

Oberding, Tomas, EMNRD

From: Oberding, Tomas, EMNRD
Sent: Wednesday, January 13, 2016 1:34 PM
To: 'rhull80403@aol.com'
Cc: Jamie EMNRD Keyes (Jamie.Keyes@state.nm.us); Jones, Kellie, EMNRD
Subject: RE: DKD SWD Richardson Fee #2; Letter dated Dec 23 2015

Mr. Hull,

We have received your letter dated Dec 23, 2015 regarding the release of oil field waste at the Richardson Fee #2 site. I have written responses addressing your concerns on three prior occasions to the email which you provided (see attached below).

All information on this site and correspondence are available for your review at the NMOCD website. The reference number for this event is 1RP-3959. It can be found at the following link-

<http://ocdimage.emnrd.state.nm.us/imaging/AEOrderFileView.aspx?appNo=pJXK1530936575>

I respectfully request acknowledgement of receipt of this letter. As always please do not hesitate to contact me for questions or concerns.

-Dr. Oberding

Tomáš 'Doc' Oberding PhD
Hydrologist, Adv-District 1
Oil Conservation Division, EMNRD
(505) 476-3403
E-Mail: tomas.oberding@state.nm.us
一期一会

OCD approval does not relieve the operator of liability should their operations fail to adequately investigate and remediate contamination that may pose a threat to ground water, surface water, human health or the environment. In addition, OCD approval does not relieve the operator of responsibility for compliance with any other federal, state, local laws and/or regulations.

From: Oberding, Tomas, EMNRD
Sent: Tuesday, January 05, 2016 8:42 AM
To: 'rhull80403@aol.com' <rhull80403@aol.com>
Cc: 'Pham.Lisa@epa.gov' <Pham.Lisa@epa.gov>; 'Rhotenberry, William' <Rhotenberry.William@epa.gov>; Jones, Kellie, EMNRD <Kellie.Jones@state.nm.us>; Jamie EMNRD Keyes (Jamie.Keyes@state.nm.us) <Jamie.Keyes@state.nm.us>; Turner, Jill, NMENV <jill.turner@state.nm.us>
Subject: DKD SWD Richardson Fee #2; Letter dated Dec 2015

Mr. Hull,

We have received your letter dated Dec 15, 2015 regarding the release of oil field waste at the Richardson Fee #2 site. I have written responses addressing your concerns on two prior occasions which are attached below.

All information on this site and correspondence are available for your review at the NMOCD website. The reference number 1RP-3959. It can be found at the following link-

<http://ocdimage.emnrd.state.nm.us/imaging/AEOrderFileView.aspx?appNo=pJXK1530936575>

Regarding the oilfield waste contaminating groundwater a corrective action plan is being submitted by the operator which will include complete horizontal and vertical delineation.

With respect to the injection of produced water (an oilfield waste), the Statutes of New Mexico allow for this procedure in facilities such as the one here.

<http://www.emnrd.state.nm.us/OCD/documents/SearchablePDFofOCDTitle19Chapter15-Revised12-15-15.pdf>

19.15.2.7 DEFINITIONS

E. (6) "Exempt waste" means oil field waste exempted from regulation as hazardous waste pursuant to Subtitle C of RCRA and applicable regulations

O. (3) "Oil field waste" means waste generated in conjunction with the exploration for, drilling for, production of, refining of, processing of, gathering of or transportation of oil, gas or carbon dioxide; waste generated from oil field service company operations; and waste generated from oil field remediation or abatement activity regardless of the date of release. Oil field waste does not include waste not generally associated with oil and gas industry operations such as tires, appliances or ordinary garbage or refuse unless generated at a division-regulated facility, and does not include sewage, regardless of the source.

P. (10) "Produced water" means water that is an incidental byproduct from drilling for or the production of oil and gas.

19.15.26.2 INJECTION

SCOPE: 19.15.26 NMAC applies to persons engaged in secondary or other enhanced recovery of oil or gas, pressure maintenance, salt water disposal and underground storage of oil or gas.

Again Mr. Hull please acknowledge the receipt of this letter, a copy of which will be posted online.

Dr. Oberding

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From: Oberding, Tomas, EMNRD
Sent: Monday, December 07, 2015 2:09 PM
To: 'rhull80403@aol.com' <rhull80403@aol.com>
Cc: 'Pham.Lisa@epa.gov' <Pham.Lisa@epa.gov>; 'Rhotenberry, William' <Rhotenberry.William@epa.gov>; Jones, Kellie, EMNRD <Kellie.Jones@state.nm.us>; Jamie EMNRD Keyes (Jamie.Keyes@state.nm.us) <Jamie.Keyes@state.nm.us>
Subject: RE: DKD SWD Richardson Fee #2

Mr. Hull,

I have just received your letter dated Dec 1, 2015 regarding this DKD site.

Please acknowledge that you are in receipt of this email and that you understand our ongoing oversight of the event.

Please let me know if you have any questions.

-Dr. Oberding

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From: Oberding, Tomas, EMNRD
Sent: Thursday, November 05, 2015 11:32 AM
To: 'rhull80403@aol.com' <rhull80403@aol.com>
Cc: 'Pham.Lisa@epa.gov' <Pham.Lisa@epa.gov>; 'Rhotenberry, William' <Rhotenberry.William@epa.gov>
Subject: DKD SWD Richardson Fee #2

Mr. Hull,

My name is Dr. Tomas Oberding representing the NMOCD. I was contacted by the EPA regarding your letter dated October 19, 2015 detailing the situation with the Richardson Fee#2 SWD operated by DKD. The following is the update on the situation:

- fire was reported the night it happened;
- SWD operator has been in contact with the OCD to discuss the issue. However no official plan for remediation has yet been provided for review;
- samples are being taken for analysis and proper horizontal and vertical delineation will be achieved before a work plan is approved for the site;
- the reporting document has been resubmitted and is now online with the reference number 1RP-3959. It can be found at the following link-

<http://ocdimage.emnrd.state.nm.us/imaging/AEOrderFileView.aspx?appNo=pJXK1530936575>

We are cognizant of the concern for groundwater impact, which is why complete delineation is being mandated.

A small clarification sir, in New Mexico it is the OCD that regulates the production side of the petroleum industry. This oversight includes waste disposal and groundwater/soil issues arising from the production side of the industry. Please do not hesitate to contact me or the district 1 field representatives located in Hobbs, NM if you have any further questions or concerns.

Respectfully,
-Doc

Tomáš 'Doc' Oberding PhD
Hydrologist, Adv-District 1
Oil Conservation Division, EMNRD
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