

GW - 299

**GENERAL
CORRESPONDENCE**

YEAR(S):

1999 - 1998



NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
2040 South Pacheco Street
Santa Fe, New Mexico 87505
(505) 827-7131

February 25, 1999

CERTIFIED MAIL
RETURN RECEIPT NO. Z-357-870-068

Mr. Terry Christian
Compressor Systems, Inc.
P.O. Box 60760
Midland, Texas 79711-0760

RE: Discharge Plan Fees GW-299
Gonzales Mesa Compressor Station
Rio Arriba County, New Mexico

Dear Mr. Christian:

On February 16, 1999, Compressor Systems, Inc., received, via certified mail, a letter dated February 8, 1999 from the New Mexico Oil Conservation Division (OCD) requesting payment of the discharge plan flat fee for discharge plan GW-299. A review of the discharge plan file indicates that this demand for payment was sent in error. Based upon the information contained in the discharge plan file no flat fee is required for the Gonzales Mesa Compressor Station facility covered by discharge plan GW-299.

Please disregard the letter from the OCD dated February 8, 1999. If you have any questions regarding this matter, please contact me at (505) 827-7156.

Sincerely,

A handwritten signature in cursive script, appearing to read "W. Jack Ford".

W. Jack Ford, C.P.G.
Environmental Bureau

xc: Mr. Denny Foust - Aztec OCD district office

Z 357 870 068

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

Sent to <i>Terry Christian</i>	
Street & Number <i>CSI</i>	
Post Office, State, & ZIP Code <i>Midland</i>	
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 <i>GW-299</i>	

PS Form 3800, April 1995



NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
2040 South Pacheco Street
Santa Fe, New Mexico 87505
(505) 827-7131

February 8, 1999

CERTIFIED MAIL
RETURN RECEIPT NO. Z-357-870-060

Mr. Terry Christian
Compressor Systems, Inc.
P.O. Box 60760
Midland, Texas 79711-0760

**RE: Discharge Plan Fees GW-299
Gonzales Mesa Compressor Station
Rio Arriba County, New Mexico**

Dear Mr. Christian:

On July 6, 1998, Compressor Systems, Inc., received, via certified mail, an approval dated June 29, 1998 from the New Mexico Oil Conservation Division (OCD) for renewal of discharge plan GW-299. Each discharge plan has a filing fee and a flat fee as described in WQCC Section 3114 (see **attachment**). The OCD has not as of this date (February 8, 1999) received the annual incremental amount of \$138. The last check (Number 4461) submitted by Environmental Services, Inc. was dated April 6, 1998 for the filing fee required for renewal of the discharge plan. The total flat fee amount remaining is \$690.00 of the original \$690.00 flat fee for discharge plan GW-299 renewal.

Compressor Systems, Inc. will submit the remaining \$690.00 flat fee in full by March 8, 1999 in order to be in compliance with Water Quality Control Commission Regulation 3114.B.6, or the OCD may initiate enforcement actions which may include fines and/or an order to cease all operations at the facility. Please make all checks payable to: **NMED-Water Quality Management** and addressed to the OCD Santa Fe Office.

If you have any questions regarding this matter, please contact me at (505)-827-7152 or Mr. W. Jack Ford at (505) 827-7156.

Sincerely,

Roger Anderson
Environmental Bureau Chief

RCA/wjf

xc: Mr. Denny Foust - Aztec OCD district office
attachment

Z 357 870 060

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
<i>Terry Christian</i>	
Street & Number	
<i>CSI</i>	
Post Office, State, & ZIP Code	
<i>Midland</i>	
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	
<i>GW-299</i>	

PS Form 3800, April 1995

ACKNOWLEDGEMENT OF RECEIPT
OF CHECK/CASH

I hereby acknowledge receipt of check No. [redacted] dated 4/6/98
or cash received on _____ in the amount of \$ 50.00
from ESI for CSI
for Gonzales Mesa CS. GW-299
Submitted by: _____ Date: _____
Submitted to ASD by: R. Anderson Date: _____
Received in ASD by: _____ Date: _____
Filing Fee X New Facility _____ Renewal _____
Modification _____ Other _____
Organization Code 521.07 Applicable FY 98

To be deposited in the Water Quality Management Fund.
Full Payment _____ or Annual Increment _____

ENVIRONMENTAL SERVICES, INC.
4665 INDIAN SCHOOL RD. NE, STE. 108 PH. 266-6611
ALBUQUERQUE, NM 87110

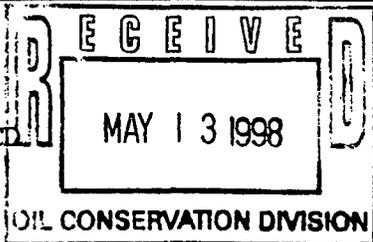
DATE 4/8/98 95-32/1070
0109676338

PAY TO THE ORDER OF NM Water Quality Management Fund \$ 50.00
Fifty & No/100 DOLLARS

SUNWEST
SUNWEST BANK OF ALBUQUERQUE, N.A.
ALBUQUERQUE, NEW MEXICO 87125-0500 (505) 785-2600

MEMO CS1018 Gonzales Mesa Comp. Sally P.

[redacted]



NM OCL

AD NUMBER: 23229

ACCOUNT: 56689

LEGAL NO: 63434

P.O. #: 98-199-000

216 LINES ONCE at \$ 86.40

Affidavits: 5.25

Tax: 5.73

Total: \$ 97.38

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO COUNTY OF SANTA FE

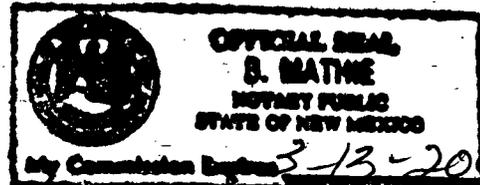
I, BETSY PERNER being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily news paper published in the English language, and having a general circulation in the Counties of Santa Fe and Los Alamos, State of New Mexico and being a New paper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the publication # 63434 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 1 day of MAY 1998 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

Betsy Perner

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 1 day of MAY A.D., 1998

Notary S. Mathe Commission Expires 3-13-2001



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-298) - EL PASO FIELD SERVICES COMPANY, 614 Reilly Avenue, Farmington, New Mexico 87401-2634, has submitted an application for their MARTINEZ CANYON COMPRESSOR STATION located in the SE/4 SE/4 of Section 16, Township 27 North, Range 6 West, Rio Arriba County, New Mexico. Approximately 20 gallons per day of waste water with a dissolved solids concentration of 10,000 mg/l is collected in the washrack and a double-walled closed steel tank sump prior to transport off-site to an OCD approved disposal facility. Ground water most likely to be affected in the event of an accidental discharge at the surface is at a depth greater than 200 feet with a total dissolved solids concentration of approximately 500 mg/l. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

(GW-299) - COMPRESSOR SYSTEMS, INC., P.O. Box 60760, Midland, Texas 79711-0760 has submitted an application for their Gonzales Mesa Compressor Station located in the NE/4 SE/4 of Section 33, Township 25 North, Range 6 West, Rio Arriba County, New Mexico. Approximately 33 gallons per month of waste water with a dissolved solids concentration of 10,000 mg/l is collected in a closed skid-mounted tank and transported off-site to an

OCD approved disposal facility. Ground water most likely to be affected in the event of an accidental discharge at the surface is at a depth of approximately 500 feet with a total dissolved solids concentration of approximately 600 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 public hearing may be requested by any interested person. Requests for 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 plan and information submitted at the hearing.

GIVEN under the Seal of New Mexico Oil Conservation Commission, at Santa Fe, New Mexico, on this 20th day of April 1998.

STATE OF NEW MEXICO OIL CONSERVATION DIVISION LORI WROTENBERY, Director Legal #63434 11 TO DISTRICT PUB. May 12, 1998

Affidavit of Publication

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

STATE OF NEW MEXICO } ss.
County of Rio Arriba

I, Robert Trapp, being first duly sworn, declare and say that I am the Publisher of the Rio Grande Sun, a weekly newspaper, published in the English language, and having a general circulation in the City of Espanola and County of Rio Arriba, State of New Mexico, and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 of the Session Laws of 1937; that the publication, a copy of which is hereto attached,

was published in said paper once each week for ... consecutive weeks, and on the same day of each week in the regular issue of the paper during the time of publication, and that the notice was published in the newspaper proper, and

not in any supplement, the first publication being on the day of

..... *May* 19*98* and the last publication on the day

..... *May* 19*98*; that payment for said advertisement has (duly made), or (assessed as court costs); that the undersigned has personal knowledge of the matters and things set forth in this affidavit.

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 plan and information submitted at the hearing.

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 20th day of April, 1998.

STATE OF
NEW MEXICO
OIL
CONSERVATION
DIVISION
LORI WROTENBERY,
Director

(SEAL)
(Published May 7, 1998)

Robert Trapp

Publisher

Subscribed and sworn to before me this day of A.D., 19*98*.

Robert Trapp

Notary Public

My Commission expires
5-17-01

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-296) EL PASO FIELD SERVICES COMPANY, 614 Rally Avenue, Farmington, New Mexico 87401-2834 has submitted an application for their MARTINEZ CANYON COMPRESSOR STATION located in the SE/4 SE/4 of Section 18, Township 27 North, Range 6 West, Rio Arriba County, New Mexico. Approximately 20 gallons per day of waste water

with a dissolved solids concentration of 10,000 mg/l is collected in the washrack and a double-walled closed steel tank sump prior to transport off-site to an OCD approved disposal facility. Ground water most likely to be affected in the event of an accidental discharge at the surface is at a depth greater than 200 feet with a total dissolved solids concentration of approximately 500 mg/l. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

(GW-299) COMPRESSOR SYSTEMS, INC., P.O. Box 60760, Midland, Texas 79711-0760 has submitted an application for their Gonzales Mesa Compressor Station located in the NE/4, SE/4 of Section 33, Township 26 North, Range 6 West, Rio Arriba County, New Mexico. Approximately 33 gallons per month of waste water with a dissolved solids concentration of 10,000 mg/l is collected in a closed skid-mounted tank and transported off-site to an OCD approved disposal facility. Ground water most likely to be affected in the event of an accidental discharge at the surface is at a depth of approximately 500 feet with a total dissolved solids concentration of approximately 650 mg/l. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

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-298) - EL PASO FIELD SERVICES COMPANY, 614 Reilly Avenue, Farmington, New Mexico 87401-2634 has submitted an application for their MARTINEZ CANYON COMPRESSOR STATION located in the SE/4 SE/4 of Section 16, Township 27 North, Range 6 West, Rio Arriba County, New Mexico. Approximately 20 gallons per day of waste water with a dissolved solids concentration of 10,000 mg/l is collected in the washrack and a double-walled closed steel tank sump prior to transport off-site to an OCD approved disposal facility. Ground water most likely to be affected in the event of an accidental discharge at the surface is at a depth greater than 200 feet with a total dissolved solids concentration of approximately 500 mg/l. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

✓(GW-299) - COMPRESSOR SYSTEMS, INC., P.O. Box 60760, Midland, Texas 79711-0760 has submitted an application for their Gonzales Mesa Compressor Station located in the NE/4 SE/4 of Section 33, Township 26 North, Range 6 West, Rio Arriba County, New Mexico. Approximately 33 gallons per month of waste water with a dissolved solids concentration of 10,000 mg/l is collected in a closed skid-mounted tank and transported off-site to an OCD approved disposal facility. Ground water most likely to be affected in the event of an accidental discharge at the surface is at a depth of approximately 500 feet with a total dissolved solids concentration of approximately 650 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 public hearing may be requested by any interested person. Requests for 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 plan and information submitted at the hearing.

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico,
on this 20th day of April, 1998.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION


for LORI WROTENBERY, Director

S E A L



**NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT**

OIL CONSERVATION DIVISION
2040 South Pacheco Street
Santa Fe, New Mexico 87505
(505) 827-7131

April 15, 1998

CERTIFIED MAIL
RETURN RECEIPT NO. Z-357-869-949

Mr. Terry Christian
Environmental Coordinator
Compressor Systems, Inc.
P.O. Box 60760
Midland, TX 79711-0760

**RE: Temporary Authorization to Discharge - Gonzales Mesa Compressor Station
Compressor Systems, Inc.(CSI)
Rio Arriba County, New Mexico**

Dear Mr. Christian:

The New Mexico Oil Conservation Division has received the request dated April 6, 1998 from your consultant, Environmental Services Inc., for temporary authorization to discharge without an approved discharge plan for 120 days while the discharge plan application dated April 3, 1998 is processed.

Pursuant to Water Quality Control Commission (WQCC) Regulations 3106.B, and for good cause shown, CSI is authorized to discharge without an approved discharge plan until August 2, 1998 for the following CSI compressor station:

- Gonzales Mesa Compressor Station located in the NE/4SE/4, Section 33, Township 26 North, Range 6 West, NMPM, Rio Arriba County, New Mexico.

Please be advised this authorization does not relieve CSI of liability should the operations of this facility result in pollution of surface waters, ground waters or the environment. Further, OCD authorization does not relieve CSI from responsibility for compliance with other federal, state, and local permitting requirements, rules, and regulations.

Sincerely,

Roger C. Anderson
Chief, Environmental Bureau

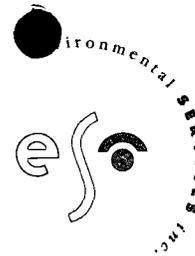
xc: Ms. Melinda Hunt, Environmental Services, Inc.
Mr. Denny Foust - Aztec OCD District Office

Z 357 869 949

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

PS Form 3800, April 1995

Sent to <i>Terry Christian</i>	
Street & Number <i>CSI</i>	
Post Office, State, & ZIP Code <i>Midland</i>	
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 <i>GW-299</i>	



DATE: 4/8/98
TO: Roger Anderson
FROM: Melinda Hunt

- BURN BEFORE READING
- JUST A QUICK NOTE
- FOR YOUR INFORMATION
- READ IT AND
 - WEEP
 - SWEAR
 - PASS OUT
 - IGNORE IT
- PLEASE COMPLETE AND SEND BACK
- I'D TELL YOU MORE BUT THEN I'D HAVE TO KILL YOU
- HERE'S WHAT I PROMISED TO SEND YOU
- PLEASE CALL ME BACK ABOUT THIS
- HOW'S THE FAMILY?
- SAY HI TO FOR ME!
- THIS IS NOT JUNK MAIL!

Roger, On Tues,
April 7, 1998, Randy
Hicks dropped off
two discharge plans
for CSI: Gonzales Mesa
and Reed Canyon.
Please replace the
old cover letters w/
these new ones. I
made a mistake, I
put David Bays name
instead of Terry
Christian.

Thurs Melinda



April 6, 1998

Mr. Roger Anderson
Oil Conservation Division
2040 S. Pacheco
Santa Fe, NM 87505

Dear Mr. Anderson

On behalf of Compressor Systems, Inc. (CSI), we would like to request authorization under section 20 NMAC 6.2.3106.A of the New Mexico Water Quality Control Commission (WQCC) regulations to commence operation on April 8, 1998 without an approved discharge plan at the following facility.

- Gonzales Mesa Compressor Site, K-33, Rio Arriba County, NM
T 26 N, R 6 W, Section 33

We plan to submit the discharge plan for this facility by April 7, 1998. Please feel free to contact me if you have any questions or need clarification.

Sincerely

A handwritten signature in cursive script that reads 'Melinda G. Hunt'.

Melinda G. Hunt

cc: Terry Christian, CSI

4665 INDIAN SCHOOL NE

SUITE 106

ALBUQUERQUE

NEW MEXICO

87110

PHO 505 266 6611

ENVIRONMENTAL SERVICES, INC.
4665 INDIAN SCHOOL RD. NE, STE. 106 PH. 266-6611
ALBUQUERQUE, NM 87110

DATE 4/8/98

95-32/1070
0109676338

PAY TO THE
ORDER OF

NM Water Quality Management Fund \$ 50.00

Fifty & No 100

DOLLARS  Security features
included.
Details on back.

SUNWEST

SUNWEST BANK OF ALBUQUERQUE, N.A.
ALBUQUERQUE, NEW MEXICO 87125-0500 (505) 785-2600

MEMO CS1018 Gonzales Mesa Comp.

Sally T

© DELUXE END-STURLOK

FINE LINE



April 7, 1998

Mr. Roger Anderson
Oil Conservation Division
2040 S. Pacheco
Santa Fe, NM 87505

GW-299

Subject: Discharge Plan Application, Gonzales Mesa Compressor Site (K-33), Rio Arriba County, NM

Dear Mr. Anderson

On behalf of Compressor Systems, Inc. (CSI), I am enclosing two copies of a discharge plan application for the Gonzales Mesa Compressor Site. You will note that the document meets all the criteria for submission as a discharge plan. We believe that the numerous thin mudstone units in the area provide an effective barrier to vertical migration through the San Jose sandstones. We also believe that the nature of potential discharges at compressor stations also minimizes the potential of any impact to groundwater. We maintain that sufficient technical justification exists to rule that a discharge plan is not required for Gonzales Mesa Compressor Site, however this document has been prepared as a conservative measure.

4665 INDIAN SCHOOL NE

SUITE 106

Please note that the facility will be constructed, owned, and operated by CSI. It will be located on El Paso Field Services Company's right-of-way.

ALBUQUERQUE

The \$50.00 application fee is also enclosed. If you have any question, please don't hesitate to contact me or Terry Christian at (915) 495-3155.

NEW MEXICO

Sincerely

Melinda G. Hunt

87110

cc: Terry Christian, CSI, Midland TX
Butch Fortenberry, CSI, Farmington NM
Dale Ballard, CSI, Farmington, NM
Denny Foust, OCD Aztec office

PHO 505 266 6611

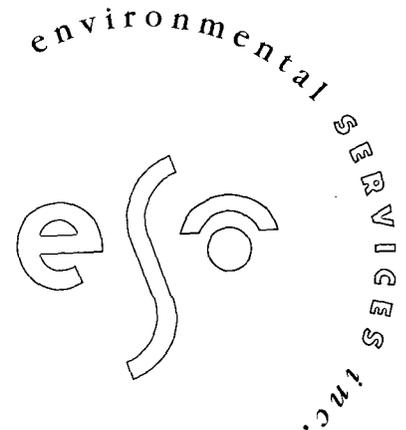
GW-299

**Application for
Groundwater Discharge Plan**

Gonzales Mesa Compressor Station (K-33)

prepared for

**Compressor Systems, Inc.
CSI 018
April 1998**



**4665 INDIAN SCHOOL NE
SUITE 106
ALBUQUERQUE
NEW MEXICO
87110**

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
Aztec, 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 12/1/95

Submit Original
Plus 1 Copies
to Santa Fe
1 Copy to appropriate
District Office

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: Gonzales Mesa Compressor Site (K-33)
2. Operator: Compressor Systems, Inc.
Address: P.O. Box 60760, Midland, TX 79711-0760
Contact Person: Terry Christian Phone: (915) 495-3155
3. Location: NE /4 SE /4 Section 33 Township 26N Range 6W
Submit large scale topographic map showing exact location. (See figure 1)
4. Attach the name, telephone number and address of the landowner of the facility site. (See Item 4)
5. Attach the description of the facility with a diagram indicating location of fences, pits, dikes and tanks on the facility. (See Item 5)
6. Attach a description of all materials stored or used at the facility. (See Item 6)
7. Attach a description of present sources of effluent and waste solids. Average quality and daily volume of waste water must be included. (See Item 7)
8. Attach a description of current liquid and solid waste collection/treatment/disposal procedures. (See Item 8)
9. Attach a description of proposed modifications to existing collection/treatment/disposal systems. (See Item 9)
10. Attach a routine inspection and maintenance plan to ensure permit compliance. (See Item 10)
11. Attach a contingency plan for reporting and clean-up of spills or releases. (See Item 11)
12. Attach geological/hydrological information for the facility. Depth to and quality of ground water must be included. (See Item 12)
13. Attach a facility closure plan, and other information as is necessary to demonstrate compliance with any other OCD rules, regulations and/or orders. (See Item 13)
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: Terry Christian Title: Environmental Director

Signature: Terry Christian Date: April 3, 1998

Item 1

Indicate the major operational purpose of the facility. If the facility is a compressor station include the total combined site rated horsepower.

The Gonzales Mesa Compressor Site, owned and operated by Compressor Systems, Inc. (CSI), is a compressor station and will include one portable skid-mounted Caterpillar G3512-TALE engine and compressor package and associated storage tanks. The site rated horsepower will be 810. The facility will be located on El Paso Field Services (EPFS) Company's right-of way.

The auxiliary equipment and tanks at the compressor station will be installed, maintained, and operated by CSI. CSI will be responsible for the hauling and disposal of the waste oil, used oil filters, and washdown water. EPFS will be responsible for the hauling and disposal of the condensate and field liquids.

Item 2

Name of operator or legally responsible party and local representative.

Legally Responsible Party

Butch Fortenberry
Compressor Systems, Inc.
P.O. Box 2144
Farmington, NM 87499
(505) 327-6943

Local Representative

Dale Ballard
Compressor Systems, Inc.
P.O. Box 2144
Farmington, NM 87499
(505) 327-6943

Operator

Terry Christian
Compressor Systems, Inc.
P.O. Box 60760
Midland, TX 79711-0760
(915) 495-3155



Item 3

Give a legal description of the location and county. Attach a large scale topographic map.

Rio Arriba County, New Mexico
Township 26 North, Range 6 West, NE/4, SW/4, Section 33

The topographic map, figure 1, is attached in appendix 1.



Item 4

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

Bureau of Land Management
1235 N. Plata Highway
Farmington, NM 87401
(505) 599-6332



Item 5

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

A simplified process flow diagram (figure 2) and survey of the compressor station property (figure 3) are attached.

Natural gas will enter the station from EPFS's lateral line via both underground and aboveground piping. The gas will pass through an inlet field scrubber and unit scrubber and then to the compressor which is driven by a Caterpillar G3512-TALE engine. Condensate and field liquids from the field scrubber and unit scrubber will be piped underground to a storage tank. The gas will then be discharged back into EPFS's line.

Item 6

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

Container	ID	Material	Form	Volume	Location	Containment
Steel AGT	1	Condensate	Liquid	100 bbl	Near compressor	Impermeable barrier surrounded by gravel, secondary containment dirt berm
Steel AGT-elev	2	Lube oil	Liquid	500 gal	Near compressor	Steel containment basin (stock tank)
Drums (not stored on site)		Waste oil	Liquid	55 gal	Removed to CSI's Farmington Facility	Curbed concrete pad
Trailer-mounted plastic tank (not stored on site)		Washdown water	Liquid	325 gal	Removed as generated to Basin Disposal, Inc.	

AGT—above ground tank (non-pressurized)

AGT-elev—above ground tank elevated or on saddle rack

Drum—55-gallon drum

All tanks will be installed on an impermeable layer and contained in berms constructed to contain 1.33 times the volume of the tank. Drums will be used to store waste oil but will not be stored at the facility. Any aboveground saddle tanks will be installed on an impermeable containment such as curbed concrete or a metal pan or fiberglass containment.

MSD sheets for the site are maintained in CSI's corporate office and are available upon request.



Item 7

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

Source	Type of waste	Volume	Quality
Compressor Engine	Used engine oil	80 gal/month	Used motor oil with no additives
	Used filters	1 bbl/3 mo	No additives
	Washdown water	100 gal/3 mo	Water with detergents and lube oil
	Sorbent material and rags	1 bbl/yr	No additives
Field Scrubber Unit Scrubber	Condensate and field liquids	15 bbl/day	No additives
Miscellaneous	Solid waste	varies	Paper and other solid waste

Item 8

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

Type of Waste	Collection	Storage	Hauler	Disposal
Used oil and filters	Drained in 55-gal. drums	Steel drum (not stored on site)	Removed as generated by CSI to CSI's corporate office, Farmington, NM	Used oil-Mesa Oil & Saftey-Kleen; Used filters-Waste Management
Wastewater	Collected during washing event	Skid-mounted plastic tank (not stored on site)	Removed as generated by CSI to Basin Disposal, Inc.	Basin Disposal, Inc.
Solid Waste	None on site	Trash receptacle	Removed as generated by CSI to CSI's corporate office, Farmington, NM	Waste Management
Condensate and field liquids	Underground steel pipes	TK-1	Water—Dawn Trucking; Hydrocarbons-Giant Refinery, Inc.	Water—Basin Disposal; Hydrocarbons—Giant Refinery

Receiving Facilities

Saftey-Kleen Corp., 4210A Hawkins Road, Farmington, NM 87401 (505) 327-9070

Mesa Oil, Inc., 7239 Bradburn Blvd., Denver, CO (303) 426-4777

Waste Management of Four Corners, 101 Spruce St., Farmington, NM (505) 327-6284

Dawn Trucking Company, 318 E. Highway 64, Farmington, NM (505) 327-6314

Basin Disposal, Inc., 6 County Road 5046, Bloomfield, NM (505) 632-8936

Giant Refinery Inc., 5746 US Highway 64, Bloomfield, NM (505) 632-8024

Exempt Waste

Only exempt wastes such as water from condensate and field liquids, and produced water will be disposed down Class II injection wells (Basin Disposal).

Used filters will be put into 55 gallon drums, drained of all free liquids and removed as needed by Waste Management of Four Corners.

Non-Exempt, Non-Hazardous Waste

Waste oil will be collected as generated from the compressor unit and removed from the site. The waste oil will be temporarily stored in 55-gallon drums at CSI's Farmington facility. New lube oil will be brought to the site by vendors as needed and stored in a day tank. Washdown water from the compressor engines will be collected as generated. A portable steam unit will be brought in to wash the compressor engines. This unit will also



collect the washdown water from the engine skids in a trailer-mounted plastic tank and remove it from the site. Washdown water will be taken to Basin Disposal Inc. for disposal.

Hazardous Waste

No RCRA-listed wastes will be generated at the facility.

Other Solid Waste

All solid waste and miscellaneous trash will be removed as generated from the facility, by Waste Management of Four Corners.



Item 9

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

No modifications to the facility are necessary to meet NMOCD requirements.

Item 10

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

The facility will be inspected daily by the operator. Maintenance will be performed and records will be kept according to CSI procedures. The integrity of any buried piping installed at the facility will be tested prior to commencement of operation and then re-tested once every five years.

Item 11

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

CSI will handle all spills and leaks immediately as required by CSI procedures and will report all spills and leaks according to the requirements of the State of New Mexico as found in NMOCD Rule 116 and WQCC Section 1203. Copies of these regulations are attached. CSI will notify El Paso Field Services of an and all spills and/or releases.



Item 12

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

The Gonzales Mesa Compressor Station site is about 1 mile east of Largo Canyon and $\frac{1}{2}$ mile south of Tapicito Creek. Figure 1 shows the exact location of the site at an elevation of 6780 feet above sea level (asl), essentially the top of Gonzales Mesa. About 1 mile southwest of the site, the 6200-foot contour defines the floodplain of Canyon Largo as about $\frac{1}{4}$ mile wide. About $\frac{1}{2}$ mile north of the site, the canyon floor of Tapicito Creek is about $\frac{1}{8}$ mile wide and is defined by the 6200-foot contour. Because the site is on a small knob, precipitation runoff from the station may drain to Tapicito Creek or Canyon Largo, depending upon small irregularities of the ground surface. The USGS Gonzales Mesa, New Mexico 7.5-minute quadrangle shows these two major drainages as perennial streams. During the site visit, both streams contained running water.

The Eocene San Jose Formation underlies the compressor station and, as shown in figure 4, is the only exposed rock unit within miles of the site. The only other mapped unit, unconsolidated alluvium, is restricted to the major drainages. The San Jose Formation is a sequence of interbedded sandstones and mudstones and is subdivided into four members. In ascending order, these are: Cuba Mesa, Regina, Llaves and Tapicitos. Our cursory examination of available geologic maps suggests that the compressor station lies within the middle portion of the San Jose Formation, perhaps on the Llaves Member. The Llaves is a coarse-grained arkose. Our site visit confirms that sandstone is the dominant lithology near the site. Data in Stone and others (1983) suggest the San Jose Formation is about 800 to 1000 feet thick near the site. The topography surrounding the compressor station and our site observations demonstrate that the compressor station lies on a cliff-forming sandstone unit.

Stone and others (1983) provide water level data for only two wells within 2 miles from the site. One hand-dug well is in section 29, in Tapicito Creek, about one mile northwest of the site. Depth to water at this well is only 8 feet below ground surface. The other well is in Section 3, about 1.5 miles southeast of the site. This well terminates in the San Jose Formation at a depth of 1330 feet. However, the shallowest producing interval is 460-598 feet. Information on the depth to water is not available but we may assume that the producing interval is not under significant confining pressure because:

- Canyon Largo and Tapicito Creek dissect this portion of Gonzales Mesa thereby eliminating recharge from areas of higher elevation.
- The shallow producing interval is essentially the same elevation as Canyon Largo and Tapicito Creek and
- The well was deepened to 1330 feet later, suggesting depletion of the first water-bearing horizon.

Based upon specific conductance data in Stone and others (1983) Gonzales Mesa well in



Section 3, the total dissolved solids content for this artesian water is about 650 mg/L.

During our site visit, we observed that Gonzales Mesa is composed of sandstone with minor mudstone inter-beds. The depth to groundwater in the San Jose Formation is about 500 feet below the mesa top and is probably unconfined. We believe that only a release of catastrophic proportions could enter the San Jose Formation. Additionally, a catastrophic surface spill is required to affect the alluvial aquifer, which is more than 1/2 mile from the site and 500 feet below the compressor station. The Discharge Plan process is not designed to address such catastrophic releases.

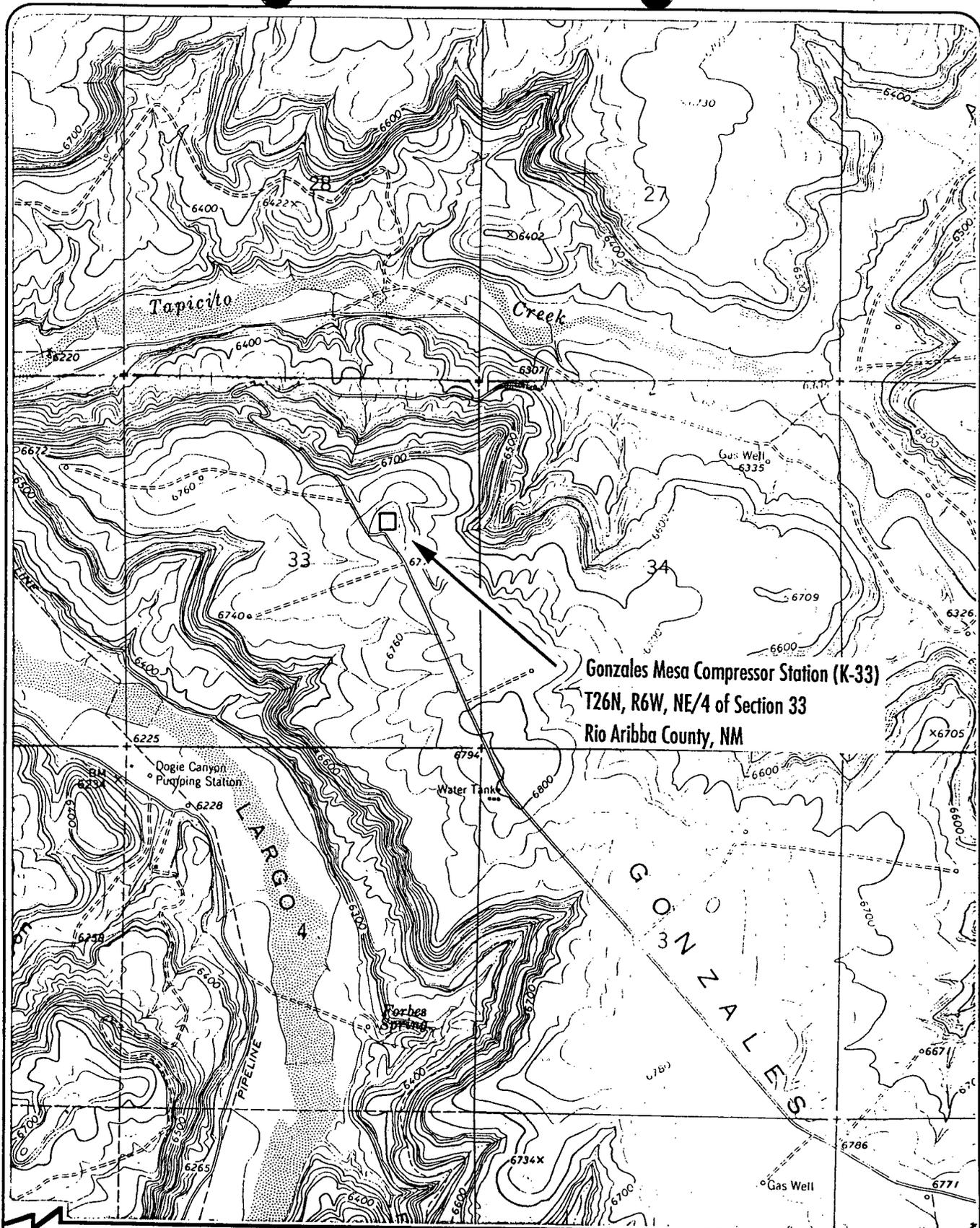
At this location, we cannot completely discount the potential for effluent or leachate to enter groundwater. We do believe that the numerous, thin mudstone units, such as those shown in figure 4, provide an effective barrier to vertical migration through the San Jose sandstones. We also believe that the nature of potential discharges at compressor stations also minimizes the potential of any impact to groundwater. We maintain that sufficient technical justification exists to rule that a Discharge Plan is not required for the Gonzales Mesa Compressor Station.

Item 13

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

All reasonable and necessary measures will be taken to prevent the exceedance of 20 NMAC 6.2.3103 water quality standards should CSI choose to permanently close the facility. Closure measures will include removal or closure in place of all underground piping and equipment. All tanks will be emptied. No potentially toxic materials or effluents will remain on site. All potential sources of toxic pollutants will be inspected. Should contaminated soil be discovered, any necessary reporting under NMOC Rule 116 and 20 NMAC 6.2.1203 will be made, and clean-up activities will commence. Post-closure maintenance and monitoring plans would not be necessary unless contamination is encountered.



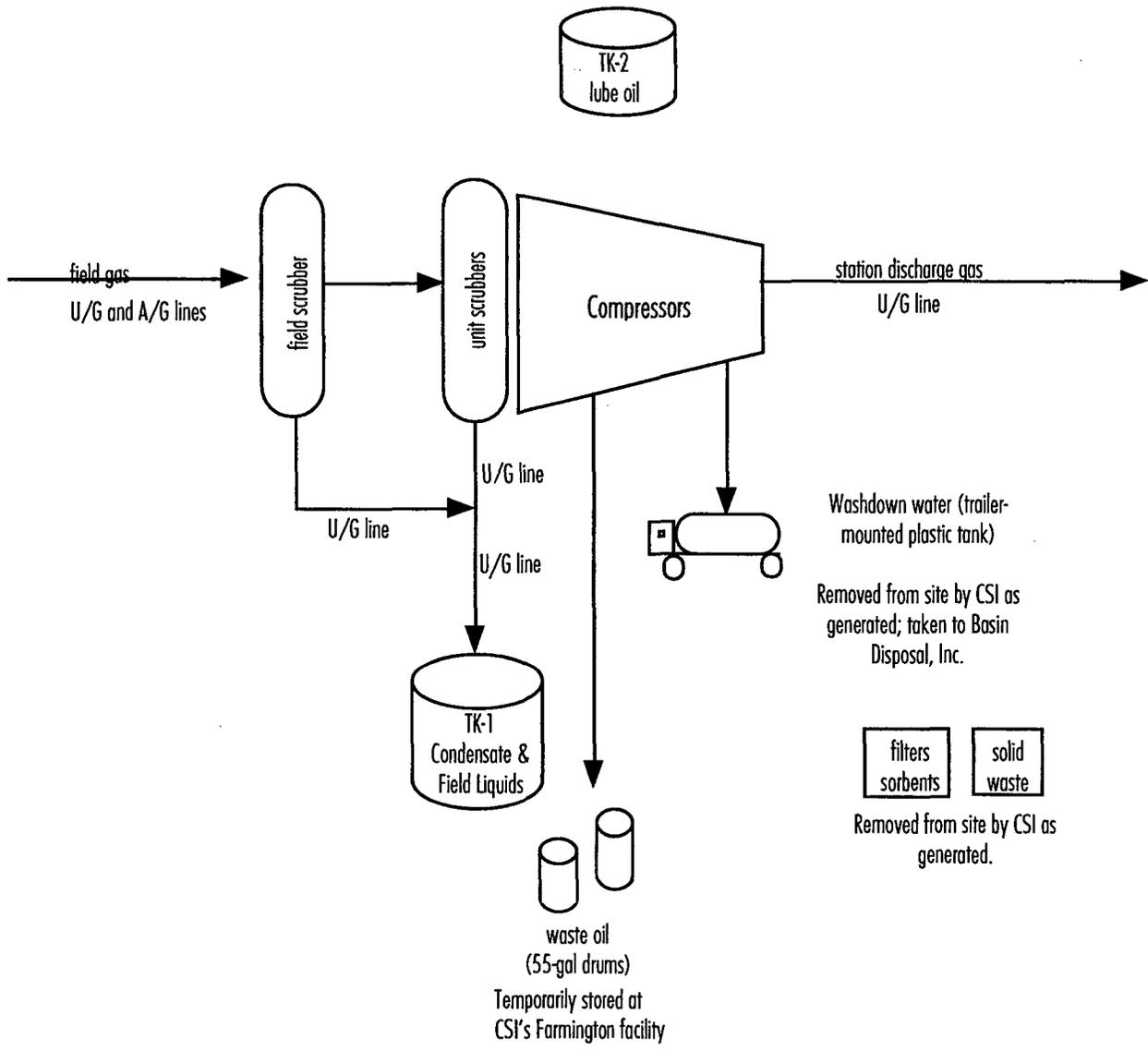


Gonzales Mesa Compressor Station (K-33)
 T26N, R6W, NE/4 of Section 33
 Rio Arriba County, NM



Scale: 1 in = 2000 ft
 1:24,000

Figure 1
Location of Facility
 Gonzales Mesa, NM 7.5 Minute Quadrangle

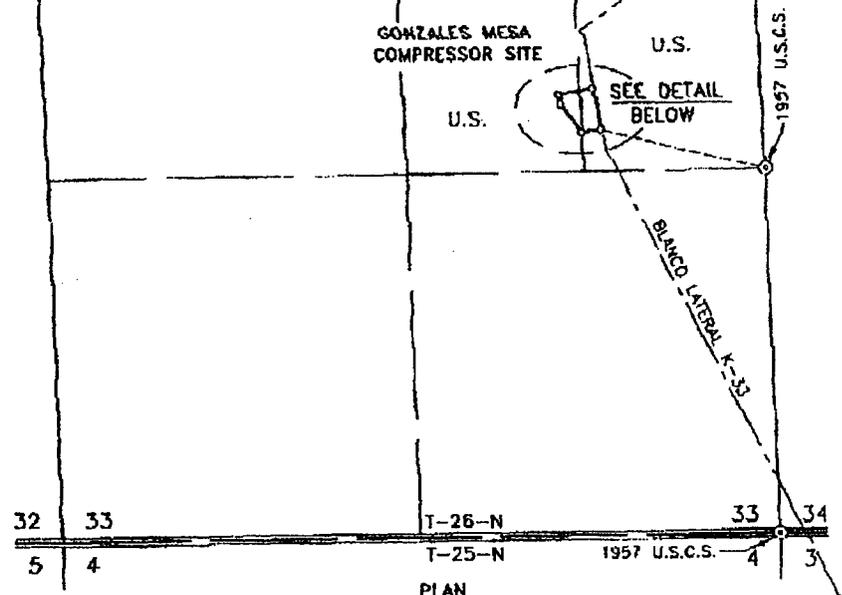


esf

Figure 2
Gonzales Mesa Compressor Site (K-33)
Effluent and Solid Waste Production Diagram

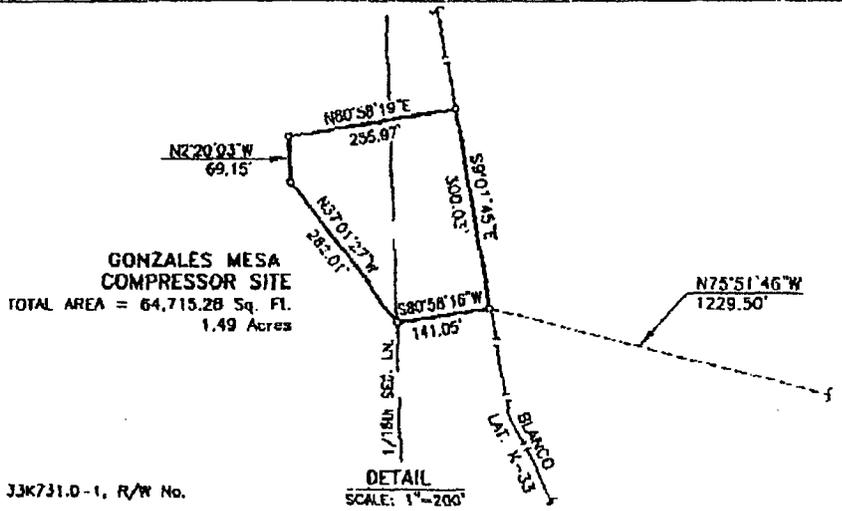
N

R-6-W, N.M.P.M.
BASIS OF BEARING: SE LINE OF SEC. 33



PLAN
SCALE: 1"=1000'
OWNERSHIP

SUBDIVISION NE 1/4 SECTION 33	OWNER U.S.A.	LESSEE MARY BETH TRUBY	ACRES 1.49
----------------------------------	-----------------	---------------------------	---------------



REF. DWG.: J3K731.0-1, R/W No.

DETAIL
SCALE: 1"=200'

REVISIONS

2	CORRECTED SOUTH PROPERTY LINE BEARING 3/10/98/EG			
1	CORRECTED TOTAL AREA & SQ. FOOTAGE, 11/24/97/EG.			
1	11/17/97	DISTRIBUTIONS	ENG. REC.	DATE
6	11/24/98	R/W	DRAWN	ED 10/29/97
1		SJ DISTRIB.	CHECKED	
6	3/10/98	R/W	CHECKED	
1		SJ DISTRIB.	PRDLA APP.	
14	3/11/98	SJ DISTRIBUTIONS	SURVEYED	10/07/97
			CAB NO.	73112K24
NO.	DATE	TO	V.O.	R/W NO. 977321
				W.D.

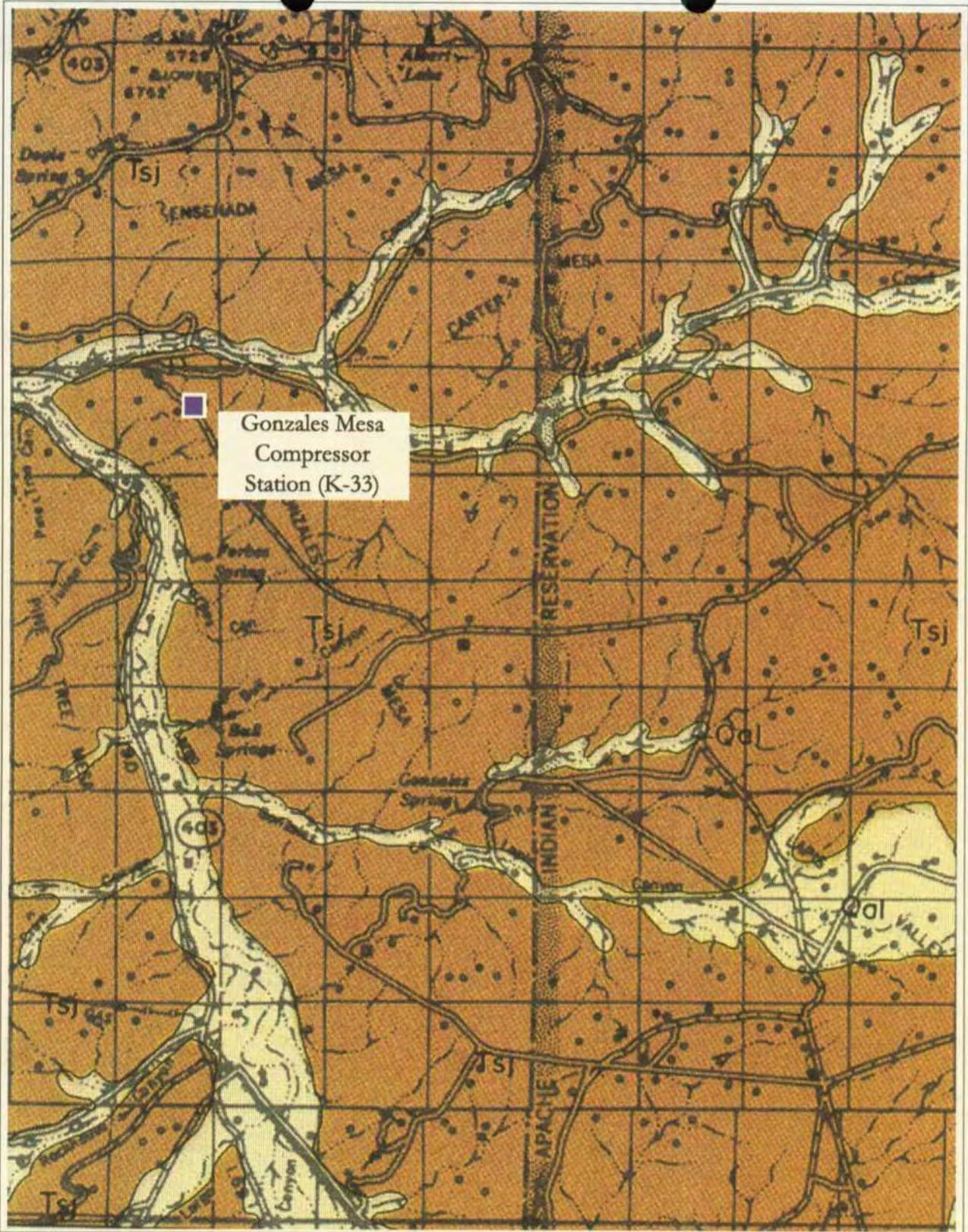
EL PASO
FIELD SERVICES

BLANCO GATHERING SYSTEM
BURLINGTON RESOURCES OIL & GAS, INC.
GONZALES MESA COMPRESSOR SITE (K-33)
SECTION 33, T-26-N, R-6-W, N.M.P.M.
RIO ARRIBA COUNTY, NEW MEXICO

SCALE SHOWN DWG. NO. 751.12-X-24 REV. 2

esof
↑
N

Figure 3
Gonzales Mesa Compressor Site
Site Survey



(Map source: New Mexico Highway Dept. Lindrith Quadrangle)

Explanation:

- Qal Alluvium
- Tsj San Jose Formation

.5 0 1 mile

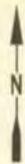


Figure 4
Geologic Map

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

**IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
COMMISSION FOR THE PURPOSE
OF CONSIDERING:**

**CASE NO. 11352
ORDER NO. R-10766**

**APPLICATION OF THE NEW MEXICO
OIL CONSERVATION DIVISION TO
AMEND RULE 116 OF ITS GENERAL
RULES AND REGULATIONS PERTAINING
TO THE NOTIFICATION OF FIRES, BREAKS,
LEAKS, SPILLS AND BLOWOUTS.**

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 o'clock a.m. on October 29, 1996 and November 14, 1996 at Santa Fe, New Mexico, before the Oil Conservation Commission of New Mexico, hereinafter referred to as the "Commission".

NOW, on this 13th day of February, 1997, the Commission, a quorum being present, having considered the record and being fully advised in the premises,

FINDS THAT:

- (1) Due public notice having been given as required by law, the Commission has jurisdiction of this cause and the subject matter thereof.
- (2) On August 3, 1995, the Commission commenced a public hearing to consider revisions to current Oil Conservation Division (OCD) Rule 116 which deals with spill/release reporting requirements.
- (3) On August 25, 1995, the Chairman of the Commission appointed a Rule 116 Committee (Committee) to study this matter and to report to the Chairman of the Commission by February 1, 1996.
- (4) On October 29, 1996, the Commission commenced a public hearing to hear testimony on Rule 116 revisions. The appointed chairman of the Committee and other witnesses presented the Committee report containing recommended rule changes in the form of a draft rule. The Committee draft rule was made a part of the public record and distributed to all those requesting a copy.
- (5) On November 14, 1996 the Commission continued the public hearing and received additional testimony from Marathon Oil Company, the U.S. Bureau of Land Management (BLM), Public Service Company of New Mexico (PNM), Southwest Research and Information Center, and New Mexico Citizens for Clean Air and Water on the Committee draft rule.

The record was then left open for an additional two weeks for additional comment. Written comment was received from Giant Industries, El Paso Natural Gas Company, Mack Energy, Yates Petroleum, Marathon Oil Company, OCD, Amerada Hess, Texaco Exploration and Production Company and PNM.

- (6) The Committee unanimously recommended additional definitions for incorporation in Rule 116 which were generally non-controversial. The new definitions should be incorporated.

(7) The Committee unanimously recommended the adoption of a new reporting form which was noncontroversial and should be incorporated into the new rule.

(8) Much of the testimony and many of the written comments concerned whether releases of natural gas should be reportable releases under Rule 116. El Paso, Amerada Hess and others make the argument that a requirement to report small volumes of released gas is impractical because such releases are impossible to quantify and that this reporting requirement would be extremely difficult to enforce since natural gas releases to the atmosphere do not leave evidence of the occurrence as oil does.

Those advancing the argument to require reporting of natural gas releases (OCD, BLM and others) argue that reporting is necessary for public safety and waste-of-resource reasons. Also since the BLM already requires gas release reporting, this requirement would not further burden industry.

The Commission believes that a "best guess" is better than "no guess" in estimating and reporting natural gas releases and as long as the BLM requires these releases to be reported, industry will not be further burdened by similar reporting to the OCD. Also by limiting the reporting to "unauthorized" releases of natural gas there are many categories of "authorized" releases such as permitted flares and drill stem test releases which do not require reporting.

(9) The Commission should adopt the simplified version of classifying volumes of released fluid and gas into "major" and "minor" releases with different reporting requirements for each release; this was a noncontroversial recommendation.

(10) The lack of a requirement in OCD's current rules for remediation of spills is the main reason for the proposed revisions to current Rule 116. The Committee unanimously agreed on the language requiring that a remediation plan or abatement plan be submitted to the OCD for approval. The Commission concurs.

(11) The witness for the New Mexico Citizens for Clean Air and Water recommended adding provisions for the reporting of cumulative effects of spills. Although in principle this proposal has merit, the Commission believes that it would be extremely difficult to quantify and relate volumes, timeframes and acreage into a usable and understandable rule which would not cause confusion.

(12) The Commission concurs with the recommendation to incorporate into Rule 116 the notification requirements formerly contained in Section N of the Committee draft Rule 19. This consolidates reporting requirements and eliminates confusion.

(13) Adoption of the Committee proposed Rule 116, as amended, and shown on Exhibit "A" attached hereto, will prevent waste of valuable hydrocarbons and protect human health and the environment.

IT IS THEREFORE ORDERED THAT:

(1) OCD Rule 116 is hereby amended, compiled, recodified and adopted as shown in Exhibit "A", attached hereto and made a part of this order.

(2) Rule 116 as amended shall be effective as of the date said order is filed with the State Records Center.

(3) OCD Form C-141, entitled "Release Notification and Corrective Action", shown as Exhibit "B" attached hereto, is hereby adopted for industry use in filing timely written notification to the OCD District Offices.

(4) Jurisdiction of this cause is retained for the entry of such further orders as the Commission may deem necessary.

DONE at Santa Fe, New Mexico, on the day and year hereinafter designated.

**STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION**

signed by
JAMI BAILEY, Member

signed by
WILLIAM W. WEISS, Member

signed by
WILLIAM J. LEMAY, Chairman

S E A L

EXHIBIT A

116 RELEASE NOTIFICATION AND CORRECTIVE ACTION

116.A. NOTIFICATION:

(1) The Division shall be notified of any **unauthorized** release occurring during the drilling, producing, storing, disposing, injecting, transporting, servicing or processing of crude oil, natural gases, produced water, condensate or oil field waste including Regulated NORM, or other oil field related chemicals, contaminants or mixture thereof, in the State of New Mexico in accordance with the requirements of this Rule. [1-1-50... - - 97]

(2) The Division shall be notified in accordance with this Rule with respect to **any** release from any facility of oil or other water contaminant, in such quantity as may with reasonable probability be detrimental to water or cause an exceedance of the standards in 19 NMAC 15.A.19. B(1), B(2) or B(3). [- 97]

116.B. REPORTING REQUIREMENTS: Notification of the above releases shall be made by the person operating or controlling either the release or the location of the release in accordance with the following requirements:

(1) A **Major Release** shall be reported by giving **both** immediate verbal notice and timely written notice pursuant to Paragraphs C(1) and C(2) of this Rule. A Major Release is:

(a) an unauthorized release of a volume, excluding natural gases, in excess of 25 barrels;

(b) an unauthorized release of any volume which:

(i) results in a fire;

(ii) will reach a water course;

(iii) may with reasonable probability endanger public health; or

(iv) results in substantial damage to property or the environment;

(c) an unauthorized release of natural gases in excess of 500 mcf; or

(d) a release of any volume which may with reasonable probability be detrimental to water or cause an exceedance of the standards in 19 NMAC 15.A.19. B(1), B(2) or B(3).[- 97]

(2) A **Minor Release** shall be reported by giving timely written notice pursuant to Paragraph C(2) of this Rule. A Minor Release is an unauthorized release of a volume, greater than 5 barrels but not more than 25 barrels; or greater than 50 mcf but less than 500 mcf of natural gases. [- -97]

116.C. CONTENTS OF NOTIFICATION:

(1) **Immediate verbal notification** required pursuant to Paragraph B shall be reported within twenty-four (24) hours of discovery to the Division District Office for the area within which the release takes place. In addition, **immediate verbal notification** pursuant to Subparagraph B.(1).(d). shall be reported to the Division's Environmental Bureau Chief. This notification shall provide the information required on Division Form C-141. [5-22-73... - -97]

(2) **Timely written notification** is required to be reported pursuant to Paragraph B within fifteen (15) days to the Division District Office for the area within which the release takes place by completing and filing Division Form C-141. In addition, timely written notification required pursuant to Subparagraph B.(1).(d). shall also be reported to the Division's Environmental Bureau Chief within fifteen (15) days after the release is discovered. The written notification shall verify the prior verbal notification and provide any appropriate

additions or corrections to the information contained in the prior verbal notification. [5-22-73... - -97]

116.D. CORRECTIVE ACTION: The responsible person must complete Division approved corrective action for releases which endanger public health or the environment. Releases will be addressed in accordance with a remediation plan submitted to and approved by the Division or with an abatement plan submitted in accordance with Rule 19 (19 NMAC 15.A.19). [- -97].

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B. Plans, specifications and reports required by this Section, if related to facilities for the production, refinement and pipeline transmission of oil and gas, or products thereof, shall be filed instead with the Oil Conservation Division. [1-4-68, 12-1-95]

C. Plans and specifications required to be filed under this Section must be filed prior to the commencement of construction. [9-3-72]

1203. NOTIFICATION OF DISCHARGE--REMOVAL.

A. With respect to any discharge from any facility of oil or other water contaminant, in such quantity as may with reasonable probability injure or be detrimental to human health, animal or plant life, or property, or unreasonably interfere with the public welfare or the use of property, the following notifications and corrective actions are required: [2-17-74, 12-24-87]

1. As soon as possible after learning of such a discharge, but in no event more than twenty-four (24) hours thereafter, any person in charge of the facility shall orally notify the Chief of the Ground Water Protection and Remediation Bureau of the department, or his counterpart in any constituent agency delegated responsibility for enforcement of these rules as to any facility subject to such delegation. To the best of that person's knowledge, the following items of information shall be provided:

a. the name, address, and telephone number of the person or persons in charge of the facility, as well as of the owner and/or operator of the facility;

b. the name and address of the facility;

c. the date, time, location, and duration of the discharge;

d. the source and cause of discharge;

e. a description of the discharge, including its chemical composition;

f. the estimated volume of the discharge; and

g. any actions taken to mitigate immediate damage from the discharge.

[2-17-74, 2-20-81, 12-24-87, 12-1-95]

2. When in doubt as to which agency to notify, the

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person in charge of the facility shall notify the Chief of the Ground Water Protection and Remediation Bureau of the department. If that department does not have authority pursuant to commission delegation, the department shall notify the appropriate constituent agency. [12-24-87, 12-1-95]

3. Within one week after the discharger has learned of the discharge, the facility owner and/or operator shall send written notification to the same department official, verifying the prior oral notification as to each of the foregoing items and providing any appropriate additions or corrections to the information contained in the prior oral notification. [12-24-87]

4. The oral and written notification and reporting requirements contained in this Subsection A are not intended to be duplicative of discharge notification and reporting requirements promulgated by the Oil Conservation Commission (OCC) or by the Oil Conservation Division (OCD); therefore, any facility which is subject to OCC or OCD discharge notification and reporting requirements need not additionally comply with the notification and reporting requirements herein. [2-17-74, 12-24-87]

5. As soon as possible after learning of such a discharge, the owner/operator of the facility shall take such corrective actions as are necessary or appropriate to contain and remove or mitigate the damage caused by the discharge. [2-17-74, 12-24-87]

6. If it is possible to do so without unduly delaying needed corrective actions, the facility owner/operator shall endeavor to contact and consult with the Chief of the Ground Water Protection and Remediation Bureau of the department or appropriate counterpart in a delegated agency, in an effort to determine the department's views as to what further corrective actions may be necessary or appropriate to the discharge in question. In any event, no later than fifteen (15) days after the discharger learns of the discharge, the facility owner/operator shall send to said Bureau Chief a written report describing any corrective actions taken and/or to be taken relative to the discharge. Upon a written request and for good cause shown, the Bureau Chief may extend the time limit beyond fifteen (15) days. [12-24-87, 12-1-95]

7. The Bureau Chief shall approve or disapprove in writing the foregoing corrective action report within thirty (30) days of its receipt by the department. In the event that the report is not satisfactory to the department, the Bureau Chief shall specify in writing to the facility owner/operator any shortcomings in the report or in the corrective actions already taken or proposed to be taken relative to the discharge, and shall give the facility owner/operator a reasonable and clearly specified

1995 OCT 27 PM 1:25

time within which to submit a modified corrective action report. The Bureau Chief shall approve or disapprove in writing the modified corrective action report within fifteen (15) days of its receipt by the department. [12-24-87]

8. In the event that the modified corrective action report also is unsatisfactory to the department, the facility owner/operator has five (5) days from the notification by the Bureau Chief that it is unsatisfactory to appeal to the department secretary. The department secretary shall approve or disapprove the modified corrective action report within five (5) days of receipt of the appeal from the Bureau Chief's decision. In the absence of either corrective action consistent with the approved corrective action report or with the decision of the secretary concerning the shortcomings of the modified corrective action report, the department may take whatever enforcement or legal action it deems necessary or appropriate. [12-24-87, 12-1-95]

9. If the secretary determines that the discharge causes or may with reasonable probability cause water pollution in excess of the standards and requirements of Section 4103 of this Part, and the water pollution will not be abated within one hundred and eighty (180) days after notice is required to be given pursuant to Section 1203.A.1 of this Part, the secretary may notify the facility owner/operator that he is a responsible person and that an abatement plan may be required pursuant to Sections 4104 and 4106.A of this Part. [12-1-95]

B. Exempt from the requirements of this Section are continuous or periodic discharges which are made: [2-17-74]

1. in conformance with regulations of the commission and rules, regulations or orders of other state or federal agencies; or [2-17-74]

2. in violation of regulations of the commission, but pursuant to an assurance of discontinuance or schedule of compliance approved by the commission or one of its duly authorized constituent agencies. [2-17-74]

C. As used in this Section and in Sections 4100 through 4115, but not in other Sections of this Part: [2-17-74, 12-1-95]

1. "discharge" means spilling, leaking, pumping, pouring, emitting, emptying, or dumping into water or in a location and manner where there is a reasonable probability that the discharged substance will reach surface or subsurface water; [2-17-74]

2. "facility" means any structure, installation, operation, storage tank, transmission line, motor vehicle, rolling

1995 OCT 27 PM 1: 25

stock, or activity of any kind, whether stationary or mobile;
[2-17-74]

3. "oil" means oil of any kind or in any form including petroleum, fuel oil, sludge, oil refuse and oil mixed with wastes; [2-17-74]

4. "operator" means the person or persons responsible for the overall operations of a facility; and
[12-24-87]

5. "owner" means the person or persons who own a facility, or part of a facility. [12-24-87]

D. Notification of discharge received pursuant to this Part or information obtained by the exploitation of such notification shall not be used against any such person in any criminal case, except for perjury or for giving a false statement.
[2-17-74]

E. Any person who has any information relating to any discharge from any facility of oil or other water contaminant, in such quantity as may with reasonable probability injure or be detrimental to human health, animal or plant life, or property, or unreasonably interfere with the public welfare or the use of property, is urged to notify the Chief of the Ground Water Protection and Remediation Bureau of the department. Upon such notification, the secretary may require an owner/operator or a responsible person to perform corrective actions pursuant to Sections 1203.A.5 or 1203.A.9 of this Part. [12-1-95]

[1204-1209] Reserved

1210. VARIANCE PETITIONS.

A. Any person seeking a variance pursuant to Section 74-6-4 (G) NMSA 1978, shall do so by filing a written petition with the commission. The petitioner may submit with his petition any relevant documents or material which the petitioner believes would support his petition. Petitions shall: [7-19-68, 11-27-70, 9-3-72]

1. state the petitioner's name and address;
[7-19-68, 11-27-70]

2. state the date of the petition; [7-19-68]

3. describe the facility or activity for which the variance is sought; [7-19-68, 11-27-70]

4. state the address or description of the property upon which the facility is located; [11-27-70]