

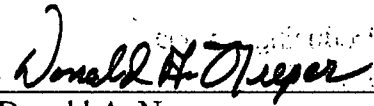
**STATE OF NEW MEXICO**  
**ENERGY, MINERALS AND NATGURAL RESOURCES DEPARTMENT**  
**OIL CONSERVATION COMMISSION**  
**APPLICATION OF THE NEW MEXICO OIL AND GAS ASSOCIATION AND**  
**APPLICATION OF THE INDEPENDENT PETROLEUM ASSOCIATION FOR THE**  
**AMENMENT OF CERTAIN PROVISIONS OF TITLE 19, CHAPTER 15 OF THE NEW**  
**MEXICO ADMINISTRATIVE CODE CONCERNING PITS, CLOSED-LOOP**  
**SYSTEMS, BELOW GRADE TANKS, AND SUMPS AND OTHER ALTERNATIVE**  
**METHODS RELATED TO THE FOREGOING MATTERS, STATEWIDE.**

CASE NO: 14784

**NOTICE OF INTENT TO PRESENT REBUTTAL TESTIMONY**

The New Mexico Citizens for Clean Air & Water (NMCCA&W) hereby offers notice of intent to present rebuttal testimony in response to the testimony of Mr. Thomas E. Mullins. Dr. Donald A. Neeper will present the rebuttal testimony. Copies of the exhibit, titled "NMCCA&W Exhibit R2," are attached. The presentation will take approximately 15 minutes.

Respectfully Submitted;



Donald A. Neeper  
authorized representative

*[Faint handwritten text]*

**CERTIFICATE OF SERVICE**

I certify that on this 21st day of June, 2012, I served an electronic or paper copy of the foregoing Notice of Intent to Present Rebuttal Testimony to the following persons, parties or their counsel.

Florene Davidson, EMNRD

florene.davidson@state.nm.us

New Mexico Oil and Gas Association

Holland and Hart, attorneys.

Fax 505-983-6043

wcarr@hollandhart.com

New Mexico Independent Producers Association

Karin Foster, Esq., Chatham Partners Inc.

fosterassociates2005@yahoo.com

New Mexico Oil & Gas Accountability Project

Eric Jantz, esq. New Mexico Environmental Law Center

ejantz@nmelc.org

Oil Conservation Division

New Mexico Department of Energy, Minerals, and Natural Resources

Gabrielle Gerholt, Esq.

gabrielle.gerholt@state.nm.us

New Mexico Wilderness Alliance

Judith Calman, Esq.

judy@nmwild.org

Nearburg Producing Company

James G. Bruce, Esq.

jamesbruce@aol.com


PO Box 1056

Santa Fe, NM 87504 505-982-2043

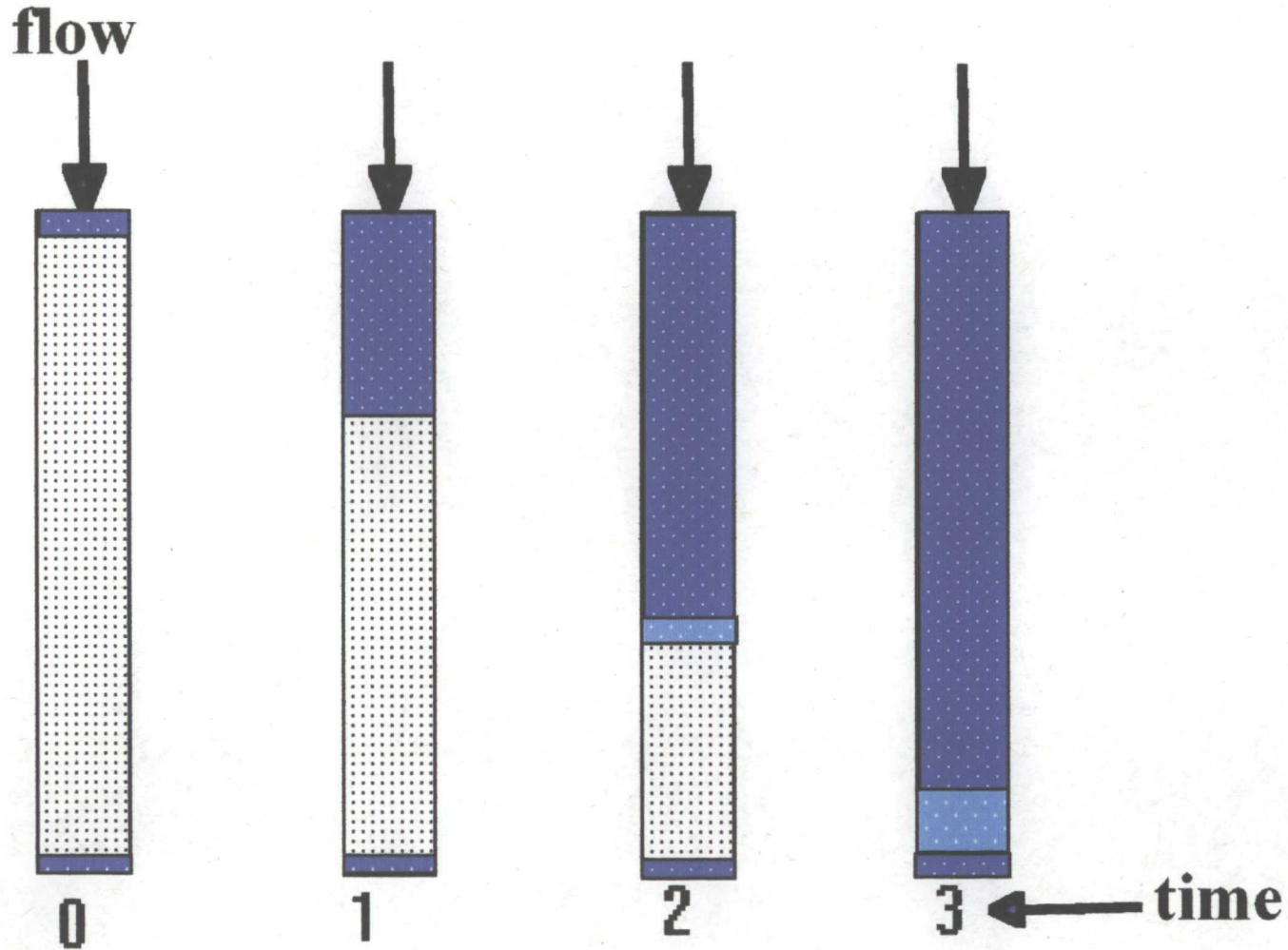
New Mexico State Land Office

Katherine M. Moss, Esq.

Fax 505-827-5766

  
\_\_\_\_\_  
Donald A. Neeper

# THE SITUATION (as represented by MULTIMED)



# SPEED OF ADVANCE OF FRONT

## EXAMPLE

volume flow rate (mm/yr) = porosity x saturation x speed

$$1 \text{ mm/yr} = 0.5 \times 0.3 \times \text{speed}$$

$$\text{speed} = 6.66 \text{ mm/yr}$$

time to travel 100 ft (30.5 m) is 4576 yr

25 ft (7.6 m) is 1144 yr

If infiltration  
is 1"/year

time to travel 25 ft is 46 yr

The protection inferred by the HELP model depends in part on the liner. Stabilization of a pit during in-place burial may damage the liner.



NMCCA&W Ex. R2

**Caprock Pit # 5 during subsurface sampling, 2007.**





**NEW DRAINAGE INTO PIT!**