

NM1 - _____50_____

**GENERAL
CORRESPONDENCE**

YEAR(S):

Sept. 2012 - Present

Jones, Brad A., EMNRD

From: Gerholt, Gabrielle, EMNRD
Sent: Tuesday, March 19, 2013 3:01 PM
To: Jones, Brad A., EMNRD
Cc: Dawson, Scott, EMNRD
Subject: FW: Crowe Blanco Permit Application

In preparation for a meeting with Crowe Blanco the week of the 25th.

From: Adam Rankin [mailto:AGRankin@hollandhart.com]
Sent: Tuesday, March 19, 2013 1:49 PM
To: Gerholt, Gabrielle, EMNRD; Dawson, Scott, EMNRD
Cc: Jeff Kendall
Subject: Crowe Blanco Permit Application

Dear Gabrielle and Scott,

We would like to meet with you and Brad Jones the week of March 25th to review the Division's Tentative Decision letter and to generally discuss supplemental information that Industrial Ecosystems is putting together to address each of the issues raised in the letter. We believe that the supplemental information will adequately address the bulk of the issues raised by the Division; however, there are some specific issues we would like to discuss in more detail when we meet.

In particular, we would like to discuss the following comments/issues raised in the Tentative Decision letter:

- **Page 2.3, Sheet 11 of 17, *Homes Within One Mile*:**

Please provide and/or identify the location of a plat and topographic map showing the surface waste management facility's location in relation to governmental surveys (quarter quarter section, township and range) of inhabited buildings within one mile of the site's perimeter. The one-mile assessment should mimic the proposed facility boundary/perimeter.

- **Page 6.3, 3.2 Form C-133:**

OCD recommends modifying the response to include verification of the C-133's obtained from drivers by checking the C-133 against the monthly updated approved C-133 hauler list located on the OCD website.

- **Page 6.9, 5.4 *Centrate Water*:**

The second paragraph references Subsection B of 19.15.34.12 NMAC. This provision applies to waste haulers and generators. If Crowe Blanco proposes to take "centrate water" off-site for disposal, please clarify and please address proper manifesting, use of an approved hauler, and identify potential off-site disposal facilities. If not, please omit.

[The Application proposes to apply centrate water to bio-piles to assist in the bio-remediation of the waste. IEI requests clarification on the Division's position on this practice.]

- **Page 6.10, 7.1 *Treatment Zone Monitoring*:**

Please modify the response to reflect that the "operator shall spread contaminated soils on the surface in eight-inch or less lifts or approximately 1000 cubic yards per acre per eight-inch lift" and to recognize that the treatment zone

monitoring is required to determine if an additional lift can be added to the biopile during its "under construction" phase as described in Sections 5.1 through 5.3 of the permit application.

[The Application proposes to use bio-piles, not lifts, but the bio-piles are designed to comply with the limits imposed by the regulations]

- **Page 6.14, 10.8 Run On/Off Water Control:**

In the third bullet in the second paragraph, please demonstrate compliance with Paragraphs (5) and (6) of 19.15.36.8.C NMAC regarding engineering designs and waste management associated with the proposal to "direct stormwater from the site to an on-site settling pond or series of ponds." Also, please provide additional information on the proposed use of the contaminated stormwater run-off for "dust control" in order for OCD to determine if the activity warrants permitting by the Water Quality Control Commission Regulations (see 20.6.2 NMAC).

- **Tab 19.15.36.8.C.9, Closure and Post Closure Plan:** [We want to discuss this portion of the application generally]

- **Page 9.6, Section 6, Landfarm Closure:**

The second sentence in the first paragraph proposes to "collect one sample composited from four discreet locations in each active "treatment" cell (1 sample for analysis for each of the four cells)..." Please clarify how the proposed sampling protocol for treatment zone closure standards will be applied when sampling biopiles and justify how the one composite sample will represent 40 individually built and developed biopiles per 10 acre landfarm cell.

- **Page 11.1, Run on/off Control Plan:**

In the third bullet in the second paragraph, please demonstrate compliance with Paragraphs (5) and (6) of 19.15.36.8.C NMAC regarding engineering designs and waste management associated with the proposal to "direct stormwater from the entire site to an on-site settling pond or series of ponds." Also, please provide additional information on the proposed use of the contaminated stormwater run-off for "dust control" in order for OCD to determine if the activity warrants permitting by the Water Quality Control Commission Regulations (see 20.6.2 NMAC).

- **Tab 19.15.36.8.C.15 Geological/Hydrological Data:** [We want to discuss this portion of the application generally]

- **Page 15.6**

In the fifth paragraph, please properly identify the "unconfined water level" as the "static water level" in the discussion.

Beyond these specific issues, and a general review of the supplemental information that Industrial Ecosystems is currently preparing, we would like to discuss whether and how this permit application can be approved without need to resort to a hearing and, if a hearing is necessary, what role the Division would take and what issues would need to be addressed at such a hearing.

Please let us know what specific dates would work for you to meet the week of March 25th. If that week does not work, please let us know of any dates that will work the following week. As you know, by the Division's regulations IEI has a deadline of 30 days from notice of the Division's Tentative Decision to file an application for a hearing. By my calculation, the deadline to file an application is April 10, which would put us on the May 16 docket, at the earliest.

Please let me know if you have any questions or if there are any specific topics relating to Crowe Blanco's application that the Division would like to address, as well.

Very best,
Adam

Adam G. Rankin

Holland & Hart LLP
110 North Guadalupe Suite 1
P.O. Box 2208
Santa Fe, NM 87504
Office: (505) 988-4421
Direct: (505) 954-7294
Cell: (505) 570-0377
Fax (505) 983-6043
E-mail: agrarkin@hollandhart.com
[Download vCard](#)
[Web Bio](#)

HOLLAND&HART 

CONFIDENTIALITY NOTICE: This message is confidential and may be privileged. If you believe that this email has been sent to you in error, please reply to the sender that you received the message in error; then please delete this e-mail. Thank you.

Jones, Brad A., EMNRD

From: Marcella Marquez <marcella@industrialecosystems.com>
Sent: Wednesday, March 06, 2013 4:18 PM
To: Lane, James, DGF; Wunder, Matthew, DGF; Allison, Arthur, DIA; ddapr@nmda.nmsu.edu; jjuen@blm.gov; psisneros@nmag.gov; r@rthicksconsult.com; sric.chris@earthlink.net; Parks, NM, EMNRD; Verhines, Scott, OSE; peggy@nmbg.nmt.edu; marieg@nmoga.org; Fetner, William, NMENV; lazarus@glorietageo.com; cnewman02@fs.fed.us; Kielling, John, NMENV; bsg@garbhall.com; Schoeppner, Jerry, NMENV; claudette.horn@pnm.com; ekendrick@montand.com; staff@ipanm.org; Gonzales, Elidio L, EMNRD; Leking, Geoffrey R, EMNRD; Dade, Randy, EMNRD; Bratcher, Mike, EMNRD; charlie.perrin@state.nm; Kelly, Jonathan, EMNRD; Powell, Brandon, EMNRD; Martin, Ed, EMNRD
Cc: Jones, Brad A., EMNRD; Bailey, Jami, EMNRD; Dawson, Scott, EMNRD; VonGonten, Glenn, EMNRD
Subject: Tentative Decision Letter to identified persons
Attachments: Tentative Decision Letter to identified persons.doc; Public Notice Ad.pdf
Importance: High

March 6, 2013

VIA EMAIL

TO INTERESTED PARTIES

Re: Permit application of Crowe Blanco Properties, LLC, operated by Industrial Ecosystems, Inc., to construct and operate a commercial Surface Waste Management Facility in Section 16, Township 29 North, Range 9 West, San Juan County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that the New Mexico Oil Conservation Division ("Division") has issued a tentative decision in the above-referenced application, filed with the Division on July 30, 2012. Pursuant to Rule 19.15.36.9.F(5) NMAC, the Division's tentative decision is available for public review on its Web site at <http://www.emnrd.state.nm.us/OCD/env-draftpublicetc.html>, or upon request from the Division clerk, Florene Davidson, at 1220 S. Saint Francis Drive, Santa Fe, New Mexico, 87505, or by calling (505) 476-3458. Enclosed with this letter is a copy of the Division-approved legal advertisement giving notice of the Division's tentative decision.

Crowe Blanco Properties, LLC, operated by Industrial Ecosystems, Inc. (49 County Road 3150, Aztec, New Mexico 87410) filed an application with the Division seeking approval to construct and operate a commercial Surface Waste Management Facility ("Facility") in Section 16, Township 29 North, Range 9 West, in the town of Blanco, San Juan County, New Mexico, located near mile-marker 75.77 on U.S. Highway 64. Access to the property is located off County Road 4445 and the Facility's west property line borders the east side of the Enterprise Manzanares Compressor Station site.

The proposed Facility will consist of approximately 206 permitted acres and will accept and remediate non-hazardous oilfield waste that is exempt from the federal Resource Conservation and Recovery Act and derived from oil and gas exploration and production activities. The depth to the shallowest aquifer beneath the area to be permitted is

approximately 52 feet. The groundwater in the aquifer has a concentration of total dissolved solids of approximately 4000 parts per million.

Pursuant to Division Rules, the Division Director shall allow a period of at least thirty days after the date of publication of this notice, during which time interested persons may submit comments or request that the Division hold a public hearing. Any interested person may file comments or request a hearing on the application with the Division clerk within 30 days after the date of this notice. Requests for a public hearing shall be in writing and set forth the reasons why a hearing should be held. A hearing will be held if (1) the Division has proposed to deny the application or grant it subject to conditions not expressly required by rule, and Crowe Blanco Properties, LLC requests a hearing; (2) the Director determines that there is significant public interest; (3) the Director determines that comments have raised objections that have probable technical merit; or, (4) determination of the application requires the Division, pursuant to Paragraph (3) of Subsection F of 19.15.2.7 NMAC, to determine whether a water source has a present or reasonably foreseeable beneficial use that contamination would impair.

The Division may issue a permit for the proposed Facility upon finding that the conditions of 19.15.36.9 and 11 NMAC have been met and that the Facility can be constructed and operated in compliance with applicable statutes and rules, and without endangering fresh water, public health, safety or the environment. Should the application proceed to hearing, parties wishing to present testimony or evidence are required by Division Rule 19.15.4.13.B NMAC to file a pre-hearing statement and serve copies on other parties or, for parties that are represented, their attorneys no later than 5 p.m. on the Thursday preceding the scheduled hearing date at the Division's Santa Fe office at the above-specified address. Pre-hearing statements should include the following information: (1) the names of the parties and their attorneys; (2) a concise statement of the case; (3) the names of all witnesses the party will call to testify at the hearing; (4) the approximate time the party will need to present its case; and (5) identification of any procedural matters that are to be resolved prior to the hearing. Hearings are conducted before Division Hearing Examiners, and persons testifying are required to do so under oath and on the record.

Respectfully,

A handwritten signature in black ink, appearing to read 'Terry Lattin', with a stylized flourish at the end.

Terry Lattin, GM/President



**Industrial Ecosystems Inc.
Soil Reclamation Center**

P.O. Box 2043
Farmington, NM 87499

Phone: (505) 632-1782
Fax: (505) 632-1876

#49 CR 3150
Aztec, NM 87410

April 17, 2013

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO INTERESTED PARTIES

Re: Permit application of Crowe Blanco Properties, LLC, operated by Industrial Ecosystems, Inc., to construct and operate a commercial Surface Waste Management Facility in Section 16, Township 29 North, Range 9 West, San Juan County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that the New Mexico Oil Conservation Division ("Division") has issued a tentative decision in the above-referenced application, filed with the Division on July 30, 2012. Pursuant to Rule 19.15.36.9.F(5) NMAC, the Division's tentative decision is available for public review on its Web site at <http://www.emnrd.state.nm.us/OCD/env-draftpublicetc.html>, or upon request from the Division clerk, Florene Davidson, at 1220 S. Saint Francis Drive, Santa Fe, New Mexico, 87505, or by calling (505) 476-3458. Enclosed with this letter is a copy of the Division-approved legal advertisement giving notice of the Division's tentative decision.

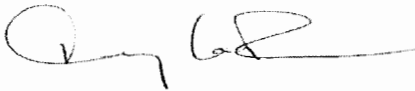
Crowe Blanco Properties, LLC, operated by Industrial Ecosystems, Inc. (49 County Road 3150, Aztec, New Mexico 87410) filed an application with the Division seeking approval to construct and operate a commercial Surface Waste Management Facility ("Facility") in Section 16, Township 29 North, Range 9 West, in the town of Blanco, San Juan County, New Mexico, located near mile-marker 75.77 on U.S. Highway 64. Access to the property is located off County Road 4445 and the Facility's west property line borders the east side of the Enterprise Manzanares Compressor Station site.

The proposed Facility will consist of approximately 206 permitted acres and will accept and remediate non-hazardous oilfield waste that is exempt from the federal Resource Conservation and Recovery Act and derived from oil and gas exploration and production activities. The depth to the shallowest aquifer beneath the area to be permitted is approximately 52 feet. The groundwater in the aquifer has a concentration of total dissolved solids of approximately 4000 parts per million.

Pursuant to Division Rules, the Division Director shall allow a period of at least thirty days after the date of publication of this notice, during which time interested persons may submit comments or request that the Division hold a public hearing. Any interested person may file comments or request a hearing on the application with the Division clerk within 30 days after the date of this notice. Requests for a public hearing shall be in writing and set forth the reasons why a hearing should be held. A hearing will be held if (1) the Division has proposed to deny the application or grant it subject to conditions not expressly required by rule, and Crowe Blanco Properties, LLC requests a hearing; (2) the Director determines that there is significant public interest; (3) the Director determines that comments have raised objections that have probable technical merit; or, (4) determination of the application requires the Division, pursuant to Paragraph (3) of Subsection F of 19.15.2.7 NMAC, to determine whether a water source has a present or reasonably foreseeable beneficial use that contamination would impair.

The Division may issue a permit for the proposed Facility upon finding that the conditions of 19.15.36.9 and 11 NMAC have been met and that the Facility can be constructed and operated in compliance with applicable statutes and rules, and without endangering fresh water, public health, safety or the environment. Should the application proceed to hearing, parties wishing to present testimony or evidence are required by Division Rule 19.15.4.13.B NMAC to file a pre-hearing statement and serve copies on other parties or, for parties that are represented, their attorneys no later than 5 p.m. on the Thursday preceding the scheduled hearing date at the Division's Santa Fe office at the above-specified address. Pre-hearing statements should include the following information: (1) the names of the parties and their attorneys; (2) a concise statement of the case; (3) the names of all witnesses the party will call to testify at the hearing; (4) the approximate time the party will need to present its case; and (5) identification of any procedural matters that are to be resolved prior to the hearing. Hearings are conducted before Division Hearing Examiners, and persons testifying are required to do so under oath and on the record.

Respectfully,

A handwritten signature in black ink, appearing to read 'Terry Lattin', with a long horizontal flourish extending to the right.

Terry Lattin
GM/President



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P.O. Box 2043
Farmington, NM 87499

Phone: (505) 632-1782
Fax: (505) 632-1876

#49 CR 3150
Aztec, NM 87410

February 22, 2013

State of NM-EMNRD
1220 South St. Francis Drive
Santa Fe, NM 87505
Attn: Mr. John Bemis

Re: Crowe Blanco Properties, LLC Surface Waste Management Facility Permit Application

Dear Mr. Bemis:

On August 8, 2011, we met with you, Lt. Governor John Sanchez, Chief of Staff Rod Montoya, Deputy Cabinet Secretary Brett Woods, and Division Director Jami Bailey to discuss issues we were having with NMOCD regarding our current SWMF permit and our Application to Permit a new SWMF facility near Blanco, NM.

At the meeting, we discussed several issues specific to our new permit application. We voiced our concerns over having to drill ten monitoring wells, which you agreed was excessive, along with other requests the Division was making that were outside the scope of the regulations. We also discussed the excessive time it took to review the initial application. The initial application was received by NMOCD on November 18, 2009. As per Section 19.15.36.8.E NMAC, "If the division determines that the application is not administratively complete, the division shall notify the applicant of the deficiencies in writing within 30 days after the application's receipt and state what additional information is necessary." We did not receive a reply from the Division until April 27, 2010. This reply was received a little over five months from the date the application was received, well beyond the thirty-day timeframe specified in the regulations.

2 more hearing gone. one confirmed, one unconfirmed. > 2 different years. individually not equivalent.

Since we have previously met with you and Lt. Governor John Sanchez regarding this matter and you both graciously extended your assistance with any future issues, we are sending this letter to you to apprise you of the current status of our permit application, which we intend to bring to hearing before an examiner of the Division at the April 18th Examiner Hearing.

As of today, we have formally submitted the permit application three times for approval and are now working on our fourth re-submittal with additions/changes that the Division has specifically requested. We have complied with these requests; however, we feel that several requests are outside of the regulations, many of which are unreasonable.

Our last re-submission of the permit application, received by NMOCD on July 30, 2012, contained all of the required documentation specified in 19.15.36.8 NMAC. Although we have been complying with the Division's requests for additional information and/or changes to the application, we realized that we were no closer to moving on to the next step of the permitting process than we were when we met with you two

years ago. With this in mind, we decided to consult our attorney to discuss our options for moving forward with the application process. Once the attorneys became involved, we were provided with a letter dated October 10, 2012, from NMOCD stating that our application had been determined "Administratively Complete," which allowed us to proceed with the 19.15.36.9 notification process.


The notification process requires us to serve notice letters to surface owners within one-half mile and any affected federal, tribal or pueblo agencies. After public notice, 19.15.36.9.D NMAC, states, "Within 60 days after the end of the public comment period provided in Subsection C of 19.15.36.9 NMAC, the division shall issue a tentative decision concerning the application, renewal or modification, including proposed conditions for approval or reasons for disapproval, as applicable." On February 7, 2013, I received an email reply from Glenn von Gotten with a copy of the Tentative Decision from NMOCD stating that our permit application is "deficient" and disapproved and indicating exactly what changes/modifications are needed.

Although the permit was determined to be "Administratively Complete," the Tentative Decision disapproved our permit application because it was "deficient." Since the deficiencies (not missing information, just information needing changes) were listed on the letter, we question why the permit was denied altogether, instead of being granted approval conditioned upon correction of the noted deficiencies.

Our attorney is in the process of requesting a hearing on the permit application. In the interim, he has contacted the Division's attorney, Ms. Gabrielle Gerholt, to request a meeting with her and Mr. Dawson to discuss this matter further and to hopefully narrow the issues that must be addressed at the hearing.

We appreciate your earlier offer to help advance our permit application the last time we met and would appreciate any assistance and/or recommendations you can now offer that will help us address the Division's concerns so that our permit application can be appropriately approved as being protective of fresh water, public health, safety, and the environment.

Respectfully,



Marcella Marquez
HSE Administrator



Terry Lattin
GM/President

They have to provide notice 90 days before a permit is issued.

notice to be given to the public.

They have to provide notice to the public.

following permit is issued by the state.

Permitting process will continue.

Jones, Brad A., EMNRD

From: Jones, Brad A., EMNRD
Sent: Wednesday, February 06, 2013 3:35 PM
To: Hansen, Edward J., NMENV
Cc: VonGonten, Glenn, EMNRD; Dawson, Scott, EMNRD
Subject: Crowe Blanco Properties, LLC Blanco Landfarm Tentative Decision
Attachments: 2013 0207 OCD Tentative Decision Blanco LF Final.pdf

Mr. Hansen,

Would please post the attached tentative decision on the OCD website (Environmental Bureau's Notice section) pursuant to Subsection D of 19.15.36.9 NMAC? Thank you for your assistant in this matter.

Mr. Jones

Brad A. Jones
Environmental Engineer
Environmental Bureau
NM Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, New Mexico 87505
E-mail: brad.a.jones@state.nm.us
Office: (505) 476-3487
Fax: (505) 476-3462

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

John Bemis
Cabinet Secretary

Brett F. Woods, Ph.D.
Deputy Cabinet Secretary

Jami Bailey
Division Director
Oil Conservation Division



CERTIFIED MAIL RECEIPT # 7099 3220 0009 7873 0721

February 7, 2013

John P. Crowe
Secretary
Crowe Blanco Properties, LLC
1015 West 54th Street
Kansas City, Missouri 64112

**RE: Tentative Decision
Crowe Blanco Properties, LLC – Blanco Landfarm
Facility Location: W/2 and SW/4 SE/4 of Section 16, Township 29 North, Range 9
West NMPM
San Juan County, New Mexico**

Dear Mr. Crowe:

Pursuant to 19.15.36.9(D) NMAC, the Oil Conservation Division (OCD) has completed the technical review of Crowe Blanco Properties, LLC's (Crowe Blanco) revised application, dated July 30, 2012, for a commercial surface waste facility permit for the Blanco Landfarm. OCD has determined that Crowe Blanco's permit application is deficient and hereby disapproves it. OCD's reasons for disapproval are enclosed. OCD's tentative decision has also been posted on the OCD's webpage at <http://www.emnrd.state.nm.us/OCD/env-draftpublicetc.html>.

Given OCD's tentative decision, Crowe Blanco is now required to issue notice of the tentative decision in accordance with 19.15.36.9(E) NMAC. This must include, but not limited to, notice by first class mail or email to the OCD's list of interested parties (found at <http://www.emnrd.state.nm.us/OCD/env-draftpublicetc.html>) and by first class mail to the following person(s) that contacted the OCD regarding the application:

Ms. Joellen M. Bolli
P.O. Box 579
Blanco, NM 87412

Crowe Blanco Properties, LLC
Blanco Landfarm
February 7, 2013
Page 2 of 12

In addition, Crowe Blanco must notice by first class mail or email the governmental agencies listed in the application as noticed for the application. Crowe Blanco may also pursue the additional option of requesting a hearing in accordance with 19.15.36.10(A) NMAC.

If there are any questions regarding this matter, please do not hesitate to contact Brad Jones at (505) 476-3487 or brad.a.jones@state.nm.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Dawson", with a long horizontal flourish extending to the right.

Scott Dawson
Deputy Director

SD/baj

Attachments: Review Comments

Cc: OCD District III Office, Aztec w/ attach
Terry Lattin, Industrial Ecosystems, Inc., 49 CR 3150, Aztec, NM 87410 w/ attach

Review Comments
Crowe Blanco Properties, LLC – Blanco Landfarm
Commercial Surface Waste Management Facility
February 7, 2013

Tab 19.15.36.8.C.2, Plat & Topographic Map:

Page 2.0:

Please provide and/or identify the location of a plat and topographic map showing the surface waste management facility's location in relation to governmental surveys (quarter-quarter section, township and range) of springs within one mile of the site's perimeter.

Page 2.1, Sheet 1 of 17, *Boundary Survey*:

Please provide and/or or identify the location of a map or plat that identifies the "206 +- (permitted) acres" for which Crowe Blanco is requesting a surface waste management facility permit. The total of the surveyed area is identified on the plat as 276.74 acres, as illustrated within the Lot 5 area. The plat identifies the acreage of each lot which adds up to a total of 329.69 acres.

Page 2.3, Sheet 11 of 17, *Homes Within One Mile*:

Please provide and/or identify the location of a plat and topographic map showing the surface waste management facility's location in relation to governmental surveys (quarter-quarter section, township and range) of inhabited buildings within one mile of the site's perimeter. The one-mile assessment should mimic the proposed facility boundary/perimeter.

Tab 19.15.36.8.C.4, Facility Description & Diagram:

Page 4.1:

Please provide and/or or identify the location of the detailed construction/installation diagram of the lined, bermed features "around disposal areas to capture contaminated stormwater" as mentioned in other sections of the permit application.

Page 4.2, Sheet 1 of 17, *Boundary Survey*:

Please provide and/or or identify the location of a map or plat that identifies the "206 +- (permitted) acres" for which Crowe Blanco is requesting a surface waste management facility permit.

Tab 19.15.36.8.C.5, Engineering Design & Technical Data:

Page 5.5, Sheet C105, *Typical Site Cross Section, Section C-C*:

Please provide a cross-section illustration across the proposed building to clarify if the impoundment liner system extends beneath the building or how the liner installation will occur around the building foundation.

Page 5.9, Sheet C109, *Septic System Design*:

Please provide and/or or identify the location of technical data on the design elements of the proposed septic system if it is being proposed as an applicable treatment, remediation and disposal method for the oil field waste received. If it represents a domestic sewage system that

Crowe Blanco is seeking a permit from the New Mexico Environment Department, please omit engineering design of the septic system from the application for OCD's consideration of approval.

Tab 19.15.36.8.C.6, Management Plan:

Page 6.3, 3.2 Form C-133:

OCD recommends modifying the response to include verification of the C-133's obtained from drivers by checking the C-133 against the monthly updated approved C-133 hauler list located on the OCD website.

Page 6.4, 4.1 Flowchart for Waste Acceptance/Disposal:

Please modify the flowchart to demonstrate that the "Soil/Gravel & Drill Cuttings (solids)" will be subject to the paint filter test for compliance with Subsection A of 19.15.36.15 NMAC.

Please modify the flowchart to demonstrate that "virgin" soils will be subject to chloride testing, after being used for solidification of tank bottom and/or drill cuttings fluids, prior to placement into a landfarm cell and compliance with Subsection A of 19.15.36.15 NMAC.

Page 6.9, 5.4 Centrate Water:

The second paragraph references Subsection B of 19.15.34.12 NMAC. This provision applies to waste haulers and generators. If Crowe Blanco proposes to take "centrate water" off-site for disposal, please clarify and please address proper manifesting, use of an approved hauler, and identify potential off-site disposal facilities. If not, please omit.

Page 6.10, 7.1 Treatment Zone Monitoring:

Please modify the response to reflect that the "operator shall spread contaminated soils on the surface in eight-inch or less lifts or approximately 1000 cubic yards per acre per eight-inch lift" and to recognize that the treatment zone monitoring is required to determine if an additional lift can be added to the biopile during it's "under construction" phase as described in Sections 5.1 through 5.3 of the permit application.

The response states that "a landfarm cell would be 4 biopiles per acre = 40 biopiles per landfarm cell (10 acre cells)." Please provide and/or reference the location of a map that illustrates the 10 acre landfarm cells that indicates the number of usable acres, within the 10 acre cells, that is available for landfarming.

Page 6.10, 7.2 Semi-Annual Monitoring:

Please modify the response to reflect the required test method of 418.1 for TPH, as "specified below" in Paragraph (3) of 19.15.36.15.F NMAC.

Page 6.12, 8.0 Treatment Zone Closure Performance Standards:

Please modify the response to reflect the required test method of 418.1 for TPH in Paragraph (3) of 19.15.36.15.F NMAC.

Page 6.14, 10.8 Run On/Off Water Control:

In the second bullet in the second paragraph, please demonstrate compliance with Paragraphs 4 through 6 of 19.15.36.8.C NMAC regarding detailed construction/installation diagrams, engineering designs, and waste management associated with the proposed use of “liners and berms around disposal areas to capture contaminated stormwater and process wastewater.”

In the third bullet in the second paragraph, please demonstrate compliance with Paragraphs (5) and (6) of 19.15.36.8.C NMAC regarding engineering designs and waste management associated with the proposal to “direct stormwater from the site to an on-site settling pond or series of ponds.” Also, please provide additional information on the proposed use of the contaminated stormwater run-off for “dust control” in order for OCD to determine if the activity warrants permitting by the Water Quality Control Commission Regulations (see 20.6.2 NMAC).

In the sixth bullet in the second paragraph, please demonstrate compliance with Paragraphs (4) and (5) of 19.15.36.8.C NMAC regarding the proposed locations within the facility, detailed construction/installation diagrams, and engineering designs associated with the proposal to “seal above ground fuel and chemical additive storage areas with liners and berms...”

Page 6.15, 11.0 *Records Management*:

Please modify the response to discuss all of the record management provisions of 19.15.36 NMAC, including 19.15.36.13.F NMAC, 19.15.36.13.G NMAC, 19.15.36.13.L NMAC, 19.15.36.13.P NMAC, Paragraph (9) of 19.15.36.15.C NMAC and Paragraph (4) of 19.15.36.15.E NMAC.

Page 6.25, Addendum H, *Allowable Chloride in Water Calculation*:

Due to the default parameters for the volume of soil and water, as identified on the spreadsheet, contaminated water cannot be applied to a biopile while “under construction.” The spreadsheet only considers the application of 80 barrels of centrate wastewater or contaminated stormwater added to 750 cubic yards of contaminated soils. The “under construction” phase is completed once a biopile reaches approximately 750 cubic yards or the proposed design dimensions of a 12’ base x 4’ top x 8’ height x 316’ length. Please modify the appropriate sections of the *Management Plan* to identify the limitations associated with applying contaminated water to a biopile. Also, please provide an electronic version of the spreadsheet.

Tab 19.15.36.8.C.7, Inspection & Maintenance Plan:

Page 7.1, Table 1:

Please modify the frequency of task for Freestanding Liquids to demonstrate compliance to all of the requirements of Paragraph (8) of 19.15.36.15.C NMAC. The regulatory language and sources (centrate and contaminated stormwater) of pooling of liquids does not recognize the proposed limit of consideration to a “storm.”

Please modify the proposed inspection frequency for Retention Ponds to correctly reflect the inspection requirements of “quarterly and after a major rainfall or windstorm” pursuant to Paragraph (3) of 19.15.36.13.L NMAC. The proposed volume of “0.5” or greater” is not recognized in the regulation.

Page 7.2, *Inspection and Maintenance Checklist:*

Please modify the proposed inspection frequency for Freestanding Liquids to demonstrate compliance to all of the requirements of Paragraph (8) of 19.15.36.15.C NMAC. The regulatory language does not recognize the proposed limit of consideration to “after a storm event.”

Tab 19.15.36.8.C.8, Hydrogen Sulfide Contingency Plan:

Page 8.4, Section IV, *Regulatory Threshold:*

Please demonstrate compliance with Paragraphs (4) through (6) of 19.15.36.8.C NMAC regarding the proposed locations within the facility and detailed construction/installation diagrams regarding chemical storage, and engineering designs and technical data on the design elements of the proposed treatment of liquid waste with “H2S Breaker.” Please provide the required information under the appropriate provisions and/or regulatory tab headings.

Page 8.5, Section IV, *Activation Levels:*

In the fourth paragraph, please identify the instrument or device the emergency coordinator will use to monitor the area for H2S “manually” and ensure that the proposed equipment possess the capabilities and function provided in the written description.

Page 8.6, Section V: *General Evacuation Procedures For Buildings/Facility Occupants:*

In the third procedure, please identify the “appropriate PPE” that the emergency coordinator will require to search for any remaining personnel.

Page 8.6, Section VI: *Disabled Occupants:*

Please identify the “appropriate supplied air/oxygen breathing device” that will be provided to disabled occupants waiting for assistance.

Page 8.10, Section XII: *Training and Communications:*

Please modify the response to identify the specific type of training required by Subparagraph (d) of 19.15.11.9.B.(2) NMAC, such as training of residents on the proper protective measures to be taken in the event of a release and briefing of public officials on issues such as evacuation or shelter-in-place plans.

Page 8.16:

Several pieces of equipment are mentioned or alluded to for use under the proposed contingency plan. Please “include information on the availability and location of necessary safety equipment and supplies” as required of Subparagraph (a) of 19.15.11.9.B.(2) NMAC and ensure that the proposed equipment possesses the capabilities of its proposed task.

Tab 19.15.36.8.C.9, Closure and Post Closure Plan:

Page 9.3, Section 1, *Introduction:*

In the third paragraph, please clarify the condition that all other previously active landfarm cells will be in while IEI utilizes “up to four active cells for treatment of contaminated soils.” OCD requires this information to determine if the proposed closure activities and closure costs are appropriate.

Page 9.5, Section 5, *Processing Area Closure*:

The proposed written sampling protocol does not coincide with the cost estimates for soil sampling and laboratory costs on page 9.8. Please compare and modify appropriately.

In the first sentence of the third paragraph, please identify in the written response the constituents for analysis regarding the proposed two five-point surface samples and modify the cost estimates on page 9.8 appropriately. In the second sentence of the third paragraph, please identify all of the constituents required under the treatment zone closure performance standards identified in Paragraphs (1-5) of 19.15.36.13.F NMAC. Also, please explain and clarify what will happen to soils covering the liner if the proposed “no additional action will be taken” is determined.

Page 9.5, Section 6, *Landfarm Closure*:

Please modify the paragraph to demonstrate compliance to the semi-annual vadose zone monitoring requirements of Subsection E of 19.15.36.15 NMAC, while the proposed treatment of contaminated soils continues.

Page 9.6, Section 6, *Landfarm Closure*:

The second sentence in the first paragraph proposes to “collect one sample composited from four discreet locations in each active “treatment” cell (1 sample for analysis for each of the four cells)...” Please clarify how the proposed sampling protocol for treatment zone closure standards will be applied when sampling biopiles and justify how the one composite sample will represent 40 individually built and developed biopiles per 10 acre landfarm cell.

In the first sentence of the third paragraph, please modify the response to recognize that “the landfarm remediation area is filled in with native soil” pursuant to Subparagraph (c) of 19.15.36.18.D.(4) NMAC after the removal of soils that cannot be or have not been remediated to the closure standards specified in Subsection F of 19.15.36.13 NMAC.

Page 9.6, Section 8, *Other Closure Procedures & Re-Vegetation*:

In the second paragraph, please modify the response to recognize that the operator shall maintain the “cover through two successive growing seasons” pursuant to Paragraph (6) of 19.15.36.18.A NMAC.

Page 9.7, Table 1: *Facility Closure Testing Requirements*:

When addressing the testing of soils above the liner, in the row titled *Processing Area Closure*, please modify the response to include all of the required testing to demonstrate compliance with the treatment zone closure performance standards specified in Subsection F of 19.15.36.15 NMAC. Also, please modify the vadose zone standards, for the soils beneath the liner, to “higher of the PQL or background” for all of the proposed constituents.

Page 9.8, Table 2: *Processing Area Closure*:

In the second half/section of Table 2, under the heading *Labor costs for soils sampling*, please modify the proposed number of samples to coincide with the written protocol so that the protocol and table match. Under the heading *Laboratory costs*, please modify appropriately to demonstrate that all of the samples are proposed for testing. Please modify the proposed number of samples to coincide with the written protocols and limit the test requirements for the

constituents listed in Subsections A and B of 20.6.2.3103 NMAC to as “determined by EPA SW-846 methods 6010B or 6020 or other methods approved by the division.”

Page 9.9, Table 3: *Landfarm Closure*:

In the second section of Table 3, under the heading *Landfarm Monitoring (semi-annual)*, please modify the table and laboratory costs to demonstrate compliance to the required laboratory analytical testing of DRO/DRO combined by EPA Method 8015M as required in Subsection F of 19.15.36.15 NMAC. Also, please modify the table appropriately to clarify that TPH by method 418.1 is required in Subsections E and F of 19.15.36.15 NMAC.

In the fifth section of Table 3, under the heading *Laboratory costs*, please compare the proposed 20.6.2.3103 testing to the required constituents identified in Paragraph (5) of 19.15.36.15.F NMAC. Please limit the test requirements for the constituents listed in Subsections A and B of 20.6.2.3103 NMAC to as “determined by EPA SW-846 methods 6010B or 6020 or other methods approved by the division” and adjust laboratory costs appropriately.

Tab 19.15.36.8.C.10, Contingency Plan:

Pages 10.10 through 10.14, Section XI, *Control & Response Actions*:

A demonstration of compliance with 19.15.29 NMAC and 19.15.30 NMAC is not requested under Subsection N of 19.15.36.13 NMAC. Pursuant to Subsection K of 19.15.36.13 NMAC, “The operators shall comply with the spill reporting and corrective action provisions of 19.15.30 NMAC or 19.15.29 NMAC.” These are separate regulations that are to be pursued outside of the requirements of Part 36 and are not requested to be the basis or incorporated into the contingency plan. Please propose a contingency plan that demonstrates compliance and is based upon to the requirements Subsection N of 19.15.36.13 NMAC.

Please describe the actions surface waste management facility personnel shall take in response to fires, explosions or releases to air, soil, surface water or ground water of contaminants or oil field waste containing constituents to minimize hazards to fresh water, public health, safety or the environment as required of Paragraph (1) of 19.15.36.13.N NMAC. The described actions should be carried out immediately to minimize hazards to fresh water, public health, safety or the environment from fires, explosions or an unplanned sudden or non-sudden release of contaminants or oil field waste to air, soil, surface water or ground water.

Page 10.14, Section XII, *Prevention of Recurrence or Spread*:

The last sentence of the second paragraph proposed to place a leaking “component” in secondary containment “unless it is above ground and can be readily inspected.” Please modify the response to acknowledge the repair of the leaking component prior to returning it to service.

Page 10.15, Section XIII, *Correction and/or Remediation*:

Please modify the response to identify and/or list procedures for investigation, containment and correction or remediation as required of Paragraph (6) of 19.15.36.13.N NMAC.

Page 10.15, Section XIV, *Incompatible Waste*:

Please modify the response and describe how the incompatible released material is treated, stored or disposed of until cleanup procedures are complete as required of Paragraph (13) of 19.15.36.13.N NMAC.

Page 10.15, Section XVI, *Incident Investigation*:

Please modify the response and describe how the emergency coordinator will immediately identify the character, exact source, amount and extent of released materials and describe how the emergency coordinator will concurrently assess possible (direct and indirect) hazards to fresh water, public health, safety or the environment as required of Paragraph (10) of 19.15.36.13.N NMAC.

Page 10.15, Section XVII, *Post-Emergency Waste Treatment, Storage, & Disposal*:

Please modify the response and describe how the emergency coordinator will provide for treating, storing or disposing of recovered oil field waste, or other material that results from a release, fire or explosion at a surface waste management facility, immediately after an emergency, as required of Paragraph (12) of 19.15.36.13.N NMAC.

Page 10.16, Section XVIII, *Emergency Equipment*:

Please identify the number, types, and available air (time) for the proposed respiratory protection equipment and SCBA(s). Please identify the number, types, and capabilities of the proposed H₂S monitors as required of Paragraph (4) of 19.15.36.13.N NMAC. Please identify the capabilities of all of the proposed equipment.

Page 10.17, Section XIX, *Coordination Arrangements*:

Throughout the contingency plan, there is the statement "More detailed reporting requirements are contained in Section XIX." This section does not address report requirements. Please make the appropriate modification throughout the contingency plan.

Page 10.17, Section XX, *Availability and Revision of the Contingency Plan*:

The written response references Section XVIII, *Emergency Equipment*, as the source for the list of "local authorities/organizations." Please provide the correct reference.

Tab 19.15.36.8.C.11, Run on/off Control Plan:

Page 11.1

In the second bullet in the second paragraph, please demonstrate compliance with Paragraphs (4) through (6) of 19.15.36.8.C NMAC regarding detailed construction/installation diagrams, engineering designs, and waste management associated with the proposal to "use liners and berms around disposal areas to capture contaminated stormwater and process water."

In the third bullet in the second paragraph, please demonstrate compliance with Paragraphs (5) and (6) of 19.15.36.8.C NMAC regarding engineering designs and waste management associated with the proposal to "direct stormwater from the entire site to an on-site settling pond or series of ponds." Also, please provide additional information on the proposed use of the contaminated stormwater run-off for "dust control" in order for OCD to determine if the activity warrants permitting by the Water Quality Control Commission Regulations (see 20.6.2 NMAC).

In the sixth bullet in the second paragraph, please demonstrate compliance with Paragraphs (4) and (5) of 19.15.36.8.C NMAC regarding detailed construction/installation diagrams and engineering designs associated with the proposal to “seal above ground fuel and chemical additive storage areas with liners and berms...” The engineered drawings provided in Section 19.15.36.8.C.5, *Engineering Designs & Technical Data*, do not illustrate the above-mentioned features as described.

Page 11.17, Sheet 5 of 17, *Retention Dikes and Details*, H/5: Manure Stockpile Containment Detail:

Please demonstrate compliance with Paragraphs (4) and (5) of 19.15.36.8.C NMAC regarding detailed construction/installation diagrams and engineering designs by illustrating the design depth of the proposed v-ditch feature and the design height of the proposed berm feature.

Tab 19.15.36.8.C.14, Best Management Practices:

Page 14.3, Section 2.5, *Obligations of General Personnel*:

In the second paragraph, please demonstrate compliance with Paragraphs (5) and (6) of 19.15.36.8.C NMAC regarding engineering designs for containment and waste management associated with the generation of a waste “residue” from personnel washing out and washing down equipment.

Page 14.7, Section 5, *Stormwater*:

Please see comments above provided for page 11.1 of Section 19.15.36.8.C.11 above, *Run on/off Control Plan*.

Tab 19.15.36.8.C.15, Geological/Hydrological Data:

Page 15.6

In the fifth paragraph, please properly identify the “unconfined water level” as the “static water level” in the discussion.

In the last partial paragraph, the first sentence indicates that it was not possible to obtain the static water levels in MW-9 and MW-10 back in July 2011. At this point in time, data should have been obtained, incorporated, and discussed in this section of the permit application. Please obtain the data and update the ground water assessment.

Pages 15.40 and 15.41, Lithologic Fence Diagrams:

Please continue the elevation lines across the diagrams to ensure that formations and ground water are properly illustrated. Also, please correct and modify the lithologic diagrams that are located on or within inappropriate elevations.

Page 15.51, Water Measurements:

The first table is titled, *Unconfined Condition*. The measured water elevations at the end of the table, identified “UNCONFINED” are actually the measured “static” water elevations. Please properly identify the data.

The second table is titled, *Confined Condition*. This table includes monitoring well data from wells that were installed in an unconfined aquifer. Please modify the information in the table appropriately or properly identify the data.

Page 15.52, Results of Three Point Analysis:

Footnotes 2 and 3 indicate that the “flow directions and gradient represent the confined (naturally occurring) condition.” If the data used was from the second table on page 15.51 titled, *Confined Condition*, then an inappropriate use and comparison of data was completed. The current combined comparison of confined and unconfined data is not appropriate for the determination of flow direction and gradient. A comparison of the confined aquifer data is appropriate. A comparison of the unconfined aquifer data is appropriate. A comparison of the static water levels might be appropriate if the other two comparisons do not suggest more than one aquifer. Please determine or demonstrate if there is more than one water bearing zone beneath the proposed facility and then determine the appropriate flow direction and gradient.

Page 15.53, Groundwater Elevations and Direction of Flow Map – Confined Conditions:

The map inappropriately demonstrates the combined comparison of confined and unconfined aquifer data, which is not appropriate for the determination of flow direction and gradient. Please provide a proper assessment that demonstrates the confined aquifer data.

Page 15.54, Interpretation of Flow Map – Confined Conditions:

The map inappropriately demonstrates the combined comparison of confined and unconfined aquifer data, which is not appropriate for the determination of flow direction. Please provide a proper assessment that demonstrates the confined aquifer data.

Page 15.55, Interpretation of Groundwater Elevation – Unconfined Conditions:

The map seems to illustrate the “static” water levels obtained after the monitoring wells were installed, except where the confined aquifer elevations were used for MW-9 and MW-10. Please see the comments for Page 15.52, Results of Three Point Analysis and complete the assessment to determine if there is more than one water bearing zone beneath the proposed facility.

Tab SPCC, Spill Prevention Control & Countermeasures:

Page 13, Section 3.1, *Containment and Diversionary Structures*, Secondary Containment:

Please demonstrate compliance with Paragraphs (4) and (5) of 19.15.36.8.C NMAC regarding detailed construction/installation diagrams and engineering designs by illustrating the “0.5 % north-south slope at the elevation of the liner to the liquid collection point” design feature of the secondary containment for the processing area.

Regarding the discussion of the diesel tank, please modify to properly identify the proposed “12,000-gallon earthen vehicle fueling secondary containment” as an earthen stormwater run-off containment feature to capture contaminated run-off from the fueling station. Sheet C107 of the application and Figure 4 of the SPCC plan properly illustrates the primary containment of the fuel tank installed in the secondary containment of the stock tank. Also, please clarify or justify why the proposed stormwater run-off containment feature is proposed without a liner.

Page 15, Section 3.5.1, *Secondary Containment for Vehicles:*

Please see the comment in the paragraph above, for Page 13, Section 3.1, and please modify the text to properly identify the proposed features and clarify or justify why the proposed stormwater run-off containment feature is proposed without a liner.

Page 18, Section 3.10.2, *Inspections at saltwater (oil field brine) disposal facility:*

OCD has been unable to locate any additional information requesting consideration of the permitting of a saltwater disposal facility within the permit application. Section 19.15.36.8.C.6, *Management Plan*, of the permit application does not identify saltwater or oilfield brine as proposed waste streams to be accepted at the facility. Please update the permit application to address the new waste stream or make the appropriate modifications to this section.

Figure 3, *Processing Containment Area:*

Please identify the proposed illustrated features within the building. Also, the two bermed tanks within the northeast portion of the processing area are identified as "400 bbl Hydrocarbon Containment Tanks." In Section 19.15.36.8.C.5, *Engineering Design & Technical Data*, of the permit application, the proposed site plan illustrated on Sheets C104 and the plan view illustrated on Sheets C108 indicates the same area and tanks for tank bottoms and rinsate. Please modify the appropriate section to clarify the contents of the proposed above-grade tanks.

Figure 4, *Diesel Containment Area:*

The note provided in the lower right-hand corner states "See Sheet C108 For Tank Details." Sheet C108 does not illustrate the tank details. Please provide the correct reference.

Appendix 6, *Emergency Spill Procedures:*

This appendix has been added to the *Spill Prevention Control & Countermeasures Plan* in order to demonstrate compliance to Paragraph (10) of 19.15.36.8.C NMAC regarding releases to the ground surface. Please submit a complete contingency plan under the tab heading *19.15.36.8.C.10, Contingency Plan* that demonstrates compliance to the provision and does not provide portions of the contingency plan elsewhere within the permit application.

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See Reverse for Instructions

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

John Bemis
Cabinet Secretary

Brett F. Woods, Ph.D.
Deputy Cabinet Secretary

Jami Bailey
Division Director
Oil Conservation Division



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February 7, 2013

John P. Crowe
Secretary
Crowe Blanco Properties, LLC
1015 West 54th Street
Kansas City, Missouri 64112

RE: Tentative Decision
Crowe Blanco Properties, LLC – Blanco Landfarm
Facility Location: W/2 and SW/4 SE/4 of Section 16, Township 29 North, Range 9
West NMPM
San Juan County, New Mexico

Dear Mr. Crowe:

Pursuant to 19.15.36.9(D) NMAC, the Oil Conservation Division (OCD) has completed the technical review of Crowe Blanco Properties, LLC's (Crowe Blanco) revised application, dated July 30, 2012, for a commercial surface waste facility permit for the Blanco Landfarm. OCD has determined that Crowe Blanco's permit application is deficient and hereby disapproves it. OCD's reasons for disapproval are enclosed. OCD's tentative decision has also been posted on the OCD's webpage at <http://www.emnrd.state.nm.us/OCD/env-draftpublicetc.html>.

Given OCD's tentative decision, Crowe Blanco is now required to issue notice of the tentative decision in accordance with 19.15.36.9(E) NMAC. This must include, but not limited to, notice by first class mail or email to the OCD's list of interested parties (found at <http://www.emnrd.state.nm.us/OCD/env-draftpublicetc.html>) and by first class mail to the following person(s) that contacted the OCD regarding the application:

Ms. Joellen M. Bolli
P.O. Box 579
Blanco, NM 87412

Crowe Blanco Properties, LLC
Blanco Landfarm
February 7, 2013
Page 2 of 12

In addition, Crowe Blanco must notice by first class mail or email the governmental agencies listed in the application as noticed for the application. Crowe Blanco may also pursue the additional option of requesting a hearing in accordance with 19.15.36.10(A) NMAC.

If there are any questions regarding this matter, please do not hesitate to contact Brad Jones at (505) 476-3487 or brad.a.jones@state.nm.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Dawson", with a long horizontal flourish extending to the right.

Scott Dawson
Deputy Director

SD/baj

Attachments: Review Comments

Cc: OCD District III Office, Aztec w/ attach
Terry Lattin, Industrial Ecosystems, Inc., 49 CR 3150, Aztec, NM 87410 w/ attach

Review Comments
Crowe Blanco Properties, LLC – Blanco Landfarm
Commercial Surface Waste Management Facility
February 7, 2013

Tab 19.15.36.8.C.2, Plat & Topographic Map:

Page 2.0:

Please provide and/or identify the location of a plat and topographic map showing the surface waste management facility's location in relation to governmental surveys (quarter-quarter section, township and range) of springs within one mile of the site's perimeter.

Page 2.1, Sheet 1 of 17, *Boundary Survey*:

Please provide and/or or identify the location of a map or plat that identifies the "206 +- (permitted) acres" for which Crowe Blanco is requesting a surface waste management facility permit. The total of the surveyed area is identified on the plat as 276.74 acres, as illustrated within the Lot 5 area. The plat identifies the acreage of each lot which adds up to a total of 329.69 acres.

Page 2.3, Sheet 11 of 17, *Homes Within One Mile*:

Please provide and/or identify the location of a plat and topographic map showing the surface waste management facility's location in relation to governmental surveys (quarter-quarter section, township and range) of inhabited buildings within one mile of the site's perimeter. The one-mile assessment should mimic the proposed facility boundary/perimeter.

Tab 19.15.36.8.C.4, Facility Description & Diagram:

Page 4.1:

Please provide and/or or identify the location of the detailed construction/installation diagram of the lined, bermed features "around disposal areas to capture contaminated stormwater" as mentioned in other sections of the permit application.

Page 4.2, Sheet 1 of 17, *Boundary Survey*:

Please provide and/or or identify the location of a map or plat that identifies the "206 +- (permitted) acres" for which Crowe Blanco is requesting a surface waste management facility permit.

Tab 19.15.36.8.C.5, Engineering Design & Technical Data:

Page 5.5, Sheet C105, *Typical Site Cross Section, Section C-C*:

Please provide a cross-section illustration across the proposed building to clarify if the impoundment liner system extends beneath the building or how the liner installation will occur around the building foundation.

Page 5.9, Sheet C109, *Septic System Design*:

Please provide and/or or identify the location of technical data on the design elements of the proposed septic system if it is being proposed as an applicable treatment, remediation and disposal method for the oil field waste received. If it represents a domestic sewage system that

Crowe Blanco is seeking a permit from the New Mexico Environment Department, please omit engineering design of the septic system from the application for OCD's consideration of approval.

Tab 19.15.36.8.C.6, Management Plan:

Page 6.3, 3.2 Form C-133:

OCD recommends modifying the response to include verification of the C-133's obtained from drivers by checking the C-133 against the monthly updated approved C-133 hauler list located on the OCD website.

Page 6.4, 4.1 Flowchart for Waste Acceptance/Disposal:

Please modify the flowchart to demonstrate that the "Soil/Gravel & Drill Cuttings (solids)" will be subject to the paint filter test for compliance with Subsection A of 19.15.36.15 NMAC.

Please modify the flowchart to demonstrate that "virgin" soils will be subject to chloride testing, after being used for solidification of tank bottom and/or drill cuttings fluids, prior to placement into a landfarm cell and compliance with Subsection A of 19.15.36.15 NMAC.

Page 6.9, 5.4 Centrate Water:

The second paragraph references Subsection B of 19.15.34.12 NMAC. This provision applies to waste haulers and generators. If Crowe Blanco proposes to take "centrate water" off-site for disposal, please clarify and please address proper manifesting, use of an approved hauler, and identify potential off-site disposal facilities. If not, please omit.

Page 6.10, 7.1 Treatment Zone Monitoring:

Please modify the response to reflect that the "operator shall spread contaminated soils on the surface in eight-inch or less lifts or approximately 1000 cubic yards per acre per eight-inch lift" and to recognize that the treatment zone monitoring is required to determine if an additional lift can be added to the biopile during its "under construction" phase as described in Sections 5.1 through 5.3 of the permit application.

The response states that "a landfarm cell would be 4 biopiles per acre = 40 biopiles per landfarm cell (10 acre cells)." Please provide and/or reference the location of a map that illustrates the 10 acre landfarm cells that indicates the number of usable acres, within the 10 acre cells, that is available for landfarming.

Page 6.10, 7.2 Semi-Annual Monitoring:

Please modify the response to reflect the required test method of 418.1 for TPH, as "specified below" in Paragraph (3) of 19.15.36.15.F NMAC.

Page 6.12, 8.0 Treatment Zone Closure Performance Standards:

Please modify the response to reflect the required test method of 418.1 for TPH in Paragraph (3) of 19.15.36.15.F NMAC.

Page 6.14, 10.8 Run On/Off Water Control:

In the second bullet in the second paragraph, please demonstrate compliance with Paragraphs 4 through 6 of 19.15.36.8.C NMAC regarding detailed construction/installation diagrams, engineering designs, and waste management associated with the proposed use of “liners and berms around disposal areas to capture contaminated stormwater and process wastewater.”

In the third bullet in the second paragraph, please demonstrate compliance with Paragraphs (5) and (6) of 19.15.36.8.C NMAC regarding engineering designs and waste management associated with the proposal to “direct stormwater from the site to an on-site settling pond or series of ponds.” Also, please provide additional information on the proposed use of the contaminated stormwater run-off for “dust control” in order for OCD to determine if the activity warrants permitting by the Water Quality Control Commission Regulations (see 20.6.2 NMAC).

In the sixth bullet in the second paragraph, please demonstrate compliance with Paragraphs (4) and (5) of 19.15.36.8.C NMAC regarding the proposed locations within the facility, detailed construction/installation diagrams, and engineering designs associated with the proposal to “seal above ground fuel and chemical additive storage areas with liners and berms...”

Page 6.15, 11.0 *Records Management*:

Please modify the response to discuss all of the record management provisions of 19.15.36 NMAC, including 19.15.36.13.F NMAC, 19.15.36.13.G NMAC, 19.15.36.13.L NMAC, 19.15.36.13.P NMAC, Paragraph (9) of 19.15.36.15.C NMAC and Paragraph (4) of 19.15.36.15.E NMAC.

Page 6.25, Addendum H, *Allowable Chloride in Water Calculation*:

Due to the default parameters for the volume of soil and water, as identified on the spreadsheet, contaminated water cannot be applied to a biopile while “under construction.” The spreadsheet only considers the application of 80 barrels of centrate wastewater or contaminated stormwater added to 750 cubic yards of contaminated soils. The “under construction” phase is completed once a biopile reaches approximately 750 cubic yards or the proposed design dimensions of a 12’ base x 4’ top x 8’ height x 316’ length. Please modify the appropriate sections of the *Management Plan* to identify the limitations associated with applying contaminated water to a biopile. Also, please provide an electronic version of the spreadsheet.

Tab 19.15.36.8.C.7, Inspection & Maintenance Plan:

Page 7.1, *Table 1*:

Please modify the frequency of task for Freestanding Liquids to demonstrate compliance to all of the requirements of Paragraph (8) of 19.15.36.15.C NMAC. The regulatory language and sources (centrate and contaminated stormwater) of pooling of liquids does not recognize the proposed limit of consideration to a “storm.”

Please modify the proposed inspection frequency for Retention Ponds to correctly reflect the inspection requirements of “quarterly and after a major rainfall or windstorm” pursuant to Paragraph (3) of 19.15.36.13.L NMAC. The proposed volume of “0.5” or greater” is not recognized in the regulation.

Page 7.2, *Inspection and Maintenance Checklist:*

Please modify the proposed inspection frequency for Freestanding Liquids to demonstrate compliance to all of the requirements of Paragraph (8) of 19.15.36.15.C NMAC. The regulatory language does not recognize the proposed limit of consideration to "after a storm event."

Tab 19.15.36.8.C.8, Hydrogen Sulfide Contingency Plan:

Page 8.4, Section IV, *Regulatory Threshold:*

Please demonstrate compliance with Paragraphs (4) through (6) of 19.15.36.8.C NMAC regarding the proposed locations within the facility and detailed construction/installation diagrams regarding chemical storage, and engineering designs and technical data on the design elements of the proposed treatment of liquid waste with "H2S Breaker." Please provide the required information under the appropriate provisions and/or regulatory tab headings.

Page 8.5, Section IV, *Activation Levels:*

In the fourth paragraph, please identify the instrument or device the emergency coordinator will use to monitor the area for H2S "manually" and ensure that the proposed equipment possess the capabilities and function provided in the written description.

Page 8.6, Section V: *General Evacuation Procedures For Buildings/Facility Occupants:*

In the third procedure, please identify the "appropriate PPE" that the emergency coordinator will require to search for any remaining personnel.

Page 8.6, Section VI: *Disabled Occupants:*

Please identify the "appropriate supplied air/oxygen breathing device" that will be provided to disabled occupants waiting for assistance.

Page 8.10, Section XII: *Training and Communications:*

Please modify the response to identify the specific type of training required by Subparagraph (d) of 19.15.11.9.B.(2) NMAC, such as training of residents on the proper protective measures to be taken in the event of a release and briefing of public officials on issues such as evacuation or shelter-in-place plans.

Page 8.16:

Several pieces of equipment are mentioned or alluded to for use under the proposed contingency plan. Please "include information on the availability and location of necessary safety equipment and supplies" as required of Subparagraph (a) of 19.15.11.9.B.(2) NMAC and ensure that the proposed equipment possesses the capabilities of its proposed task.

Tab 19.15.36.8.C.9, Closure and Post Closure Plan:

Page 9.3, Section 1, *Introduction:*

In the third paragraph, please clarify the condition that all other previously active landfarm cells will be in while IEI utilizes "up to four active cells for treatment of contaminated soils." OCD requires this information to determine if the proposed closure activities and closure costs are appropriate.

Page 9.5, Section 5, *Processing Area Closure*:

The proposed written sampling protocol does not coincide with the cost estimates for soil sampling and laboratory costs on page 9.8. Please compare and modify appropriately.

In the first sentence of the third paragraph, please identify in the written response the constituents for analysis regarding the proposed two five-point surface samples and modify the cost estimates on page 9.8 appropriately. In the second sentence of the third paragraph, please identify all of the constituents required under the treatment zone closure performance standards identified in Paragraphs (1-5) of 19.15.36.13.F NMAC. Also, please explain and clarify what will happen to soils covering the liner if the proposed “no additional action will be taken” is determined.

Page 9.5, Section 6, *Landfarm Closure*:

Please modify the paragraph to demonstrate compliance to the semi-annual vadose zone monitoring requirements of Subsection E of 19.15.36.15 NMAC, while the proposed treatment of contaminated soils continues.

Page 9.6, Section 6, *Landfarm Closure*:

The second sentence in the first paragraph proposes to “collect one sample composited from four discreet locations in each active “treatment” cell (1 sample for analysis for each of the four cells)...” Please clarify how the proposed sampling protocol for treatment zone closure standards will be applied when sampling biopiles and justify how the one composite sample will represent 40 individually built and developed biopiles per 10 acre landfarm cell.

In the first sentence of the third paragraph, please modify the response to recognize that “the landfarm remediation area is filled in with native soil” pursuant to Subparagraph (c) of 19.15.36.18.D.(4) NMAC after the removal of soils that cannot be or have not been remediated to the closure standards specified in Subsection F of 19.15.36.13 NMAC.

Page 9.6, Section 8, *Other Closure Procedures & Re-Vegetation*:

In the second paragraph, please modify the response to recognize that the operator shall maintain the “cover through two successive growing seasons” pursuant to Paragraph (6) of 19.15.36.18.A NMAC.

Page 9.7, Table 1: *Facility Closure Testing Requirements*:

When addressing the testing of soils above the liner, in the row titled *Processing Area Closure*, please modify the response to include all of the required testing to demonstrate compliance with the treatment zone closure performance standards specified in Subsection F of 19.15.36.15 NMAC. Also, please modify the vadose zone standards, for the soils beneath the liner, to “higher of the PQL or background” for all of the proposed constituents.

Page 9.8, Table 2: *Processing Area Closure*:

In the second half/section of Table 2, under the heading *Labor costs for soils sampling*, please modify the proposed number of samples to coincide with the written protocol so that the protocol and table match. Under the heading *Laboratory costs*, please modify appropriately to demonstrate that all of the samples are proposed for testing. Please modify the proposed number of samples to coincide with the written protocols and limit the test requirements for the

constituents listed in Subsections A and B of 20.6.2.3103 NMAC to as “determined by EPA SW-846 methods 6010B or 6020 or other methods approved by the division.”

Page 9.9, Table 3: *Landfarm Closure*:

In the second section of Table 3, under the heading *Landfarm Monitoring (semi-annual)*, please modify the table and laboratory costs to demonstrate compliance to the required laboratory analytical testing of DRO/DRO combined by EPA Method 8015M as required in Subsection F of 19.15.36.15 NMAC. Also, please modify the table appropriately to clarify that TPH by method 418.1 is required in Subsections E and F of 19.15.36.15 NMAC.

In the fifth section of Table 3, under the heading *Laboratory costs*, please compare the proposed 20.6.2.3103 testing to the required constituents identified in Paragraph (5) of 19.15.36.15.F NMAC. Please limit the test requirements for the constituents listed in Subsections A and B of 20.6.2.3103 NMAC to as “determined by EPA SW-846 methods 6010B or 6020 or other methods approved by the division” and adjust laboratory costs appropriately.

Tab 19.15.36.8.C.10, Contingency Plan:

Pages 10.10 through 10.14, Section XI, *Control & Response Actions*:

A demonstration of compliance with 19.15.29 NMAC and 19.15.30 NMAC is not requested under Subsection N of 19.15.36.13 NMAC. Pursuant to Subsection K of 19.15.36.13 NMAC, “The operators shall comply with the spill reporting and corrective action provisions of 19.15.30 NMAC or 19.15.29 NMAC.” These are separate regulations that are to be pursued outside of the requirements of Part 36 and are not requested to be the basis or incorporated into the contingency plan. Please propose a contingency plan that demonstrates compliance and is based upon to the requirements Subsection N of 19.15.36.13 NMAC.

Please describe the actions surface waste management facility personnel shall take in response to fires, explosions or releases to air, soil, surface water or ground water of contaminants or oil field waste containing constituents to minimize hazards to fresh water, public health, safety or the environment as required of Paragraph (1) of 19.15.36.13.N NMAC. The described actions should be carried out immediately to minimize hazards to fresh water, public health, safety or the environment from fires, explosions or an unplanned sudden or non-sudden release of contaminants or oil field waste to air, soil, surface water or ground water.

Page 10.14, Section XII, *Prevention of Recurrence or Spread*:

The last sentence of the second paragraph proposed to place a leaking “component” in secondary containment “unless it is above ground and can be readily inspected.” Please modify the response to acknowledge the repair of the leaking component prior to returning it to service.

Page 10.15, Section XIII, *Correction and/or Remediation*:

Please modify the response to identify and/or list procedures for investigation, containment and correction or remediation as required of Paragraph (6) of 19.15.36.13.N NMAC.

Page 10.15, Section XIV, *Incompatible Waste*:

Please modify the response and describe how the incompatible released material is treated, stored or disposed of until cleanup procedures are complete as required of Paragraph (13) of 19.15.36.13.N NMAC.

Page 10.15, Section XVI, *Incident Investigation*:

Please modify the response and describe how the emergency coordinator will immediately identify the character, exact source, amount and extent of released materials and describe how the emergency coordinator will concurrently assess possible (direct and indirect) hazards to fresh water, public health, safety or the environment as required of Paragraph (10) of 19.15.36.13.N NMAC.

Page 10.15, Section XVII, *Post-Emergency Waste Treatment, Storage, & Disposal*:

Please modify the response and describe how the emergency coordinator will provide for treating, storing or disposing of recovered oil field waste, or other material that results from a release, fire or explosion at a surface waste management facility, immediately after an emergency, as required of Paragraph (12) of 19.15.36.13.N NMAC.

Page 10.16, Section XVIII, *Emergency Equipment*:

Please identify the number, types, and available air (time) for the proposed respiratory protection equipment and SCBA(s). Please identify the number, types, and capabilities of the proposed H₂S monitors as required of Paragraph (4) of 19.15.36.13.N NMAC. Please identify the capabilities of all of the proposed equipment.

Page 10.17, Section XIX, *Coordination Arrangements*:

Throughout the contingency plan, there is the statement "More detailed reporting requirements are contained in Section XIX." This section does not address report requirements. Please make the appropriate modification throughout the contingency plan.

Page 10.17, Section XX, *Availability and Revision of the Contingency Plan*:

The written response references Section XVIII, *Emergency Equipment*, as the source for the list of "local authorities/organizations." Please provide the correct reference.

Tab 19.15.36.8.C.11, Run on/off Control Plan:

Page 11.1

In the second bullet in the second paragraph, please demonstrate compliance with Paragraphs (4) through (6) of 19.15.36.8.C NMAC regarding detailed construction/installation diagrams, engineering designs, and waste management associated with the proposal to "use liners and berms around disposal areas to capture contaminated stormwater and process water."

In the third bullet in the second paragraph, please demonstrate compliance with Paragraphs (5) and (6) of 19.15.36.8.C NMAC regarding engineering designs and waste management associated with the proposal to "direct stormwater from the entire site to an on-site settling pond or series of ponds." Also, please provide additional information on the proposed use of the contaminated stormwater run-off for "dust control" in order for OCD to determine if the activity warrants permitting by the Water Quality Control Commission Regulations (see 20.6.2 NMAC).

In the sixth bullet in the second paragraph, please demonstrate compliance with Paragraphs (4) and (5) of 19.15.36.8.C NMAC regarding detailed construction/installation diagrams and engineering designs associated with the proposal to "seal above ground fuel and chemical additive storage areas with liners and berms..." The engineered drawings provided in Section 19.15.36.8.C.5, *Engineering Designs & Technical Data*, do not illustrate the above-mentioned features as described.

Page 11.17, Sheet 5 of 17, *Retention Dikes and Details*, H/5: Manure Stockpile Containment Detail:

Please demonstrate compliance with Paragraphs (4) and (5) of 19.15.36.8.C NMAC regarding detailed construction/installation diagrams and engineering designs by illustrating the design depth of the proposed v-ditch feature and the design height of the proposed berm feature.

Tab 19.15.36.8.C.14, Best Management Practices:

Page 14.3, Section 2.5, *Obligations of General Personnel*:

In the second paragraph, please demonstrate compliance with Paragraphs (5) and (6) of 19.15.36.8.C NMAC regarding engineering designs for containment and waste management associated with the generation of a waste "residue" from personnel washing out and washing down equipment.

Page 14.7, Section 5, *Stormwater*:

Please see comments above provided for page 11.1 of Section 19.15.36.8.C.11 above, *Run on/off Control Plan*.

Tab 19.15.36.8.C.15, Geological/Hydrological Data:

Page 15.6

In the fifth paragraph, please properly identify the "unconfined water level" as the "static water level" in the discussion.

In the last partial paragraph, the first sentence indicates that it was not possible to obtain the static water levels in MW-9 and MW-10 back in July 2011. At this point in time, data should have been obtained, incorporated, and discussed in this section of the permit application. Please obtain the data and update the ground water assessment.

Pages 15.40 and 15.41, Lithologic Fence Diagrams:

Please continue the elevation lines across the diagrams to ensure that formations and ground water are properly illustrated. Also, please correct and modify the lithologic diagrams that are located on or within inappropriate elevations.

Page 15.51, Water Measurements:

The first table is titled, *Unconfined Condition*. The measured water elevations at the end of the table, identified "UNCONFINED" are actually the measured "static" water elevations. Please properly identify the data.

The second table is titled, *Confined Condition*. This table includes monitoring well data from wells that were installed in an unconfined aquifer. Please modify the information in the table appropriately or properly identify the data.

Page 15.52, Results of Three Point Analysis:

Footnotes 2 and 3 indicate that the “flow directions and gradient represent the confined (naturally occurring) condition.” If the data used was from the second table on page 15.51 titled, *Confined Condition*, then an inappropriate use and comparison of data was completed. The current combined comparison of confined and unconfined data is not appropriate for the determination of flow direction and gradient. A comparison of the confined aquifer data is appropriate. A comparison of the unconfined aquifer data is appropriate. A comparison of the static water levels might be appropriate if the other two comparisons do not suggest more than one aquifer. Please determine or demonstrate if there is more than one water bearing zone beneath the proposed facility and then determine the appropriate flow direction and gradient.

Page 15.53, Groundwater Elevations and Direction of Flow Map – Confined Conditions:

The map inappropriately demonstrates the combined comparison of confined and unconfined aquifer data, which is not appropriate for the determination of flow direction and gradient. Please provide a proper assessment that demonstrates the confined aquifer data.

Page 15.54, Interpretation of Flow Map – Confined Conditions:

The map inappropriately demonstrates the combined comparison of confined and unconfined aquifer data, which is not appropriate for the determination of flow direction. Please provide a proper assessment that demonstrates the confined aquifer data.

Page 15.55, Interpretation of Groundwater Elevation – Unconfined Conditions:

The map seems to illustrate the “static” water levels obtained after the monitoring wells were installed, except where the confined aquifer elevations were used for MW-9 and MW-10. Please see the comments for Page 15.52, Results of Three Point Analysis and complete the assessment to determine if there is more than one water bearing zone beneath the proposed facility.

Tab SPCC, Spill Prevention Control & Countermeasures:

Page 13, Section 3.1, *Containment and Diversionary Structures*, Secondary Containment:

Please demonstrate compliance with Paragraphs (4) and (5) of 19.15.36.8.C NMAC regarding detailed construction/installation diagrams and engineering designs by illustrating the “0.5 % north-south slope at the elevation of the liner to the liquid collection point” design feature of the secondary containment for the processing area.

Regarding the discussion of the diesel tank, please modify to properly identify the proposed “12,000-gallon earthen vehicle fueling secondary containment” as an earthen stormwater run-off containment feature to capture contaminated run-off from the fueling station. Sheet C107 of the application and Figure 4 of the SPCC plan properly illustrates the primary containment of the fuel tank installed in the secondary containment of the stock tank. Also, please clarify or justify why the proposed stormwater run-off containment feature is proposed without a liner.

Page 15, Section 3.5.1, *Secondary Containment for Vehicles:*

Please see the comment in the paragraph above, for Page 13, Section 3.1, and please modify the text to properly identify the proposed features and clarify or justify why the proposed stormwater run-off containment feature is proposed without a liner.

Page 18, Section 3.10.2, *Inspections at saltwater (oil field brine) disposal facility:*

OCD has been unable to locate any additional information requesting consideration of the permitting of a saltwater disposal facility within the permit application. Section 19.15.36.8.C.6, *Management Plan*, of the permit application does not identify saltwater or oilfield brine as proposed waste streams to be accepted at the facility. Please update the permit application to address the new waste stream or make the appropriate modifications to this section.

Figure 3, *Processing Containment Area:*

Please identify the proposed illustrated features within the building. Also, the two bermed tanks within the northeast portion of the processing area are identified as "400 bbl Hydrocarbon Containment Tanks." In Section 19.15.36.8.C.5, *Engineering Design & Technical Data*, of the permit application, the proposed site plan illustrated on Sheets C104 and the plan view illustrated on Sheets C108 indicates the same area and tanks for tank bottoms and rinsate. Please modify the appropriate section to clarify the contents of the proposed above-grade tanks.

Figure 4, *Diesel Containment Area:*

The note provided in the lower right-hand corner states "See Sheet C108 For Tank Details." Sheet C108 does not illustrate the tank details. Please provide the correct reference.

Appendix 6, *Emergency Spill Procedures:*

This appendix has been added to the *Spill Prevention Control & Countermeasures Plan* in order to demonstrate compliance to Paragraph (10) of 19.15.36.8.C NMAC regarding releases to the ground surface. Please submit a complete contingency plan under the tab heading *19.15.36.8.C.10, Contingency Plan* that demonstrates compliance to the provision and does not provide portions of the contingency plan elsewhere within the permit application.

Jones, Brad A., EMNRD

From: VonGonten, Glenn, EMNRD
Sent: Wednesday, February 06, 2013 3:20 PM
To: Jones, Brad A., EMNRD; Dawson, Scott, EMNRD; Sanchez, Daniel J., EMNRD; Hansen, Edward J., EMNRD
Subject: FW: Crowe Blanco Properties, LLC - Notice of Administrative Completeness Determination pursuant to 19.15.36.9.B NMAC.

Glenn von Gonten
Senior Hydrologist
Environmental Bureau
Oil Conservation Division
Energy, Minerals and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505
505-476-3488
Fax-476-3462
glenn.vongonten@state.nm.us
<http://www.emnrd.state.nm.us/oed/>

-----Original Message-----

From: Marcella Marquez [mailto:marcella@industrialecosystems.com]
Sent: Wednesday, February 06, 2013 3:10 PM
To: VonGonten, Glenn, EMNRD
Subject: RE: Crowe Blanco Properties, LLC - Notice of Administrative Completeness Determination pursuant to 19.15.36.9.B NMAC.

Glen:

Thanks for the quick reply. I will keep an eye out for it to arrive within the next few days by mail.

Thanks,
Marcella Marquez, HSE Administrator
Industrial Ecosystems, Inc.
Phone: (505) 632-1782
Fax: (505) 632-1876 or (505) 334-1003

-----Original Message-----

From: VonGonten, Glenn, EMNRD [mailto:Glenn.VonGonten@state.nm.us]
Sent: Wednesday, February 06, 2013 2:37 PM
To: Marcella Marquez
Subject: RE: Crowe Blanco Properties, LLC - Notice of Administrative Completeness Determination pursuant to 19.15.36.9.B NMAC.

Marcella,

OCD anticipates sending you its technical review tomorrow.

Glenn von Gonten
Senior Hydrologist
Environmental Bureau
Oil Conservation Division
Energy, Minerals and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505
505-476-3488
Fax-476-3462
glenn.vongonten@state.nm.us
<http://www.emnrd.state.nm.us/ocd/>

-----Original Message-----

From: Marcella Marquez [mailto:marcella@industrialecosystems.com]
Sent: Wednesday, February 06, 2013 11:02 AM
To: VonGonten, Glenn, EMNRD
Cc: Jones, Brad A., EMNRD; Hansen, Edward J., EMNRD; Dawson, Scott, EMNRD; 'Terry Lattin'
Subject: RE: Crowe Blanco Properties, LLC - Notice of Administrative Completeness Determination pursuant to 19.15.36.9.B NMAC.
Importance: High

Glen:

As per your email below, the 60 days technical review deadline has passed.
Can you please provide us with a status update regarding the technical review?

Thanks,
Marcella Marquez, HSE Administrator
Industrial Ecosystems, Inc.
Phone: (505) 632-1782
Fax: (505) 632-1876 or (505) 334-1003

-----Original Message-----

From: VonGonten, Glenn, EMNRD [mailto:Glenn.VonGonten@state.nm.us]
Sent: Wednesday, December 19, 2012 9:44 AM
To: marcella@industrialecosystems.com
Cc: Jones, Brad A., EMNRD; Hansen, Edward J., EMNRD; Dawson, Scott, EMNRD
Subject: FW: Crowe Blanco Properties, LLC - Notice of Administrative Completeness Determination pursuant to 19.15.36.9.B NMAC.

Marcella,

As you can see from the email below, OCD distributed notice on November 7, 2012. Therefore, the 30 days of Public Notice ended on December 7, 2012 and OCD has now 60 days to complete its technical review (approximately the first of February 2013).

Glenn von Gonten
Senior Hydrologist

Environmental Bureau
Oil Conservation Division
Energy, Minerals and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505
505-476-3488
Fax-476-3462
glenn.vongonten@state.nm.us
<http://www.emnrd.state.nm.us/ocd/>

-----Original Message-----

From: Duran-Saenz, Theresa, EMNRD

Sent: Wednesday, November 07, 2012 11:01 AM

To: (mpf@stateside.com); (lpena@riceswd.com); (kjones@riceswd.com); (hconder@riceswd.com); Balch (balch@prrc.nmt.edu); (ballen@sesi-nm.com); Perrin, Charlie, EMNRD; (cheryls@yatespetroleum.com); Chuck Creekmore (Chuck.Creekmore@conocophillips.com); Shapard, Craig, EMNRD; (dale@capstoneoil.com); (dboneau@pvtnetworks.net); Brooks, David K., EMNRD; (dexterh@forl.com); Diane Ellenburg (Diane_Ellenburg@blm.gov); (dneeper@earthlink.net); (dlehman@energen.com); (ekendrick@montand.com); Gerholt, Gabrielle, EMNRD; VonGonten, Glenn, EMNRD; Bloom, Gregory B.; (hdangler@slo.state.nm.us); J. Scott Hall (shall@montand.com); Bailey, Jami, EMNRD; (jan.wooldridge@dvn.com); (jtportwood@mindspring.com); Jimmy D. Carlile (jimmyc@forl.com); Ruetten, Julia, GOV; Karin V. Foster (fosterassociates2005@yahoo.com); Kate McGraw (katiemac@cybermesa.com); Keith_Barton@oxy.com; (kmoss@slo.state.nm.us); Linda Fieseler (Lfieseler@nearburg.com); Lisa Curry Gray (lisa@lcgraylaw.com); Marita Blakeman; (markm@forl.com); Martin Joyce (mjoyce@pvt.net); (nmwgi@nmagriculture.org); (rel@dfn.com); Kautz, Paul, EMNRD; Paul M. O'Sullivan (Paul.OSullivan@rlcorp.com); Jankowitz, Rachel J., DGF; Dade, Randy, EMNRD; Ray Powell (rpowell@slo.state.nm.us); (rtupman@hess.com); Richard Corcoran (Richard.Corcoran@conocophillips.com); Ezeanyim, Richard, EMNRD; (Rick_Foppiano@oxy.com); Dawson, Scott; shane@spearbrothersgroup.com; Swazo, Sonny, EMNRD; (stan.phillips@apachecorp.com); Suzi Yahney (syahney@heycoenergy.com); Tony Herrell (Tony_Herrell@blm.gov); Tyra Feil (Tyra.Feil@duganproduction.com); Jones, William V., EMNRD; Hoppe, William, EMNRD; Patricia Clugston
Cc: Jones, Brad A., EMNRD; Gerholt, Gabrielle, EMNRD
Subject: Crowe Blanco Properties, LLC - Notice of Administrative Completeness Determination pursuant to 19.15.36.9.B NMAC.

The attached Notice of Administrative Completeness Determination is provided pursuant to 19.15.36.9.B NMAC. Any questions may be directed to the Environmental Bureau of the Oil Conservation Division at (505) 476-3441.

Your message is ready to be sent with the following file or link attachments:

2012 10-10 Notice of Admin Complete Determination.pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Jones, Brad A., EMNRD

From: VonGonten, Glenn, EMNRD
Sent: Wednesday, December 19, 2012 9:44 AM
To: marcella@industrialecosystems.com
Cc: Jones, Brad A., EMNRD; Hansen, Edward J., EMNRD; Dawson, Scott, EMNRD
Subject: FW: Crowe Blanco Properties, LLC - Notice of Administrative Completeness Determination pursuant to 19.15.36.9.B NMAC.
Attachments: 2012 10-10 Notice of Admin Complete Determination.pdf

Marcella,

As you can see from the email below, OCD distributed notice on November 7, 2012. Therefore, the 30 days of Public Notice ended on December 7, 2012 and OCD has now 60 days to complete its technical review (approximately the first of February 2013).

Glenn von Gonten
Senior Hydrologist
Environmental Bureau
Oil Conservation Division
Energy, Minerals and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505
505-476-3488
Fax-476-3462
glenn.vongonten@state.nm.us
<http://www.emnrd.state.nm.us/oed/>

-----Original Message-----

From: Duran-Saenz, Theresa, EMNRD
Sent: Wednesday, November 07, 2012 11:01 AM
To: (mpf@stateside.com); (lpena@riceswd.com); (kjones@riceswd.com); (hconder@riceswd.com); Balch (balch@prrc.nmt.edu); (ballen@sesi-nm.com); Perrin, Charlie, EMNRD; (cheryls@yatespetroleum.com); Chuck Creekmore (Chuck.Creekmore@conocophillips.com); Shapard, Craig, EMNRD; (dale@capstoneoil.com); (dboneau@pvtnetworks.net); Brooks, David K., EMNRD; (dexterh@forl.com); Diane Ellenburg (Diane_Ellenburg@blm.gov); (dneeper@earthlink.net); (dlehman@energen.com); (ekendrick@montand.com); Gerholt, Gabrielle, EMNRD; VonGonten, Glenn, EMNRD; Bloom, Gregory B.; (hdangler@slo.state.nm.us); J. Scott Hall (shall@montand.com); Bailey, Jami, EMNRD; (jan.wooldridge@dvu.com); (jtporwood@mindspring.com); Jimmy D. Carlile (jimmyc@forl.com); Ruetten, Julia, GOV; Karin V. Foster (fosterassociates2005@yahoo.com); Kate McGraw (katiemac@cybermesa.com); Keith Barton@oxy.com; (kmoss@slo.state.nm.us); Linda Fieseler (Lfieseler@nearburg.com); Lisa Curry Gray (lisa@lcgraylaw.com); Marita Blakeman; (markm@forl.com); Martin Joyce (mjoyce@pvtu.net); (nmwgi@nmagriculture.org); (rel@dfn.com); Kautz, Paul, EMNRD; Paul M. O'Sullivan (Paul.OSullivan@rlcorp.com); Jankowitz, Rachel J., DGF; Dade, Randy, EMNRD; Ray Powell (rpowell@slo.state.nm.us); (rtupman@hess.com); Richard Corcoran (Richard.Corcoran@conocophillips.com); Ezeanyim, Richard, EMNRD; (Rick_Foppiano@oxy.com); Dawson, Scott; (shane@spearbrothersgroup.com); Swazo, Sonny, EMNRD; (stan.phillips@apachecorp.com); Suzi Yahney (syahney@heycoenergy.com); Tony Herrell (Tony_Herrell@blm.gov); Tyra Feil (Tyra.Feil@duganproduction.com); Jones, William V., EMNRD; Hoppe, William, EMNRD; Patricia Clugston
Cc: Jones, Brad A., EMNRD; Gerholt, Gabrielle, EMNRD

Subject: Crowe Blanco Properties, LLC - Notice of Administrative Completeness Determination pursuant to 19.15.36.9.B NMAC.

The attached Notice of Administrative Completeness Determination is provided pursuant to 19.15.36.9.B NMAC. Any questions may be directed to the Environmental Bureau of the Oil Conservation Division at (505) 476-3441.

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State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

John Bemis
Cabinet Secretary

Brett F. Woods, Ph.D.
Deputy Cabinet Secretary

Jami Bailey
Division Director
Oil Conservation Division



OCTOBER 10, 2012

Mr. John P. Crowe
Secretary
Crowe Blanco Properties, LLC
1015 West 54th Street
Kansas City, MO 64112

RE: Notice of Administrative Completeness Determination

Dear Mr. Crowe:

Pursuant to 19.15.36.8(E) NMAC, the Oil Conservation Division (OCD) has reviewed your Surface Waste Management Facility application and has found it to be administratively complete. Given the administrative completeness determination, you may now proceed to the notice as specified in 19.15.36.9(A) NMAC. As the applicant you are required to furnish proof to OCD that required notices have been given. Please provide this proof to OCD as soon as possible. Proof of notice may begin the 30 day public comment period.

OCD will also provide notice of its administrative completeness determination within 30 days from the date of this letter per 19.15.36.9(B) NMAC. The public has 30 days to comment from the date of notice provided by the applicant or the date that OCD distributes notice, whichever is later. (See 19.15.36.9(C) NMAC)

The determination of administrative completeness does not mean that the application meets the technical requirements of 19.15.36 NMAC. OCD will now evaluate the technical merits of your application. Within 60 days after the end of public comment period, OCD will issue its tentative decision regarding your application. (See 19.15.36.9(D) NMAC)

If you have any questions, please feel free to contact Brad Jones at Brad.A.Jones@state.nm.us or (505) 476-3487.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Sanchez", is written over a horizontal line.

Daniel Sanchez
Compliance and Enforcement Manager

DS/baj

Jones, Brad A., EMNRD

From: Marcella Marquez <marcella@industrialecosystems.com>
Sent: Monday, December 17, 2012 1:39 PM
To: Jones, Brad A., EMNRD; Bailey, Jami, EMNRD; Sanchez, Daniel J., EMNRD
Importance: High

Brad/Jamie/Daniel:

As per the letter dated 10/10/12 from Mr. Sanchez, IEI was given approval to proceed with notification (19.15.36.9.A) and to provide proof to OCD that notice had been given. An email was sent to OCD on 10/29/12 providing proof that notice was given.

The letter also stated the public will have 30 days to comment from the date of notice provided by the applicant (IEI) or the date that OCD distributes notice, whichever is later (19.15.36.9.C).

For internal planning purposes, we would appreciate it if you could provide us with the date that OCD distributed notice so that we can determine when the public comment period ended.

Thanks,
Marcella Marquez, HSE Administrator
Industrial Ecosystems, Inc.
Phone: (505) 632-1782
Fax: (505) 632-1876 or (505) 334-1003

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

John Bemis
Cabinet Secretary

Brett F. Woods, Ph.D.
Deputy Cabinet Secretary

Jami Bailey
Division Director
Oil Conservation Division



December 4, 2012

Joellen M. Bolli
P.O. Box 579
Blanco, NM 87412

Dear Ms. Bolli,

The Oil Conservation Division (OCD) is in receipt of your letter regarding Crowe Blanco Properties', LLC (Crowe Blanco) application to construct and operate a commercial Surface Waste Management Facility pursuant to 19.15.36 NMAC. (A copy of the rule is included for your convenience.)

When determining whether or not to grant a permit for a Surface Waste Management Facility, the OCD must determine if the facility will endanger fresh water, public health, safety or the environment. In addition, the OCD requires facilities to meet specific siting and operational requirements. If the permit application does not demonstrate compliance to the regulatory requirements, the OCD will not recommend approval of the application.

OCD staff is currently conducting a technical review of Crowe Blanco's application. The OCD will be issuing a tentative decision in January 2013. A tentative decision may be approval or disapproval of the application. The tentative decision will be posted on the OCD's website at <http://www.emnrd.state.nm.us/ocd/>. (19.15.36.9(D) NMAC) If you would like to be personally notified, please contact Brad Jones at brad.a.jones@state.nm.us or 505-476-3487. Mr. Jones will include you on the notification list. Once a decision is made, you may have the right to request a hearing pursuant to 19.15.4 NMAC.

I thank-you for contacting the OCD.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Dawson".

Scott Dawson
Deputy Director

cc: Brad Jones, Santa Fe OCD

RECEIVED OCD

2012 NOV 29 PM 1:38

New Mexico Oil Conservation Division
1220 South St. Francis Dr
Santa Fe, New Mexico 87505

In reference to your letter of October 26, 2012 (Received much latter than that date), You state that this facility will be working with Non-hazardous waste. Does this mean that there will be no odor, blowing contaminants or any other materials to endanger either our health or current state of enjoyment of our home?

Our acreage lies up wind of the proposed waste remediation, so this is definitely a concern, especially considering we have been here in excess of 16 years and bought the land to escape the contamination that insults people at every day in areas of higher contamination levels.

I will expect to hear from you concerning these issues.

ThankYou

Joellen M Bolli
PO Box 579
Blanco, Nm 87412

Jones, Brad A., EMNRD

From: Duran-Saenz, Theresa, EMNRD
Sent: Wednesday, November 07, 2012 11:01 AM
To: (mpf@stateside.com); (lpena@riceswd.com); (kjones@riceswd.com); (hconder@riceswd.com); Balch (balch@prrc.nmt.edu); (ballen@sesi-nm.com); Perrin, Charlie, EMNRD; (cheryls@yatespetroleum.com); Chuck Creekmore (Chuck.Creekmore@conocophillips.com); Shapard, Craig, EMNRD; (dale@capstoneoil.com); (dboneau@pvtnetworks.net); Brooks, David K., EMNRD; (dexterh@forl.com); Diane Ellenburg (Diane_Ellenburg@blm.gov); (dneeper@earthlink.net); (dlehman@energen.com); (ekendrick@montand.com); Gerholt, Gabrielle, EMNRD; VonGonten, Glenn, EMNRD; Bloom, Gregory B.; (hdangler@slo.state.nm.us); J. Scott Hall (shall@montand.com); Bailey, Jami, EMNRD; (jan.wooldridge@dvn.com); (jtportwood@mindspring.com); Jimmy D. Carlile (jimmyc@forl.com); Ruetten, Julia, GOV; Karin V. Foster (fosterassociates2005@yahoo.com); Kate McGraw (katiemac@cybermesa.com); Keith_Barton@oxy.com; (kmoss@slo.state.nm.us); Linda Fieseler (Lfieseler@nearburg.com); Lisa Curry Gray (lisa@lgraylaw.com); Marita Blakeman; (markm@forl.com); Martin Joyce (mjoyce@pvt.net); (nmwgi@nagriculture.org); (rel@dfn.com); Kautz, Paul, EMNRD; Paul M. O'Sullivan (Paul.OSullivan@rlcorp.com); Jankowitz, Rachel J., DGF; Dade, Randy, EMNRD; Ray Powell (rpowell@slo.state.nm.us); (rtupman@hess.com); Richard Corcoran (Richard.Corcoran@conocophillips.com); Ezeanyim, Richard, EMNRD; (Rick_Foppiano@oxy.com); Dawson, Scott; shane@spearbrothersgroup.com; Swazo, Sonny, EMNRD; (stan.phillips@apachecorp.com); Suzi Yahney (syahney@heycoenergy.com); Tony Herrell (Tony_Herrell@blm.gov); Tyra Feil (Tyra.Feil@duganproduction.com); Jones, William V., EMNRD; Hoppe, William, EMNRD; Patricia Clugston
Cc: Jones, Brad A., EMNRD; Gerholt, Gabrielle, EMNRD
Subject: Crowe Blanco Properties, LLC - Notice of Administrative Completeness Determination pursuant to 19.15.36.9.B NMAC.
Attachments: 2012 10-10 Notice of Admin Complete Determination.pdf

The attached Notice of Administrative Completeness Determination is provided pursuant to 19.15.36.9.B NMAC. Any questions may be directed to the Environmental Bureau of the Oil Conservation Division at (505) 476-3441.

Your message is ready to be sent with the following file or link attachments:

2012 10-10 Notice of Admin Complete Determination.pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

John Bemis
Cabinet Secretary

Brett F. Woods, Ph.D.
Deputy Cabinet Secretary

Jami Bailey
Division Director
Oil Conservation Division



OCTOBER 10, 2012

Mr. John P. Crowe
Secretary
Crowe Blanco Properties, LLC
1015 West 54th Street
Kansas City, MO 64112

RE: Notice of Administrative Completeness Determination

Dear Mr. Crowe:

Pursuant to 19.15.36.8(E) NMAC, the Oil Conservation Division (OCD) has reviewed your Surface Waste Management Facility application and has found it to be administratively complete. Given the administrative completeness determination, you may now proceed to the notice as specified in 19.15.36.9(A) NMAC. As the applicant you are required to furnish proof to OCD that required notices have been given. Please provide this proof to OCD as soon as possible. Proof of notice may begin the 30 day public comment period.

OCD will also provide notice of its administrative completeness determination within 30 days from the date of this letter per 19.15.36.9(B) NMAC. The public has 30 days to comment from the date of notice provided by the applicant or the date that OCD distributes notice, whichever is later. (See 19.15.36.9(C) NMAC)

The determination of administrative completeness does not mean that the application meets the technical requirements of 19.15.36 NMAC. OCD will now evaluate the technical merits of your application. Within 60 days after the end of public comment period, OCD will issue its tentative decision regarding your application. (See 19.15.36.9(D) NMAC)

If you have any questions, please feel free to contact Brad Jones at Brad.A.Jones@state.nm.us or (505) 476-3487.

Sincerely,


Daniel Sanchez
Compliance and Enforcement Manager

DS/baj

Jones, Brad A., EMNRD

From: Marcella Marquez <marcella@industrialecosystems.com>
Sent: Monday, October 29, 2012 2:50 PM
To: Sanchez, Daniel J., EMNRD; Jones, Brad A., EMNRD; Bailey, Jami, EMNRD
Cc: terry@industrialecosystems.com
Subject: Crowe Blanco Properties, LLC-SWMF Application-Written Notice
Attachments: Proof of Notice to Owners within one half mile.pdf

As per the letter we received dated 10/10/12 providing us with notice that our application has been determined Administratively Complete, we were notified that we could proceed with the notice. Please see the attached proof that notice has been given in accordance with 19.15.36.9.A NMAC.

Please feel free to contact me with any questions or concerns you may have regarding this matter.

*Thanks,
Marcella Marquez, HSE Administrator
Industrial Ecosystems, Inc.
Phone: (505) 632-1782
Fax: (505) 632-1876 or (505) 334-1003*

GUARDIAN ABSTRACT & TITLE CO., INC.
221 NORTH AUBURN
FARMINGTON, NEW MEXICO 87401

PROPERTY OWNERS WITHIN ½ MILE, EXCLUDING ROADWAYS AND ALLEYS OF
THE FOLLOWING DESCRIBED PROPERTY: Blanco Land Subdivision No. 2

Lot 2A, 4A, 3A, 5A,

PT. Lots 1A, 6A and 7A

Blanco Land Subdivision No. 1

Lot 4

OWNER: Crowe Blanco Properties, LLC
4050 Pennsylvania Ave. Ste. 215
Kansas City, MO 64111-4111
1495/99, 1495/98

<u>ADJOINING OWNER</u>	<u>ADDRESS</u>	<u>LEGAL DESCRIPTION</u>
United States of America (Federal Lands)	Attn: BLM Office 1235 La Plata Hwy Farmington, NM 87401 (Per Phone Book) Note: No address in San Juan County records For United States of America	T29N, R9W, Sec. 15 NW1/4, SW1/4 T29N, R9W, Sec. 22 NW1/4, SW1/4 T29N, R9W, Sec. 21 All T29N, R9W, Sec. 20 NE1/4 T29N, R9W, Sec. 17 NW1/4, SW1/4 Pt. NE1/4 Pt. SE1/4 T29N, R9W, Sec. 9 SW1/4, SE1/4 T29N, R9W, Sec. 8 SW1/4
Crowe Blanco Properties LLC 1495/99, 1495/98	4050 Pennsylvania Ave. Ste. 215 Kansas City, MO 64111-4111	Blanco Land Subdivision No. 2 Pt. Lots 1A, 6A and 7A

El Paso Field Services
Company
1305/176, 1296/5

Attn: Enterprise
Property Tax
P.O Box 4018
Houston, TX
77210-4324

T29N, R9W, Sec. 17
NE1/4

Bolack, Tommy
Revocable Trust
1521/603

3901 Bloomfield Hwy
Farmington, NM
87401-7401

Michael E. Atchison
Subdivision No. 1
Lots 1, 2, 4, 5,
T29N, R9W, Sec. 16
Pt. NW1/4NE1/4

Atchison, Michael E.
1499/232

P.O Box 537
Blanco, NM
87412-7412

Michael E. Atchison
Subdivision No. 1
Lot 3

Price, Michael D.
1298/336

P.O Box 5
Flora Vista, NM
87415-7415

Blanco Land Subdivision
No. 1
Lot 1

Castro, Alfred R. and
Elvera
1540/232

P.O Box 571
Blanco, NM
87412-7412

T29N, R9W, Sec. 16
NW1/4NE1/4

Joiner, David W. and
Nancy S.
Waggoner, Jeff W. and
Deena A.
1508/320

P.O Box 570
Blanco, NM
87412-0570

T29N, R9W, Sec. 16
SW1/4NE1/4

Prado, Ralph
1411/400, 1404/863

6784 US 64
Bloomfield, NM
87413-9565

Blanco Land Subdivision
No. 1
Lot 3
T29N, R9W, Sec. 16
NE1/4SE1/4

Adams, William J. and
Sondra A.
1278/14

P.O Box 28093
Santa Fe, NM
87592-8093

T29N, R9W, Sec. 16
NE1/4NE1/4

Prouse, Bradley D. and
Wendy R.
1454/197

23259 County
Road G2
Cortez, CO
81321-1321

Blanco Land Subdivision
No. 1
Lot 2

Bolli, Richard E. and
Joellen M.
1469/943

P.O Box 579
Blanco, NM
87412-0579

T29N, R9W, Sec. 16
SE1/4SE1/4

25 County Commission



**Industrial Ecosystems Inc.
Soil Reclamation Center**

P.O. Box 2043
Farmington, NM 87499

Phone: (505) 632-1782
Fax: (505) 632-1876

#49 CR 3150
Aztec, NM 87410

CERTIFIED MAIL / RETURN RECEIPT

October 26, 2012

Re: Notice of Surface Waste Management Facility Permit Application

United States of America (Federal Lands)
Attn: BLM Office
1235 La Plata Hwy
Farmington, NM 87401

Dear United States of America (Federal Lands)/BLM Office:

This notice is being issued pursuant to Subsection A of 19.15.36.9 NMAC, as per the State of New Mexico Oil Conservation Division (NMOCD) Notice Requirements for New Surface Waste Management Facilities (SWMF).

Crowe Blanco Properties, LLC operated by Industrial Ecosystems, Inc. (49 CR 3150, Aztec, NM 87410) has submitted an application to construct and operate a commercial Surface Waste Management Facility. (19.15.36.9.F.1 NMAC)

The proposed facility is located near mile marker 75.77 on US Hwy. 64 in Section 16, Township 29 North, Range 09 West, Blanco, New Mexico (San Juan County). The facility's West property line borders the East side of the Enterprise Manzaneros Compressor Station. The current access onto the property is located at CR 4445 (19.15.36.9.F.2)

The facility will consist of 206+- permitted acres and will accept and remediate Non-Hazardous, RCRA Exempt oilfield waste derived from Exploration and Production (E&P) activities. (19.15.36.9.F.3 NMAC)

The depth to ground water in the shallowest aquifer beneath the permitted area of the site is at 52' with a TDS concentration of 4000 ppm. (19.15.36.9.F.4.NMAC)

Any/all comments should be directed to New Mexico Oil Conservation Division 1220 South St. Francis Drive, Santa Fe, New Mexico 87505.

Respectfully,

A handwritten signature in black ink, appearing to read "Terry Lattin", is written over a horizontal line.

Terry Lattin
President/General Manager

Industrial Ecosystems, Inc.
49 CR 3150
Aztec, NM 87410



7011 3500 0000 7475 0574

BLM Office
1235 La Plata Hwy.
Farmington, NM 87401

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF ADDRESS. ADDRESS SHOULD NOT BE AT BOTTOM LINE

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BLM Office
1235 La Plata Hwy.
Farmington, NM 87401

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Registered

☐ Insured Mail

☐ Express Mail

☒ Return Receipt for Merchandise

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

U.S. Postal Service

CERTIFIED MAILTM RECEIPT

(Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage

\$ 1.45

Certified Fee

2.95

Return Receipt Fee
(Endorsement Required)

2.35

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$ 5.75

AZTEC NM 87

Postmark
Here

OCT 29

U:

BLM Office

1235 La Plata Hwy.

Farmington, NM 87401

7011 3500 0000 7475 0574

Domestic Return Receipt

102595-02-M-1540



**Industrial Ecosystems Inc.
Soil Reclamation Center**

P.O. Box 2043
Farmington, NM 87499

Phone: (505) 632-1782
Fax: (505) 632-1876

#49 CR 3150
Aztec, NM 87410

CERTIFIED MAIL / RETURN RECEIPT

October 26, 2012

Re: Notice of Surface Waste Management Facility Permit Application

El Paso Field Services Company
Attn: Enterprise Property Tax
PO Box 4018
Houston, TX 77210

Dear Sir or Madam,

This notice is being issued pursuant to Subsection A of 19.15.36.9 NMAC, as per the State of New Mexico Oil Conservation Division (NMOCD) Notice Requirements for New Surface Waste Management Facilities (SWMF).

Crowe Blanco Properties, LLC operated by Industrial Ecosystems, Inc. (49 CR 3150, Aztec, NM 87410) has submitted an application to construct and operate a commercial Surface Waste Management Facility. (19.15.36.9.F.1 NMAC)

The proposed facility is located near mile marker 75.77 on US Hwy. 64 in Section 16, Township 29 North, Range 09 West, Blanco, New Mexico (San Juan County). The facility's West property line borders the East side of the Enterprise Manzanares Compressor Station. The current access onto the property is located at CR 4445 (19.15.36.9.F.2)

The facility will consist of 206+- permitted acres and will accept and remediate Non-Hazardous, RCRA Exempt oilfield waste derived from Exploration and Production (E&P) activities. (19.15.36.9.F.3 NMAC)

The depth to ground water in the shallowest aquifer beneath the permitted area of the site is at 52' with a TDS concentration of 4000 ppm. (19.15.36.9.F.4.NMAC)

Any/all comments should be directed to New Mexico Oil Conservation Division 1220 South St. Francis Drive, Santa Fe, New Mexico 87505.

Respectfully,

A handwritten signature in black ink, appearing to read "Terry Lattin", is written over a horizontal line.

Terry Lattin
President/General Manager

Industrial Ecosystems, Inc.
CR 3150
Tec, NM 87410

CERTIFIED MAIL™



7011 3500 0000 7475 0581

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT

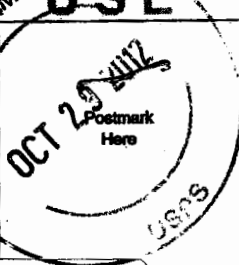
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$
Certified Fee
Return Receipt Fee
(Endorsement Required)
Restricted Delivery Fee
(Endorsement Required)
Total Postage & Fees \$

2.85
2.35
5.75



See
To
or
City
El Paso Field Services Company
Attn: Enterprise Property Tax
P.O. Box 4018
Houston, TX 77210-4324

PS Form 3800, August 2006

See Reverse for Instructions

El Paso Field Services Company
Attn: Enterprise Property Tax
P.O. Box 4018
Houston, TX 77210-4324

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

El Paso Field Services Company
Attn: Enterprise Property Tax
P.O. Box 4018
Houston, TX 77210-4324

2. Article Number
(Transfer from service label)

7011 3500 0000 7475 0581

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☒ Return Receipt for Merchandise
- ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes



**Industrial Ecosystems Inc.
Soil Reclamation Center**

P.O. Box 2043
Farmington, NM 87499

Phone: (505) 632-1782
Fax: (505) 632-1876

#49 CR 3150
Aztec, NM 87410

**CERTIFIED MAIL
RETURN RECEIPT**

October 26, 2012

Re: Notice of Surface Waste Management Facility Permit Application

Tommy Bolack
3901 Bloomfield Highway
Farmington, NM 87401-7401

Dear Tommy Bolack:

This notice is being issued pursuant to Subsection A of 19.15.36.9 NMAC, as per the State of New Mexico Oil Conservation Division (NMOCD) Notice Requirements for New Surface Waste Management Facilities (SWMF).

Crowe Blanco Properties, LLC operated by Industrial Ecosystems, Inc. (49 CR 3150, Aztec, NM 87410) has submitted an application to construct and operate a commercial Surface Waste Management Facility. (19.15.36.9.F.1 NMAC)

The proposed facility is located near mile marker 75.77 on US Hwy. 64 in Section 16, Township 29 North, Range 09 West, Blanco, New Mexico (San Juan County). The facility's West property line borders the East side of the Enterprise Manzanares Compressor Station. The current access onto the property is located at CR 4445 (19.15.36.9.F.2)

The facility will consist of 206+- permitted acres and will accept and remediate Non-Hazardous, RCRA Exempt oilfield waste derived from Exploration and Production (E&P) activities. (19.15.36.9.F.3 NMAC)

The depth to ground water in the shallowest aquifer beneath the permitted area of the site is at 52' with a TDS concentration of 4000 ppm. (19.15.36.9.F.4.NMAC)

Any/all comments should be directed to New Mexico Oil Conservation Division 1220 South St. Francis Drive, Santa Fe, New Mexico 87505.

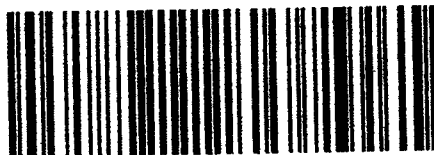
Respectfully,

A handwritten signature in black ink, appearing to read "Terry Lattin", is written over a horizontal line.

Terry Lattin
President/General Manager

Industrial Ecosystems, Inc.
CR 3150
tec, NM 87410

CERTIFIED MAIL™



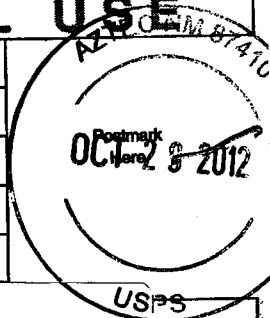
7011 3500 0000 7475 0598

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.45
Certified Fee	2.75
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.75



Tommy Bolack Revocable Trust
3901 Bloomfield Hwy.
Farmington, NM 871401-7401

Se
Si
or
C Tommy Bolack Revocable Trust
3901 Bloomfield Hwy. 87401
Farmington, NM 871401-7401

PS Form 3800, August 2006

See Reverse for Instructions

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT TOP

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tommy Bolack Revocable Trust
3901 Bloomfield Hwy.
Farmington, NM 871401-7401

2. Article Number
(Transfer from service label)

7011 3500 0000 7475 0598

PS Form 3811, February 2004

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

102595-02-M-1540



**Industrial Ecosystems Inc.
Soil Reclamation Center**

P.O. Box 2043
Farmington, NM 87499

Phone: (505) 632-1782
Fax: (505) 632-1876

#49 CR 3150
Aztec, NM 87410

**CERTIFIED MAIL
RETURN RECEIPT**

October 26, 2012

Re: Notice of Surface Waste Management Facility Permit Application

Michael E. Atchison
PO Box 537
Blanco, NM 87412-7412

Dear Michael E. Atchison:

This notice is being issued pursuant to Subsection A of 19.15.36.9 NMAC, as per the State of New Mexico Oil Conservation Division (NMOCD) Notice Requirements for New Surface Waste Management Facilities (SWMF).

Crowe Blanco Properties, LLC operated by Industrial Ecosystems, Inc. (49 CR 3150, Aztec, NM 87410) has submitted an application to construct and operate a commercial Surface Waste Management Facility. (19.15.36.9.F.1 NMAC)

The proposed facility is located near mile marker 75.77 on US Hwy. 64 in Section 16, Township 29 North, Range 09 West, Blanco, New Mexico (San Juan County). The facility's West property line borders the East side of the Enterprise Manzanares Compressor Station. The current access onto the property is located at CR 4445 (19.15.36.9.F.2)

The facility will consist of 206+- permitted acres and will accept and remediate Non-Hazardous, RCRA Exempt oilfield waste derived from Exploration and Production (E&P) activities. (19.15.36.9.F.3 NMAC)

The depth to ground water in the shallowest aquifer beneath the permitted area of the site is at 52' with a TDS concentration of 4000 ppm. (19.15.36.9.F.4.NMAC)

Any/all comments should be directed to New Mexico Oil Conservation Division 1220 South St. Francis Drive, Santa Fe, New Mexico 87505.

Respectfully,

A handwritten signature in black ink, appearing to read "Terry Lattin", is written over a horizontal line.

Terry Lattin
President/General Manager

Industrial Ecosystems, Inc.
49 CR 3150
Aztec, NM 87410



7011 3500 0000 7475 0604

Michael E. Atchison
P.O. Box 537
Blanco, NM 87412-7412

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael E. Atchison
P.O. Box 537
Blanco, NM 87412-7412

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage

\$ 45

Certified Fee

2.95

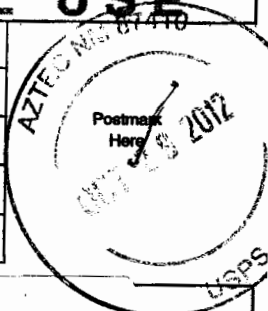
Return Receipt Fee
(Endorsement Required)

2.35

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$ 5.75



7011 3500 0000 7475 0604

Domestic Return Receipt

102505-02-M-1540

Michael E. Atchison
P.O. Box 537



**Industrial Ecosystems Inc.
Soil Reclamation Center**

P.O. Box 2043
Farmington, NM 87499

Phone: (505) 632-1782
Fax: (505) 632-1876

#49 CR 3150
Aztec, NM 87410

**CERTIFIED MAIL
RETURN RECEIPT**

October 26, 2012

Re: Notice of Surface Waste Management Facility Permit Application

Michael D. Price
PO Box 5
Flora Vista, NM 87415-7415

Dear Michael D. Price:

This notice is being issued pursuant to Subsection A of 19.15.36.9 NMAC, as per the State of New Mexico Oil Conservation Division (NMOCD) Notice Requirements for New Surface Waste Management Facilities (SWMF).

Crowe Blanco Properties, LLC operated by Industrial Ecosystems, Inc. (49 CR 3150, Aztec, NM 87410) has submitted an application to construct and operate a commercial Surface Waste Management Facility. (19.15.36.9.F.1 NMAC)

The proposed facility is located near mile marker 75.77 on US Hwy. 64 in Section 16, Township 29 North, Range 09 West, Blanco, New Mexico (San Juan County). The facility's West property line borders the East side of the Enterprise Manzanares Compressor Station. The current access onto the property is located at CR 4445 (19.15.36.9.F.2)

The facility will consist of 206+- permitted acres and will accept and remediate Non-Hazardous, RCRA Exempt oilfield waste derived from Exploration and Production (E&P) activities. (19.15.36.9.F.3 NMAC)

The depth to ground water in the shallowest aquifer beneath the permitted area of the site is at 52' with a TDS concentration of 4000 ppm. (19.15.36.9.F.4.NMAC)

Any/all comments should be directed to New Mexico Oil Conservation Division 1220 South St. Francis Drive, Santa Fe, New Mexico 87505.

Respectfully,

A handwritten signature in black ink, appearing to read "Terry Lattin", is written over a horizontal line.

Terry Lattin
President/General Manager

Industrial Ecosystems, Inc.
49 CR 3150
Aztec, NM 87410



7011 3500 0000 7475 0611

Michael D. Price
P.O. Box 5
Flora Vista, NM 87415-7415

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael D. Price
P.O. Box 5
Flora Vista, NM 87415-7415

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Registered

☐ Insured Mail

☐ Express Mail

☒ Return Receipt for Merchandise

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

7011 3500 0000 7475 0611

U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Return Receipt

102595-02-M-1540

Postage

\$.45

Certified Fee

2.95

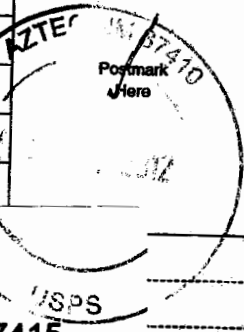
Return Receipt Fee
(Endorsement Required)

2.35

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$ 5.75



Michael D. Price
P.O. Box 5
NM 87415 7415

7011 3500 0000 7475 0611



**Industrial Ecosystems Inc.
Soil Reclamation Center**

P.O. Box 2043
Farmington, NM 87499

Phone: (505) 632-1782
Fax: (505) 632-1876

#49 CR 3150
Aztec, NM 87410

**CERTIFIED MAIL
RETURN RECEIPT**

October 26, 2012

Re: Notice of Surface Waste Management Facility Permit Application

Alfred R & Elvera Castro
PO Box 571
Blanco, NM 87412-7412

Dear Alfred R & Elvera Castro:

This notice is being issued pursuant to Subsection A of 19.15.36.9 NMAC, as per the State of New Mexico Oil Conservation Division (NMOCD) Notice Requirements for New Surface Waste Management Facilities (SWMF).

Crowe Blanco Properties, LLC operated by Industrial Ecosystems, Inc. (49 CR 3150, Aztec, NM 87410) has submitted an application to construct and operate a commercial Surface Waste Management Facility. (19.15.36.9.F.1 NMAC)

The proposed facility is located near mile marker 75.77 on US Hwy. 64 in Section 16, Township 29 North, Range 09 West, Blanco, New Mexico (San Juan County). The facility's West property line borders the East side of the Enterprise Manzanares Compressor Station. The current access onto the property is located at CR 4445 (19.15.36.9.F.2)

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The depth to ground water in the shallowest aquifer beneath the permitted area of the site is at 52' with a TDS concentration of 4000 ppm. (19.15.36.9.F.4.NMAC)

Any/all comments should be directed to New Mexico Oil Conservation Division 1220 South St. Francis Drive, Santa Fe, New Mexico 87505.

Respectfully,

A handwritten signature in black ink, appearing to read "Terry Lattin", is written over a horizontal line.

Terry Lattin
President/General Manager

Industrial Ecosystems, Inc.
49 CR 3150
Aztec, NM 87410

CERTIFIED MAIL™



7011 3500 0000 7475 0628

Alfred R. & Elvera Castro
P.O. Box 571
Blanco, NM 87412-7412

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Alfred R. & Elvera Castro
P.O. Box 571
Blanco, NM 87412-7412

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7011 3500 0000 7475 0628

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage

\$

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$

4.75

2.95

2.35

\$ 5.75



Alfred R. & Elvera Castro
P.O. Box 571



**Industrial Ecosystems Inc.
Soil Reclamation Center**

P.O. Box 2043
Farmington, NM 87499

Phone: (505) 632-1782
Fax: (505) 632-1876

#49 CR 3150
Aztec, NM 87410

**CERTIFIED MAIL
RETURN RECEIPT**

October 26, 2012

Re: Notice of Surface Waste Management Facility Permit Application

David W. & Nancy S. Joiner
PO Box 570
Blanco, NM 87412-0570

Dear David W. & Nancy S. Joiner:

This notice is being issued pursuant to Subsection A of 19.15.36.9 NMAC, as per the State of New Mexico Oil Conservation Division (NMOCD) Notice Requirements for New Surface Waste Management Facilities (SWMF).

Crowe Blanco Properties, LLC operated by Industrial Ecosystems, Inc. (49 CR 3150, Aztec, NM 87410) has submitted an application to construct and operate a commercial Surface Waste Management Facility. (19.15.36.9.F.1 NMAC)

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The depth to ground water in the shallowest aquifer beneath the permitted area of the site is at 52' with a TDS concentration of 4000 ppm. (19.15.36.9.F.4.NMAC)

Any/all comments should be directed to New Mexico Oil Conservation Division 1220 South St. Francis Drive, Santa Fe, New Mexico 87505.

Respectfully,

A handwritten signature in black ink, appearing to read "Terry Lattin", is written over a horizontal line.

Terry Lattin
President/General Manager

Industrial Ecosystems, Inc.
49 CR 3150
Aztec, NM 87410

CERTIFIED MAIL™



7011 3500 0000 7475 0697

David W. & Nancy S. Joiner
P.O. Box 570
Blanco, NM 87412-0570

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

David W. & Nancy S. Joiner
P.O. Box 570
Blanco, NM 87412-0570

2. Article Number

(Transfer from service label)

7011 3500 0000 7475 0697

PS Form 3811, February 2004

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

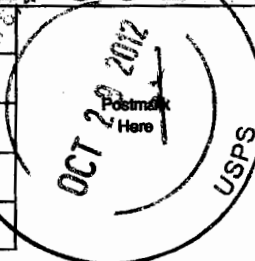
For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	45
Certified Fee		2.95
Return Receipt Fee (Endorsement Required)		2.35
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	5.75

Sent To
Street, /
or PO B
City, St
David W. & Nancy S. Joiner
P.O. Box 570
Blanco, NM 87412-0570

7011 3500 0000 7475 0697





**Industrial Ecosystems Inc.
Soil Reclamation Center**

P.O. Box 2043
Farmington, NM 87499

Phone: (505) 632-1782
Fax: (505) 632-1876

#49 CR 3150
Aztec, NM 87410

**CERTIFIED MAIL
RETURN RECEIPT**

October 26, 2012

Re: Notice of Surface Waste Management Facility Permit Application

Jeff W. & Deena A. Waggoner
PO Box 570
Blanco, NM 87412-0570

Dear Jeff W. & Deena A. Waggoner:

This notice is being issued pursuant to Subsection A of 19.15.36.9 NMAC, as per the State of New Mexico Oil Conservation Division (NMOCD) Notice Requirements for New Surface Waste Management Facilities (SWMF).

Crowe Blanco Properties, LLC operated by Industrial Ecosystems, Inc. (49 CR 3150, Aztec, NM 87410) has submitted an application to construct and operate a commercial Surface Waste Management Facility. (19.15.36.9.F.1 NMAC)

The proposed facility is located near mile marker 75.77 on US Hwy. 64 in Section 16, Township 29 North, Range 09 West, Blanco, New Mexico (San Juan County). The facility's West property line borders the East side of the Enterprise Manzanares Compressor Station. The current access onto the property is located at CR 4445 (19.15.36.9.F.2)

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The depth to ground water in the shallowest aquifer beneath the permitted area of the site is at 52' with a TDS concentration of 4000 ppm. (19.15.36.9.F.4.NMAC)

Any/all comments should be directed to New Mexico Oil Conservation Division 1220 South St. Francis Drive, Santa Fe, New Mexico 87505.

Respectfully,

A handwritten signature in black ink, appearing to read "Terry Lattin", is written over a horizontal line.

Terry Lattin
President/General Manager

Industrial Ecosystems, Inc.
49 CR 3150
Aztec, NM 87410



7011 3500 0000 7475 0680

Jeff W. & Deena A. Waggoner
P.O. Box 570
Blanco, NM 87412-0570

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jeff W. & Deena A. Waggoner
P.O. Box 570
Blanco, NM 87412-0570

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7011 3500 0000 7475 0680

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal ServiceTM

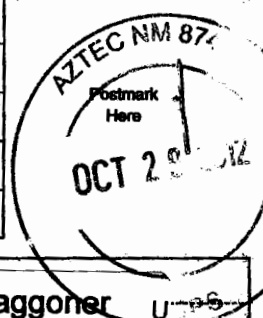
CERTIFIED MAILTM RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 45
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.75



Sent To

Jeff W. & Deena A. Waggoner

P.O. Box 570

Blanco, NM 87412-0570



**Industrial Ecosystems Inc.
Soil Reclamation Center**

P.O. Box 2043
Farmington, NM 87499

Phone: (505) 632-1782
Fax: (505) 632-1876

#49 CR 3150
Aztec, NM 87410

**CERTIFIED MAIL
RETURN RECEIPT**

October 26, 2012

Re: Notice of Surface Waste Management Facility Permit Application

Ralph Prado
6784 US 64
Bloomfield, NM 87413

Dear Ralph Prado:

This notice is being issued pursuant to Subsection A of 19.15.36.9 NMAC, as per the State of New Mexico Oil Conservation Division (NMOCD) Notice Requirements for New Surface Waste Management Facilities (SWMF).

Crowe Blanco Properties, LLC operated by Industrial Ecosystems, Inc. (49 CR 3150, Aztec, NM 87410) has submitted an application to construct and operate a commercial Surface Waste Management Facility. (19.15.36.9.F.1 NMAC)

The proposed facility is located near mile marker 75.77 on US Hwy. 64 in Section 16, Township 29 North, Range 09 West, Blanco, New Mexico (San Juan County). The facility's West property line borders the East side of the Enterprise Manzaneros Compressor Station. The current access onto the property is located at CR 4445 (19.15.36.9.F.2)

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The depth to ground water in the shallowest aquifer beneath the permitted area of the site is at 52' with a TDS concentration of 4000 ppm. (19.15.36.9.F.4.NMAC)

Any/all comments should be directed to New Mexico Oil Conservation Division 1220 South St. Francis Drive, Santa Fe, New Mexico 87505.

Respectfully,

A handwritten signature in black ink, appearing to read "Terry Lattin", is written over a horizontal line.

Terry Lattin
President/General Manager

Industrial Ecosystems, Inc.
49 CR 3150
Aztec, NM 87410



7011 3500 0000 7475 0642

Ralph Prado
6784 US 64
Bloomfield, NM 87413-9565

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ralph Prado
6784 US 64
Bloomfield, NM 87413-9565

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
X ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

7011 3500 0000 7475 0642

PS Form 3811, February 2004

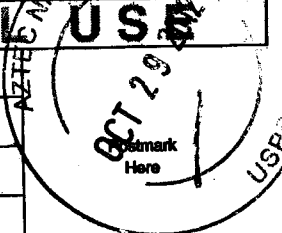
Domestic Return Re

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.45
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.75



Ralph Prado
6784 US 64
Bloomfield, NM 87413-9565



**Industrial Ecosystems Inc.
Soil Reclamation Center**

P.O. Box 2043
Farmington, NM 87499

Phone: (505) 632-1782
Fax: (505) 632-1876

#49 CR 3150
Aztec, NM 87410

**CERTIFIED MAIL
RETURN RECEIPT**

October 26, 2012

Re: Notice of Surface Waste Management Facility Permit Application

William J. & Sondra A. Adams
PO Box 28093
Santa Fe, NM 87592-8093

Dear William J. & Sondra A. Adams:

This notice is being issued pursuant to Subsection A of 19.15.36.9 NMAC, as per the State of New Mexico Oil Conservation Division (NMOCD) Notice Requirements for New Surface Waste Management Facilities (SWMF).

Crowe Blanco Properties, LLC operated by Industrial Ecosystems, Inc. (49 CR 3150, Aztec, NM 87410) has submitted an application to construct and operate a commercial Surface Waste Management Facility. (19.15.36.9.F.1 NMAC)

The proposed facility is located near mile marker 75.77 on US Hwy. 64 in Section 16, Township 29 North, Range 09 West, Blanco, New Mexico (San Juan County). The facility's West property line borders the East side of the Enterprise Manzanares Compressor Station. The current access onto the property is located at CR 4445 (19.15.36.9.F.2)

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Any/all comments should be directed to New Mexico Oil Conservation Division 1220 South St. Francis Drive, Santa Fe, New Mexico 87505.

Respectfully,

A handwritten signature in black ink, appearing to read "Terry Lattin", is written over a horizontal line.

Terry Lattin
President/General Manager

Industrial Ecosystems, Inc.
49 CR 3150
Aztec, NM 87410



7011 3500 0000 7475 0659

William J. & Sondra A. Adams
P.O. Box 28093
Santa Fe, NM 87592-8093

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

William J. & Sondra A. Adams
P.O. Box 28093
Santa Fe, NM 87592-8093

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7011 3500 0000 7475 0659

PS Form 3811, February 2004

Domestic Return Receipt

U.S. Postal Service™

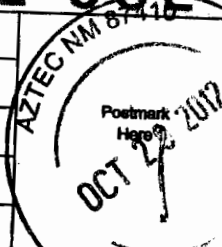
CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.45
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.25



Sent

Street

or PO

City

William J. & Sondra A. Adams
P.O. Box 28093



**Industrial Ecosystems Inc.
Soil Reclamation Center**

P.O. Box 2043
Farmington, NM 87499

Phone: (505) 632-1782
Fax: (505) 632-1876

#49 CR 3150
Aztec, NM 87410

**CERTIFIED MAIL
RETURN RECEIPT**

October 26, 2012

Re: Notice of Surface Waste Management Facility Permit Application

Bradley D. & Wendy R. Prouse
23259 CR G2
Cortez, CO 81321-1321

Dear Bradley D. & Wendy R. Prouse:

This notice is being issued pursuant to Subsection A of 19.15.36.9 NMAC, as per the State of New Mexico Oil Conservation Division (NMOCD) Notice Requirements for New Surface Waste Management Facilities (SWMF).

Crowe Blanco Properties, LLC operated by Industrial Ecosystems, Inc. (49 CR 3150, Aztec, NM 87410) has submitted an application to construct and operate a commercial Surface Waste Management Facility. (19.15.36.9.F.1 NMAC)

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Any/all comments should be directed to New Mexico Oil Conservation Division 1220 South St. Francis Drive, Santa Fe, New Mexico 87505.

Respectfully,

A handwritten signature in black ink, appearing to read "Terry Lattin", is written over a horizontal line.

Terry Lattin
President/General Manager

Industrial Ecosystems, Inc.
49 CR 3150
Aztec, NM 87410

CERTIFIED MAIL™



7011 3500 0000 7475 0727

Bradley D. & Wendy R. Prouse
23259 CR G2
Cortez, CO 81321-1321

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

U.S. Postal Service

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 4.75
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 10.05

Bradley D. & Wendy R. Prouse
23259 CR G2
Cortez, CO 81321-1321

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bradley D. & Wendy R. Prouse
23259 CR G2
Cortez, CO 81321-1321

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
X ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label)

7011 3500 0000 7475 0727



**Industrial Ecosystems Inc.
Soil Reclamation Center**

P.O. Box 2043
Farmington, NM 87499

Phone: (505) 632-1782
Fax: (505) 632-1876

#49 CR 3150
Aztec, NM 87410

**CERTIFIED MAIL
RETURN RECEIPT**

October 26, 2012

Re: Notice of Surface Waste Management Facility Permit Application

Richard E. & Joellen M. Bolli
PO Box 579
Blanco, NM 87412-0579

Dear Richard E. & Joellen M. Bolli:

This notice is being issued pursuant to Subsection A of 19.15.36.9 NMAC, as per the State of New Mexico Oil Conservation Division (NMOCD) Notice Requirements for New Surface Waste Management Facilities (SWMF).

Crowe Blanco Properties, LLC operated by Industrial Ecosystems, Inc. (49 CR 3150, Aztec, NM 87410) has submitted an application to construct and operate a commercial Surface Waste Management Facility. (19.15.36.9.F.1 NMAC)

The proposed facility is located near mile marker 75.77 on US Hwy. 64 in Section 16, Township 29 North, Range 09 West, Blanco, New Mexico (San Juan County). The facility's West property line borders the East side of the Enterprise Manzanares Compressor Station. The current access onto the property is located at CR 4445 (19.15.36.9.F.2)

The facility will consist of 206+- permitted acres and will accept and remediate Non-Hazardous, RCRA Exempt oilfield waste derived from Exploration and Production (E&P) activities. (19.15.36.9.F.3 NMAC)

The depth to ground water in the shallowest aquifer beneath the permitted area of the site is at 52' with a TDS concentration of 4000 ppm. (19.15.36.9.F.4.NMAC)

Any/all comments should be directed to New Mexico Oil Conservation Division 1220 South St. Francis Drive, Santa Fe, New Mexico 87505.

Respectfully,

A handwritten signature in black ink, appearing to read "Terry Lattin", is written over a horizontal line.

Terry Lattin
President/General Manager

Industrial Ecosystems, Inc.
49 CR 3150
Aztec, NM 87410



7011 3500 0000 7475 0710

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

OFFICIAL USE

Postage	\$ 4.50
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 9.80



Richard E. and Joellen M. Bolli
P.O. Box 579
Blanco, NM 87412-0579

Richard E. and Joellen M. Bolli
P.O. Box 579
Blanco, NM 87412-0579

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Richard E. and Joellen M. Bolli
P.O. Box 579
Blanco, NM 87412-0579

2. Article Number
(Transfer from service label)

7011 3500 0000 7475 0710

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes



**Industrial Ecosystems Inc.
Soil Reclamation Center**

P.O. Box 2043
Farmington, NM 87499

Phone: (505) 632-1782
Fax: (505) 632-1876

#49 CR 3150
Aztec, NM 87410

**CERTIFIED MAIL /
RETURN RECEIPT**

October 26, 2012

Re: Notice of Surface Waste Management Facility Permit Application

San Juan County Commission
100 S. Oliver
Aztec, NM 87410

Dear San Juan County Commission:

This notice is being issued pursuant to Subsection A of 19.15.36.9 NMAC, as per the State of New Mexico Oil Conservation Division (NMOCD) Notice Requirements for New Surface Waste Management Facilities (SWMF).

Crowe Blanco Properties, LLC operated by Industrial Ecosystems, Inc. (49 CR 3150, Aztec, NM 87410) has submitted an application to construct and operate a commercial Surface Waste Management Facility. (19.15.36.9.F.1 NMAC)

The proposed facility is located near mile marker 75.77 on US Hwy. 64 in Section 16, Township 29 North, Range 09 West, Blanco, New Mexico (San Juan County). The facility's West property line borders the East side of the Enterprise Manzaneros Compressor Station. The current access onto the property is located at CR 4445 (19.15.36.9.F.2)

The facility will consist of 206+- permitted acres and will accept and remediate Non-Hazardous, RCRA Exempt oilfield waste derived from Exploration and Production (E&P) activities. (19.15.36.9.F.3 NMAC)

The depth to ground water in the shallowest aquifer beneath the permitted area of the site is at 52' with a TDS concentration of 4000 ppm. (19.15.36.9.F.4.NMAC)

Any/all comments should be directed to New Mexico Oil Conservation Division 1220 South St. Francis Drive, Santa Fe, New Mexico 87505.

Respectfully,

A handwritten signature in black ink, appearing to read "Terry Lattin", is written over a horizontal line.

Terry Lattin
President/General Manager

CERTIFIED MAIL™

Industrial Ecosystems, Inc.
49 CR 3150
Aztec, NM 87410



7011 3500 0000 7475 0703

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com**OFFICIAL USE**

Postage	\$ 45
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.75

Postmark
Here

San Juan County Commission
100 S. Oliver
Aztec, NM 87410

San Juan County Commission
100 S. Oliver
Aztec, NM 87410

PLACE STICKER AT TOP OF ENVELOPE, FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

San Juan County Commission
100 S. Oliver
Aztec, NM 87410

2. Article Number
(Transfer from service label)

7011 3500 0000 7475 0703

PS Form 3811, February 2004

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

102595-02-M-1540

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

John Bemis
Cabinet Secretary

Brett F. Woods, Ph.D.
Deputy Cabinet Secretary

Jami Bailey
Division Director
Oil Conservation Division



OCTOBER 10, 2012

Mr. John P. Crowe
Secretary
Crowe Blanco Properties, LLC
1015 West 54th Street
Kansas City, MO 64112

RE: Notice of Administrative Completeness Determination

Dear Mr. Crowe:

Pursuant to 19.15.36.8(E) NMAC, the Oil Conservation Division (OCD) has reviewed your Surface Waste Management Facility application and has found it to be administratively complete. Given the administrative completeness determination, you may now proceed to the notice as specified in 19.15.36.9(A) NMAC. As the applicant you are required to furnish proof to OCD that required notices have been given. Please provide this proof to OCD as soon as possible. Proof of notice may begin the 30 day public comment period.

OCD will also provide notice of its administrative completeness determination within 30 days from the date of this letter per 19.15.36.9(B) NMAC. The public has 30 days to comment from the date of notice provided by the applicant or the date that OCD distributes notice, whichever is later. (See 19.15.36.9(C) NMAC)

The determination of administrative completeness does not mean that the application meets the technical requirements of 19.15.36 NMAC. OCD will now evaluate the technical merits of your application. Within 60 days after the end of public comment period, OCD will issue its tentative decision regarding your application. (See 19.15.36.9(D) NMAC)

If you have any questions, please feel free to contact Brad Jones at Brad.A.Jones@state.nm.us or (505) 476-3487.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Sanchez", is written over a horizontal line.

Daniel Sanchez
Compliance and Enforcement Manager

DS/baj

Jones, Brad A., EMNRD

From: Gerholt, Gabrielle, EMNRD
Sent: Monday, September 17, 2012 9:25 AM
To: Jones, Brad A., EMNRD
Subject: FW: Crowe Blanco Permit Status
Attachments: 3855_0001.pdf

For your records

Gabrielle A. Gerholt
Assistant General Counsel
Oil Conservation Division
505.476.3451

ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

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From: Marcella Marquez [mailto:marcella@industrialecosystems.com]
Sent: Monday, September 17, 2012 9:07 AM
To: Gerholt, Gabrielle, EMNRD
Cc: terry@industrialecosystems.com
Subject: RE: Crowe Blanco Permit Status

Gabrielle:

As per your request, attached you will find the letter authorizing Industrial Ecosystem to act on behalf of Crowe Blanco Properties.

Please let me know if any additional information is needed.

*Thanks,
Marcella Marquez, HSE Administrator
Industrial Ecosystems, Inc.
Phone: (505) 632-1782
Fax: (505) 632-1876 or (505) 334-1003*

From: Gerholt, Gabrielle, EMNRD [mailto:Gabrielle.Gerholt@state.nm.us]
Sent: Friday, September 14, 2012 3:18 PM
To: Marcella Marquez
Cc: terry@industrialecosystems.com; Sanchez, Daniel J., EMNRD; Jones, Brad A., EMNRD; VonGonten, Glenn, EMNRD
Subject: RE: Crowe Blanco Permit Status

Dear Ms. Marquez,

On September 5, 2012 Brad Jones received your e-mail notifying the OCD that Crowe Blanco would like to precede with the written notice provisions of 19.15.36.9(A) NMAC. The e-mail cited 19.15.36.8(E) NMAC.

"Upon receipt of an application for a surface waste management facility permit or modification or renewal of an existing surface waste management facility permit, the division shall review the application for administrative completeness. To be deemed administratively complete, the application shall provide information required by

Subsection C or D (as applicable) of 19.15.36.8 NMAC. The division shall notify the applicant in writing when it deems the application administratively complete. If the division determines that the application is not administratively complete, the division shall notify the applicant of the deficiencies in writing within 30 days after the application's receipt and state what additional information is necessary." 19.15.36.8(E) NMAC

Crowe Blanco submitted its application for a Rule 36 facility 30 days prior to September 5, 2012. As of September 14, 2012 the application has not received an administrative completeness determination. Rule 36 does state that the OCD will notify the applicant within 30 days from receipt of any deficiencies. This has not occurred due to Mr. Jones' schedule and the highly technical requirements for a Rule 36 application review.

Relevant to Crowe Blanco's request to proceed to notification, is 19.15.36.9(A) NMAC which says the applicant will provide notice after receiving the OCD's determination that the application is administratively complete. It appears, the position of Crowe Blanco is that the OCD only has 30 days to review and determine whether or not the application is administratively complete and if the OCD does not make that 30 day time period then the applicant may proceed to notification without the determination. The OCD does not concur. The OCD does acknowledge the rule states there is a 30 day time period for providing the applicant with a written document detailing any deficiencies, but the rule does not place a deadline on the period of time the OCD has to determine whether the application is administratively complete. This is an unfortunate flaw in the rule. Further, the OCD does emphasize that Rule 19.15.36.9(A) says the applicant shall notice, only after receiving the determination. The determination has not been received.

If Crowe Blanco chooses to keep its interpretation of Rule 36 and proceeds to notice, it does so at its own risk. OCD has not made an administrative completeness determination of the application and therefore Crowe Blanco could not advertise that there has been. If Crowe Blanco chooses to notice the application as submitted, it will most likely have to re-notice when OCD makes its determination that the application is administratively complete. Finally, 19.15.36.9(B) NMAC sets forth when and what the OCD will notice. This provision states that the OCD will notice its determination regarding the application. OCD will not publish a notice until after it determines that the application is administratively complete.

If you have any questions, please feel free to contact me.

Sincerely,

Gabrielle A. Gerholt
Assistant General Counsel
Oil Conservation Division
505.476.3451

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From: Marcella Marquez [<mailto:marcella@industrialecosystems.com>]
Sent: Tuesday, September 11, 2012 3:27 PM
To: Gerholt, Gabrielle, EMNRD
Cc: terry@industrialecosystems.com
Subject: RE: Crowe Blanco Permit Status
Importance: High

Gabrielle,

Thank you for the email notifying us that Mr. Brad Jones has forwarded our request to proceed with notification to you for review.

I would like to apprise you with information pertaining to this request. We have been working with Mr. Jones for the past three (3) years on our Surface Waste Management Facility permit application. We have responded to each of Mr. Jones' "Requests for Additional Information". Our latest response was submitted to NMOCD over 30 days ago and included everything required by Subsection C or D (as applicable) of 19.15.36.8

NMAC. As we had not received notification of any deficiencies in writing within 30 days, as per the regulations, we notified Mr. Jones that we would like to proceed with the next step, being the provision of written notice (19.15.36.9.A NMAC).

We look forward to hearing from you regarding this matter by the end of the week.

Please feel free to contact me with any questions, or if any additional information is needed.

Respectfully,
Marcella Marquez, HSE
Industrial Ecosystems, Inc.
Phone: (505) 632-1782
Fax: (505) 632-1876

From: Gerholt, Gabrielle, EMNRD [<mailto:Gabrielle.Gerholt@state.nm.us>]
Sent: Tuesday, September 11, 2012 10:05 AM
To: marcella@industrialecosystems.com; terry@industrialecosystems.com
Cc: Jones, Brad A., EMNRD
Subject: Crowe Blanco Permit Status

Dear Ms. Marquez,

This e-mail is to inform you that Mr. Brad Jones has forwarded Crowe Blanco's request to proceed to notification to me for legal review. I will review Crowe Blanco's request this week. If you have any questions, please feel free to contact me.

Sincerely,
Gabrielle A. Gerholt
Assistant General Counsel
Oil Conservation Division
505.476.3451

ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

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John Crowe
Crowe Blanco Properties
1015 W 54th St
Kansas City MO 64112

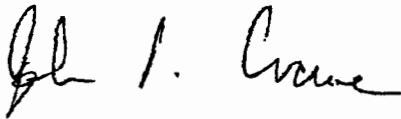
To Whom It May Concern;

The purpose of this letter is to state that Industrial Ecosystems has the authority to act on the behalf of Crowe Blanco Properties, LLC. in regard to the permitting and operating of the property owned in Blanco NM.

If there are any further questions please contact me at 816-668-9970 or johncrowe@me.com

Sincerely,

John Crowe

A handwritten signature in black ink, appearing to read "John I. Crowe". The signature is written in a cursive, flowing style.

Jones, Brad A., EMNRD

From: Gerholt, Gabrielle, EMNRD
Sent: Friday, September 14, 2012 3:18 PM
To: Marcella Marquez
Cc: terry@industrialecosystems.com; Sanchez, Daniel J., EMNRD; Jones, Brad A., EMNRD; VonGonten, Glenn, EMNRD
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If you have any questions, please feel free to contact me.

Sincerely,

Gabrielle A. Gerholt

Assistant General Counsel

Oil Conservation Division

505.476.3451

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Cc: terry@industrialecosystems.com
Subject: RE: Crowe Blanco Permit Status
Importance: High

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Please feel free to contact me with any questions, or if any additional information is needed.

Respectfully,
Marcella Marquez, HSE
Industrial Ecosystems, Inc.
Phone: (505) 632-1782
Fax: (505) 632-1876

From: Gerholt, Gabrielle, EMNRD [mailto:Gabrielle.Gerholt@state.nm.us]
Sent: Tuesday, September 11, 2012 10:05 AM
To: marcella@industrialecosystems.com; terry@industrialecosystems.com
Cc: Jones, Brad A., EMNRD
Subject: Crowe Blanco Permit Status

Dear Ms. Marquez,
This e-mail is to inform you that Mr. Brad Jones has forwarded Crowe Blanco's request to proceed to notification to me for legal review. I will review Crowe Blanco's request this week. If you have any questions, please feel free to contact me.

Sincerely,
Gabrielle A. Gerholt
Assistant General Counsel
Oil Conservation Division
505.476.3451

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