

GW - 362

INSPECTION

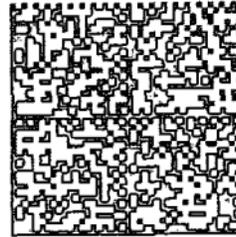
(Drain-lines, Sump, BGT, Site, etc.)

OIL CONSERVATION DIVISION
ENERGY MINERALS AND
NATURAL RESOURCES DEPARTMENT
1220 SOUTH SAINT FRANCIS DRIVE
SANTA FE, NEW MEXICO 87505

CERTIFIED MAIL™



7009 0080 0002 1498 8541



Hasler

016H16507300

\$05.54₀

10/20/2009

Mailed From 87505

US POSTAGE

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NO
RETURN

Mr. Clifford Stewart
Riverside Transportation
P.O. Box 1808
Carlsbac

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RT 11-8*

NIXIE 871 SE 1 84 12/03/09

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 87505422599 *0269-07062-20-38

87505422599





New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson

Governor
Joanna Prukop
Cabinet Secretary

Mark Fesmire
Division Director
Oil Conservation Division



**LETTER OF VIOLATION
OCTOBER 19, 2009**

**CERTIFIED MAIL
RETURN RECEIPT NO: 7009 0080 0002 1498 8541
RESPONSE REQUIRED**

Mr. Clifford Stewart
P.O. Box 1898
Carlsbad, N.M. 88221-1898

**Re: Riverside Transportation, GW-362
1006 E. Hwy 128, Jal N.M.
NW/4 NW/4 of Section 20, Township 25 South, Range 37 East**

Dear Mr. Stewart:

The Oil Conservation Division performed an unannounced inspection of the above stated facility on Wednesday, August 26, 2009. As a result of the inspection OCD concluded that Riverside Transportation is in **violation of their discharge permit, GW-362**. The following are the deficiencies determined from this inspection. (All photographs referenced below are located as an attachment):

1. **Photo 1:** KCL bags are not located on an impermeable pad with curbing. The bags have lost integrity and have dispersed on to the ground. Owner/operator shall refer to Condition 7 of their discharge permit for containment of such media.
Owner/Operator responded on December 5, 2008 to the pre-permit inspection conducted on December 19, 2006 to OCD indicating that "All granular KCL has been removed from property and is being used only as needed." Per the recent inspection there were signs of KCL bags in the same location as previously noted in the 2006 inspections.
2. **Photo 2 – 17:** Several areas within the yard show soil staining/contamination. Contaminated soils shall be promptly addressed. Best Management practices will be implemented in order to prevent spills from reoccurring. Refer to Conditions 15 and 18 of your permit for details. Note OCD Rule 116 is now Part 29. Reference all current rules and regulations for clean up. **No discharges are allowed under the discharge permit; refer to Condition 18 of their permit for details.**

OCD request that the Owner/Operator modify its discharge plan application per Condition 19 to provide for investigation, remediation, abatement, and monitoring requirements for any vadose zone or water pollution. Please promptly submit the specified Condition 19 modification changes for OCD approval.



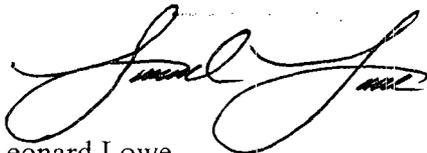
3. **Photo 18 & 19:** The Owner/Operator is reminded that waste shall not stay on site longer than 180 days without OCD approval. Refer to Condition 6.B. Note: OCD Rule 712 is now Part 35. Reference all current rules and regulations for proper waste disposal.
Owner/Operator responded to the OCD on December 2, 2008 indicating that all debris will be kept on a trailer within the yard. There was no sign of a trailer holding waste on site.
4. **Photo 20 & 24:** Proper maintenance of spill or catch containments needs to be addressed, refer to Condition 14 of permit for details. **No discharges are allowed under the discharge permit;** refer to Condition 18 of permit for details.
5. **Photo 21 – 25:** Tanks and barrels need to be properly stored on site. Reference Condition 7 & 9 of permit for details.
Owner/Operator responded to the OCD on December 5, 2008 indicating that it was addressing this issue by placing all empty tanks on a secondary containment. At the time of inspection in August, however, barrels were not properly located on secondary containment as required.

Owner/operator shall **immediately** confine all KCL to a proper impermeable area and address the leaking trailer in Photo 15.

OWNER/OPERATOR SHALL PERFORM THE ABOVE-LISTED ACTIONS AND SUBMIT TO THE OCD CONFIRMATION OF THE RESOLUTION TO THE ABOVE STATED ITEMS NO LATER THAN NOVEMBER 16, 2009.

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.

Sincerely,



Leonard Lowe
Environmental Engineer

xc: Daniel Sanchez, Enforcement and Compliance Manager, Santa Fe
Glenn von Gonten, Acting Environmental Bureau Chief, Santa Fe
Larry Johnson, Environmental Engineer, OCD District I Office, Hobbs
Geoffrey Leking, Environmental, OCD District I Office, Hobbs
Mikal Altomere, OCD Assistant General Counsel

OCD Inspection: Riverside Transportation, Jal GW - 362

Inspector(s): Leonard Lowe

Company Rep: None

Time: 13:50 – 14:35

Date: 08.26.09

Page 1



Photo 1: Broken bags of KCL located on wooden pallets. KCL dispersed on ground.



Photo 2: Staining in yard.



Photo 3: Staining in yard.



Photo 4: Staining in yard.



Photo 5: Used filters and soil staining.

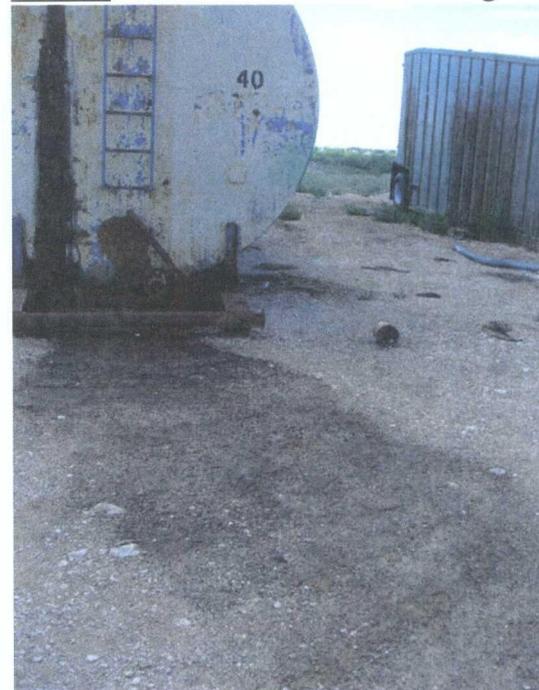


Photo 6: Staining from frac tank valve.

OCD Inspection: Riverside Transportation, Jal GW - 362

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Page 2



Photo 7: Close up of Photo 6.



Photo 10: White residual staining near tank.



Photo 8: Staining near equipment.



Photo 9: Staining near truck.



Photo 11: Used filters and hydrocarbon staining near back of yard.

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Page 3



Photo 12: Contents of barrel being discharged in excavated area.



Photo 15: Contents of barrel leaking on ground.



Photo 13: Improper location of barrels.



Photo 16: Dry drill cuttings located on ground.



Photo 14: Soil staining.



Photo 17: Overall view of photo 16.

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Page 4



Photo 18: Stored solid waste.



Photo 21: Improper location of saddle tanks.



Photo 19: Solid waste in Photo 18.



Photo 22: Improper placing of barrels.



Photo 20: Bins full of fluids. Staining on ground.



Photo 23: Improper storage of barrels.

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Page 5



Photo 24: Secondary containments full of fluids. Staining on ground.

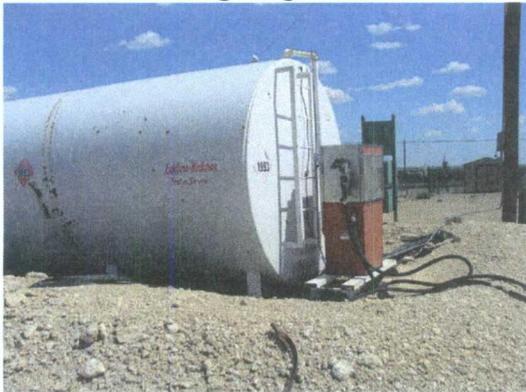


Photo 25: Improper lining of diesel tank.