

STATE OF NEW MEXICO
ENERGY AND MINERALS DEPARTMENT
OIL CONSERVATION DIVISION

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

CASE NO. 8911
Order No. R-8341

APPLICATION OF THE DIVISION TO PERMIT
I & W, INC. TO APPEAR AND SHOW CAUSE
WHY ITS FORM C-133, AUTHORIZATION TO
HAUL WATER, SHOULD NOT BE CANCELLED
FOR NON-COMPLIANCE WITH OCD REGULATIONS.

ORDER OF THE DIVISION

BY THE DIVISION:

This cause came on for hearing at 8:15 a.m. on June 12, 1986, at Santa Fe, New Mexico, before Examiner David R. Catanach.

NOW, on this 4th day of November, 1986, the Division Director, having considered the testimony, the record, and the recommendations of the Examiner, and being fully advised in the premises,

FINDS THAT:

(1) Due public notice having been given as required by law, the Division has jurisdiction of this cause and the subject matter thereof.

(2) This case was called upon its own motion by the Oil Conservation Division to permit I & W, Inc. to show cause why its Form C-133, Authorization to Haul Water, should not be cancelled for non-compliance with Division Rules.

(3) I & W, Inc. appeared at the hearing through its attorney and admitted that on the nights of February 24 and 25, 1986, produced water from an I & W, Inc. truck was dumped onto the surface of the ground in violation of Division Rule 710 and Order No. R-3221.

(4) Although admitting that the produced water was not disposed of at an approved disposal site, I & W, Inc. contended that this was not an example of intentional violation of Division rules, but rather an innocent violation by the driver who was attempting to kill weeds at his residence.

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(5) I & W, Inc. has instituted new procedures designed to prevent future such violations.

(6) Subsequent to the date of hearing, the Division notified I & W, Inc. that a fine of one thousand dollars was being assessed for violation of Rule 710, which fine was promptly paid by I & W, Inc.


(7) Insofar as I & W, Inc. voluntarily paid a fine for violating Division Rules and Regulations, has instituted improved procedures and has otherwise sought to admit and remedy the violations, this case should be dismissed.

IT IS THEREFORE ORDERED THAT:

Case No. 8911 is hereby dismissed.

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

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

A handwritten signature in dark ink, appearing to read 'R. L. Stamets', with a checkmark at the end.

R. L. STAMETS,
Director

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