sheet). The supervisor on duty will correct any leaking or damaged container as soon as possible. The NMOCD will be notified of any leak or spill pursuant to NMOCD Rule 116 and WQCC Section 1203. Two (2) copies of NMOCD form "Notification of Fire, Breaks, Spills, Leaks and Blowouts" will be submitted to the Hobbs District Office.

The facility does not contain any process areas. Any outside containers are bermed to prevent contact with runoff. The possibility of any spill leaving the facility is unlikely.

[illegible]

Exhibit H

XI. Spill/Leak Prevention and Reporting Procedures (Contingency Plans)

Exhibit H

XI. Spill/Leak Prevention and Reporting Procedures (Contingency Plans)

Should a spill or leak occur at the facility, the person finding the spill or leak will take immediate action to contain the effluent and/or solid waste. Absorbent, shovels and rakes are located in the main shop, and empty drums are located in the small shop. After taking action to contain the spill, the supervisor on duty will be notified of the location, nature, and extent of the spill.

Minor spills: Minor spills will be recovered with absorbent material such as hay or shop absorbent. The absorbent material will be collected for disposal in an approved manner. The NMOCD will not be notified since the spill is not significant.

Major spills: Major spills will be contained as soon as possible by hay or shop absorbent if appropriate. The absorbent material will be collected for disposal in an approved manner. The supervisor on duty will determine if other resources are necessary for the immediate containment and remedy of the spill. These resources may include, but are not limited to, the following:

Western Unichem	393-7751
Indian Fire and Safety	393-3093
Southwest Safety Specialists	392-8080

If the spill material is flammable, the supervisor shall determine if the Hobbs Fire Department (911) should be notified for response. This determination will be based upon the volume of the spill and the potential for ignition.

All significant spills will be reported to the NMOCD pursuant to NMOCD Rule 116 and the appropriate forms will be filed with the Hobbs District Office.

The "Hazardous Material Contingency and Spill Reporting Plan" for Abbott Brothers is attached.

ABBOTT BROTHERS COMPANY
1923 West Bender
Hobbs, NM 88240
505-393-8228

HAZARDOUS MATERIALS CONTINGENCY
and SPILL REPORTING PLAN

4/2/96
Revised 6/13/96, 9/29/96

Hazardous Material Contingency and Spill Reporting Plan

Hobbs, NM

Purpose

This contingency plan is designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of any hazardous constituents to air, soil, or surface water.

The provisions of this must be carried out immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.

Emergency Coordinator Responsibilities

The Emergency Coordinators for the Abbott Brothers facility are:

Floyd Abbott	505-393-8228 (wk) 505-393-0121 (hm) 505-369-6374 (cell)
Calvin Brown	505-393-8228 (wk) 505-397-1669 (hm) 505-370-1144 (cell)
Chito Telles	505-393-8228 (wk) 505-393-4266 (hm) 505-370-4398 (cell)

One of these employees will be at the facility or on call (within a few minutes) at all times. This list of coordinators and their phone numbers, along with phone numbers for emergency response agencies (fire, ambulance, etc.) and a drawing showing all fire extinguishers must be posted in the main office, shop office, and storage shop desk.

The Emergency Coordinators are responsible for coordinating all emergency response measures. All of the coordinators are thoroughly familiar with all aspects of this plan, all operations and activities at this facility, the location and character of waste handled, the location of all records within the facility, and the

facility layout. In addition, these coordinators have the authority to commit the resources needed to carry out this plan.

General Emergency Procedures

Whenever there is an imminent or actual emergency situation, the Emergency Coordinator must immediately take the following steps:

1. The Emergency Coordinator will notify facility personnel of the emergency situation, and notify local authorities by calling 911 if the emergency appears to offer a potential threat to the immediate area.
2. All employees are to shut down all equipment, electrical and mechanical, and report to the office (or front parking area if the office is unsafe) for further directions.
3. The Emergency Coordinator must immediately identify the character, exact source, amount, and the real extent of any released materials. This may be done by observation or review of the facility records and, if necessary, by chemical analysis.
4. Concurrently, the Emergency Coordinator must assess possible hazards to human health or the environment that may result from the release, fire, or explosion. This assessment must consider both direct and indirect effects of the release, fire, or explosion (i. e., the effects of any toxic, irritating, or asphyxiating gases that are generated, or the effects of any hazardous surface water run-offs from water or chemical agents used to control fire and heat induced explosions).
5. Notify the appropriate state and/or local officials if their assistance is needed. These agencies and their phone numbers are as follows:

<u>Agency</u>	<u>Telephone</u>
Emergency (all)	911
Ambulance	911
Hobbs Fire Department	911
Hobbs Fire Department	911
Lea County Sheriff	911
NM State Police	911

Hospital	392-6581
Hobbs Emergency Management David Hooten	397-2870
NM Oil Conservation Division	393-6161 (per Rule 116 and WQCC Regulations)

Other resources to be used if needed:

Western Unichem	393-7751
Indian Fire and Safety	393-3093
Southwest Safety Specialists	392-8080

6. If the Emergency Coordinator determines that the facility has a release, fire, or explosion which could threaten health or the environment, outside the facility, he must report his findings as follows:

- a. If his assessment indicates that evacuation of local areas may be advisable, he must immediately notify appropriate authorities. He must be available to help appropriate officials decide whether local areas should be evacuated; and
- b. He must immediately notify the National Response Center (1-800-424-8802).

The report must include:

- Name and phone number of reporting party;
- Name and address of facility;
- Time and type of incident (release, fire, explosion);
- Name and quantity of material(s) involved, to the extent known;
- The extent of any injuries, if any; and
- The possible hazards to human health, or the environment, outside the facility.

7. During the emergency, the Emergency Coordinator must take all reasonable measures necessary to ensure that fires, explosions, or releases do

not occur, recur, or spread to other hazardous waste at the facility. These measures must include, where applicable, stopping operations, collecting and containing released waste, and removing or isolating containers.

8. Immediately after an emergency, the Emergency Coordinator must provide for storing and disposing of recovered waste, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility.

9. The Emergency Coordinator must ensure that, in the affected area(s) of the facility:

a. No waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are completed; and

b. All emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed.

10. The Emergency Coordinator must report to the Environment Department for the purpose of notification to the Regional Administrator, and the appropriate state and local authorities including the NM Oil Conservation Division (393-6161), that the facility is in compliance with the paragraph (8) before operations are resumed in the affected area(s) of the facility.

11. The Emergency Coordinator must document the time, date, and details of any incident that requires implementing the contingency plan. Within 15 days after the incident, the Environmental Department must submit a written report on the incident to the EPA Regional Administrator and the New Mexico Department of Environmental Quality. The report must include:

- a. Name, address, and telephone number of the owner or operator;
- b. Name, address, and telephone number of the facility;
- c. Date, time, and type of incident (e.g. fire, explosion, release);
- d. Name and quantity of material(s) involved;
- e. The extent of any injury, if any;
- f. As assessment of actual of potential hazards to human health or the environment, where this is applicable; and
- g. Estimated quantity and disposition of recovered material that resulted from the incident.

Exhibit I

XII. Site Characteristics

Exhibit I

XII. Site Characteristics

A. Hydrologic/Geologic Information

1. There are no bodies of water, streams, water courses or ground water discharge sites within one mile of the perimeter of the site to our knowledge. Any water wells within a one quarter mile radius are for domestic or small business usage.
2. The static water level in the area varies from 71' to 83' in the winter and from 92' to 96' in the summer (source: J. R. Harris, City of Hobbs Water Department, 505-397-9330). The total dissolved solids (TDS) concentration is 490 mg/l (source: Annie Dean, City Hobbs Water Lab, 505-397-9315).
3. a. Soil type (source: NM Well Record L-8192, attached):

0 - 5'	Surface soil
5' - 29'	Caliche
29' - 61'	Sand - tight
61' - 110'	Sand - water
110' - 128'	Sand - tight
128' - 152'	Sand - water
152' - 170'	Sand and gravel
170' - 175'	Sandy clay

 - b. Name of Aquifer: Ogallala
 - c. Composition of Aquifer: Sand
 - d. Depth to Rock: Unknown
4. Flooding potential at the facility is negligible as experienced in the Hobbs floods of 1988 and 1992.

Exhibit J

XIII. Other Compliance Information

Exhibit J

XIII. Other Compliance Information

- A. Abbott Brothers Company is committed to the adherence of the regulations, procedures, and spirit contained in NMOCD Rule 116 and WQCC Section 1203.**
- B. Attached is the letter (copy) from NMOCD authorizing the construction and operation of the wash rack referred to previously.**



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

February 12, 2001

Lori Wrotenbery
Director
Oil Conservation Division

CERTIFIED MAIL
RETURN RECEIPT NO. 5051 0180

Mr. Floyd Abbott
Abbott Brothers Rat Hole Service
P.O. Box 305
Hobbs, New Mexico 88241

**RE: Discharge Plan Renewal Notice for the Abbott Brothers Rat Hole Service
Facility**

Dear Mr. Abbott:

Abbott Brothers Rat Hole Service has the following discharge plan, which expires during the current calendar year.

GW-264 expires 11/25/2001 – Hobbs Facility

WQCC 3106.F. If the holder of an approved discharge plan submits an application for discharge plan renewal at least 120 days before the discharge plan expires, and the discharger is not in violation of the approved discharge plan on the date of its expiration, then the existing approved discharge plan for the same activity shall not expire until the application for renewal has been approved or disapproved. A discharge plan continued under this provision remains fully effective and enforceable. An application for discharge plan renewal must include and adequately address all of the information necessary for evaluation of a new discharge plan. Previously submitted materials may be included by reference provided they are current, readily available to the secretary and sufficiently identified to be retrieved. [12-1-95]

The discharge plan renewal application for each of the above facilities is subject to WQCC Regulation 20NMAC 6.2.3114. Every billable facility submitting a discharge plan renewal will be assessed a fee equal to the filing fee of \$100.00. After January 15, 2001 renewal discharge plans require a flat fee equal to the flat fee schedule for oil field service facilities pursuant to revised WQCC Regulations 20NMAC 6.2.3114. A copy of the revised fee schedule is included for your assistance. The \$100.00 filing fee is to be submitted with each discharge plan renewal application and is nonrefundable.

Please make all checks payable to: **NMED-Water Quality Management** and addressed to the OCD Santa Fe Office. Please submit the original discharge plan renewal application and one copy to the OCD Santa Fe Office and one copy to the OCD Hobbs District Office. **Note that the completed and signed application form must be submitted with your discharge plan renewal request.** A complete copy of the regulations is also available on NMED's website at www.nmenv.state.nm.us).

If any of the above-sited facilities no longer has any actual or potential discharges and a discharge plan is not needed, please notify this office. If Abbott Brothers Rat Hole Service has any questions, please do not hesitate to contact Mr. Jack Ford at (505) 476-3489.

Sincerely,



Roger C. Anderson
Oil Conservation Division

RCA/wjf

cc: OCD Hobbs District Office

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
Article Sent To:	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Name (Please Print Clearly) (To be completed by mailer)	
F. Abbott	
Street, Apt. No.; or PO Box No.	
Abbott Bros.	
City, State, ZIP+ 4	
G.W. 264	

7099 3220 0000 5051 0180

PS Form 3800, July 1999 See Reverse for Instructions

ACKNOWLEDGEMENT OF RECEIPT
OF CHECK/CASH

I hereby acknowledge receipt of check No. dated 12/5/96,
or cash received on in the amount of \$ 1380.00
from ABBOTT Brothers
for Hobbs Facility GW-264
(Facility Name) (GP No.)
Submitted by: Date:
Submitted to ASD by: R. Anderson Date: 12/11/96
Received in ASD by: Date:
Filing Fee New Facility X Renewal
Modification Other
(Specify)
Organization Code 521.07 Applicable FY 97
To be deposited in the Water Quality Management Fund.
Full Payment X or Annual Increment

ABBOTT BROTHERS
RAT HOLE SERVICE CO.
A DIVISION OF ABBOTT BROTHERS, CO.
BOX 305
HOBBS, NM 88240



Norwest Bank New Mexico, N.A. 0320
P.O. Box 1290
Hobbs, NM 88241

95-199/1122

PAY Dec. 5, 19 96
- ABBOTT BROS. - 1380 DOLS 00 CTS DOLLARS \$ 1,380.00
DRILLING CONTRS.

TO
THE
ORDER
OF

ENERGY MINERALS AND NATURAL RESOURCES DEPT.
Oil Conservation Division
2040 S. Pacheco
Santa Fe, NM 87505

Floyd Abbott MP

ABBOTT BROTHERS
RAT HOLE SERVICE CO.
A DIV. OF ABBOTT BROS., CO.

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

DELUXE - FORM WVC-2 V-4

INVOICE		DESCRIPTION	TOTAL AMOUNT	DEDUCTIONS		NET AMOUNT
DATE	NO.			DISCOUNT	FREIGHT	
12-5-96		Flat Fee	1380.00			



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

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

November 25, 1996

CERTIFIED MAIL
RETURN RECEIPT NO. P-288-258-691

Mr. Floyd Abbott
Abbott Brothers Rat Hole Service
P.O.Box 305
Hobbs, NM 88241

RE: Approval of Discharge Plan GW-264
Hobbs - Service Facility
Lea County, New Mexico

Dear Mr. Abbott:

The discharge plan for the Abbott Brothers Rat Hole Service Hobbs Facility GW-264 located in the NW/4 NW/4, Section 28, Township 18 South, Range 38 East, NMPM, Lea County, New Mexico, is hereby approved under the conditions contained in the enclosed attachment. The discharge plan consists of the application dated October 3, 1996, submitted by Mr. Floyd Abbott of Abbott Brothers Rat Hole Service, and this approval letter with conditions of approval from OCD dated November 25, 1996. Enclosed are two copies of the conditions of approval. **Please sign and return one copy of the conditions of approval to the New Mexico Oil Conservation Division (OCD) Santa Fe Office within five working days of receipt of this letter.**

The discharge plan 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 **Abbott Brothers Rat Hole Service** 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.

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 Abbott Brothers Rat Hole Service 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.

Mr. Floyd Abbott
Abbott Brothers
GW-264
November 25, 1996
Page 2

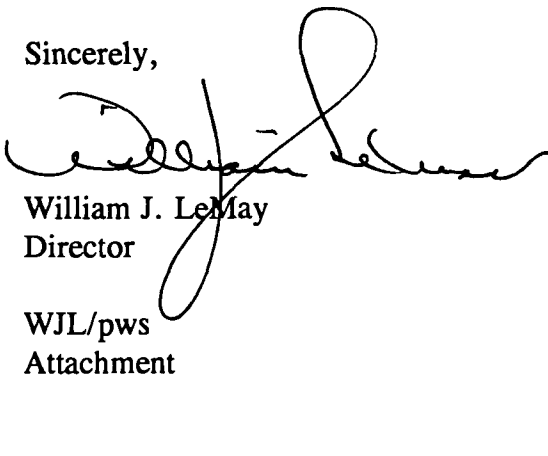
Pursuant to Section 3109.G.4, this plan is for a period of five (5) years. **This approval will expire November 25, 2001, and an application for renewal should be submitted in ample time before that date.** It should be noted that all discharge plan facilities will be required to submit plans for, or the results of, an underground drainage testing program as a requirement for discharge plan approval.

The discharge plan for the Abbott Brothers Rat Hole Service Hobbs Facility GW-264 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) and a flat fee of one thousand three-hundred and eighty dollars (\$ 1,380) for service company discharge plans.

The \$50 filing fee has been received by the OCD. The \$1,380 flat fee has not been received by the OCD and is due upon receipt of this approval. The flat fee may be paid in one lump sum or in five equal annual installments of \$ 276 over the term of the permit with the first payment due upon receipt of this approval.

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,



William J. LeMay
Director

WJL/pws
Attachment

xc: Mr. Wayne Price - OCD Hobbs

P 288 258 691

US Postal Service	
Receipt for Certified Mail	
No Insurance Coverage Provided.	
Do not use for International Mail (See reverse)	
Sent to ABBOTT - Mr. Floyd ABBOTT	
Street & Number GW-264, DP APR. LATER	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

Mr. Floyd Abbott
Abbott Brothers
GW-264
November 25, 1996
Page 3

ATTACHMENT TO DISCHARGE PLAN GW-264
Permit Conditions
Abbott Brothers Rat Hole Service - Hobbs Facility
DISCHARGE PLAN REQUIREMENTS
(November 25, 1996)

1. **Payment of Discharge Plan Fees:** The \$1,380 flat fee has not been received by the OCD and is due upon receipt of this approval. The flat fee may be paid in one lump sum or in five equal annual installments of \$276 over the term of the permit with the first payment due upon receipt of this approval.
2. **Abbott Brothers Rat Hole Service Commitments:** Abbott Brothers Rat Hole Service will abide by all commitments submitted in the discharge plan application dated October 3, 1996, submitted by Abbott Brothers Rat Hole Service, and this approval letter with conditions of approval from OCD dated November 25, 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.

All drums and chemical containers shall be clearly labeled to identify their contents and other emergency information necessary if they were to rupture, spill, or ignite.
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.
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.

Mr. Floyd Abbott
Abbott Brothers
GW-264
November 25, 1996
Page 4

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. The OCD will be notified at least 72 hours prior to all testing so that an OCD representative may witness the testing.

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

Any soils contaminated with a non-exempt waste 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 Hobbs OCD District Office at (505)-393-6161.

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. **Certification:** Abbott Brothers Rat Hole Service, by the officer whose signature appears below, accepts this permit and agrees to comply with all terms and conditions contained herein. Abbott Brothers Rat Hole Service, further acknowledges that these conditions and requirements of this permit may be changed administratively by the Division for good cause shown as necessary to protect groundwater, human health and the environment.

Accepted:
Abbott Brothers Rat Hole Service

by _____
Title



United States Department of the Interior

FISH AND WILDLIFE SERVICE

New Mexico Ecological Services Field Office
2105 Osuna NE

Albuquerque, New Mexico 87113

Phone: (505) 761-4525 Fax: (505) 761-4542

October 29, 1996

William J. Lemay, Director
Oil Conservation Division
New Mexico Energy, Minerals
and Natural Resources Dept.
2040 S. Pacheco
Santa Fe, New Mexico 87505

RECEIVED

NOV 04 1996

Environmental Bureau
Oil Conservation Division

Dear Mr. Lemay:

This responds to your agency's public notices dated October 7, October 8, and October 9, 1996, regarding the Energy, Minerals and Natural Resources Department Oil Conservation Division's proposal to approve the discharge plans for the three applicants listed below.

(GW-089) - Transwestern Pipeline Company. Mr. Larry Campell has submitted an application for renewal of the company's approved discharge plan for the Corona Compressor Station located in Section 36, Township 4 South, Range 15 East, Lincoln County, New Mexico. Approximately 25 gallons per day of washdown water will be stored in an above ground steel tank prior to transport to an approved off-site disposal facility.

The U.S. Fish and Wildlife Service (Service) typically recommends the use of excluding technology (nets, fences, enclosed tanks, etc.) to prevent migratory bird and other wildlife access to any open top waste water tank that contains toxic chemicals, or which may harbor a surface oil sheen. During flight, migratory birds may not distinguish between such tanks or lagoons and natural waterbodies. If the artificial waterbody contains substances potentially injurious to migratory birds (and other wildlife), it may serve as an "attractive nuisance" if measures are not taken to exclude their access.

Our intent is to inform and intercede before any migratory bird deaths occur, since these birds constitute a legally protected resource. Under the Migratory Bird Treaty Act (MBTA), the courts have held that an operator of brine, waste water, or other produced water storage facilities may be held liable for an "illegal take" of migratory birds. An "illegal take" has been interpreted to include accidental poisoning or accumulation of harmful concentrations of contaminants by migratory birds, which might occur as a result of access to the stored water. Hydrocarbon pollutants, for instance, can be carried to the nest on the breast feathers and feet of adult birds (or in contaminated nesting materials), where they can contact the eggs, and subsequently result in reduced egg viability and/or embryo death.

If the construction and operation of the structure results in migratory bird deaths and the problem is not addressed, the operator may be held liable under the enforcement provisions of the MBTA. Therefore, the Service recommends that the Oil Conservation Division (Division) require storage tanks to be constructed in a manner that prevents bird access (e.g., netted), or that the applicant demonstrates that the retained waters are "bird-safe" (e.g., can meet New Mexico general water quality standards 1102.B, 1102.F, and 3101.K or 3101.L). The Service would rather prevent a problem resulting from migratory bird access to contaminated ponds, lagoons, and tanks than take enforcement actions, which are expensive and disruptive to legitimate mineral extraction and production activities.

(GW-264) - Abbott Brothers. Mr. Floyd Abbott has submitted a Discharge Plan Application for their Hobbs Facility located in Section 28, Township 18 South, Range 38 East, Lea County, New Mexico. Potential discharges will be stored in a closed top receptacle.

(GW-265) - El Paso Field Services. Ms. Sandra Miller has submitted a Discharge Plan Application for their "Texaco Bilbrey" compressor station located in Section 4, Township 22 South, Range 32 East, Lea County, New Mexico. Potential discharges will be stored in a closed top receptacle.

The Service has no objection to the Division approving discharge plans which utilize closed top receptacles, as the closed tops prevent wildlife access to potentially toxic chemicals. We recommend the use of berms around these receptacles to help prevent migration of contaminated waters into the surface waters of New Mexico during an accidental rupture or spill.

Thank you for the opportunity to review and comment on these discharge plan applications. If you have any questions about these comments, please contact Dennis W. Byrnes at (505) 761-4525.

Sincerely,

RECEIVED

NOV 04 1996

Environmental Bureau
Oil Conservation Division

for Sonja Jahnke
Jennifer Fowler-Propst
Field Supervisor

cc:

Director, New Mexico Department of Game and Fish, Santa Fe, New Mexico
Geographic Manager, New Mexico Ecosystems, U.S. Fish and Wildlife Service,
Albuquerque, New Mexico
Senior Resident Agent, U.S. Fish and Wildlife Service, Albuquerque, New Mexico
Migratory Bird Office, U.S. Fish and Wildlife Service, Albuquerque, New Mexico

ACKNOWLEDGEMENT OF RECEIPT
OF CHECK/CASH

I hereby acknowledge receipt of check No. [REDACTED] dated 10/4/96,
or cash received on _____ in the amount of \$ 50.00

from Abbott Brothers

for Hobbs Facility 612-2164
(Filing Name) (DP No.)

Submitted by: _____ Date: _____

Submitted to ASD by: RCA Date: 10/18/96

Received in ASD by: PW Date: 10/17/96

Filing Fee ☒ New Facility _____ Renewal _____

Modification _____ Other _____

Organization Code 521.07 Applicable FY 97

To be deposited in the Water Quality Management Fund.

Full Payment _____ or Annual Increment _____

ABBOTT BROTHERS
RAT HOLE SERVICE CO.
A DIVISION OF ABBOTT BROTHERS, CO.
BOX 305
HOBBS, NM 88240



Northwest Bank New Mexico, N.A. 0320
P.O. Box 1290
Hobbs, NM 88241

95-198/1122

Oct. 4, 19 96

PAY - ABBOTT BROS. - 50 DOLS 00 CTS DOLLARS \$ 50.00
DRILLING CONTRS.

TO
THE
ORDER
OF


NM WATER QUALITY MGMT.

Floyd Abbott

ABBOTT BROTHERS
RAT HOLE SERVICE CO.
A DIV. OF ABBOTT BROS., CO.

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NO CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIR

DELUXE - FORM WVC-2 V-4

INVOICE		DESCRIPTION	TOTAL AMOUNT	DEDUCTIONS		NET AMOUNT
DATE	NO.			DISCOUNT	FREIGHT	
10-04-96		Filing Fee <i>6.00</i>	50.00			

Affidavit of Publication

RECEIVED

OCT 25 1996

STATE OF NEW MEXICO)
) ss.
COUNTY OF LEA)

Environmental Bureau
Oil Conservation Division

Joyce Clemens being first duly sworn on oath deposes and says that he is Adv. Director of THE LOVINGTON DAILY LEADER, a daily newspaper of general paid circulation published in the English language at Lovington, Lea County, New Mexico; that said newspaper has been so published in such county continuously and uninterruptedly for a period in excess of Twenty-six (26) consecutive weeks next prior to the first publication of the notice hereto attached as hereinafter shown; and that said newspaper is in all things duly qualified to publish legal notices within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico.

That the notice which is hereto attached, entitled

Notice Of Publication

~~and numbered~~ in the

~~Court of Area~~

~~County of New Mexico~~ was published in a regular and entire issue of THE LOVINGTON DAILY LEADER and not in any supplement thereof, ~~once each week on the same day of the week~~, for one (1) day

~~consecutive weeks~~ beginning with the issue of

October 15, 19.96

and ending with the issue of

October 15, 19.96

And that the cost of publishing said notice is the sum of \$ 41.60

which sum has been (Paid) (Assessed) as Court Costs

Joyce Clemens

Subscribed and sworn to before me this 17th

day of October, 19.96

Jeann Sevier
Notary Public, Lea County, New Mexico

My Commission Expires Sept. 28, 1998

LEGAL NOTICE
NOTICE OF PUBLICATION
STATE OF NEW MEXICO
ENERGY, MINERALS AND
NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to New Mexico Water Quality Control Commission Regulations, the following discharge plan application has been submitted to the Director of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131:

GW-264) - Abbott Brothers, Mr. Floyd Abbott, (505)-393-8228, P.O. Box 305, Hobbs, NM, 88241, has submitted a Discharge Plan Application for their Hobbs Facility located in the NW/4 NW/4, Section 28, Township 18 South, Range 38 East, NMPM, Lea County, New Mexico. Any potential discharge at the facility will be stored in a closed top receptacle. Groundwater most likely to be affected by a spill, leak, or accidental discharge to the surface is at a depth of approximately 71 feet with a total dissolved solids concentration of approximately 490 mg/L. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The discharge plan application may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on any proposed discharge plan or its modification, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him and a public hearing may be requested by any interested person. Requests for a public hearing shall set forth the reasons why a hearing should be held. A hearing will be held if the Director determines there is significant public interest.

If no public hearing is held, the Director will approve or disapprove the proposed plan based on information available. If a public hearing is held, the Director will approve or disapprove the proposed plan based on the information in the discharge plan application and information submitted at the hearing.

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 8th day of October, 1996.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION
WILLIAM J. LEMAY, Director

SEAL

Published in the Lovington Daily Leader October 15, 1996.

The Santa Fe New Mexican

Since 1849. We Read You.

OCT 18 1996

NEW MEXICO OIL CONSERVATION
ATTN: SALLY MARTINEZ
2040 S. PACHECO
SANTA FE, NM 875005

RECEIVED

OCT 25 1996

Environmental Bureau
Oil Conservation Division

AD NUMBER: 566637

ACCOUNT: 56689

LEGAL NO: 60562

P.O. #: 96199002997

165 LINES once at \$ 66.00

Affidavits: 5.25

Tax: 4.45

Total: \$ 75.70

NOTICE OF PUBLICATION

STATE OF NEW MEXICO
ENERGY, MINERALS
AND NATURAL
RESOURCES
DEPARTMENT

OIL CONSERVATION
DIVISION

Notice is hereby given that pursuant to New Mexico Water Quality Control Commission Regulations, the following discharge plan renewal application has been submitted to the Director of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico, 87505, Telephone (505) 827-7131:

(GW-264) - Abbott Brothers, Mr. Floyd Abbott, (505)-393-8228, P.O. Box 305, Hobbs, NM, 88241, has submitted a Discharge Plan Application for their Hobbs Facility located in the NW/4 NW/4, Section 28, Township 18 South, Range 38 East, NMPM, Lea County, New Mexico. Any potential discharge at the facility will be stored in a closed top receptacle. Groundwater most likely to be affected by a spill, leak, or accidental discharge to the surface is at a depth of approximately 71 feet with a total dissolved solids concentration of approximately 490 mg/L. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

Any interested person may obtain further information from the Oil Conservation Division

and may submit written comments to the Director of the Oil Conservation Division at the address given above. The discharge plan application may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on any proposed discharge plan or its modifications, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him and a public hearing may be requested by any interested person. Requests for a public hearing shall set forth the reasons why a hearing should be held. A hearing will be held if the Director determines there is significant public interest.

If no public hearing is held, the Director will approve or disapprove the proposed plans based on information available. If a public hearing is held, the director will approve or disapprove the proposed plans based on the information in the discharge plan renewal applications and information submitted at the hearing.

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 8th day of October 1996.

STATE OF NEW MEXICO
OIL CONSERVATION
DIVISION
WILLIAM J. LEMAY,
Director
Legal #60562
Pub. October 14, 1996

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO
COUNTY OF SANTA FE

I, BETSY PERNER being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily news paper published in the English language, and having a general circulation in the Counties of Santa Fe and Los Alamos, State of New Mexico and being a Newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the publication # 60562 a copy of which is hereto attached was published in said newspaper once each week for one consecutive week(s) and that the notice was published in the newspaper proper and not in any supplement; the first publication being on the 14th day of OCTOBER 1996 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

/s/ Betsy Perner
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this
14th day of OCTOBER A.D., 1996



OFFICIAL SEAL

LAURA E. HARDING

NOTARY PUBLIC - STATE OF NEW MEXICO

MY COMMISSION EXPIRES

11/23/99
Laura E. Harding

NOTICE OF PUBLICATION

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

Notice is hereby given that pursuant to New Mexico Water Quality Control Commission Regulations, the following discharge plan application has been submitted to the Director of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131:

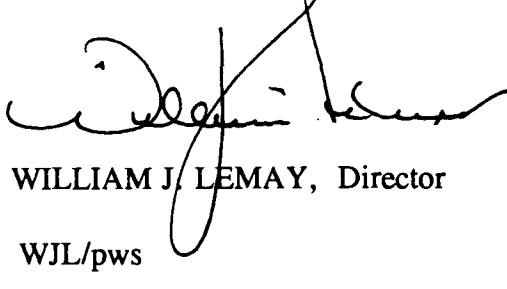
(GW-264) -Abbott Brothers, Mr. Floyd Abbott, (505)-393-8228, P.O. Box 305, Hobbs, NM, 88241, has submitted a Discharge Plan Application for their Hobbs Facility located in the NW/4 NW/4, Section 28, Township 18 South, Range 38 East, NMPM, Lea County, New Mexico. Any potential discharge at the facility will be stored in a closed top receptacle. Groundwater most likely to be affected by a spill, leak, or accidental discharge to the surface is at a depth of approximately 71 feet with a total dissolved solids concentration of approximately 490 mg/L. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The discharge plan application may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on any proposed discharge plan or its modification, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him and a public hearing may be requested by any interested person. Requests for a public hearing shall set forth the reasons why a hearing should be held. A hearing will be held if the Director determines there is significant public interest.

If no public hearing is held, the Director will approve or disapprove the proposed plan based on information available. If a public hearing is held, the director will approve or disapprove the proposed plan based on information in the discharge plan application and information submitted at the hearing.

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 8th day of October, 1996.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION


WILLIAM J. LEMAY, Director
WJL/pws

S E A L

Pat Sanchez

From: Wayne Price
Sent: Tuesday, October 08, 1996 11:26 AM
To: Pat Sanchez
Subject: RE: ABBOTT BROTHERS DISCHARGE PLAN APPL.

No Comments! thanks

From: Pat Sanchez
To: Wayne Price
Subject: ABBOTT BROTHERS DISCHARGE PLAN APPL.
Date: Tuesday, October 08, 1996 8:53AM
Priority: High

Wayne, I have received Mr. Abbotts DP Appilication- it looks fine, I will issue public notice this week. Do you have any comments on the application?

CLYDE M. ABBOTT 1901-1983
MURRELL ABBOTT 1915-1995

RAT HOLE SERVICE
P. O. BOX 305

ABBOTT BROTHERS

PHONE: 800-781-8228 or 505-393-8228
FAX: 505-397-4814
HOBBS, NEW MEXICO 88241

DRLG. LIC.: WD-46
CONTR. LIC.: 52906

DRILLING CONTRACTORS
P. O. BOX 637

GW-264 MB
10-8-96

October 3, 1996

Mr. Patricio Sanchez
New Mexico Oil Conservation Division
2040 S. Pacheco
Santa Fe, NM 87505

RECEIVED

OCT 8 1996

Environmental Bureau
Oil Conservation Division

Re: Discharge Plan Application

Dear Mr. Sanchez:

Enclosed are the following items relevant to the application for a discharge plan pursuant to the letter from Mr. Roger Anderson dated July 3, 1996:

1. Discharge Plan Application
2. Proposed Discharge Plan
3. Check for filing fee of \$50.00 to NM Water Quality Management Fund.

If you need any additional information, please contact me at 505-393-8228.

Sincerely,



Floyd Abbott
President

c: Hobbs District Office

District I - (505) 393-6161
P. O. Box 1980
Hobbs, NM 88241-1980
District II - (505) 748-1283
811 S. First
Artesia, NM 88210
District III - (505) 334-6178
1000 Rio Brazos Road
ztec, NM 87410
District IV - (505) 827-7131

New Mexico
Energy Minerals and Natural Resources Department
Oil Conservation Division
2040 South Pacheco Street
Santa Fe, New Mexico 87505
(505) 827-7131

Revised 12/1

Submit Orig
Plus 1 Co
to Sant.

1 Copy to approp
District Of

GW-264 PWB

10-8-96

DISCHARGE PLAN APPLICATION FOR SERVICE COMPANIES,
GAS PLANTS, REFINERIES, COMPRESSOR, AND CRUDE OIL PUMP STATIONS
(Refer to the OCD Guidelines for assistance in completing the application)

☒ New

☐ Renewal

☐ Modification

1. Type: Oilfield Service Company
2. Operator: Abbott Bros. Company
Address: P.O. Box 305 Hobbs, NM 88240
Contact Person: Floyd Abbott Phone: (505) 393-8228
3. Location: NW /4 NW /4 Section 28 Township 18S Range 38E
Submit large scale topographic map showing exact location.
4. Attach the name, telephone number and address of the landowner of the facility site.
5. Attach the description of the facility with a diagram indicating location of fences, pits, dikes and tanks on the facility
6. Attach a description of all materials stored or used at the facility.
7. Attach a description of present sources of effluent and waste solids. Average quality and daily volume of waste water must be included.
8. Attach a description of current liquid and solid waste collection/treatment/disposal procedures.
9. Attach a description of proposed modifications to existing collection/treatment/disposal systems.
10. Attach a routine inspection and maintenance plan to ensure permit compliance.
11. Attach a contingency plan for reporting and clean-up of spills or releases.
12. Attach geological/hydrological information for the facility. Depth to and quality of ground water must be included.
13. Attach a facility closure plan, and other information as is necessary to demonstrate compliance with any other OCD rules, regulations and/or orders.
14. CERTIFICATION

I herby certify that the information submitted with this application is true and correct to the best of my knowledge and belief.

NAME: Floyd Abbott Title: President
Signature: Floyd Abbott Date: October 3, 1996

Discharge Plan Application for
Oilfield Service Facilities

Submitted by: Abbott Brothers Co., Inc.,
dba Abbott Brothers Rat Hole Service and
Abbott Brothers Drilling Contractors

10-8-96
OCD- File Copy
DWB
10-8-96

I. Type: Office, shop, and yard location for providing drilling services to the oilfield
and construction industries.

II. Operator: Abbott Brothers
P. O. Box 305
Hobbs, NM 88241

RECEIVED

OCT 8 1996

Contact: Floyd Abbott
505-393-8228

Environmental Bureau
Oil Conservation Division

III. Location: NW/4 NW/4 Sec. 28, T18S, R38E, Lea County, NM

1923 West Bender
Hobbs, NM 88240

Exhibit A

IV. Land Owner: Abbott Brothers
P. O. Box 305
Hobbs, NM 88241
505-393-8228

V. Facility Description (diagram indicating location of fences, pits, dikes and tanks
on the facility):

Exhibit B

VI. Materials Stored or Used at the Facility:

Exhibit C

VII. Sources of Effluent and Waste Solids Generated at the Facility:

Exhibit D

VIII. Description of Current Liquid and Solid Waste Collection/Storage/Disposal Procedures:

Exhibit E

IX. Proposed Modifications to Existing Systems:

Exhibit F

X. Inspection, Maintenance and Reporting:

Exhibit G

XI. Spill/Leak Prevention and Reporting Procedures (Contingency Plans):

Exhibit H

XII. Site Characteristics:

Exhibit I

XIII. Other Compliance Information:

Exhibit J

XIV. Certification:

I hereby certify that the information submitted with this application is true and correct to the best of my knowledge and belief:

Signature: _____

Floyd Abbott, President

Date: _____

10/3/96

Exhibit A

III. Location and Topographic Maps

Exhibit A

Location Map - City of Hobbs (NW portion)

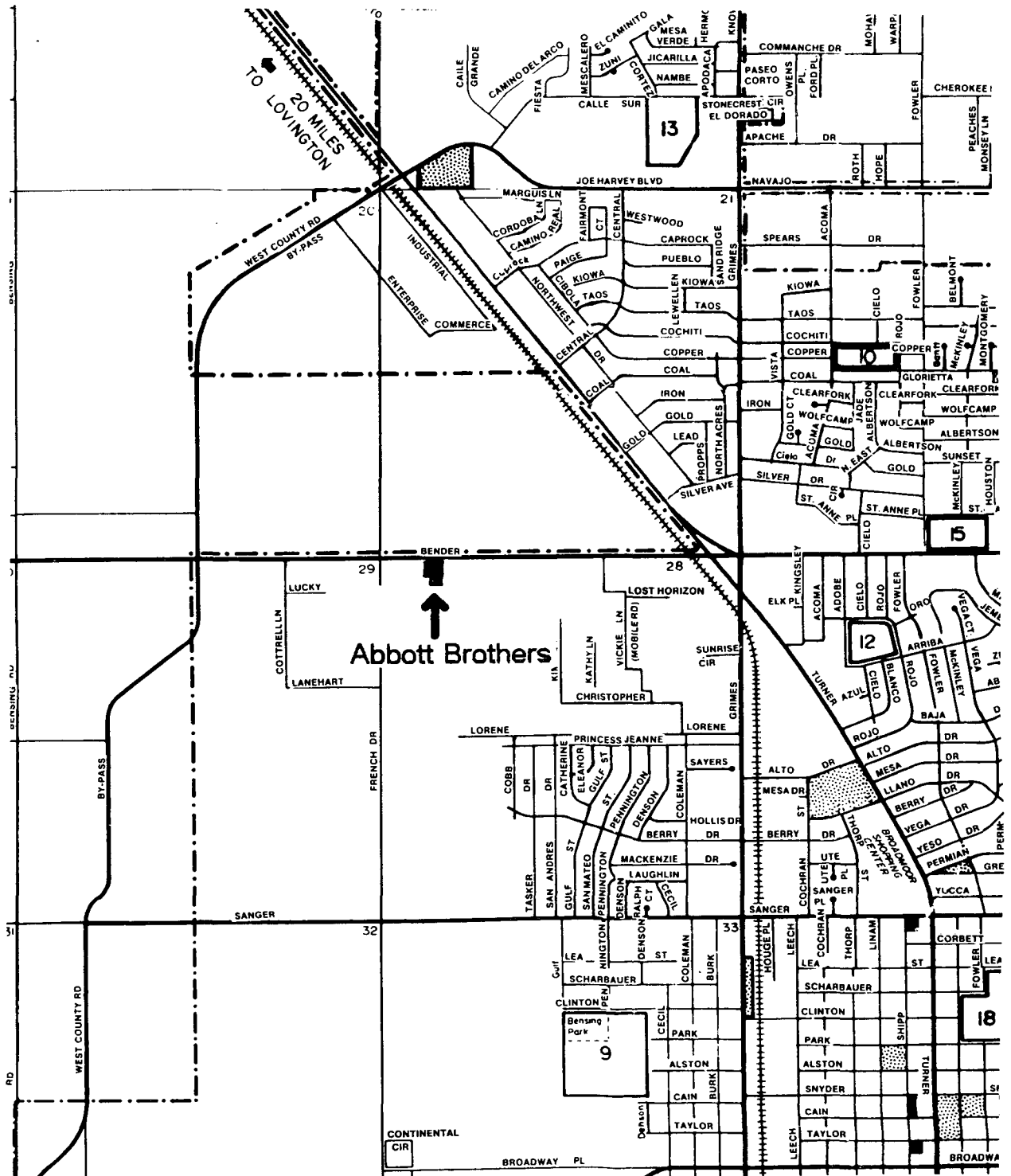


Exhibit A Part 2

Topographic Map - U.S.G.S. Hobbs West (7.5') 1969

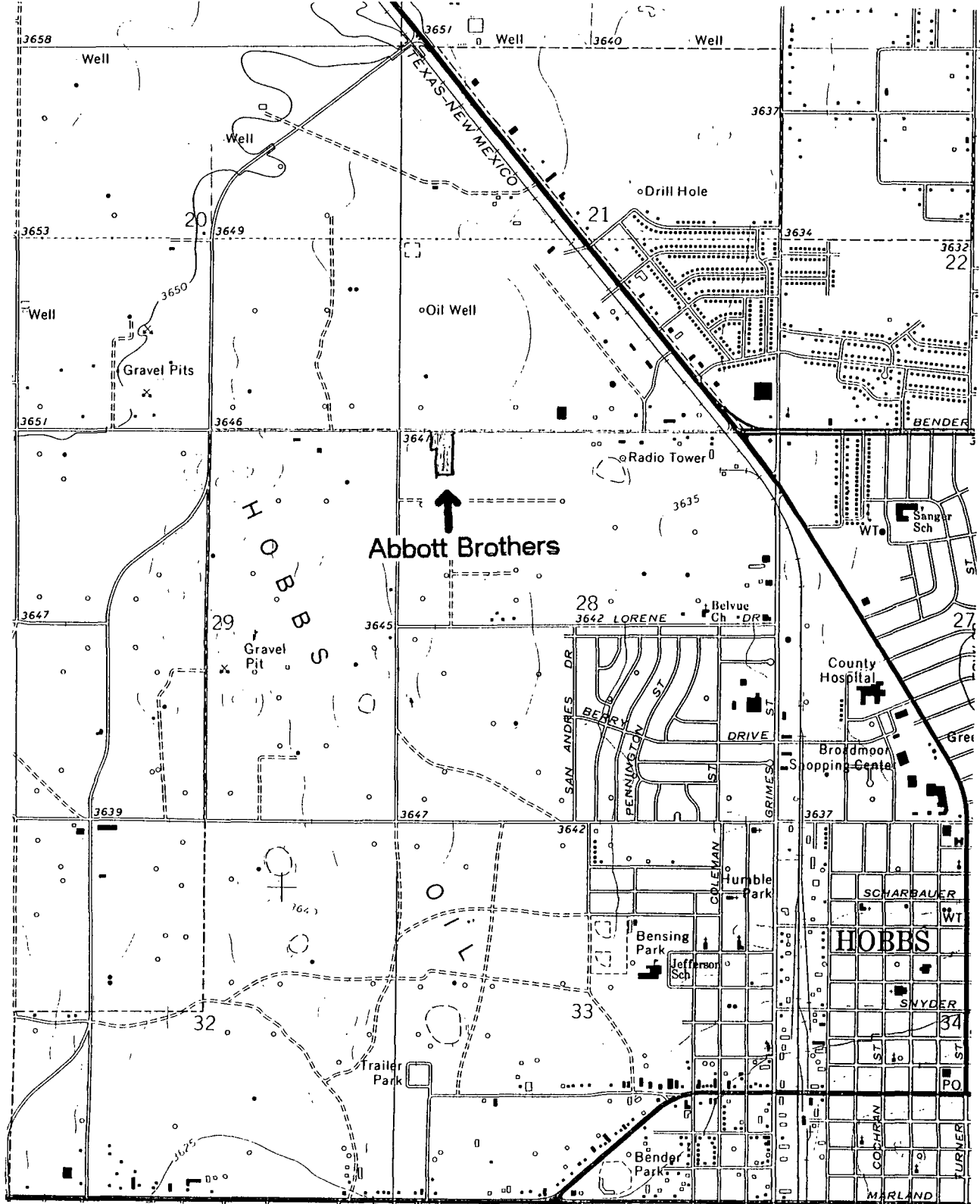
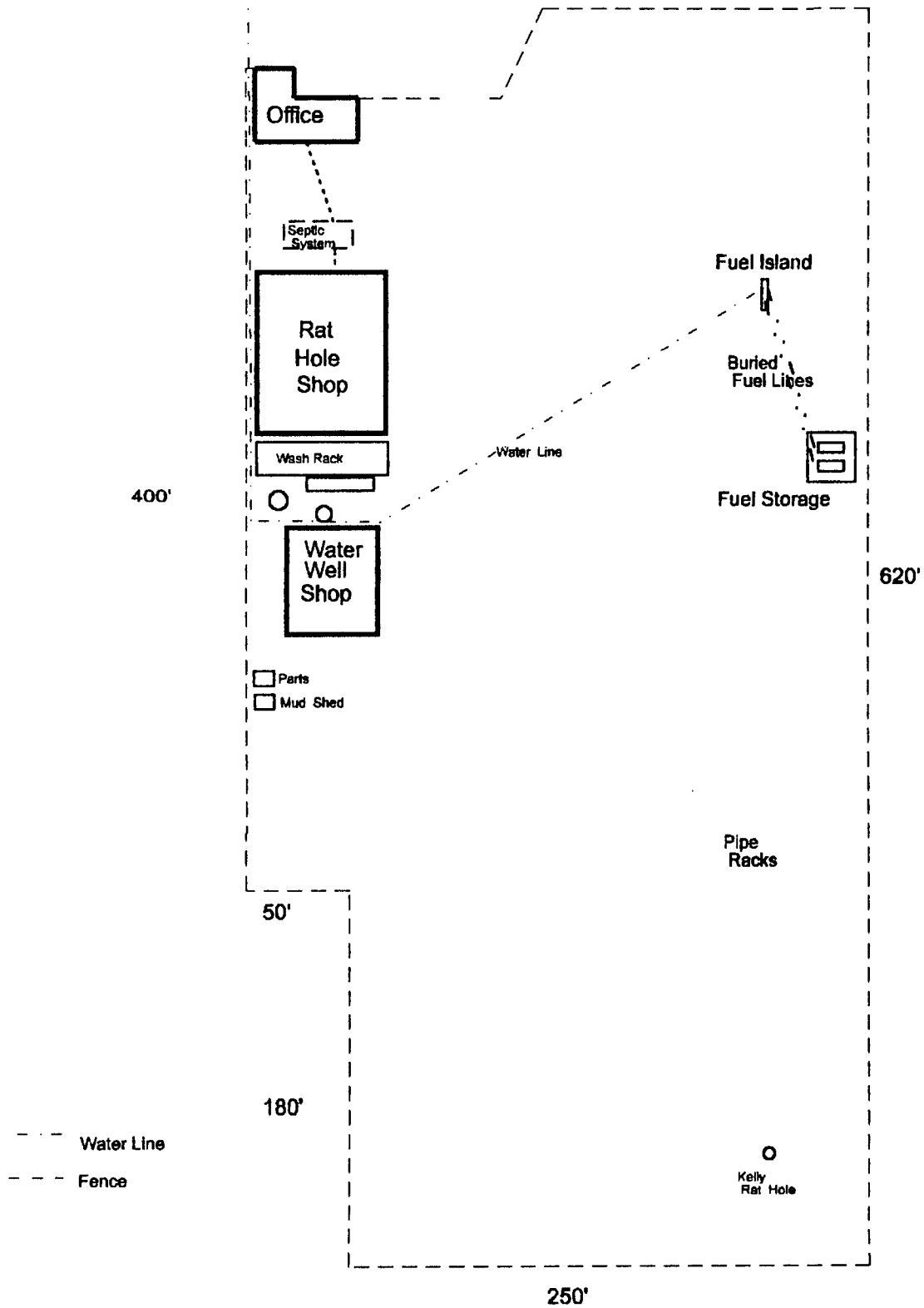


Exhibit B

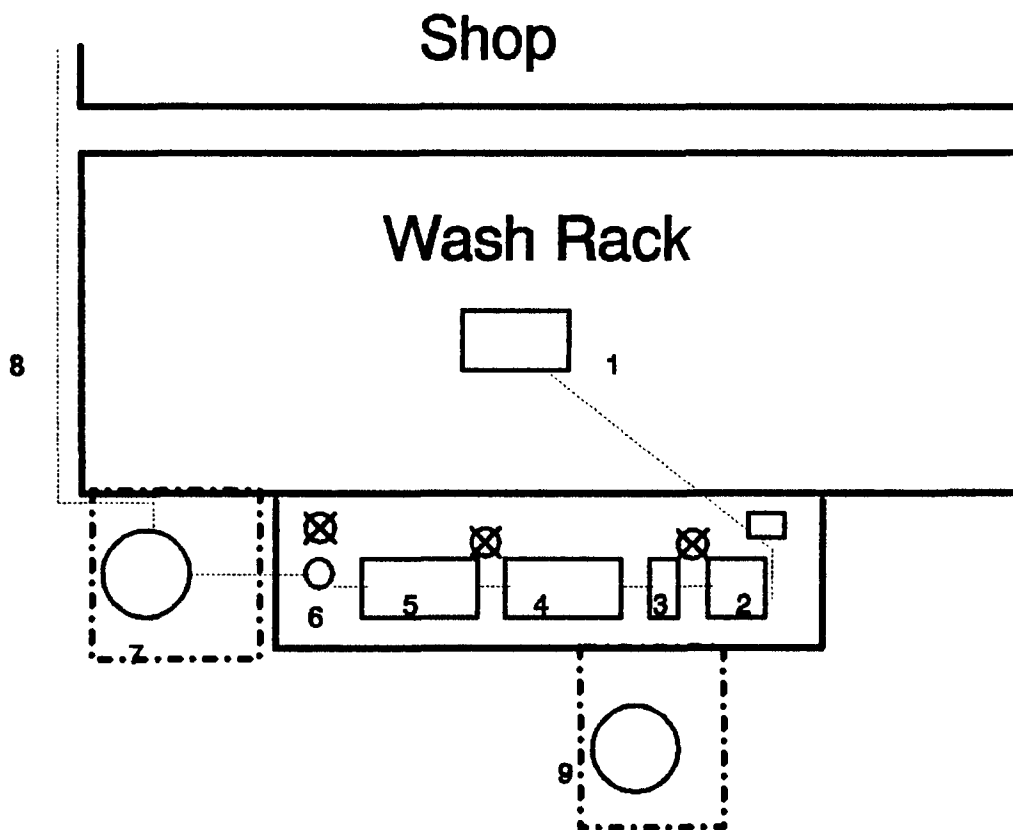
V. Facility Description

Exhibit B

Abbott Brothers Yard



Wash Rack Installation



1. Wash rack sump and dirt trap
2. Primary oil and grease trap
3. Secondary oil and grease trap
4. Primary sand trap
5. Secondary sand trap
6. Water sump with float activated pump
7. Recycled water storage tank (above ground)
8. Water line to pressure tank (housed in shop)
9. Oil and grease storage tank (skimmed from 1., 2. and 3.)
(to be held for E & E Enterprises)

- ☒ Monitoring ports
- ☐ Clean out port

☐ Tank pads and curbing

Exhibit C

VI. Materials Stored or Used at the Facility

Exhibit C

VI. Materials Stored or Used at the Facility

Name	Solid or Liquid	Type of Container	Estimated Volume	Location
1. Drilling Fluids				
a. Bentonite	Solid	Sack	As needed 10 max	Mud shed
2. Brines				
n/a				
3. Acids/Caustics				
a. Muriatic acid (HCl) Liquid		Jug	1 gal	Shop
4. Detergents/Soaps				
a. Hand cleaner	Liquid	Can	<1 gal	Shop
b. Steamer Soap	Liquid	Barrel	<30 gal	Shop
5. Solvents and degreasers				
n/a				
6. Paraffin Treatment/Emulsion Breakers				
n/a				
7. Biocides				
n/a				
8. Others				
a. Diesel	Liquid	Tank	<1000 gal	East side
b. Gasoline	Liquid	Tank	<1000 gal	East side
c. Gear lubricants	Liquid	Cans	<100 gal	Shop

d. Antifreeze	Liquid	Cans	<50 gal	Shop
e. Hydraulic Fluid	Liquid	Cans	<20 gal	Shop
f. Paint	Liquid	Cans	~5 gal	Shop
g. Motor oil	Liquid	Cans	<10 gal	Shop
h. Brake fluid	Liquid	Cans	<2 gal	Shop
i. Window cleaner	Liquid	Cans	<2 gal	Shop
j. Starting fluid	Liquid	Cans	<2 gal	Shop
k. Oxygen	Gas	Cylinder	<6 cyl	Shop
l. Acetylene	Gas	Cylinder	<6 cyl	Shop
m. Nitrous Oxide	Gas	Cylinder	<2 cyl	Shop

Material Safety Data Sheets (MSDS) for specific products are on file in the office and will be furnished upon request.

Exhibit D

VII. Sources and Quantities of Effluent and Waste Solids Generated at the Facility

Exhibit D

VII. Sources and Quantities of Effluent and Waste Solids Generated at the Facility

Waste Type	Source and Composition	Volume Per Mo.
1. Truck Wastes		none
2. Truck, tank and drum washing		see next item
3. Steam cleaning	Effluent from equipment cleaning; water, grease and dirt	<50 gal/mo
	Filter cartridge	<1/mo
4. Solvent/degreaser use		none
5. Spent acids or caustics		none
6. Waste slop oil		none
7. Used lubrication and motor oils	Equipment lubricant changes; oil, transmission fluids, hydraulic fluids	~10 gal/mo
8. Oil filters	Filter changes; cartridges	~3 items/mo
9. Solids and sludges from tanks		none
10. Painting wastes	Equipment painting; empty cans and spray cans	~3 items/mo
11. Sewage	Restrooms (office and shop) and wash basin; gray water	unknown
12. Laboratory Wastes		none
13. Other waste liquids	Antifreeze	<5 gal/mo
14. Other waste solids	Shop absorbent	<25 lb/mo

Exhibit E

VIII. Current Liquid and Solid Waste
Collection/Storage/Disposal Procedures

Exhibit E

VIII. Current Liquid and Solid Waste Collection/Storage/Disposal Procedures

<u>Waste Type</u>	<u>Current Procedure</u>
Steam Cleaning	Steam cleaning effluent is recycled through a system installed by Mr. Don Trusty with prior approval of the NMOCD (Exhibit J). Effluent from the grease traps are pumped into a tank for pick up and reclamation by E & E Enterprises of Brownfield, TX. Sludge and free liquid is to be picked by a NMOCD approved, permitted facility, e. g. CRI. Filter cartridge volume is considered to be incidental waste by Mr. Lee Coffman of Waste Management of SENM and placed in dumpster for disposal.
Used lubricants	Used lubricants are kept segregated and are picked up by E & E Enterprises for reclamation.
Oil filters	Used filters are punctured and drained into recyclable oil drum for reclamation. The used filters generated are picked up by E & E Enterprises for reclamation.
Painting wastes	Cans containing paint wastes are left to completely dry. The amount of cans and empty spray cans generated is considered by Mr. Lee Coffman of Waste Management of SENM to be incidental waste and is placed in the dumpster for disposal.
Sewage	"Gray" water from office and shop restrooms and wash basin is treated by septic system.
Other liquid wastes	Used antifreeze is kept segregated and is picked up by E & E Enterprises for reclamation.
Other solid wastes	The amount of shop absorbent waste generated is considered by Mr. Lee Coffman of Waste Management of SENM to be incidental waste and is placed in the dumpster for disposal.

Exhibit F

IX. Proposed Modifications

Exhibit F

IX. Proposed Modifications

A. The two 1000 gal fuel storage tanks are presently contained within a 24" block wall; however there is no impermeable pad. Proposed modification will be to lift the tanks and install a double layer of "pit lining" plastic to cover the entire base of the enclosure. The plastic will be covered with ~2" of sand to prevent photodecomposition of the liner. Estimated date of completion: 12/1/96.

B. The "mud shed" currently contains sacks of bentonite stored on a pallet. Proposed modification is to cover the pallet with a double layer of "pit lining" plastic with enough excess liner to cover the sacks of bentonite on the pallet. This action will prevent any spillage of bentonite from a torn sack.

Exhibit G

X. Inspection, Maintenance and Reporting

Exhibit G

X. Inspection, Maintenance and Reporting

The Abbott Brothers facility operates on a 6-12 hour per day, 6 day per week schedule. All drums, tanks, berms, etc. are to be visually inspected each work day. These inspections are to be recorded weekly (see attached sheet). The supervisor on duty will correct any leaking or damaged container as soon as possible. The NMOCD will be notified of any leak or spill pursuant to NMOCD Rule 116 and WQCC Section 1203. Two (2) copies of NMOCD form "Notification of Fire, Breaks, Spills, Leaks and Blowouts" will be submitted to the Hobbs District Office.

The facility does not contain any process areas. Any outside containers are bermed to prevent contact with runoff. The possibility of any spill leaving the facility is unlikely.

Abbott Brothers

Facility Inspection Sheet for Spills and Leaks

The entire facility, outdoors and indoors, is to be inspected each work day. The object of the inspection is to detect any spills or leaks that may have occurred and to clean any spill and/or leak immediately. All occurrences must be reported to the office as soon as possible. The inspection sheet is to be signed weekly unless any spill or leak occurs; at that time the appropriate entry will be made on the inspection sheet.

[illegible]

Exhibit H

XI. Spill/Leak Prevention and Reporting Procedures (Contingency Plans)

Exhibit H

XI. Spill/Leak Prevention and Reporting Procedures (Contingency Plans)

Should a spill or leak occur at the facility, the person finding the spill or leak will take immediate action to contain the effluent and/or solid waste. Absorbent, shovels and rakes are located in the main shop, and empty drums are located in the small shop. After taking action to contain the spill, the supervisor on duty will be notified of the location, nature, and extent of the spill.

Minor spills: Minor spills will be recovered with absorbent material such as hay or shop absorbent. The absorbent material will be collected for disposal in an approved manner. The NMOCD will not be notified since the spill is not significant.

Major spills: Major spills will be contained as soon as possible by hay or shop absorbent if appropriate. The absorbent material will be collected for disposal in an approved manner. The supervisor on duty will determine if other resources are necessary for the immediate containment and remedy of the spill. These resources may include, but are not limited to, the following:

Western Unichem	393-7751
Indian Fire and Safety	393-3093
Southwest Safety Specialists	392-8080

If the spill material is flammable, the supervisor shall determine if the Hobbs Fire Department (911) should be notified for response. This determination will be based upon the volume of the spill and the potential for ignition.

All significant spills will be reported to the NMOCD pursuant to NMOCD Rule 11.6 and the appropriate forms will be filed with the Hobbs District Office.

The "Hazardous Material Contingency and Spill Reporting Plan" for Abbott Brothers is attached.

ABBOTT BROTHERS COMPANY
1923 West Bender
Hobbs, NM 88240
505-393-8228

HAZARDOUS MATERIALS CONTINGENCY
and SPILL REPORTING PLAN

4/2/96
Revised 6/13/96, 9/29/96

Hazardous Material Contingency and Spill Reporting Plan

Hobbs, NM

Purpose

This contingency plan is designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of any hazardous constituents to air, soil, or surface water.

The provisions of this must be carried out immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.

Emergency Coordinator Responsibilities

The Emergency Coordinators for the Abbott Brothers facility are:

Floyd Abbott	505-393-8223 (wk) 505-393-0121 (hm) 505-369-6374 (cell)
Calvin Brown	505-393-8228 (wk) 505-397-1669 (hm) 505-370-1144 (cell)
Chito Teiles	505-393-8228 (wk) 505-393-4266 (hm) 505-370-4398 (cell)

One of these employees will be at the facility or on call (within a few minutes) at all times. This list of coordinators and their phone numbers, along with phone numbers for emergency response agencies (fire, ambulance, etc.) and a drawing showing all fire extinguishers must be posted in the main office, shop office, and storage shop desk.

The Emergency Coordinators are responsible for coordinating all emergency response measures. All of the coordinators are thoroughly familiar with all aspects of this plan, all operations and activities at this facility, the location and character

of waste handled, the location of all records within the facility, and the facility layout. In addition, these coordinators have the authority to commit the resources needed to carry out this plan.

General Emergency Procedures

Whenever there is an imminent or actual emergency situation, the Emergency Coordinator must immediately take the following the steps:

1. The Emergency Coordinator will notify facility personnel of the emergency situation, and notify local authorities by calling 911 if the emergency appears to offer a potential threat to the immediate area.
2. All employees are to shut down all equipment, electrical and mechanical, and report to the office (or front parking area if the office is unsafe) for further directions.
3. The Emergency Coordinator must immediately identify the character, exact source, amount, and the real extent of any released materials. This may be done by observation or review of the facility records and, if necessary, by chemical analysis.
4. Concurrently, the Emergency Coordinator must assess possible hazards to human health or the environment that may result from the release, fire, or explosion. This assessment must consider both direct and indirect effects of the release, fire, or explosion (i. e., the effects of any toxic, irritating, or asphyxiating gases that are generated, or the effects of any hazardous surface water run-offs from water or chemical agents used to control fire and heat induced explosions).
5. Notify the appropriate state and/or local officials if their assistance is needed. These agencies and their phone numbers are as follows:

<u>Agency</u>	<u>Telephone</u>
Emergency (all)	911
Ambulance	911
Hobbs Fire Department	911
Hobbs Fire Department	911
Lea County Sheriff	911

NM State Police	911
Hospital	392-6581
Hobbs Emergency Management David Hooten	397-2870
NM Oil Conservation Division	393-6161 (per Rule 116 and WQCC Regulations)

Other resources to be used if needed:

Western Unichem	393-7751
Indian Fire and Safety	393-3093
Southwest Safety Specialists	392-8080

6. If the Emergency Coordinator determines that the facility has a release, fire, or explosion which could threaten health or the environment, outside the facility, he must report his findings as follows:

- a. If his assessment indicates that evacuation of local areas may be advisable, he must immediately notify appropriate authorities. He must be available to help appropriate officials decide whether local areas should be evacuated; and
- b. He must immediately notify the National Response Center (1-800-424-8802).

The report must include:

- Name and phone number of reporting party;
- Name and address of facility;
- Time and type of incident (release, fire, explosion);
- Name and quantity of material(s) involved, to the extent known;
- The extent of any injuries, if any; and
- The possible hazards to human health, or the environment, outside the facility.

7. During the emergency, the Emergency Coordinator must take all reasonable measures necessary to ensure that fires, explosions, or releases do not occur, recur, or spread to other hazardous waste at the facility. These measures must include, where applicable, stopping operations, collecting and containing released waste, and removing or isolating containers.

8. Immediately after an emergency, the Emergency Coordinator must provide for storing and disposing of recovered waste, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility.

9. The Emergency Coordinator must ensure that, in the affected area(s) of the facility:

- a. No waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are completed; and
- b. All emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed.

10. The Emergency Coordinator must report to the Environment Department for the purpose of notification to the Regional Administrator, and the appropriate state and local authorities including the NM Oil Conservation Division (393-6161), that the facility is in compliance with the paragraph (8) before operations are resumed in the affected area(s) of the facility.

11. The Emergency Coordinator must document the time, date, and details of any incident that requires implementing the contingency plan. Within 15 days after the incident, the Environmental Department must submit a written report on the incident to the EPA Regional Administrator and the New Mexico Department of Environmental Quality. The report must include:

- a. Name, address, and telephone number of the owner or operator;
- b. Name, address, and telephone number of the facility;
- c. Date, time, and type of incident (e.g. fire, explosion, release);
- d. Name and quantity of material(s) involved;
- e. The extent of any injury, if any;
- f. As assessment of actual or potential hazards to human health or the environment, where this is applicable; and
- g. Estimated quantity and disposition of recovered material that resulted from the incident.

Exhibit I

XII. Site Characteristics

**STATE ENGINEER OFFICE
WELL RECORD**

Bernard Drick
Revised June 1972
mailed 12/27/79

Section 1. GENERAL INFORMATION

(A) Owner of well Abbott Bros. Owner's Well No. _____
Street or Post Office Address P.O. Box 637
City and State Hobbs, New Mexico 88240

Well was drilled under Permit No. L-8192 and is located in the:
a. $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW of Section 28 Township 18S Range 38E N.M.P.M.
b. Tract No. _____ of Map No. _____ of the _____
c. Lot No. _____ of Block No. _____ of the _____
Subdivision, recorded in Lea County.
d. X= _____ feet, Y= _____ feet, N.M. Coordinate System _____ Zone in
the _____ Grant.

(B) Drilling Contractor Abbott Bros. License No. WD-46
Address P.O. Box 637, Hobbs, New Mexico 88240
Drilling Began 12/11/79 Completed 12/13/79 Type tools Cable Size of hole 8 in.
Elevation of land surface or _____ at well is _____ ft. Total depth of well 175 ft.
Completed well is ☐ shallow ☐ artesian. Depth to water upon completion of well 61 ft.

Section 2. PRINCIPAL WATER-BEARING STRATA

Depth in Feet		Thickness in Feet	Description of Water-Bearing Formation	Estimated Yield (gallons per minute)
From	To			
<u>61</u>	<u>175</u>	<u>114</u>		

Section 3. RECORD OF CASING

Diameter (inches)	Pounds per foot	Threads per in.	Depth in Feet		Length (feet)	Type of Shoe	Perforations	
			Top	Bottom			From	To
<u>7</u>	<u>21</u>	<u>Welded</u>	<u>0</u>	<u>175</u>	<u>175</u>	<u>None</u>	<u>65</u>	<u>175</u>

Section 4. RECORD OF MUDDING AND CEMENTING

Depth in Feet		Hole Diameter	Sacks of Mud	Cubic Feet of Cement	Method of Placement
From	To				

Section 5. PLUGGING RECORD

Plugging Contractor _____			
Address _____			
Plugging Method _____			
Date Well Plugged _____			
Plugging approved by: _____			

State Engineer Representative			

No.	Depth in Feet		Cubic Feet of Cement
	Top	Bottom	
1			
2			
3			
4			

FOR USE OF STATE ENGINEER ONLY

Date Received _____ Quad _____ FWL _____ FSL _____
File No. _____ Use _____ Location No. _____

[illegible]

Murrell Abbott
Driller 3.13

INSTRUCTIONS: This form should be executed in triplicate, preferably typewritten, and submitted to the appropriate district office of the State Engineer. All sections, except Section 5, shall be answered as completely and accurately as possible when any well is drilled, repaired or deepened. When this form is used as a plugging record, only Section 1(a) and Section 5 need be completed.

Exhibit J

XIII. Other Compliance Information

Exhibit J

XIII. Other Compliance Information

- A. Abbott Brothers Company is committed to the adherence of the regulations, procedures, and spirit contained in NMOCD Rule 116 and WQCC Section 1203.
- B. Attached is the letter (copy) from NMOCD authorizing the construction and operation of the wash rack referred to previously.



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION

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

March 22, 1996

CERTIFIED MAIL
RETURN RECEIPT NO. P-269-269-002

Mr. Floyd Abbott
Abbott Brothers
P.O.Box 305
Hobbs, NM 88241

**RE: Wash Rack Installation Approval
Abbott Bothers Hobbs facility
Lea County, New Mexico**

Dear Mr. Abbott:

The OCD has received the request letter to install a wash facility from Abbott Bothers dated March 6, 1996 and the letter dated March 13, 1996 from Abbott Bothers stating that the Abbott Brothers facility in Hobbs, New Mexico is an Oilfield Service Company. Based on the information contained in these two letters the request to install the wash facility at the Abbott facility located at 1923 W. Bender in Hobbs, New Mexico is hereby approved with the following conditions:

1. Abbott Brothers will contact Mr. Wayne Price with the Hobbs District office 72 hours in advance of beginning installation of the wash facility. (505)-393-6161.
2. Abbott Brothers upon completion of the installation of the wash facility will submit to the OCD Santa Fe Office "As-Built Drawings."
3. Any wastes that are to be disposed of offsite that are related to the wash facility will be approved by the Santa Fe OCD office. (505)-827-7156.

Note, OCD approval does not relieve Abbott Brothers from compliance with any other Federal, State, and Local laws/regulations that may apply to the Abbott Brothers facility located at 1923 W. Bender, Hobbs, New Mexico.

Mr. Floyd Abbott
Abbott Brothers
March 22, 1996
Page 2

Also, OCD approval does not relieve Abbott Brothers of liability should the operations at the Abbott yard located at 1923 W. Bender result in pollution to the groundwater, surface water, or the environment.

If Abbott Brothers has any further questions please feel free to call Mr. Patricio Sanchez at (505)-827-7156.

Sincerely,

A handwritten signature in cursive script, appearing to read "Roger C. Anderson".

Roger C. Anderson
Bureau Chief

xc: Mr. Wayne Price



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

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

July 3, 1996

CERTIFIED MAIL
RETURN RECEIPT NO. P-594-835-272

Mr. Floyd Abbott
Abbott Brothers Rat Hole Service
P.O.Box 305
Hobbs, NM 88241

Re: Discharge Plan Requirement
Abbott Bothers Hobbs facility
Lea County, New Mexico

Dear Mr. Abbott:

Under the provision of the Water Quality Control Commission (WQCC) Regulations, and as a result of the April 11, 1996 facility inspection by the New Mexico Oil Conservation Division (OCD), the inspection report from OCD dated May 13, 1996, and your response letter to OCD dated June 17, you are hereby notified that the filing of a discharge plan is required for the Hobbs Facility located in Lea County, New Mexico.

The notification of discharge plan requirement is pursuant to Section 3104 and 3106 of the WQCC regulations. The discharge plan, defined in Section 1101.N of the WQCC regulations should cover all discharges of effluent or leachate at the facility site or adjacent to the facility site. Included in the plan should be plans for controlling spills and accidental discharges at the facility, including detection of leaks in buried underground tanks and/or piping.

Pursuant to Section 3106.A, a discharge plan should be submitted for approval to the OCD Director within 120 days of receipt of this letter. Please submit the original and one copy to the OCD Santa Fe Office and one copy to the OCD Hobbs District Office. Note that the completed and signed application form must be submitted with your discharge plan request.

The Director shall allow a period of thirty days from the date of this letter for requesting an exemption from filing a discharge plan. Requests for an exemption shall be in writing and shall set forth the reasons why an exemption should be granted.

A copy of the regulations have been enclosed for your convenience. Also enclosed is a copy of the OCD guideline for the preparation of discharge plans at oil & gas service companies. The guideline addresses berming of tanks, curbing and paving of process areas susceptible to leaks or spills and the disposition of any solid wastes.

Mr. Floyd Abbott
Abbott Brothers
July 3, 1996
Page 2

The discharge plan is subject to WQCC Regulation 3114. Every billable facility submitting a discharge plan will be assessed a fee equal to the filing fee of \$50 plus the flat rate of \$1380 for oil & gas service companies. The \$50 dollar filing fee is due when the discharge plan is submitted. The flat rate fee is due upon approval of the discharge plan.

Please make all checks payable to: NMED Water Quality Management and addressed to the OCD Santa Fe office.

If you have any questions, please feel free to contact Pat Sanchez at (505)-827-7155.

Sincerely,



Roger C. Anderson
Environmental Bureau Chief
(505)-827-7152

RCA/pws

P 544 835 272

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided. ~~Abbott~~
Do not use for International Mail (See reverse)

Sent to	
Abbott Brothers Rethale Sr.	
Street & Number	
P.O. Box 305	
Post Office, State, & ZIP Code	
Abbs, NM 88241	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

XC: Mr. Wayne Price

MEMORANDUM OF MEETING OR CONVERSATION

☐ Telephone

☒ Personal

Time 3:50 pm

Date 7-2-96

Originating Party

Pat Sanchez - OCD

Other Parties

Roger Anderson - OCD

Subject

Discharge Plan Requirement for "ABBUTT Brothers"
Hebbs.

Discussion

Discussed then need for a discharge plan.

- Fuel storage / chemicals.

- They have a wash bay

- Solid waste issues

- Septic to be closed. (Domestic waste - to
be handled by NMED.)

Conclusions or Agreements

Roger, said to go ahead and send
out a discharge plan requirement letter.

Distribution File.

Signed

Robert W. [Signature]

RECEIVED

JUN 18 1996

CLYDE M. ABBOTT 1901-1983
MURRELL ABBOTT 1915-1995

RAT HOLE SERVICE
P.O. BOX 305

ABBOTT BROTHERS

PHONE: 800-781-8228 or 505-393-8228

FAX: 505-397-4814

HOBBS, NEW MEXICO 88241

DRLG. LIC.: WD-46
CONTR. LIC.: 52908

DRILLING CONTRACTORS
P. O. BOX 637

June 17, 1996

Mr. Patricio Sanchez
Oil Conservation Division
2040 S. Pacheco Street
Santa Fe, NM 87505

RECEIVED

JUN 19 1996

Environmental Bureau
Oil Conservation Division

Re: Correspondence dated May 13, 1996

Dear Mr. Sanchez:

We are responding to your comments resulting from your site visit of April 11, 1996. I apologize for not being present but I had a longstanding commitment of the country. However, on June 12, Mr. Wayne Price from the Hobbs office of the OCD graciously spent several hours at our facility reviewing your correspondence and accompanying me on a "walk through" of the site.

1. Photo No. 2 and point no. 1 on the facility diagram.

This is a valve box that was installed when city water was made available on West Bender several years ago. The valve allowed us to switch from city water to the water well behind the smaller shop if the water bill became too expensive. This has not occurred and there has been no use of the water well in the last 3-4 years. We have been using city water almost exclusively since that time.

2. Photo No. 3 and point no. 2 on the facility diagram.

The large vertical pipe at the fuel island is a valve box which allows filling of water tanks and radiators on the rigs and watering of adjacent pecan trees.

NOTE NO. 1 Visible areas of contamination.

Abbott Brothers has immediately begun implementation of "raking" of all visible areas of contamination three times weekly. Tim Guajardo, on medical light duty, is the implementor.

NOTE NO. 2 Photo no. 7 and point no. 7 on the facility diagram

This is a small septic hole dug ~1989 while I was consulting in Las Cruces. Its only source of effluent is a small restroom in the small shop that was used primarily for storage of recreational equipment, i. e. boats and fishing gear, and the restroom has received no use in the last 3-4 years and very little use before that time. We have dismantled the restroom and have plugged the plumbing to the septic hole. It is our intent to also fill the septic hole after contacting the local NM Environmental Department (Health Department, 505-3934302) for proper closure as soon as possible. We will commit to drilling a monitor bore hole in the Vadose zone at 30' to test for TPH, BTEX and CI if deemed necessary by the OCD.

NOTE NO. 3 General Discharge Plan Conditions

A. Drum Storage:

All drums containing materials other than fresh water have been moved to impermeable pads. Empty drums have been moved into the small shop to a designated area and placed on their sides. Drums containing oil sludge, etc., are scheduled to be picked up by E & E Enterprises on 6/20/96.

B. Process Area:

There are no process areas at the site due to the nature of our business.

C. Above Ground Tanks:

Two above ground tanks were installed as parts of the wash rack water recycle system, one for sump and trap skim oil storage and one for recycled wash water. Although not originally bermed by Mr. Trusty, both tanks are presently being curbed and positioned on impermeable pads. Estimated completion date: 8/1/96.

D. Above Ground Saddle Tanks:

Two saddle tanks have been installed on the east side of the yard for unleaded gasoline and highway diesel. Although curbing (24" high) has been installed, the tanks will be lifted and an impermeable pad (double layer of "pit lining plastic") placed under the tanks and covered with ~2 inches of sand to prevent photodecomposition of the liner. Estimated completion date: 9/1/96.

E. Tank Labeling:

Fuels tanks are currently labeled as to content and the two above ground tanks will be labeled upon completion of alterations being made. See C. above.

F. Below Grade Tanks/Sumps:

No below grade tanks exist at the site. The only below grade sumps are part of the wash rack installation and have secondary containment and leak detection ports.

G. Underground Process/Wastewater Lines:

Aside from septic lines, the only wastewater lines are part of the wash rack installation. The only "process" lines that exist are the lines from the fuel tanks to the fuel island. We understand the need for integrity testing of these lines and commit to testing at least every 5 years.

H. Class V Wells:

There are no Class V wells at the site.

I. Spill Reporting:

All spills and releases will be reported to the proper agencies according to the "Hazardous Materials Contingency and Spill Reporting Plan" (Attachment #1).

3. Photo No. 5 and point no. 4 on the facility diagram.

The waste oil, filters, and cans in the picture have been segregated and most of it picked by Eddins Walcher for proper disposal. The remaining waste has been placed on an impermeable pad and awaits pick up by E & E Enterprises on 6/20/96. See attachment #2.

4. Wash Rack Installation

Attached (attachment #3) are the "as built" drawings of the system installed by Don Trusty. The installation is complete with the exception of placing impermeable pads and curbing under and around the above ground tanks.

All wash water filter media will be tested for Hazardous Constituents per 40 CFR Part 261, and approval will be obtained from OCD prior to disposal offsite of these materials.

Previous washing was done on a slab that is now partially covered by the new installation. Since the sump had no drain, the water was allowed to evaporate and the remaining sludge was scraped and shoveled into drums. Hence the open drums of mixed waste and the need for the new installation.

5. Facility diagram point no. 5.

The Kelly Rat Hole is drilled to a depth of 35' and is cased to a depth of 6.5' with 14" pipe. The surface casing is cemented and has been extended 3" above the cement to prevent rainwater from entering the hole. Note: The hole is located at a higher elevation than most of the site and standing water has never been observed in this area.

6. Facility diagram points no. 6 and no. 8.

Point no. 6 is a valve box for fresh water piped to the cable tool bit forge and has not been used for several years. The forge was used for "dressing" bits out to gauge and the tips of the bits then immersed in water for tempering.

Point no. 8 is the only water well on the site and that well was drilled in 1979. Refer to 7.E. below.

7. Verifications

A. Solvents, MSDS, Storage, Amounts

There are no cleaning solvents or parts washing basins at the site.

B. Used filters, paint, spill sorbent

The above mentioned items were and are disposed of by placement in the dumpster maintained by Waste Management of SE NM. Mr. Lee Coffman of Waste Management confirmed that the amounts of such materials generated by us are classified as "incidental" waste and can be placed in the dumpster as long as they are punctured, dried, or drained as needed.

Our paint inventory consists of ~six 12 oz. cans of spray paint for marking tools and < two gallons of industrial paint for touch up uses.

C. Fuels, Chemicals

There are two 1000 gallon fuel tanks at the site. See note no. 3, part C. above.

There is usually 100-500# of bentonite (a naturally occurring, inert clay sealant used in drilling) stored in a "mud" shed.

The remaining chemicals at the facility are lubricating oils (< 75 gallons), tube grease, and anifreeze (< 55 gallons).

D. Contamination at the site

Abbott Brothers is unaware of any contamination on our site that may have impacted the groundwater in this area. There have been no known reportable spills on the site and no others wells or holes drilled near the depth of the water table. To our knowledge the ground water is not contaminated although we are aware of the Windmill Oil Co. situation to the west of our yard and that this plume continues to move in our direction as a result of the heavy pumping from water wells operated by the City of Hobbs. Our conversion to city water was to enhance reliability and reduce well maintenance and production costs. To the best of our knowledge the ground water remains suitable for drinking.

E. Water well records

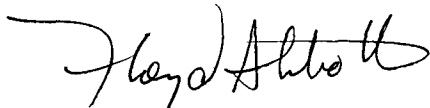
The company has been licensed to drill water wells for almost 50 years and the one well on the property was drilled under the supervision of John Hernandez of the State Engineer's office in Roswell. To our knowledge no TDS or other analysis of the ground water has been done. The water well record is included as Attachment #4.

F. Written Spill Contingency Plan

Abbott Brothers does have a written spill contingency plan. See attachment #1.

If you have any further questions or require additional information, please contact me at 505-393-8228.

Sincerely,

A handwritten signature in cursive script, appearing to read "Floyd Abbott", with a stylized flourish at the end.

Floyd Abbott
President

c: Wayne Price
Jerry Sexton

Attachments:

1. Hazardous Materials Contingency and Spill Plan
2. Waste Manifests
3. Washrack Installation "As Built" Drawings
4. Water Well Record

ABBOTT BROTHERS COMPANY
1923 West Bender
Hobbs, NM 88240
505-393-8228

HAZARDOUS MATERIALS CONTINGENCY
and SPILL REPORTING PLAN

4/2/96
Revised 6/13/96

Hazardous Material Contingency and Spill Reporting Plan

Hobbs, NM

Purpose

This contingency plan is designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of any hazardous constituents to air, soil, or surface water.

The provisions of this must be carried out immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.

Emergency Coordinator Responsibilities

The Emergency Coordinators for the Abbott Brothers facility are:

Floyd Abbott	505-393-8228 (wk) 505-393-0121 (hm) 505-369-6374 (cell)
Calvin Brown	505-393-8228 (wk) 505-397-1669 (hm) 505-370-1144 (cell)
Chito Telles	505-393-8228 (wk) 505-393-4266 (hm) 505-370-4398 (cell)

One of these employees will be at the facility or on call (within a few minutes) at all times. This list of coordinators and their phone numbers, along with phone numbers for emergency response agencies (fire, ambulance, etc.) and a drawing showing all fire extinguishers must be posted in the main office, shop office, and storage shop desk.

The Emergency Coordinators are responsible for coordinating all emergency response measures. All of the coordinators are thoroughly familiar with all aspects of this plan, all operations and activities at this facility, the location and character of waste handled, the location of all records within the facility, and the facility layout. In addition, these coordinators have the authority to commit the resources needed to carry out this plan.

General Emergency Procedures

Whenever there is an imminent or actual emergency situation, the Emergency Coordinator must immediately take the following steps:

1. The Emergency Coordinator will notify facility personnel of the emergency situation, and notify local authorities by calling 911 if the emergency appears to offer a potential threat to the immediate area.
2. All employees are to shut down all equipment, electrical and mechanical, and report to the office (or front parking area if the office is unsafe) for further directions.
3. The Emergency Coordinator must immediately identify the character, exact source, amount, and the real extent of any released materials. This may be done by observation or review of the facility records and, if necessary, by chemical analysis.
4. Concurrently, the Emergency Coordinator must assess possible hazards to human health or the environment that may result from the release, fire, or explosion. This assessment must consider both direct and indirect effects of the release, fire, or explosion (i. e., the effects of any toxic, irritating, or asphyxiating gases that are generated, or the effects of any hazardous surface water run-offs from water or chemical agents used to control fire and heat induced explosions).
5. Notify the appropriate state and/or local officials if their assistance is needed. These agencies and their phone numbers are as follows:

<u>Agency</u>	<u>Telephone</u>
Emergency (all)	911
Ambulance	911
Hobbs Fire Department	911

(Important: call list continued on next page)

Hobbs Fire Department	911
Lea County Sheriff	911
NM State Police	911
Hospital	392-6581
Hobbs Emergency Management David Hooten	397-2870
NM Oil Conservation Division	393-6161 (per Rule 116 and WQCC Regulations)

6. If the Emergency Coordinator determines that the facility has a release, fire, or explosion which could threaten health or the environment, outside the facility, he must report his findings as follows:

a. If his assessment indicates that evacuation of local areas may be advisable, he must immediately notify appropriate authorities. He must be available to help appropriate officials decide whether local areas should be evacuated; and

b. He must immediately notify the National Response Center (1-800-424-8802).

The report must include:

- Name and phone number of reporting party;
- Name and address of facility;
- Time and type of incident (release, fire, explosion);
- Name and quantity of material(s) involved, to the extent known;
- The extent of any injuries, if any; and
- The possible hazards to human health, or the environment, outside the facility.

7. During the emergency, the Emergency Coordinator must take all reasonable measures necessary to ensure that fires, explosions, or releases do not occur, recur, or spread to other hazardous waste at the facility. These measures must include, where applicable, stopping operations, collecting and containing released waste, and removing or isolating containers.

8. Immediately after an emergency, the Emergency Coordinator must provide for storing and disposing of recovered waste, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility.

9. The Emergency Coordinator must ensure that, in the affected area(s) of the facility:

- a. No waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are completed; and
- b. All emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed.

10. The Emergency Coordinator must report to the Environment Department for the purpose of notification to the Regional Administrator, and the appropriate state and local authorities including the NM Oil Conservation Division (393-6161), that the facility is in compliance with the paragraph (8) before operations are resumed in the affected area(s) of the facility.

11. The Emergency Coordinator must document the time, date, and details of any incident that requires implementing the contingency plan. Within 15 days after the incident, the Environmental Department must submit a written report on the incident to the EPA Regional Administrator and the New Mexico Department of Environmental Quality. The report must include:

- a. Name, address, and telephone number of the owner or operator;
- b. Name, address, and telephone number of the facility;
- c. Date, time, and type of incident (e.g. fire, explosion, release);
- d. Name and quantity of material(s) involved;
- e. The extent of any injury, if any;
- f. As assessment of actual of potential hazards to human health or the environment, where this is applicable; and
- g. Estimated quantity and disposition of recovered material that resulted from the incident.

Attachment #22

environm/manifest.wri

Abbott Brothers Company
1923 West Bender
Hobbs, NM 88240

505-393-8228

NON-HAZARDOUS MATERIAL MANIFEST

A. Origin of material: Abbott Bros. yard
City Hobbs County Lea State NM

B. Type of Material: ☒ Liquid ☐ Solid ☐ Sludge

C. Description of Material: Used motor oil
(used oil, washrack sludge, etc.)

D. Waste Quantity: 2 Bbls. ☐ Gallons ☐ Cu. Yds.

E. Disposition of Material: ☐ Disposal ☒ Recycle/Reuse

F. Disposer/Recycler Name: Eddins Walcher
City and State: Hobbs, NM
Phone: 393-2197
Physical Location: 1400 W. Broadway

G. Certification: The waste/recycleable material described above was consigned to the carrier named below. I certify the above information is true and correct to the best of my knowledge.

M. J. Davis
Signature of Authorized Agent

6/5/94 2:00 PM
Date and Time of Shipment

Attachment # 2

environm/manifest.wri

Abbott Brothers Company
1923 West Bender
Hobbs, NM 88240

505-393-8228

NON-HAZARDOUS MATERIAL MANIFEST

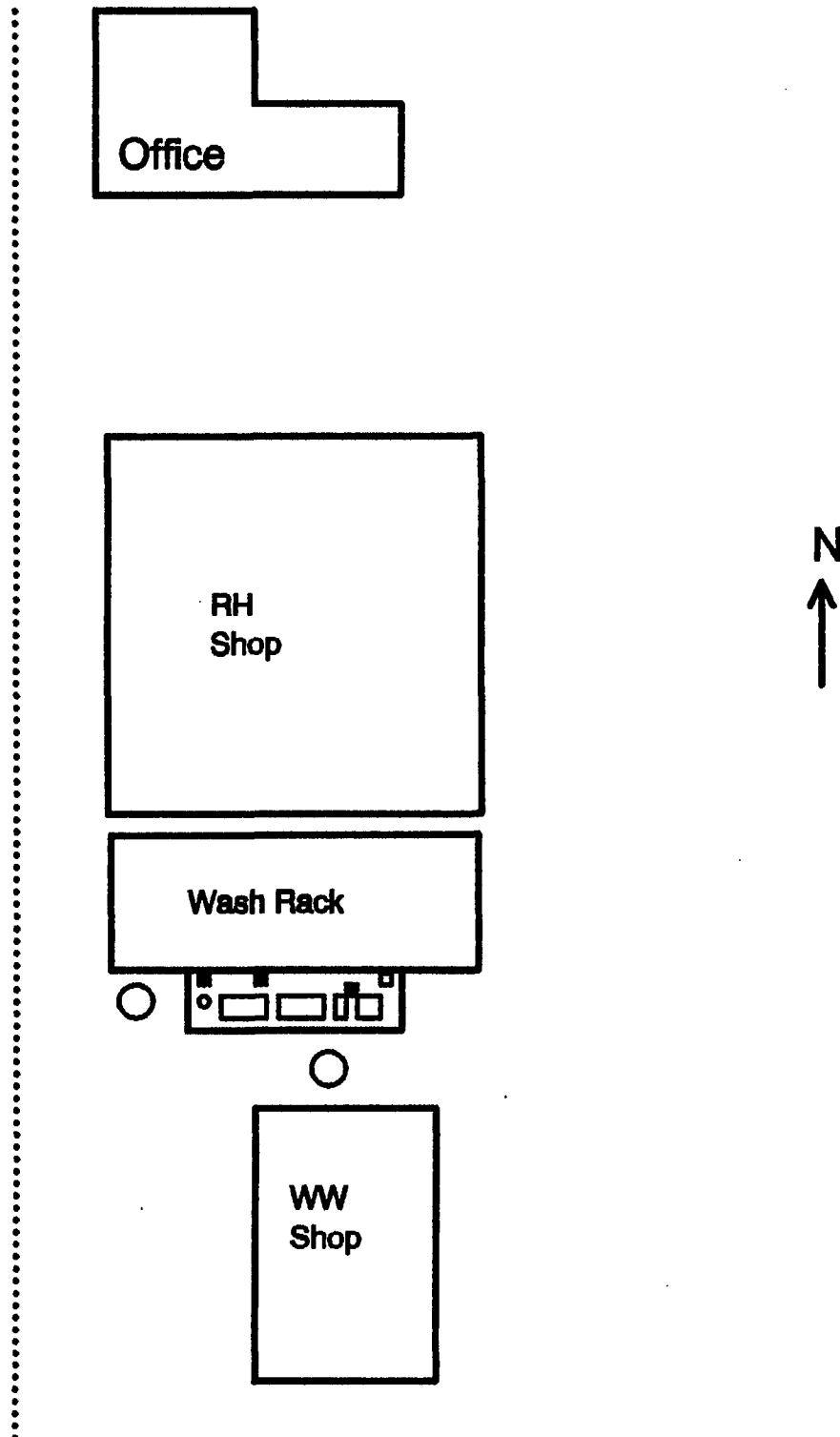
- A. Origin of material: Abbott Bros yard
City Hobbs County Lea State NM
- B. Type of Material: ☐ Liquid ☒ Solid ☐ Sludge
- C. Description of Material: Solid - (cons & filters)
(used oil, washrack sludge, etc.)
- D. Waste Quantity: 1 Bbls. ☐ Gallons ☐ Cu. Yds.
- E. Disposition of Material: ☒ Disposal ☐ Recycle/Reuse
- F. Disposer/Recycler Name: Eddins Walaker
City and State: Hobbs NM
Phone: 393-2197
Physical Location: 1400 W. Broadway

G. Certification: The waste/recycleable material described above was consigned to the carrier named below. I certify the above information is true and correct to the best of my knowledge.

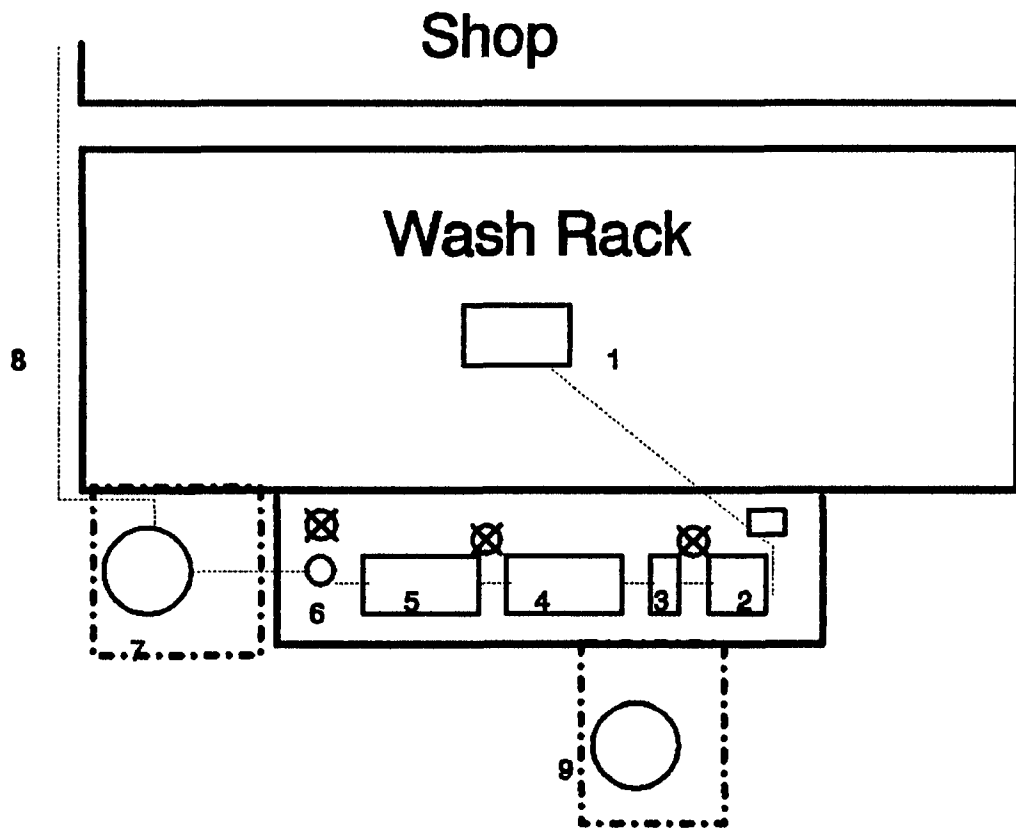
Mike Davis
Signature of Authorized Agent

6/5/94 2:00 PM
Date and Time of Shipment

Abbott Brothers Facility 1923 West Bender, Hobbs, NM



Wash Rack Installation



1. Wash rack sump and dirt trap
2. Primary oil and grease trap
3. Secondary oil and grease trap
4. Primary sand trap
5. Secondary sand trap
6. Water sump with float activated pump
7. Recycled water storage tank (above ground)
8. Water line to pressure tank (housed in shop)
9. Oil and grease storage tank (skimmed from 1., 2. and 3.)
(to be held for E & E Enterprises)

⊗ Monitoring ports

□ Clean out port

⋮ Tank pads and curbing

APPLICATION TO APPROPRIATE UNDERGROUND WATERS
IN ACCORDANCE WITH SECTION 75-11-1 NEW MEXICO STATUTES

83442
1

1. Name and Address of Applicant:

File No. L-8192

Abbott Bros.

Received: December 6, 1979

P.O. Box 637

Hobbs, New Mexico 88240

2. Describe well location under one of the following subheadings:

a. NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 28 Twp. 183 Rge. 38E N. M. P. M., in
Lea County.

b. Tract No. _____ of Map No. _____ of the _____

c. Lot No. _____ of Block No. _____ of the _____
Subdivision, recorded in _____ County.

d. X = _____ feet, Y = _____ feet, N. M. Coordinate System _____ Zone
in the _____ Grant.

e. Give street address or route and box No. of property upon which well is to be located, or location by direction and
distance from known landmarks 1923 West Bender, Hobbs, New Mexico

3. Approximate depth (if known) 150 feet; outside diameter of casing 8 inches.

Name of driller (if known) Abbott Bros.

4. Use of water (check appropriate box or boxes):

☐ Household, non-commercial trees, lawn and garden not to exceed 1 acre.

☐ Livestock watering.

STATE ENG
ROSW

79 DEC 6

Bernard Orled
Revised June 1972
mailed 12/27/79

STATE ENGINEER OFFICE
WELL RECORD

Section 1. GENERAL INFORMATION

(A) Owner of well Abbott Bros. Owner's Well No. _____
Street or Post Office Address P.O. Box 637
City and State Hobbs, New Mexico 88240

Well was drilled under Permit No. L-8192 and is located in the:
a. 1/4 NW 1/4 NW 1/4 NW of Section 28 Township 18S Range 38E N.M.P.M.
b. Tract No. _____ of Map No. _____ of the _____
c. Lot No. _____ of Block No. _____ of the _____
Subdivision, recorded in Lea County.
d. X= _____ feet, Y= _____ feet, N.M. Coordinate System _____ Zone in
the _____ Grant.

(B) Drilling Contractor Abbott Bros. License No. WD-46
Address P.O. Box 637, Hobbs, New Mexico 88240
Drilling Began 12/11/79 Completed 12/13/79 Type tools Cable Size of hole 8 in.
Elevation of land surface or _____ at well is _____ ft. Total depth of well 175 ft.
Completed well is ☐ shallow ☐ artesian. Depth to water upon completion of well 61 ft.

Section 2. PRINCIPAL WATER-BEARING STRATA

Depth in Feet		Thickness in Feet	Description of Water-Bearing Formation	Estimated Yield (gallons per minute)
From	To			
<u>61</u>	<u>175</u>	<u>114</u>		

Section 3. RECORD OF CASING

Diameter (inches)	Pounds per foot	Threads per in.	Depth in Feet		Length (feet)	Type of Shoe	Perforations	
			Top	Bottom			From	To
<u>7</u>	<u>21</u>	<u>Welded</u>	<u>0</u>	<u>175</u>	<u>175</u>	<u>None</u>	<u>65</u>	<u>175</u>

Section 4. RECORD OF MUDDING AND CEMENTING

Depth in Feet		Hole Diameter	Sacks of Mud	Cubic Feet of Cement	Method of Placement
From	To				

Section 5. PLUGGING RECORD

Plugging Contractor _____
Address _____
Plugging Method _____
Date Well Plugged _____
Plugging approved by: _____
State Engineer Representative

No.	Depth in Feet		Cubic Feet of Cement
	Top	Bottom	
<u>1</u>			
<u>2</u>			
<u>3</u>			
<u>4</u>			

FOR USE OF STATE ENGINEER ONLY

Date Received _____ Quad _____ FWL _____ FSL _____
File No. _____ Use _____ Location No. _____

Section 6. LOG OF HOLE

[illegible]

Section 7. REMARKS AND ADDITIONAL INFORMATION

The undersigned hereby certifies that, to the best of his knowledge and belief, the foregoing is a true and correct record of the above described hole.

Murrell Abbott
Driller 3.13

INSTRUCTIONS: This form should be executed in triplicate, preferably typewritten, and submitted to the appropriate district office of the State Engineer. All sections, except Section 5, shall be answered as completely and accurately as possible when any well is drilled, repaired or deepened. When the form is used as a plugging record, only Section 1 and Section 5 need be completed.

Pat Sanchez

From: Wayne Price
Sent: Thursday, June 13, 1996 9:43 AM
To: Pat Sanchez
Cc: Jerry Sexton
Subject: Abbott Bros.
Importance: High

Date of Visit: June 12, 1996

RE: Request by Abbott Bros. to visit site and review items listed during inspection of April 11, 1996.

Mr. Floyd Abbott requested assistance from the NMOCD concerning discharge plans, preventive measures and to inspect the newly constructed waste water treatment system.

I made the following recommendations:

Place all tanks that contain anything other than fresh water on pad , curb, and/or berm containment system.

Rake out the small miscellaneous oil spills around the fuel island and the oil stains where the used oil drums where stored. Abbott had already started this and these stains were noted to be only superficial. Clean soil was noticed 2" under the surface.

Store and dispose of his used oil properly. Since our first visit over half of the used motor oil has been picked-up by a recycler with the remaining scheduled in the near future.

Abbott Bros. has set a new "used oil" tank for collecting and properly storing this waste.

Install a lip around the kelly hole to prevent misc. rainwater from getting into and keep lid on it.

To classify and close the old septic system properly.

Conclusions:

Abbott Bros. is concerned about the encroachment of the "West Hobbs Oilfield" historical contamination effecting their water well and thus they becoming liable for something they did not cause.

Abbott Bros. supports the Ideal of "Discharge Plans" to protect the Environment but would like to see the fees reduced.

Agreements:

Abbott Bros. called Pat Sanchez and obtained an additional week to supply information requested.

Abbott Bros. understands that if a company is required to apply for a discharge plan permit there presently is no exemptions for reducing the fees.

cc: Mr. Floyd Abbott
Abbott Brothers Rat Hole Service
P.O. Box 305
Hobbs, NM 88241

MEMORANDUM OF MEETING OR CONVERSATION

☒ Telephone ☐ Personal

Time 1:00 pm

Date 6-12-96

Originating Party

Other Parties

Mr. Floyd Abbott -
Abbott Brothers Rathole.

Pat Sanchez - NMCD

Subject

Extension to Submit Reply to OGD Inspection
Report From Patricia Sanchez Dated - May 13, 1996.

Discussion

Floyd wanted to know if he could extend
his reply period deadline from June 17, 1996
to Friday June 21, 1996.

Conclusions or Agreements

I gave Floyd verbal approval
to extend his reply period to Friday June 21,
1996. from June 17, 1996.

Distribution File.

Signed

Robert W. Lopez

MEMORANDUM OF MEETING OR CONVERSATION

☒ Telephone ☐ Personal

Time 2:00 pm

Date 5-10-96

Originating Party

Other Parties

Pat Sanchez - OCD

Mr. Floyd Abbott -
w/ Abbott Brothers.

Subject Abbott Brothers Rat Hole Service.

Discussion

(1) Wash area is completed. Made Mr. Abbott aware that they need to submit as-built drawings of the completed wash area.

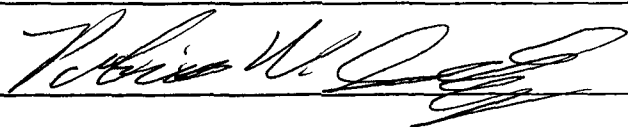
(2) Began discussing water wells and unknown pipe covers - I decided it would be easier if I mailed him an inspection report w/ questions so we could verify unknown wells.

Conclusions or Agreements

NMOC will send inspection report w/ photos and a diagram; Mr. Abbott will respond to the reports questions and submit the as built diagrams for the wash-area.

Distribution File,

Signed



INSPECTION CHECKLIST FOR OILFIELD SERVICE COMPANIES

FACILITY NAME: ABBOTT BROTHERS OPERATOR: FLOYD ABBOTT DATE: 9-11-96
 LOCATION: 1923 W BENOIR
 COMPANY REP(S): CALLIN BROWN, DAVE BARCLA
 NMOCD REP(S): PAL SANCHEZ & W PRICE
 SERVICE COMPANY TYPE: RAT HOLE DRILLING SERV. CO.

1. LAB PRESENT (YES ☒ NO)
2. Below grade sumps or tanks. (YES ☒ / NO)
3. Class IV or V Injection well(s). (YES ☒ / NO)
4. Surface impoundments (pits) of any kind. (YES ☒ / NO)
5. Hazardous shop solvents present. (YES ☒ / NO)
6. All tank/drum/fuel/lube oils stored onsite meet OCD guidelines for service company facilities. (i.e. berming and pad and curb type containments.) (YES ☒ / NO)
7. A written spill contingency plan posted/available and implemented at the facility. (Can be viewed at the facility by OCD) (YES ☒ / NO)
8. Wet paint waste stored at the facility-all paint cans dried before disposal. (YES ☒ / NO)
9. All wash facilities for vehicles on a pad and curb type containment. (YES ☒ / NO)
10. Maximum volumes: (YES ☒ / NO)
 - A. Chemical type drums < 25 @ 55 gal/drum or an aggregate volume of 1375 gal of chemical product.
 - ☒ B. Fuel < 660 gal in above grade tank(s) > 600 GAL
 - C. Used oil < 660 gal in above grade tank(s)
 - D. Lube oil < 660 gal in above grade tank(s)
 - E. Maximum total volume of A thru D < 3355 gal
11. All wastes such as empty drums, buckets, oil filters, and etc stored/disposed by an OCD approved method. (YES ☒ / NO)
12. All items that contain fluids are properly labelled. (YES ☒ / NO)
13. All stormwater contained within the facility. (YES ☒ / NO)

COMMENTS: #2: INSTALLING NEW SUB-SURFACE WASTE WATER SYSTEM
#3: POSSIBLE CLASS II ; #8 - UNKNOWN ; #9 PAINT WASH
WATER FLUSHED TO GROUND OR SEPTIC ?
#11: USED OIL NOT STORED PROPERLY - CO-MINGLED WITH
NON-EXEMPT DEBRIS

NEW MEXICO OIL CONSERVATION COMMISSION
FIELD TRIP REPORT

INSPECTION	CLASSIFICATION	FACILITY	HOURS	QUARTER HOURS
------------	----------------	----------	-------	---------------

Name WAYNE PRICEDate 4/4/76Miles _____ District ITime of Departure 7 AMTime of Return 4 PMCar No. G 0472

In the space below indicate the purpose of the trip and the duties performed, listing wells or leases visited and any action taken.

Signature Wayne Price

SITE VISIT - ABBOT BROS DRILLING 19230 BENDER
HOBBS N.M.

NMCCM PERSONNEL W PRICE & C. EUSTICE

MEL DON TRUSTY - TOOK PICTURES OF NEW
WASH BAY & SUMP SYSTEM - NEW SUMP HAS
PLASTIC LINER UNDER IT & LEAK DETECTOR DETECTED.
RECOMMEND TO D. TRUSTY TO DESIGN DISCHARGE
PIPE SO IT CAN BE PRESSURE TESTED!

Mileage

UIC _____

RFA _____

Other _____

Per Diem

UIC _____

RFA _____

Other _____

Hours

UIC _____

RFA _____

Other _____

TYPE INSPECTION
PERFORMED

H = Housekeeping
P = Plugging
C = Plugging Cleanup
T = Well Test
R = Repair/Workover
F = Waterflow
M = Mishap or Spill
W = Water Contamination
O = Other

INSPECTION
CLASSIFICATION

U = Underground Injection Control - Any inspection of or related to injection project, facility, or well or resulting from injection into any well. (SWD, 2ndry injection and production wells, water flows or pressure tests, surface injection equipment, plugging, etc.)

R = Inspections relating to Reclamation Fund Activity

O = Other - Inspections not related to injection or The Reclamation Fund

E = Indicates some form of enforcement action taken in the field (show immediately below the letter U, R or O)

NATURE OF SPECIFIC WELL
OR FACILITY INSPECTED

D = Drilling
P = Production
I = Injection
C = Combined prod. inj. operations
S = SWD
U = Underground Storage
G = General Operation
F = Facility or location
M = Meeting
O = Other



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

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

March 22, 1996

CERTIFIED MAIL
RETURN RECEIPT NO. P-269-269-002

Mr. Floyd Abbott
Abbott Brothers
P.O.Box 305
Hobbs, NM 88241

RE: Wash Rack Installation Approval
Abbott Bothers Hobbs facility
Lea County, New Mexico

Dear Mr. Abbott:

The OCD has received the request letter to install a wash facility from Abbott Bothers dated March 6, 1996 and the letter dated March 13, 1996 from Abbott Bothers stating that the Abbott Brothers facility in Hobbs, New Mexico is an Oilfield Service Company. Based on the information contained in these two letters the request to install the wash facility at the Abbott facility located at 1923 W. Bender in Hobbs, New Mexico is hereby approved with the following conditions:

1. Abbott Brothers will contact Mr. Wayne Price with the Hobbs District office 72 hours in advance of beginning installation of the wash facility. (505)-393-6161.
2. Abbott Brothers upon completion of the installation of the wash facility will submit to the OCD Santa Fe Office "As-Built Drawings."
3. Any wastes that are to be disposed of offsite that are related to the wash facility will be approved by the Santa Fe OCD office. (505)-827-7156.

Note, OCD approval does not relieve Abbott Brothers from compliance with any other Federal, State, and Local laws/regulations that may apply to the Abbott Brothers facility located at 1923 W. Bender, Hobbs, New Mexico.

Mr. Floyd Abbott
Abbott Brothers
March 22, 1996
Page 2

Also, OCD approval does not relieve Abbott Brothers of liability should the operations at the Abbott yard located at 1923 W. Bender result in pollution to the groundwater, surface water, or the environment.

If Abbott Brothers has any further questions please feel free to call Mr. Patricio Sanchez at (505)-827-7156.

Sincerely,



Roger C. Anderson
Bureau Chief

xc: Mr. Wayne Price

P 269 269 002

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
Abbott Brothers	
Street & Number	
P.O. Box 305	
Post Office, State, & ZIP Code	
Hobbs, NM 88241	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

CLYDE M. ABBOTT 1901-1983
MURRELL ABBOTT 1915-1995

ABBOTT BROTHERS

PHONE: 800-781-8228 or 505-393-8228

FAX: 505-397-4814

HOBBS, NEW MEXICO 88241

DRLG. LIC.: WD-46
CONTR. LIC.: 52908

DRILLING CONTRACTORS
P. O. BOX 637

March 13, 1996

Mr. Roger Anderson
Oil Conservation Department
2040 S. Pacheco
Santa Fe, NM ~~88240~~ 87505

RECEIVED
FEB 18 1996
Environmental Bureau
Oil Conservation Division

Dear Mr. Anderson,

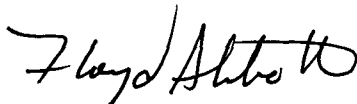
Per my telephone conversation with Pat Sanchez Tuesday afternoon (3/12/96), it was brought to my attention that we neglected to state the purpose of the wash rack effluent treatment system and the nature of our business.

We are primarily an oilfield service company, drilling "rat", "mouse", and surface holes on locations before large drilling rigs move to the site. These operations account for ~70% of our revenues. The remainder of our business deals with foundation pier drilling and water wells.

The purpose of the wash rack is to clean our rigs (~once per month) and to wash company pickup trucks as needed.

If you have any further questions, please contact me at 800-781-8228.

Sincerely,



Floyd Abbott

MEMORANDUM OF MEETING OR CONVERSATION

<input checked="" type="checkbox"/> Telephone	<input type="checkbox"/> Personal	Time 3:30 pm	Date 3-12-96
<u>Originating Party</u>		<u>Other Parties</u>	
Mr. Floyd Abbott		Pat Sanchez - OGD	
Returning my earlier call			
<u>Subject</u> ABBOTT Brothers Rethole Service - wash pad installation.			
<u>Discussion</u>			
(1) Asked Mr. Abbott if they are an oil field service company - He said yes - about 3/4 of their business is oil field.			
(2) Let Mr. Abbott know that OGD may later require the submittal of a discharge plan and that his facility would be inspected. - He said Okay.			
(3) Has a water - No longer in use, Has septic - only domestic sewage, has used oil on site - for Lubricating chains on rigs.			
<u>Conclusions or Agreements</u>			
(1) Mr. Abbott will send a letter stating that they are an oil field service company.			
(2) OGD can then approve of the wash pad/swamp			
(3) May be later required to submit a discharge plan.			
<u>Distribution</u> File		<u>Signed</u> Robert W. [Signature]	

Phone No.

505 - 369 - 6374.

CLYDE M. ABBOTT 1901-1983
MURRELL ABBOTT 1915-1995

RAT HOLE SERVICE
P.O. BOX 305

ABBOTT BROTHERS

PHONE: 800-781-8228 or 505-393-8228

FAX: 505-397-4814

HOBBS, NEW MEXICO 88241

DRLG. LIC.: WD-46
CONTR. LIC.: 52906

DRILLING CONTRACTORS
P. O. BOX 637

March 6, 1996

Mr. Roger Anderson
Oil Conservation Department
2040 S. Pacheco
Santa Fe, NM 88240

Dear Mr. Anderson,

Per our conversation this morning, we are applying for a permit to treat effluent from the wash rack at our yard (1923 W. Bender). Mr. Don Trusty has previously submitted those plans to you for approval and we are also attaching a copy of those plans plus the layout of our yard facilities.

The maintenance program (initially) is as follows:

1. Oil and grease trap service - check oil and sediment level every 30 days and pump oil into holding tank (for pick up by oil reclamation company in Lubbock). Sediments to be pumped out by Lea County Pumping Service for disposal.
2. Sand bed filters (two) - inspect fluid levels for proper operation every 30 days. If sand needs replacement, used sand will be dried in a shallow, lined pit and then disposed of at city landfill after several months of solar exposure.
3. Leak detection - all underground traps and tanks will have a 4" monitoring well between tank and secondary containment liner. Wells to be inspected every 30 days.
4. Collection sump (on wash rack) - emptied as needed and spread for drying with sand from sand bed filters.

If you have any further questions, please contact me at 800-781-8228.

Sincerely,

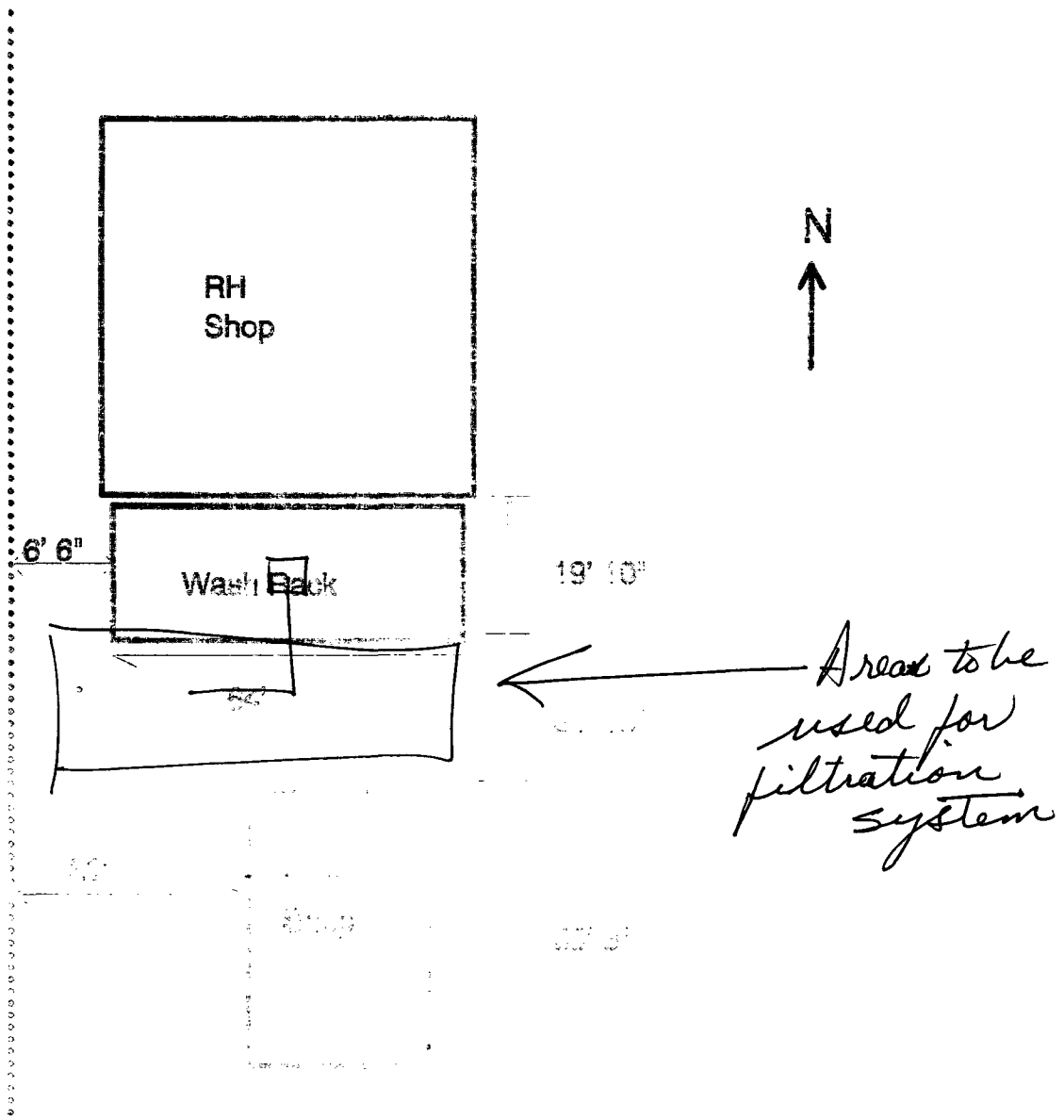


Floyd Abbott

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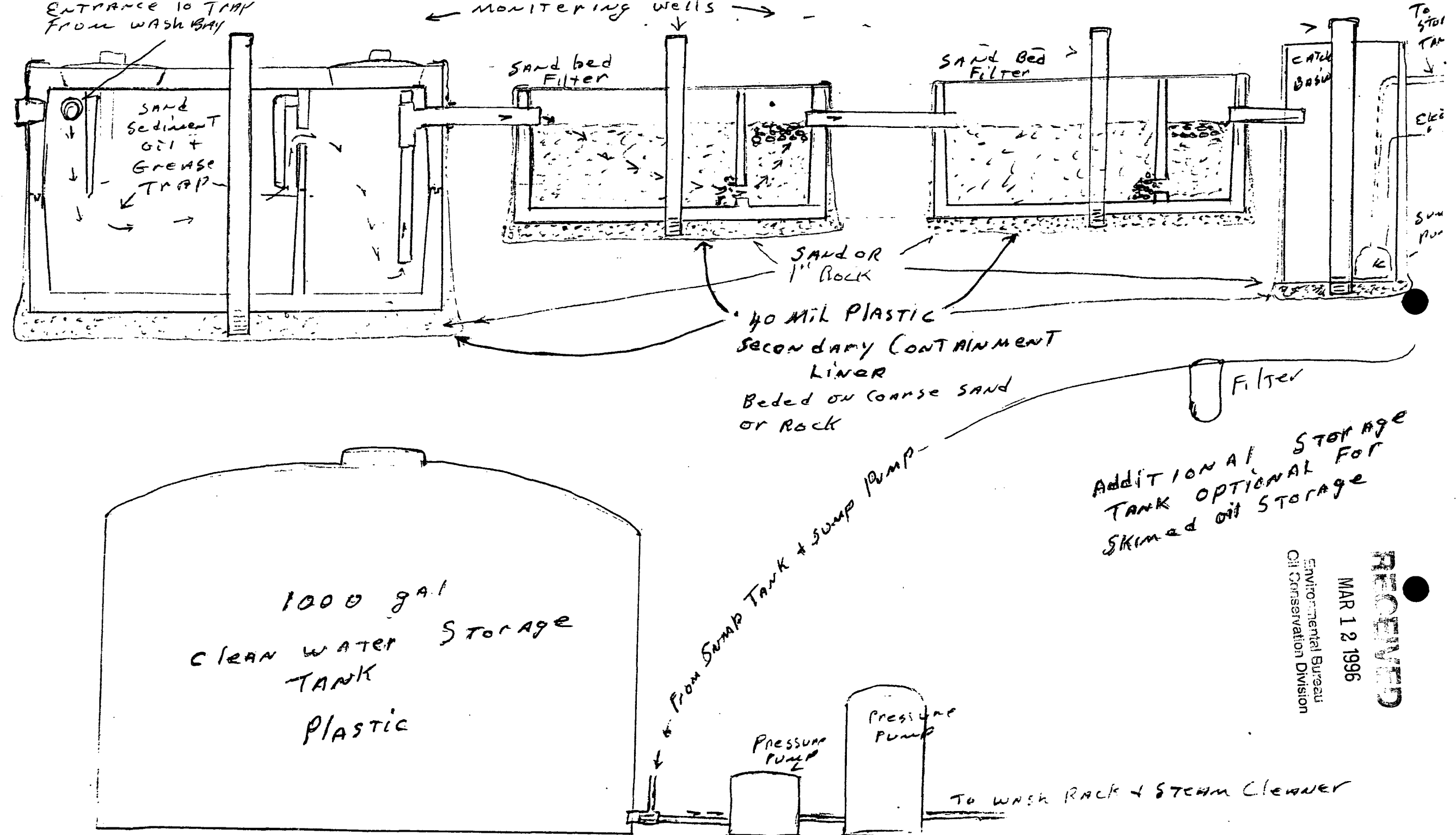
Environmental Bureau
Oil Conservation Division



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Environmental Bureau
Oil Conservation Division



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MAR 12 1996

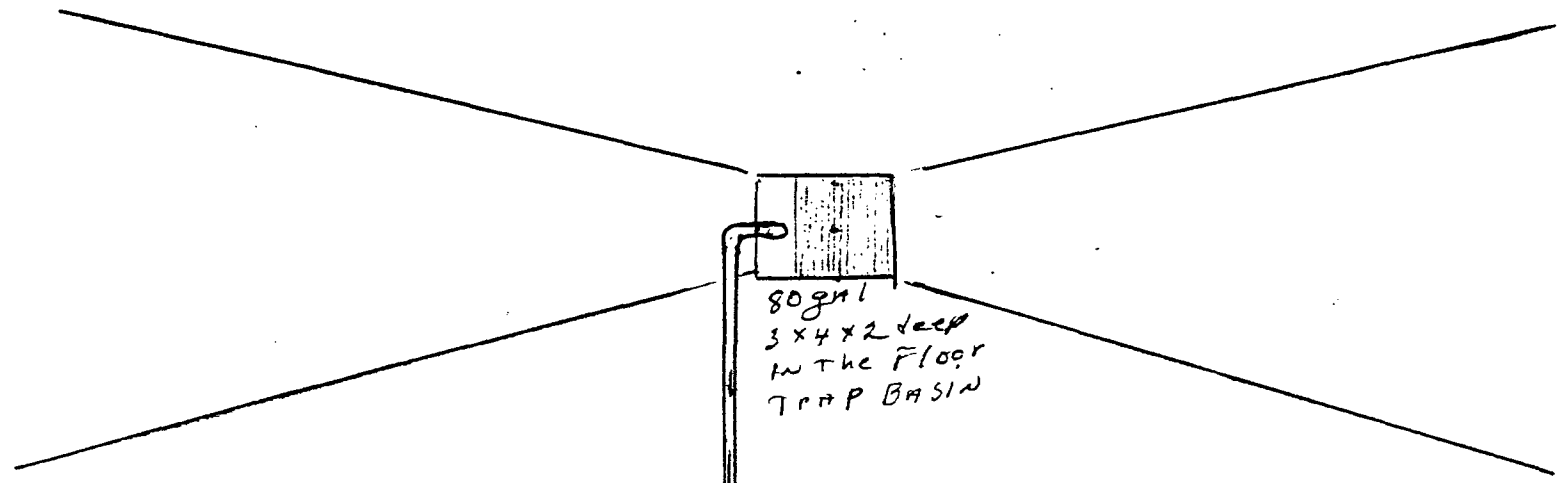
Environmental Bureau
Oil Conservation Division

over head view of Wash Bay

RECEIVED

MAR 12 1996

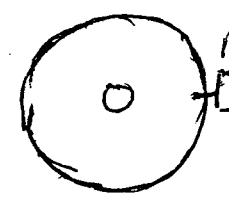
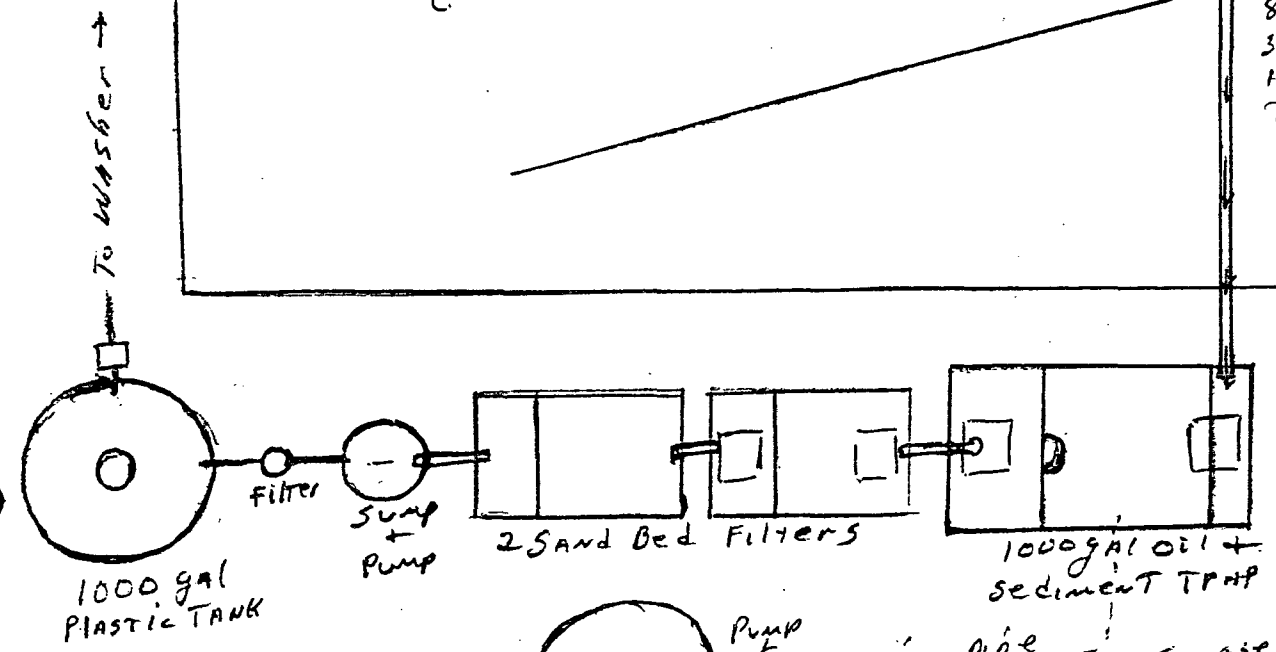
Environmental Bureau
Oil Conservation Division



80 gal
3' x 4' x 2' deep
in the Floor
TRAP BASIN

60'

20'



Oil + Grease
Storage Tank

Pump
Suction Pipe
TO TRANSFER OIL + Grease FROM TRAP TO STORAGE
WASH BAY WATER RECYCLING SYSTEM

To be picked up by
oil Reclaiming Co when They Come by