

GW – 374

**PERMITS,
RENEWALS,
& MODS
Application**

ACKNOWLEDGEMENT OF RECEIPT
OF CHECK/CASH

I hereby acknowledge receipt of check No. _____ dated 7/9/08

or cash received on _____ in the amount of \$ 1700⁰⁰

from Halco Company

for GW-374

Submitted by: Lawrence Peters Date: 7/14/08

Submitted to ASD by: Lawrence Peters Date: 7/14/08

Received in ASD by: _____ Date: _____

Filing Fee _____ New Facility _____ Renewal _____

Modification _____ Other _____

Organization Code 521.07 Applicable FY 2004

To be deposited in the Water Quality Management Fund.

Full Payment or Annual Increment _____

RECEIVED

2008 JUL 16 PM 1 41

ATTACHMENT- DISCHARGE PERMIT APPROVAL CONDITIONS

- 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 flat fee (*see* WQCC Regulation 20.6.2.3114 NMAC). The Oil Conservation Division ("OCD") has received the required \$100.00 filing fee. The flat fee for an oil and gas service company is \$1700.00. Please submit the facility fee with the signed permit. Checks should be made out to the New Mexico Water Quality Management Fund.
- 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 June 04, 2013** 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, NMSA 1978} 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, 2007 discharge plan 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 office performed a drive through inspection of the Nalco facility in June 2007 and on a walk through in January, 2008. Mr. Jimmy Halladay accompanied Leonard Lowe and Mr. Henry Villanueva on this walk through. The photos identified below are from the June, 2007 visit.

1. Photo 1: the facility schematic did not identify the underground conduit shown. Update the schematic to reflect all underground processing lines, if none then identify this protruding conduit and submit to the OCD office.

2. Photo 2 – 5: Several containers were located directly on the ground without secondary containment. Empty barrels were not properly stored. Containers, empty and full need to be properly situated. All containers need to be properly identified and labeled empty if needed.

3. Photo 6 – 8: Empty barrels are not properly situated: properly store empty barrels.

Nalco Chemical has **90 days** to resolve these concerns within their facility, once resolved Nalco shall submit a report, with applicable photos, to the Santa Fe OCD office.

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:

(1) The OCD has acknowledged that Nalco is currently modifying their facility to accommodate their work load and in doing so shall address the OCD inspect concerns. The OCD request that Nalco review their permit conditions in detail in reference to engineered structures and containments. Once modification is complete submit to the OCD the final volume capacity, if changed, of its facility and the final schematic with certification. The schematic shall annotate all underground process piping, if any.

(2) The initial discharge plan application did not have a certification for its SPCC plan: Submit to the OCD a certified SPCC plan for this facility.

(3) The OCD request that the down gradient of its facility be properly bermed to control run off as stated in their submitted application, "Any run-off water from precipitation should be contained which would result in no contaminates leaving this facility". Once completed a report shall be submitted to the OCD with photos.

(4) Public concern from Mr. Barber was discussed and is being addressed. The OCD acknowledges the following: secondary containment concerns are being addressed within this permit; mud being on county road 3535 is being addressed by Nalco paving their yard for trucks and; providing information to the public about Nalco's procedures for its emergency contingency plan. The OCD recognizes that incidental spills will occur during regular work activities and that Nalco will not intentionally discharge on to the ground. Nalco shall inform all of its employees of conditions stated within its discharge plan permit and recognize that OCD will acknowledge all public concerns pertaining to its facility. A copy of this permit shall reside on the facility for the duration of its approval.

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 Plan and Financial Assurance: Pursuant to 20.6.2.3107 NMAC an owner/operator shall notify the OCD when any operations of the facility are to be discontinued for a period in excess of six months. Prior to closure, or as a condition of this permit, or request from the OCD, the operator will submit an approved closure plan, modified plan, and/or provide adequate financial assurance.

23. Certification: (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."

Nalco
Company Name-print name above

DAN TARVER
Company Representative- print name

Dan Tarver
Company Representative- Signature

Title Logistics Manager

Date: June 30, 2008

OCD Inspection: Nalco Chemical, Flora Vista GW - 374

Inspectors: Henry Villanueva, Brandon Powell and Leonard Lowe

Company Rep: Mr. Jimmy Halladay

Date: 06.2008 & 01.2008

Time: N/A

Page 1

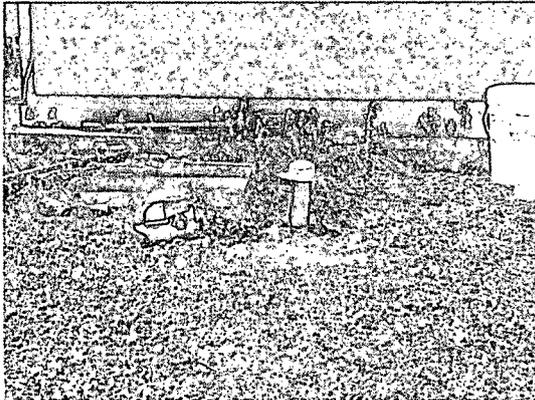


Photo 1: Identify protruding conduit south of office trailer.

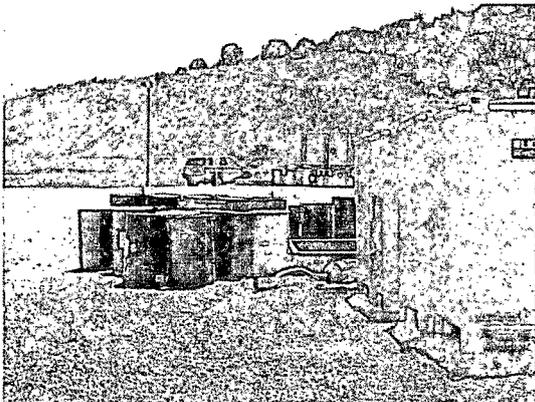


Photo 2: Barrels located without secondary containment.

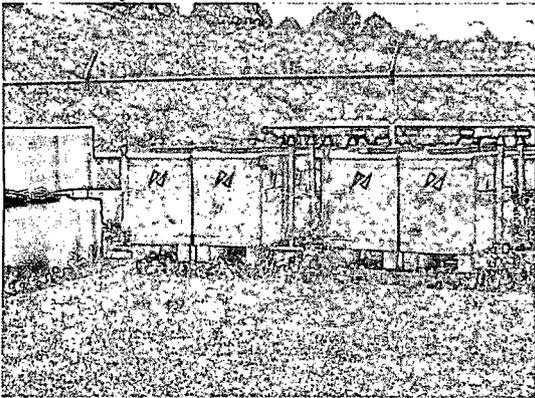


Photo 3: Containers located directly on the ground.

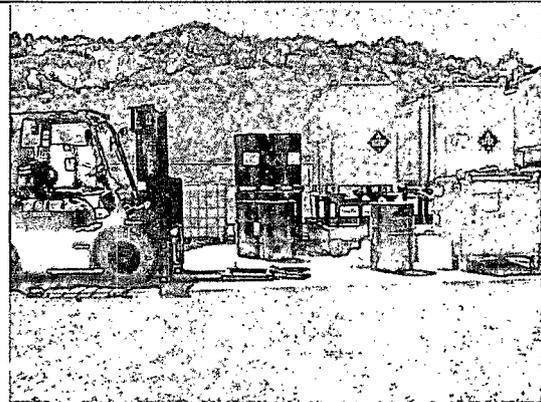


Photo 4: Secondary containment for majority of containers.

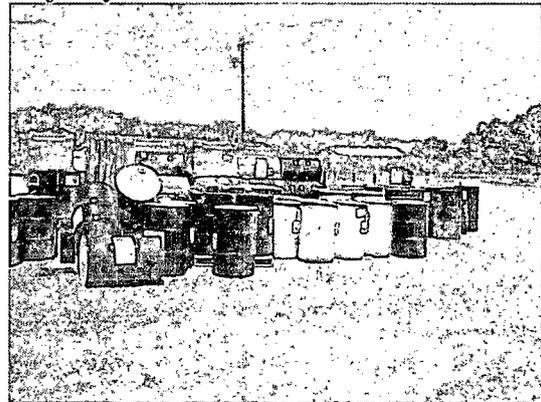


Photo 5: Barrels empty/full located without secondary containment.



Photo 6: Empty barrels improperly located.

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Page 2

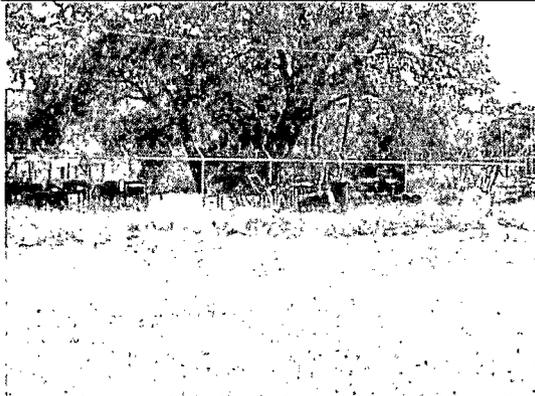


Photo 7: Improper barrel storage within facility.

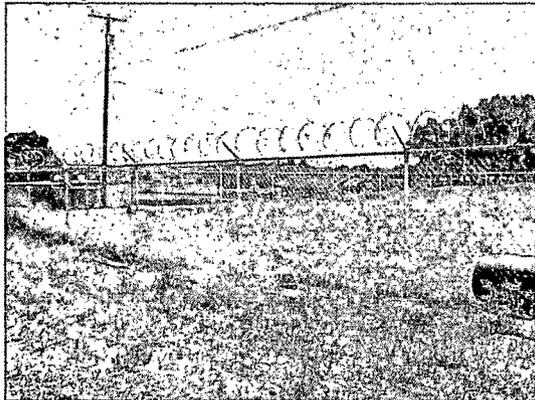


Photo 8: Empty barrels improperly placed within facility boundaries.



New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson

Governor
Joanna Prukop
Cabinet Secretary
Reese Fullerton
Deputy Cabinet Secretary

Mark Fesmire
Division Director
Oil Conservation Division



June 06, 2008

Mr. Dan Tarver
Nalco Chemical Company
1902 Black Gold Road
Levelland, Texas 79338

Re: New Discharge Permit
Flora Vista Nalco Chemical Company (GW-374)
NE/4 NW/4 Section 22, Township 30 North, Range 12 West, NMPM,
San Juan County, New Mexico,

Dear Mr. Tarver:

Pursuant to Water Quality Control Commission (WQCC) Regulations 20.6.2.3104 - 20.6.2.3114 NMAC, the Oil Conservation Division (OCD) hereby approves the discharge permit for the **Nalco Chemical Company** (owner/operator) for the above referenced site contingent upon 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 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 Leonard Lowe of my staff at (505-476-3492) or E-mail leonard.lowe@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

Attachments-1
xc: OCD District Office



ATTACHMENT- DISCHARGE PERMIT APPROVAL CONDITIONS

- 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 flat fee (*see* WQCC Regulation 20.6.2.3114 NMAC). The Oil Conservation Division (“OCD”) has received the required \$100.00 filing fee. The flat fee for an oil and gas service company is \$1700.00. Please submit the facility fee with the signed permit. Checks should be made out to the New Mexico Water Quality Management Fund.
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20. Additional Site Specific Conditions:

- (1) The OCD has acknowledged that Nalco is currently modifying their facility to accommodate their work load and in doing so shall address the OCD inspect concerns. The OCD request that Nalco review their permit conditions in detail in reference to engineered structures and containments. Once modification is complete submit to the OCD the final volume capacity, if changed, of its facility and the final schematic with certification. The schematic shall annotate all underground process piping, if any.
- (2) The initial discharge plan application did not have a certification for its SPCC plan. Submit to the OCD a certified SPCC plan for this facility.
- (3) The OCD request that the down gradient of its facility be properly bermed to control run off as stated in their submitted application, "Any run-off water from precipitation should be contained which would result in no contaminates leaving this facility". Once completed a report shall be submitted to the OCD with photos.
- (4) Public concern from Mr. Barber was discussed and is being addressed. The OCD acknowledges the following: secondary containment concerns are being addressed within this permit; mud being on county road 3535 is being addressed by Nalco paving their yard for trucks and; providing information to the public about Nalco's procedures for its emergency contingency plan. The OCD recognizes that incidental spills will occur during regular work activities and that Nalco will not intentionally discharge on to the ground. Nalco shall inform all of its employees of conditions stated within its discharge plan permit and recognize that OCD will acknowledge all public concerns pertaining to its facility. A copy of this permit shall reside on the facility for the duration of its approval.

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 Plan and Financial Assurance: Pursuant to 20.6.2.3107 NMAC an owner/operator shall notify the OCD when any operations of the facility are to be discontinued for a period in excess of six months. Prior to closure, or as a condition of this permit, or request from the OCD, the operator will submit an approved closure plan, modified plan, and/or provide adequate financial assurance.

23. Certification: (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: _____

OCD Inspection: Nalco Chemical, Flora Vista GW - 374

Inspectors: Henry Villanueva, Brandon Powell and Leonard Lowe

Company Rep: Mr. Jimmy Halladay

Date: 06.2008 & 01.2008

Time: N/A

Page 1

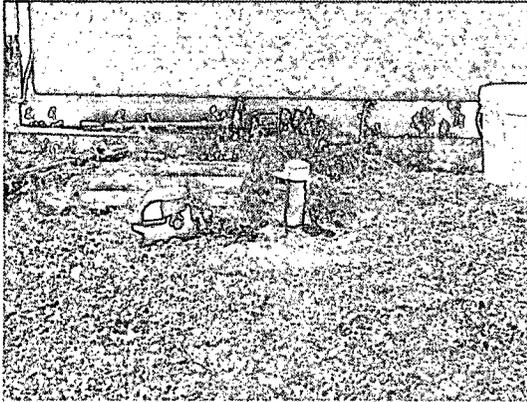


Photo 1: Identify protruding conduit south of office trailer.

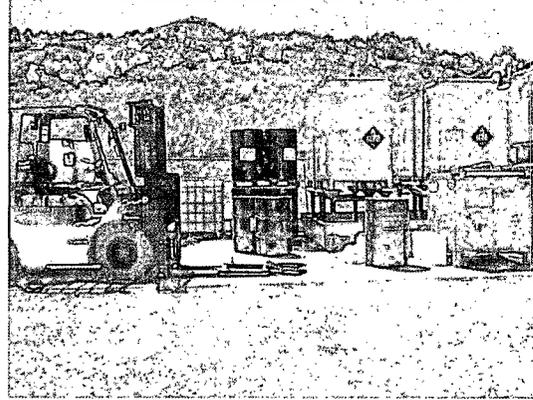


Photo 4: Secondary containment for majority of containers.

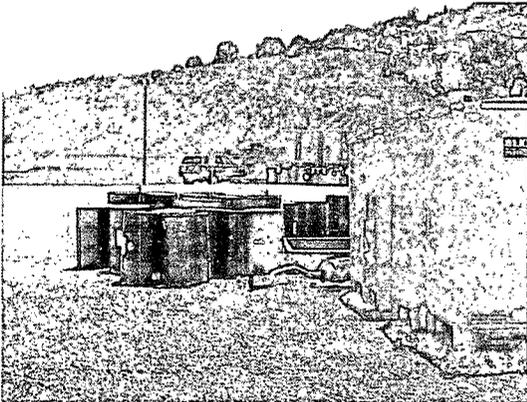


Photo 2: Barrels located without secondary containment.

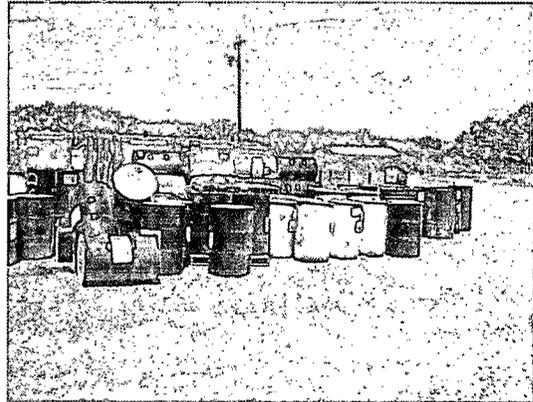


Photo 5: Barrels empty/full located without secondary containment.

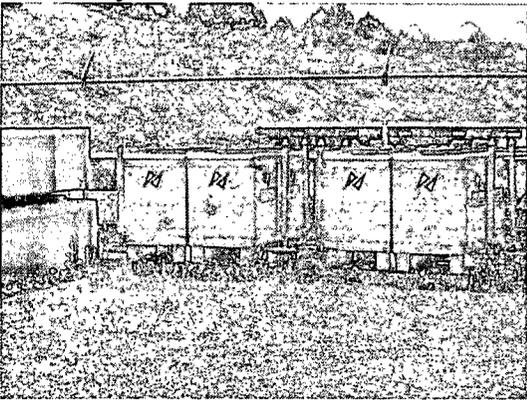


Photo 3: Containers located directly on the ground.



Photo 6: Empty barrels improperly located.

OCD Inspection: Nalco Chemical, Flora Vista GW - 374

Inspectors: Henry Villanueva, Brandon Powell and Leonard Lowe

Company Rep: Mr. Jimmy Halladay

Date: 06.2008 & 01.2008

Time: N/A

Page 2

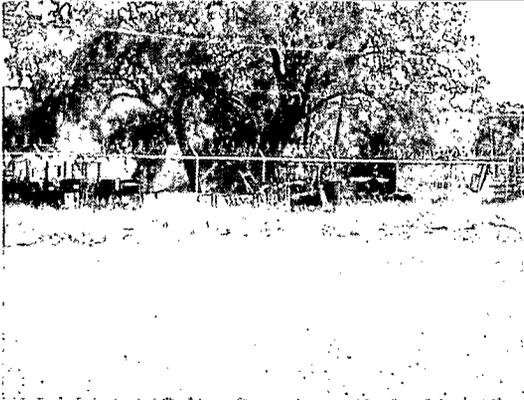


Photo 7: Improper barrel storage within facility.

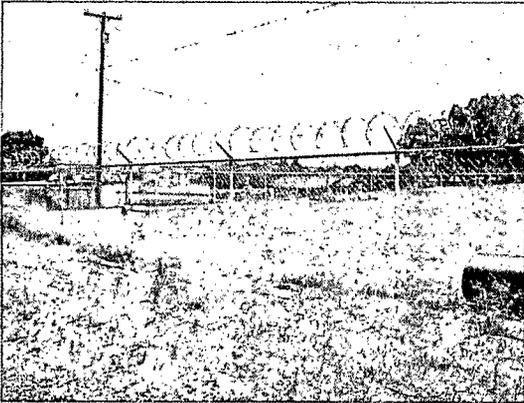


Photo 8: Empty barrels improperly placed within facility boundaries.

Lowe, Leonard, EMNRD

From: Lowe, Leonard, EMNRD
Sent: Wednesday, January 30, 2008 10:31 AM
To: 'jdtarver@nalco.com'
Cc: 'Jimmy E Halladay'
Subject: GW-374, Administratively Complete Nalco Chemical Co.
Attachments: GW-374 AdmCompleteLetter.pdf; GW-374 DRAFT Permit.pdf; GW-374 OCD PN SFNM.pdf; New & Mod WQCC PN Rules.pdf

Mr. Dan Tarver,

The Submitted Discharge Plan application (GW-374) for Nalco Chemical Company has been determined to be **Administratively Complete** per WQCC 20.6.2.3108 Subsection F.

Attached here are the **Administratively Complete** letter, **Draft Permit** and the **NMOCD Public Notice** for your records.

Thank you for initiating the applicant public notice. I have spoken with Mr. Halladay on revisions for the submitted notice. I have also attached the **WQCC rules and regs** for applicant public notice requirements. Pay attention to fonts in Red only for they pertain to NEW DISCHARGE PLANS.

I shall be awaiting your submitted Public Notice for review within 15 days.

Thank you for your attention.

llowe

Leonard Lowe
Environmental Engineer
Oil Conservation Division, EMNRD
1220 S. St. Francis Drive
Santa Fe, New Mexico 87505
Phone: (505) 476-3492
Fax: (505) 476-3462
E-mail: leonard.lowe@state.nm.us



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

January 30, 2008

Mr. Dan Tarver

**Re: Discharge Plan NEW Permit GW-374
Nalco Chemical Company, Flora Vista
San Juan County, New Mexico**

Dear Mr. Dan Tarver:

The New Mexico Oil Conservation Division (NMOCD) has received Nalco Chemical Company's request and initial fee, dated December 11th, 2007 for a new Discharge Plan, GW-374, for their Flora Vista Gas and Oil Service Company located in the NE/4 NW/4 of Section 22, Township 30 North, Range 12 West, NMPM, San Juan County, New Mexico. The initial submittal provided the required information in order to deem the application "administratively" complete.

Therefore, the New Mexico Water Quality Control Commission regulations (WQCC) notice requirements of 20.6.2.3108 NMAC must be satisfied and demonstrated to the NMOCD. NMOCD will provide public notice pursuant to the WQCC notice requirements of 20.6.2.3108 NMAC to determine if there is any public interest.

If there are any questions regarding this matter, please do not hesitate to contact me at (505) 476-3492 or leonard.lowe@state.nm.us. On behalf of the staff of the NMOCD, I wish to thank you and your staff for your cooperation during this discharge permit review.

Sincerely,

Leonard Lowe
Environmental Engineer

LRL/lrl

xc: OCD District III Office, Aztec



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

January 30, 2008

Mr. Dan Tarver
Nalco Chemical Company
1902 Black Gold Road
Levelland, Texas 79338

Re: New Discharge Permit
Flora Vista Nalco Chemical Company (GW-374) **DRAFT**
NE/4 NW/4 Section 22, Township 30 North, Range 12 West, NMPM,
San Juan County, New Mexico

Dear Mr. Tarver

Pursuant to Water Quality Control Commission (WQCC) Regulations 20.6.2.3104 - 20.6.2.3114 NMAC, the Oil Conservation Division (OCD) hereby approves the discharge permit for the **Nalco Chemical Company** (owner/operator) for the above referenced site contingent upon 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 Leonard Lowe of my staff at (505-476-3492) or E-mail leonard.lowe@sate.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/lrl

Attachments-1
xc: OCD District Office

ATTACHMENT- DISCHARGE PERMIT APPROVAL CONDITIONS

- 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 flat fee (see WQCC Regulation 20.6.2.3114 NMAC). The Oil Conservation Division ("OCD") has received the required \$100.00 filing fee. **The flat fee for a Oil and Gas Service Company is \$1700.00. Please submit this amount along with the signed certification item 23 of this document after the final permit is issued in approximately 45 days. Checks should be made out to the New Mexico Water Quality Management Fund.**
- 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 February, 2013** 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, NMSA 1978} 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 2007 discharge plan 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 Plan and Financial Assurance: Pursuant to 20.6.2.3107 NMAC an owner/operator shall notify the OCD when any operations of the facility are to be discontinued for a period in excess of six months. Prior to closure, or as a condition of this permit, or request from the OCD, the operator will submit an approved closure plan, modified plan, and/or provide adequate financial assurance.

23. Certification: (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: _____

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 application(s) 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:

(GW-374) Nalco Chemical Company, 1902 Black Gold Road, Levelland, Texas, 79336 has submitted an application for a new discharge plan for their Nalco Oil and Gas Service Company, 13 County Road, 3535 Flora Vista, N.M. , located in the NE/4 NW/4 of Section 22, Township 30 North, Range 12 West, NMPM, San Juan County, New Mexico. Approximately 72 bbls of Acid/Caustics, 52 bbls of Biocides, 1600 gallons of methanol, and 14,000 gallons of Corrosion inhibitors will be stored onsite in a closed top steel tank within a bermed area prior to 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 35 feet, with a total dissolved solids concentration of approximately 1000 ppm. 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 30th day of

January 2008.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

SEAL

Mark Fesmire, Director

ACKNOWLEDGEMENT OF RECEIPT
OF CHECK/CASH

I hereby acknowledge receipt of check No. dated 1/4/08

or cash received on _____ in the amount of \$ 100⁰⁰

from Malco Co.

for GW-374

Submitted by: Lawrence Perera Date: 1/22/08

Submitted to ASD by: Lawrence Perera Date: 1/22/08

Received in ASD by: _____ Date: _____

Filing Fee New Facility _____ Renewal _____

Modification _____ Other _____

Organization Code 521.07 Applicable FY 2004

To be deposited in the Water Quality Management Fund.

Full Payment _____ or Annual Increment _____

December 11, 2007



Mr. Leonard Lowe
Environmental Engineer
Oil Conservation Division, EMNRD
1220 S. St. Francis Drive
Santa Fe, New Mexico 87505

Dan Tarver
Logistics Manager
Nalco
1902 Black Gold Road
Levelland, Texas 79336
806.897.5600
www.nalco.com

RE: Discharge Permit For Nalco Chemical Company (GW-374)_{Lowe}

Mr. Lowe

Enclosed is our application for the Discharge Permit as well as a Public Notice.

If you have any questions or comments regarding this, please contact me at 806.897.5600.

Sincerely,

A handwritten signature in black ink that reads "Dan Tarver".

Dan Tarver
Logistics Manger
jdtarver@nalco.com

*The \$100 application fee will
be sent separately
TARVER*



Public Notice

Nalco Chemical Company, 13 County Road 3535, Flora Vista, New Mexico 87415, has submitted an application for an Oil Conservation Division discharge plan for their yard located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Township 30 N, Range 12 W, NMPM, Flora Vista, San Juan County, New Mexico. Approximately 24,000 gallons of water for sewage and office waste are generated on site annually. In case of a spill, leak, or accidental discharge an Emergency Response plan is in place, if this plan is not followed then groundwater of concern is approximately 35 feet below ground surface and has a total dissolved solids concentration of <1000 mg/l. This discharge plan outlines the procedures that are to be taken when handling/storing/disposing of waste generated from daily operations in order to avoid contamination of 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.

This notice will be published in The Daily Times, Farmington, New Mexico for a period of one (1) day upon approval by the NMOCD.

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

**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

1. Type: Oil and Gas Service Company GW-374
2. Operator: Nalco Chemical Company
Address: 13 County Road 3535, Flora Vista, New Mexico
Contact Person: Mr. Jimmy Halladay Phone: (505) 334-6548
3. Location: NE /4 NW /4 Section 22 Township 30N Range 12W
Submit large scale topographic map showing exact location.
Please find attached figure labeled **Figure 1, Vicinity Map**
4. Attach the name, telephone number and address of the landowner of the facility site.
Rocky Sparks
PO Box 357
Flora Vista, NM 87415
(505) 320-9820
5. Attach the description of the facility with a diagram indicating location of fences, pits, dikes and tanks on the facility.
Please find attached figure labeled **Figure 2, Site Map**
6. Attach a description of all materials stored or used at the facility.
Please find attached **Appendix A: Materials Stored or Used**
7. Attach a description of present sources of effluent and waste solids. Average quality and daily volume of waste water must be included.
Waste water is limited to that generated by the office.
Liquid lab waste and glass jars.
Office waste.
8. Attach a description of current liquid and solid waste collection/treatment/disposal procedures.
Waste water is directed to a permitted septic tank and leach field.
Office waste is placed into a Waste Management dumpster and emptied every Friday.
Liquid lab waste and jars are placed into drums for disposal offsite.
9. Attach a description of proposed modifications to existing collection/treatment/disposal systems.
The facility is planning on replacing the current 550 gallon bulk tanks with 4000 gallon aboveground storage tanks. The SPCC Plan will be modified accordingly.
10. Attach a routine inspection and maintenance plan to ensure permit compliance.
Quarterly inspections of all tanks and containment structures will be performed as per the Facility SPCC Plan.

11. Attach a contingency plan for reporting and clean-up of spills or releases. Spills and/or releases of concern are in the truck loading/unloading area. Drainage from the truck loading station flows by gravity to the back of the storage slab. Leaks of spills that reach the back of the slab can either be pumped manually into another container or removed by the use of a vacuum truck for disposal at an NMOCD approved facility. An annual training session is held regarding spill prevention, response and reporting. This session incorporates a review of the requirements of the Facility SPCC Plan and of oil pollution prevention regulations. In the event of a release outside of secondary containment, notifications are made to the appropriate emergency contacts as listed in the SPCC Plan; see *Appendix B: Emergency Contacts* and *Appendix C: SPCC Plan*.

12. Attach geological/hydrological information for the facility. Depth to and quality of ground water must be included. The Animas River is located approximately 1 mile southeast of the facility. An ephemeral tributary of Flora Vista Arroyo is located approximately 540 feet to the northeast of the property.

There are no ground water monitor wells or water wells on the property.

Depth to ground water is approximately 35 feet below ground surface. There are 5 registered water wells within ¼ of a mile from this facility. Since these wells are for domestic use we anticipate that the water has less than 1000 ppm Total Dissolved Solids (Information estimated based on Waters Database from New Mexico Office of the State Engineer).

The site is loamy sands underlain by gravels to a depth of approximately 35 feet below the surface.

The property is not in a flood plain. Ephemeral washes intersecting the property are subject to temporary flow during seasonal storms.

All environmentally hazardous materials stored at Nalco Chemical Company are in secondary containment areas. Any run-off water from precipitation should be contained which would result in no contaminants leaving this facility.

13. Attach a facility closure plan, and other information as is necessary to demonstrate compliance with any other OCD rules, regulations and/or orders. In case of closure all parts and equipment will be sold/recycled/disposed of properly and contamination will be excavated and disposed of at a NMOCD permitted land farm facility. All closure procedures will follow OCD guidelines.

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: DAN TARVER Title: LOGISTICS MANAGER
Signature: [Handwritten Signature] Date: 12-19-2007
E-mail Address: jdtaever@NALCO.COM

Figures

Figure 1, Vicinity Map

Figure 2, Site Map



Source: Flora Vista, NM, 7.5 Minute U.S.G.S. Topographic Quadrangle Map
 Scale 1:24,000

Nalco Chemical Company
 Nalco Chemical Yard
 Flora Vista, NM

ENVIROTECH INC.

ENVIRONMENTAL SCIENTISTS & ENGINEERS
 5796 U.S. HIGHWAY 64
 FARMINGTON, NEW MEXICO 87401

PHONE (505) 632-0615

Vicinity Map

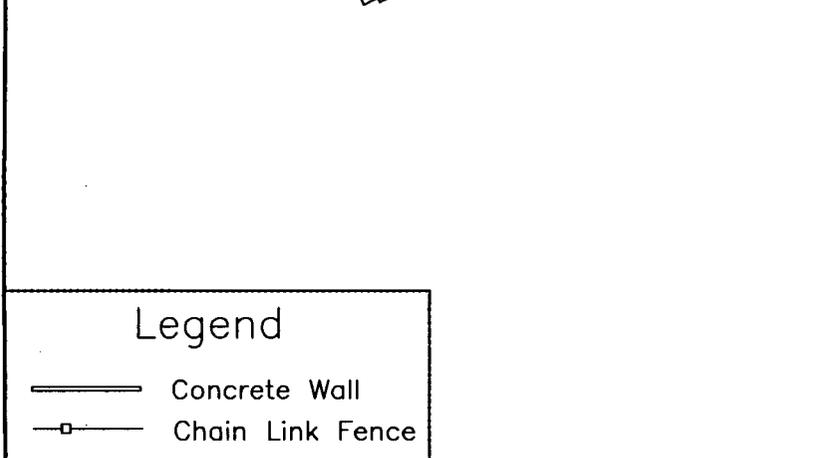
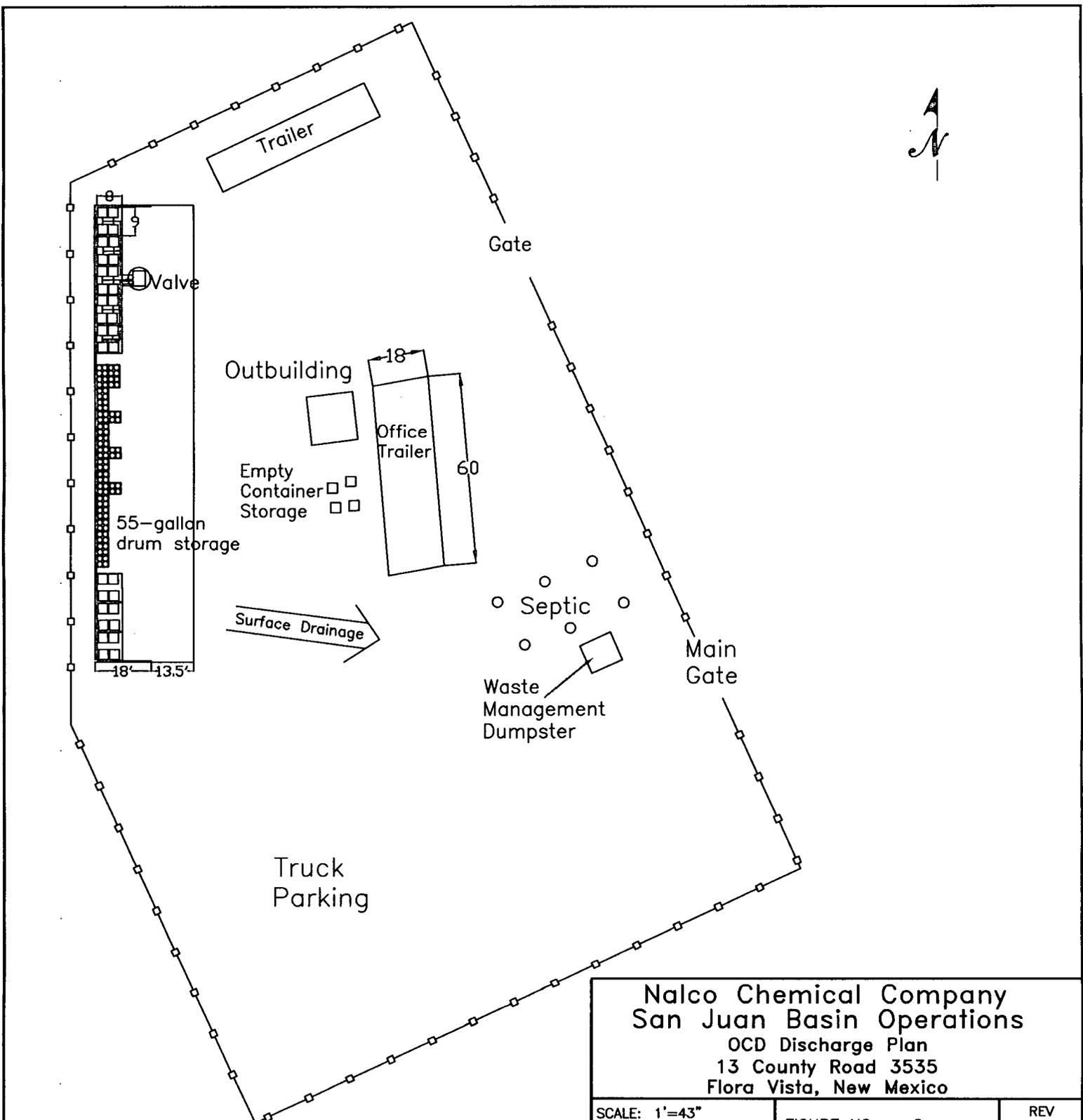
Figure 1

DRAWN BY:
 Robin Kibler

PROJECT MANAGER:
 Kyle P. Kerr

PROJECT # 07028-002

Date Drawn: 10/16/07



Nalco Chemical Company
 San Juan Basin Operations
 OCD Discharge Plan
 13 County Road 3535
 Flora Vista, New Mexico

SCALE: 1"=43"	FIGURE NO. 2	REV
PROJECT NO.07028-002		

REVISIONS			
NO.	DATE	BY	DESCRIPTION
MAP DRWN	RLK	11/6/2007	BASE DRWN

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Appendix A, Materials Stored and Used.

Appendix A: Materials Stored and Used

Material	Container Type	Typical Quantity	Description
EC1010A	Drum	1 drum	Other (Corrosion Inhibitor)
EC6085A	Drum	24 drums	Acids/Caustics
NALCO 7330	Drum	24 drums	Biocides
EC9021A	Drum	24 drums	Other (H2S Scavanger)
INC1842(03VG055)	Drum	24 drums	Detergents/Soaps
EC9573A(PR-9035)	Drum, Bulk Tank	24 drums	Paraffin Treatment/Emulsion Breaker
EC9037A	Drum	8 drums	Detergents/Soaps
EC2068A	Drum	4 drums	Acids/Caustics
EC6106A	Drum	4 drums	Biocides
EC2035A	Drum	16 drums	Paraffin Treatment/Emulsion Breaker
EC6231A	Drum	24 drums	Paraffin Treatment/Emulsion Breaker
NALCO 8940	Drum	36 drums	Acids/Caustics
EC1385A	Drum	8 drums	Drilling Fluid
EC6111A	Drum	24 drums	Biocides
DVE40008	Drum	16 drums	Other (Kerosene)
SOLVENT 150	Drum	30 drums	Solvents and Degreasers
EC6089A	Drum	8 drums	Acids/Caustics
EC9076A	Pail	4 Pails	Other (De-foamer)
EC1447W	Bulk Tank	2,000 gallons	Other (Corrosion Inhibitor)
00VD010	Bulk Tank	1,000 gallons	Other (Corrosion Inhibitor)
00VD070	Bulk Tank	2,000 gallons	Other (Corrosion Inhibitor)
04VD008	Bulk Tank	8,000 gallons	Other (Corrosion Inhibitor)
EC9021A	Bulk Tank	1,200 gallons	Other (H2S Scavanger)
DVE4D005	Bulk Tank	1,000 gallons	Other (Corrosion Inhibitor)
EC6496A	Bulk Tank	2,000 gallons	Solvents and Degreasers
EC2035A	Bulk Tank	200 gallons	Paraffin Treatment/Emulsion Breaker
METHANOL	Bulk Tank	1,600 gallons	Other (Methanol)

Appendix B, Emergency Contacts

EMERGENCY CONTACTS

Delivery Systems Supervisor: Dan Tarver	Office (806) 897-5600 Cell (806) 548-4594
Alternate Emergency Coordinator: Jimmy Halladay	Cell (505) 330-1824
Nalco A.L.E.R.T.:	1-800-424-9300
National Response Center	1-800-424-8802
San Juan County Fire Department	911 or (505) 334-6622
San Juan County Emergency Management Agency (Aztec Fire Department)	911 or (505) 334-6622
New Mexico State Emergency Management Agency (New Mexico Department of Transportation Spill Response)	(505) 476-9682
New Mexico State Spill Reporting Hotline	(505) 325-7547
24-hr. Emergency Response Contractors	1-800-510-8510

Appendix C, SPCC Plan.

NALCO Flora Vista Yard
 NE NW S22, T30N, R12W
 San Juan County, New Mexico
 Latitude: 36° 48.200'N Longitude: 108° 05.238'W



The tank storage facilities for the NALCO Flora Vista Yard are located approximately 900 feet west of Flora Vista Arroyo; and the Independent Ditch 0.5 miles to the southeast. Water not flowing into Independent Ditch will flow into the Animas River located approximately 0.9 miles to the southeast; see *Vicinity Map*.

POTENTIAL SPILL PREDICTIONS, VOLUMES, RATES AND CONTROL

ABOVEGROUND STORAGE TANKS

Contents	Tank Capacity (gallons)	Number of Tanks Onsite	Tank Construction	Tank Dimensions (Height x Width) (ft)	Shape & Alignment	Containment Structure
NALCO 04VD008	550	8	Steel	3.5 x 5	Square Vertical	Fiberglass Tank
NALCO 00VD070	550	4	Steel	3.5 x 5	Square Vertical	Fiberglass Tank
EC6496A	550	4	Steel	3.5 x 5	Square Vertical	Fiberglass Tank
NALCO DVE4D005	550	2	Steel	3.5 x 5	Square Vertical	Fiberglass Tank
Enercept 00VD010	550	2	Steel	3.5 x 5	Square Vertical	Fiberglass Tank

A maximum of four (4) tanks of similar contents are interconnected. Interconnected tanks are controlled by valves to prevent more than one (1) tank from emptying in the event of a failure. Tanks are contained inside fiberglass secondary containment. Piping for loading and unloading is located within a concrete structure which is enclosed on three (3) sides and is constructed so that liquids will run away from the open side. The concrete structure has dimensions of 160 feet by 20 feet.

Containment Calculation - NALCO Flora Vista Yard

Secondary Containment Calculations for Diked Storage Areas

Note: Thirty Two (32) 550 gallon AST's on site.
 Total Required Volume is 1.33 times tank volume or tank volume plus displacement from storm event which ever is greater.

Tank Battery		Dike Specifications (feet)		Tank size (gallons)	
Length	10	Tank size (gallons)	550	Tank Volume * 1.33 (gallons)	732
Width	9	Tank Width (feet)	5	Height of tank	3.5
Height of Tank	1.5	Number of AST's	32	Base of Tank Area = $3.14(r^2)$	17.5 ft ²

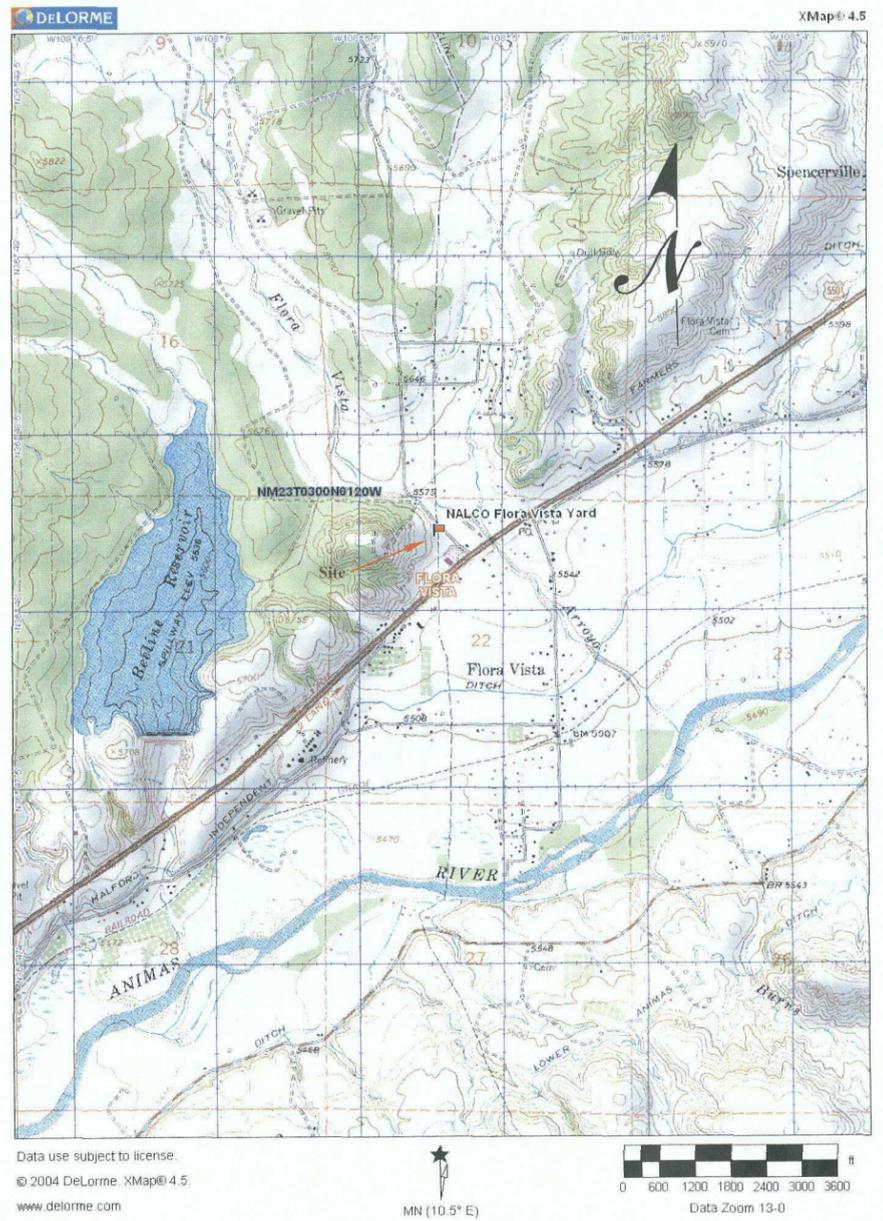
Sufficient Freeboard:
 100 yr.; 24 Hour Storm Event = 2.8" (estimate)
 Displacement from 100 year Storm = (Berm Length x Berm Width x 2.8 inches) = 21.0 ft³ / 157 gallons

1) Total Dike Volume = Length x Width x Height
 10 feet x 9 feet x 1.5 feet = 135 ft³

2) Displacement volume due to platforms = Number of legs * Area of legs * height of tank
 Tanks are stored on platforms with 4 legs measuring 3" square
 Displacement of legs of platforms = 0.75 ft² x 1.5 ft = 18.0 ft³

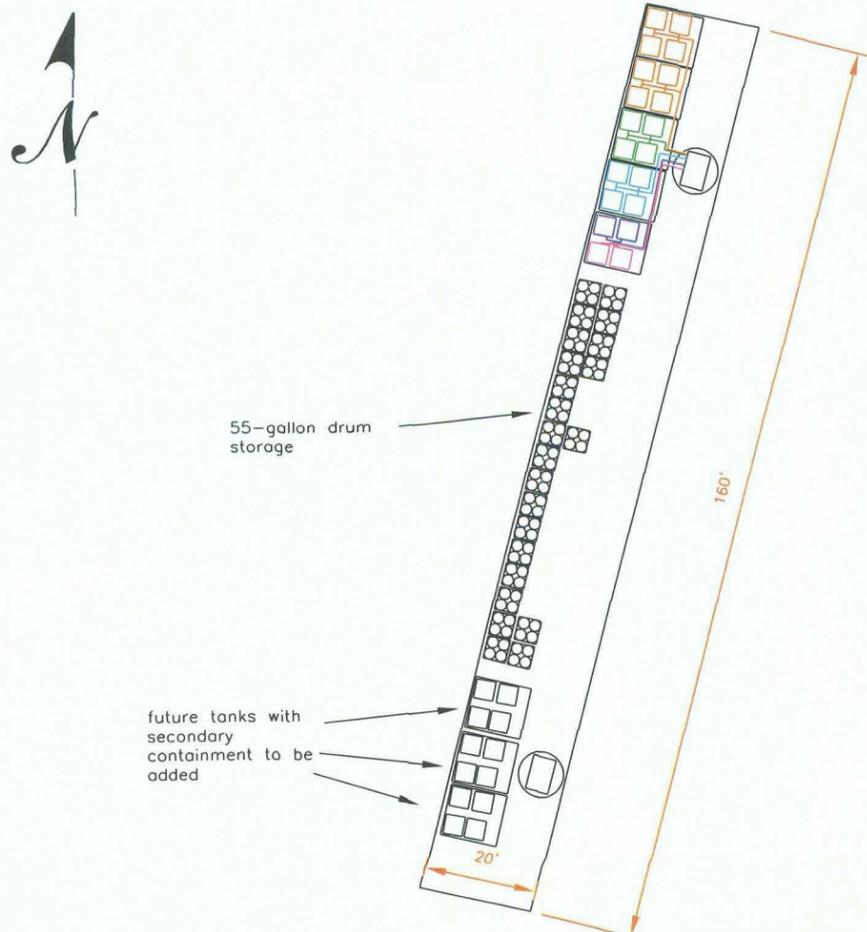
3) Available Dike Volume = (Total Dike Volume) - (Displacement Volume due to legs) - (Displacement from 100yr Storm)
 Note: Displacement volume from 100-yr storm is 0.0 if (1.33 * tank volume - tank volume) is greater than 157 gallons
 = 135 ft³ - 18.0 ft³ - 0.0 ft³
 = 117.0 ft³

4) Available dike volume of	21 bbl	117 ft ³	875 gallons
is more than the required containment volume of	17 bbl	98 ft ³	732 gallons



I hereby certify that I, or the person under my supervision, have examined the location, and being familiar with the provision of 40 CFR 112 attest that this drawing, as an attachment to the referenced SPCC Plan, has been prepared in accordance with good engineering practice.

Signature _____ NM Registration # _____



LEGEND

Above Ground Storage Tank Contents	
NALCO 04VD008	EC6496A
NALCO 00VD070	NALCO DVE4D005
	Enercept 00VD010

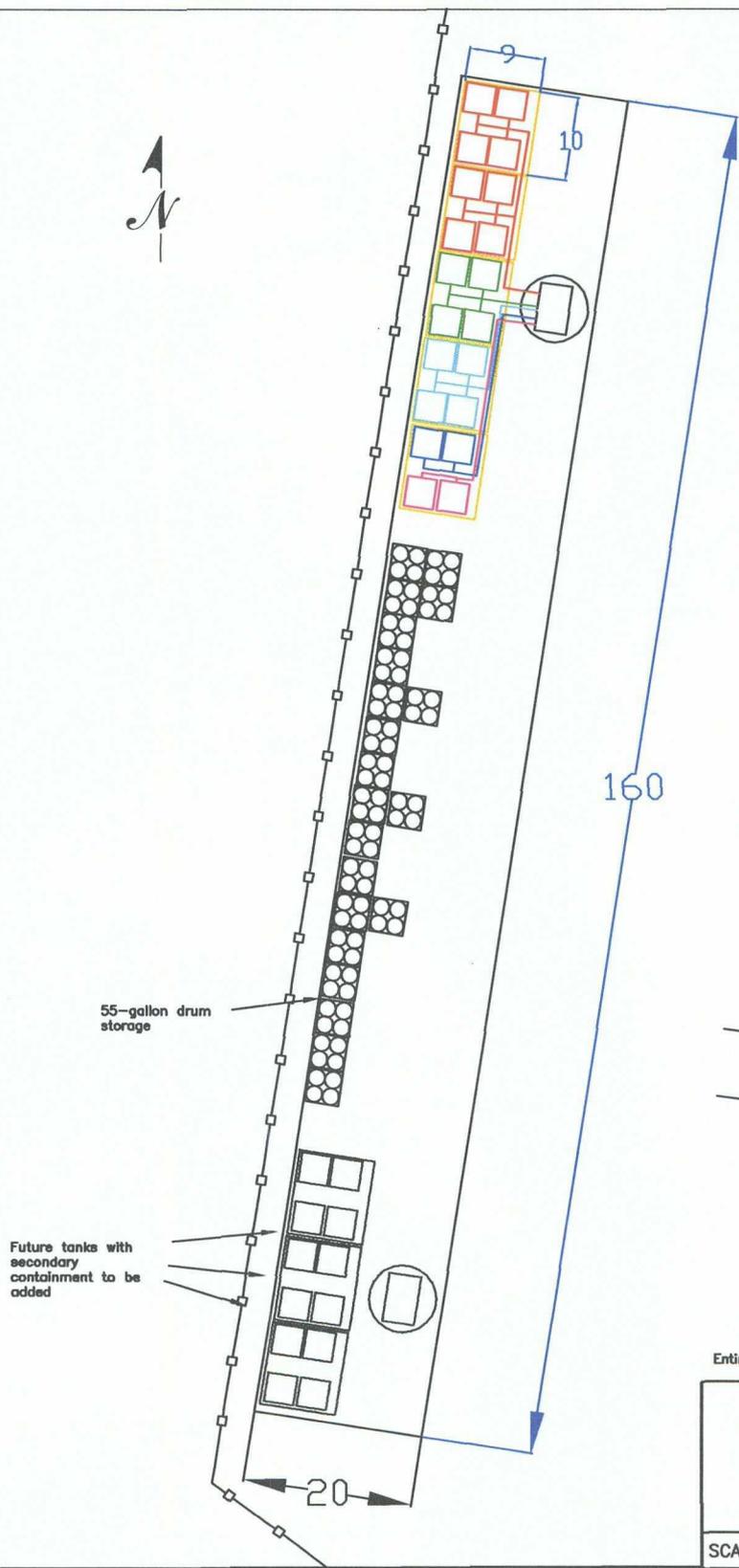
NALCO San Juan Basin Operations SPCC Plan for Flora Vista Yard

SCALE: 1" = 32' FIGURE NO. 2 REV
 PROJECT NO. 07028-001

REVISIONS

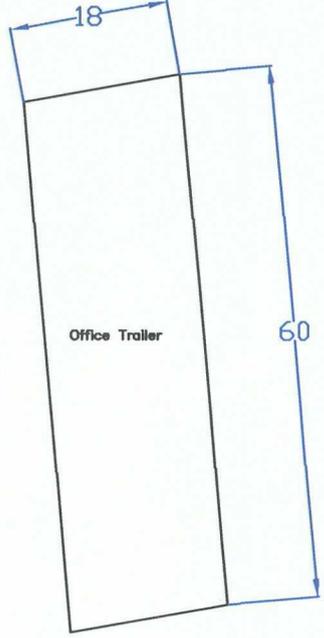
NO.	DATE	BY	DESCRIPTION
MAP DRWN	AIK	3/1/07	BASE DRWN AIK 3/1/07

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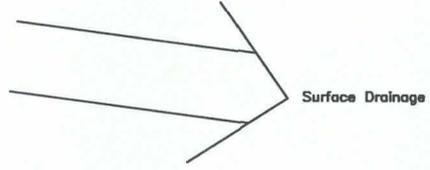


55-gallon drum storage

Future tanks with secondary containment to be added



Office Trailer



Surface Drainage

Entire site fenced (due to scale of drawing entire site not shown)

Legend

- Secondary Containment
 - Tanks w/ Secondary Containment to be Added
- Above Ground Storage Tank Contents (3.5')
- NALCO 04VD008
 - NALCO 00VD070
 - NALCO DVE4D005
 - Enercept 00VD010
 - EC6496A

NALCO Site Map for the Flora Vista Yard

SCALE: 1"=1'	FIGURE NO. 1	REV
PROJECT NO.07028-001		

REVISIONS					
NO.	DATE	BY	DESCRIPTION		
MAP DRWN	AIK	3/1/07	BASE DRWN	AIK	3/1/07

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ENVIROTECH

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SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN

Nalco Chemical Company

Stock Point 409 Flora Vista, New Mexico Facility

Revised September 7, 2007

This Spill Prevention Control and Countermeasure (SPCC) Plan has been prepared in accordance with good engineering practice and follows the guidelines contained in 40 CFR 112.7, as applicable to the Nalco Flora Vista New Mexico facility.

This plan has been reviewed and certified by a Registered Professional Engineer. Refer to the signature and seal at the end of the plan.

A complete copy of this plan will be maintained on-site, and made available to the USEPA Regional Administrator (upon request) during normal working hours.

This plan will be amended in accordance with applicable guidelines of 40 CFR 112.7 whenever there is a change in facility design, construction, operation or maintenance which materially affects the facility's potential for the discharge of oil into or upon the navigable waters of the United States or adjoining shore lines. Such amendments will be fully implemented as soon as possible, but not less than six months after such changes occur.

This plan will be reviewed and evaluated at least once every three years.

Any technical amendment to this plan will be reviewed and certified by a Registered Professional Engineer.

Revised September 7, 2007

Spill History (40 CFR 112.7(a))

There were no reportable oil spills within twelve months prior to the date of issuance of this plan.

II. POTENTIAL SPILL SCENARIOS (40 CFR 112.7(bb))**A. Site Drainage Patterns**

Spill containment and control measures for storage, processing and handling areas are described in Section V of this plan. In the unlikely event that an uncontrolled spill of oil-containing materials should occur outside of contained areas of the facility, the spill could enter roadway in front of the stock point and eventually flow into the desert.

B. Potential Spill Sources

Spill history for this facility indicates that discharges of oil spills are not probable. Within each of the drainage areas described above, the worst-case scenario for an uncontrolled spill in the uncontained areas would be loss of the contents of a full tank truck. Maximum vehicle capacity would be 3,000 gallons. All 32 bulk storage tanks for oil-containing materials equal to or greater than 550 gallons are provided with secondary containment.

Oil material storage, processing and handling activities are described in Section V of this plan.

III. MINIMUM PREVENTIONS AND CONTROL MEASURES (40 CFR 112.7(c))

Site drainage, and therefore any spilled material, will be controlled or directed by dikes, curbing and drainage systems in place. In addition, emergency supplies of absorbent material and temporary spill containment devices are available to block the path of a spill. Application of these measures is described for each type of oil handling activity, in Section V of this plan.

Revised September 7, 2007

IV. ADDITIONAL RESPONSE PROVISIONS (40 CFR 112.7 (d))

In addition to the measures described below for preventing discharge of oil spills, this facility will use the services of a 24-hour emergency response contractor to assist in control and clean-up of any spill that is beyond the capability of the plant personnel and equipment available.

Contact information for the 24-hour response contractor is included in the emergency contact list in Appendix A

IV. SPECIFIC PREVENTION AND CONTROL MEASURES (40 CFR 112.7(e))**A. Facility Drainage** (40 CFR 112.7(e)(1))

Drainage from the contained storage areas tank farms and drum storage can only be released by manually pumping the spilled material into another container by use of a vacuum truck.

Drainage from the truck loading station flows by gravity to the back of the storage slab. Leaks or spills that reach the back of the slab can either be pumped manually into another container or removed by use of a vacuum truck.

Drainage from uncontained areas of the facility is discharge as described in Section II.A. above. For spills that could reach the road, adsorbent booms and loose absorbent / fill materials will be used to block the spill path while material recovery equipment is brought in to remove the spilled material

See Appendix C for the plot plan.

B. Bulk Storage Tanks (40 CFR 112.7(e)(2))

Table 1 summarizes locations of bulk storage for oil-containing materials on site. All bulk tanks used for storage of these materials are constructed of materials that are compatible with the tank contents, and are designed for the storage conditions such as temperature and pressure.

Revised September 7, 2007

There are 32 550-gallon tanks at the site. Two tanks are manifold together and are in secondary containment together.

All aboveground tanks used for storage of oil-containing materials are located within concrete dikes. Dike capacities are sufficient to contain the largest tank in the dike, with sufficient freeboard to allow for precipitation.

As described in Section IV.A. above, drainage from the tank dikes is accomplished by manually pumping the drainage into another container or by use of a vacuum truck.

C. Facility Transfer Operations (40 CFR 112.7(e)(3))

Product will be pumped from the tanks into the Nalco vehicles. During loading the vehicle will be located on the concrete slab.

D. Facility Tank Truck Loading / Unloading Area (40 CFR 112.7 (e)(3))

Drainage from the tank truck unload station is collected in a sump at the back of the slab by gravity flow. It is manually pumped into another container or removed using a vacuum truck. The slab has the capacity to contain the volume of the largest vehicle compartment accessed during operation, 3,000 gallons.

Wheel chocks are used to prevent vehicles from departing before loading / unloading is complete. All drain valves on the vehicle are inspected before and after loading / unloading.

E. Inspections and Records (40 CFR 112.7 (e)(8))

A visual inspection of the oil storage areas will be completed every quarter, to inspect for evidence of leaks, spills or failure of containment structures. The inspection will be recorded on a log sheet similar to the sample provided in Appendix B. Completed log sheet will be submitted to Dan Tarver, for review. Appendix B, and will be retained for three years.

Inspections for the SPCC plan are included in the facility inspections schedule of the Site Environmental Compliance System Manual.

Revised September 7, 2007

F. Security (40 CFR 112.7 (e)(9))

The perimeter of the facility is secured by fencing. Access gates are locked during hours when the site is not attended.

Facility lighting is sufficient to allow discovery of spills or leaks that may occur during hours or darkness.

G. Personnel, Training and Spill Prevention Procedures (40 CFR 112.7 (e)(10))

An annual training session is held regarding spill prevention, response and reporting. This session incorporates a review of the requirements of this plan and of oil pollution prevention regulations.

The Delivery Systems Supervisor is the person designated as responsible for spill prevention at this facility.

V. PLANT CERTIFICATION

Having examined the Nalco Company Flora Vista facility and this plan, and being familiar with the requirements of 40 CFR 112, I hereby certify that this SPCC plan has been prepared in accordance with good engineering practices.

Signature _____

Name _____

Registration _____

Revised September 7, 2007

Appendix A

EMERGENCY CONTACTS

Delivery Systems Supervisor: Dan Tarver Office (806)-897-5600
Cell (806)-548-4594

Alternate Emergency Coordinator: Jimmy Halladay Cell (505)-330-1824

Nalco ALERT: (800)-424-9300

National Response Center: (800)-424-8802

San Juan County Fire Department: 911 or 334-6622

San Juan County Emergency Management Agency: 911 or 6622 (Aztec Fire Dept)

New Mexico Emergency Management Agency: (505)-476-9682

New Mexico Spill Reporting Hotline: (505)-325-7547

New Mexico PSTB: (505)-984-1741

24-hr. Emergency Response Contractors: Environmental Management Incorporated
(800)-510-8510

Revised September 7, 2007

Appendix B

SPCC INSPECTION FORM	
I. GENERAL DATA	
FACILITY:	DATE:
EVALUATOR (Name and Title):	
DATE OF LAST INSPECTION	
CERTIFICATION: <i>The findings of this inspection were discussed with all appropriate personnel, and areas of non-compliance were entered into CARS.</i>	
EVALUATOR (Signature & date)	

II. GENERAL FACILITY INSPECTION	YES	NO	MARGINAL	N/A
1. Security devices in place and operable? * Fence: Inspect perimeter for breaches, damage * Gates: Check for proper gate lock function * Lighting System: Check lights for operability / coverage * Tank security: Locks on tanks and pumps (as applicable)				
2. Safety/emergency equipment in adequate supply, accessible, good working condition? * Check protective gear (hard-hats, safety glasses, gloves) * Check internal/external communication systems (phone/radio) * Check Fire extinguishers: fully charged, current inspection tags, accessible * Check absorbent supply (booms, pads, granules) and shovels, brooms				
3. Surface water free of oil sheen, waste presence and odors? Site free of evidence of leaks or spills?				
III. TANKS, PIPING, AND CONTAINMENT STRUCTURES				
4. Secondary containment of adequate capacity and in good condition?				
5. Tank Auxiliary equipment (valves, piping, and pumps) free of deterioration and in good working condition?				
6. Tanks and foundation free of corrosion and deterioration?				
IV. REVIEW OF SPCC PLAN AND SPCC TRAINING				
7. Annual reviews, training and assessments and training conducted in accordance with SPCC Plan?				
V. CORRECTIVE ACTIONS: If any SPCC changes are necessary including repair or maintenance, describe change needed, and CARS issue number below. <i>NOTE: Amendments to the SPCC must be made within six months of any change in product storage. Upon completion of all necessary changes or repairs, the plan must be reviewed and amended to reflect the current site conditions. ADDITIONALLY, the plan must be re-certified by a Registered Professional Engineer.</i>				
CORRECTIVE ACTION	CARS ISSUE NUMBER			