

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 15 OIL AND GAS
PART 16 DRILLING AND PRODUCTION

This is an amendment to 19.15.16 NMAC, Sections 17 and 19, effective XX/XX/XXXX.

19.15.16.17 SHOOTING AND CHEMICAL TREATMENT OF WELLS: If completing, shooting, fracturing or treating a well [injures] has the potential to negatively impact the producing formation, injection interval, communicates with other strata, casing or casing seat and may create underground waste or contaminate fresh water, the operator shall within five working days notify in writing the division and proceed with diligence to use the appropriate method and means for rectifying the damage.

A. Diligence shall include but is not limited to verifying casing integrity and isolation of strata. This can include pressure testing in accordance with 19.15.25 NMAC, performing casing integrity logs, cement bond logs and any other means determined necessary by the operator or required by the division.

B. If damage from the shooting, fracturing or treating of a well has the potential to impact surface or groundwater, the operator will test for all chemicals disclosed in previous downhole operations and will use a third party, verified laboratory to conduct any in appropriate testing necessary to verify any potential impact. The testing shall include all chemicals used in the well and may also include but is not limited to PFAS, chemicals listed in 20.6.2 NMAC and chemicals listed in Subparagraph (e) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC. The division can elect to request more robust sampling than what is proposed by the operator if deemed necessary due to the nature of the potential chemicals.

C. If it is deemed there is an impact to surface or groundwater the operator shall report the impact as a major release in accordance with 19.15.29 NMAC and respond accordingly.

D. If testing reveals the presence of PFAS or undisclosed chemicals, the Division may revoke authorization to operate upon consideration of whether the current operator or a previous well owners' operations contributed to the presence of PFAS or undisclosed chemicals.

E. If completing, shooting, fracturing or chemical treating results in the well's irreparable injury the division may require the operator to properly plug and abandon the well and take any necessary actions to mitigate any resulting impacts.

[19.15.16.17 NMAC - Rp, 19.15.3.115 NMAC, 12/1/2008; 19.15.16.17 NMAC - Rn, 19.15.16.16 NMAC, 2/15/2012; A,xx/xx/2024]

19.15.16.19 LOG, COMPLETION AND WORKOVER REPORTS:

A. Completion report. Within 45 days after the completion of a well drilled for oil or gas, or the recompletion of a well into a different common source of supply, the operator shall file a completion report with the division on form C-105. For the purpose of 19.15.16.19 NMAC, a hole drilled or cored below fresh water or that penetrates oil- or gas-bearing formations or that an owner drills is presumed to be a well drilled for oil or gas. The operator shall signify on form C-105, or alternatively on form C-103, whether the well has been hydraulically fractured.

B. Hydraulic fracture disclosure. For a hydraulically fractured well, the operator shall also complete and file with the FracFocus chemical disclosure registry a completed hydraulic fracturing disclosure within 45 days after completion, recompletion or other hydraulic fracturing treatment of the well. The hydraulic fracturing disclosure shall be completed on a then current edition of the hydraulic fluid product component information form published by FracFocus and shall include complete and correct responses disclosing all information called for by the FracFocus form, provided that:

~~[(1) — the division does not require the reporting of information beyond the material safety data sheet data as described in 29 C.F.R. 1910.1200;~~

~~[(2)]~~ (1) the division does not require the reporting or disclosure of proprietary, trade secret or confidential business information; and

~~[(3)]~~ (2) the division shall download and archive New Mexico FracFocus submissions on a quarterly basis.

C. If the FracFocus chemical disclosure registry is temporarily inoperable, the operator of a well on which hydraulic fracturing treatment(s) were performed shall file the information required by the then most recent FracFocus form with the division along with Well Completion Report (form C-105) or Sundry Notice (form C-103) reporting the hydraulic fracture treatment and file the information on the FracFocus internet website when the website is again operable. If the FracFocus chemical disclosure registry is discontinued or becomes permanently

inoperable, the operator shall continue filing the information with the division until otherwise provided by rule or order.

- D. On or before [DATE], an operator shall provide the chemical disclosure list to:
- (1) All owners of minerals that are being developed at the well site;
 - (2) all surface owners, building unit owners, and residents, including tenants of both residential and commercial properties, that are within 5,280 feet of the well site;
 - (3) the state land office if the state owns minerals that are being developed at the well site;
 - (4) the federal bureau of land management if the United States owns the minerals that are being developed at the well site;
 - (5) to any tribe if the minerals being developed at the well site are within the exterior boundary of that tribe's reservation and are subject to the jurisdiction of the division;
 - (6) all schools, child care centers, and school governing bodies within 5,280 feet of the well site;
 - (7) police departments, fire departments, emergency service agencies, and first responder agencies that have a jurisdiction that includes the well site;
 - (8) local governments that have a jurisdiction within 5,280 feet of the well site;
 - (9) the administrator of any public water system that operates:
 - (a) A surface water public water system intake that is located 15 stream miles or less downstream from the well site;
 - (b) a groundwater source under the direct influence of a surface water public water system supply well within 5,280 feet of the well site; and
 - (c) a public water system supply well completed within 5,280 feet of the well site;
- and
- E. the chemical disclosure list must be disclosed to the above parties within 30 days after the operator's chemical disclosure to the division.

[19.15.16.19 NMAC - Rp, 19.15.13.1104 NMAC, 12/1/2008; 19.15.16.19 NMAC - Rn & A, 19.15.16.18 NMAC, 2/15/2012; A, 9/26/2017: A, xx/xx/2024]