

HBP - _____ 22 _____

**RENEWAL REQUEST
AND APPROVAL**

DATE:

December 20, 2021

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

Todd E. Leahy, JD, PhD
Deputy Secretary

Adrienne Sandoval
Director, Oil Conservation Division



December 20, 2021

Ms. Marcelle Fiedler
New Mexico Gas Company, Inc.
P.O. Box 97500
Albuquerque, New Mexico 87199-7500

**Re: Request for Temporary Permission to Discharge Hydrostatic Test Water
New Mexico Gas Company, Inc. - OGRID 277930
Permit: HBP – 22**

Dear Ms. Fiedler:

The New Mexico Oil Conservation Division (OCD) has completed its review of New Mexico Gas Company, Inc.'s (NMGC) renewal request, dated December 16, 2021, for approval of a 120-day temporary permission to discharge small quantities of hydrostatic test wastewater generated from the testing of new transmission pipelines of oil and gas or products thereof throughout the State of New Mexico, which expires on February 17, 2022. OCD acknowledges receipt of the filing fee (\$100.00) and temporary permission fee (\$50.00) with a separately mailed submittal dated December 13, 2021.

Based on the information provided in the request, *temporary permission is hereby granted to NMGC for the discharge of the hydrostatic test wastewater generated from all new pipeline hydrostatic tests* an operator may perform during the approved 120-day period with the following understandings and conditions:

1. the volume of the discharge is less than 25,000 gallons per hydrostatic test;
2. water from a public/municipal water supply or other OCD approved sources, by written request and analytical results, is used for each hydrostatic test;
3. email or written notification must be provided to the OCD 72 hours prior to each hydrostatic discharge event. The notice shall contain the following information:
 - a. the proposed location of hydrostatic test discharge (Section/Township/Range or GPS coordinates);
 - b. the date of the proposed discharge;
 - c. the volume of the proposed discharge; and

- d. the source of hydrostatic test water;
4. no discharge shall enter any lake, perennial stream, river, or their respective tributaries that may be seasonal;
5. no discharge shall occur:
 - a. where ground water is less than 10 feet below ground surface.
 - b. within 200 feet of a watercourse (19.15.2.7.W(4) NMAC), lakebed, sinkhole, or playa lake (19.15.2.7.P(4) NMAC);
 - c. within an existing wellhead protection area (19.15.2.7.W(8) NMAC);
 - d. within 500 feet of a wetland (19.15.2.7.W(9) NMAC); or
 - e. within 500 feet from the nearest permanent residence, school, hospital, institution, or church;
6. no discharge shall occur to a surface water body without obtaining a National Pollution Discharge Elimination Systems (NPDES) permit from the US EPA, NMED, and OCD prior to the discharge;
7. best management practices must be implemented to contain the discharge onsite, to ensure that the discharge does not impact adjacent property, and to control erosion;
8. the discharge does not cause any fresh water supplies to be degraded or to exceed standards as set forth in Subsections A, B, and C of the 20.6.2.3103 NMAC (the Water Quality Regulations);
9. NMGC shall report all unauthorized discharges, spills, leaks, and releases of hydrostatic test wastewater and conduct corrective action pursuant to the Water Quality Regulations of 20.6.2.1203 NMAC and release notification pursuant to OCD Rule 29 (19.15.29 NMAC);
10. the landowner(s) of each proposed discharge and/or collection/retention or alternative discharge location must be properly notified of the activities prior to each proposed hydrostatic test event; and
11. a report, summarizing each test of new pipeline with less than 25,000 gallons per hydrostatic test per discharge event performed within the approved 120-day period, shall be submitted to OCD within 45 days after the temporary permission expiration date and shall contain the following information:
 - a. the location of hydrostatic test discharge (Section/Township/Range or GPS coordinates);
 - b. the date of each discharge;
 - c. the volume of each discharge; and
 - d. the source and quality of test water (laboratory analysis, if necessary).

This temporary permission shall expire 120-days after issuance. **This temporary permission will expire on June 17, 2022.** Renewal requests for a 120-day temporary permission to discharge shall be submitted forty-five (45) days prior to the expiration date. A 120-day

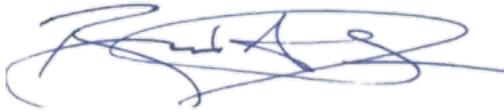
New Mexico Gas Company, Inc.
Permit: HBP - 22
December 20, 2021
Page 3 of 3

temporary permission may be revoked or suspended for violation of any applicable provisions and/or conditions of this approval.

Please be advised that approval of this request does not relieve NMGC of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve NMGC of its responsibility to comply with any other applicable governmental authority's rules and regulations.

If there are any questions, please do not hesitate to contact me at (505) 469-7486 or brad.a.jones@state.nm.us.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Brad A. Jones', with a stylized flourish extending to the right.

Brad A. Jones
Environmental Specialist

Jones, Brad A., EMNRD

From: Jones, Brad A., EMNRD
Sent: Monday, December 20, 2021 3:03 PM
To: Fiedler, Marcelle F.
Subject: RE: [EXTERNAL] updated request
Attachments: 2021 1220 HBP-22 New Mexico Gas Company Inc 120-day TP approval.pdf

Marcelle,

Please see the attached. It a copy of your 120-day temporary permission renewal approval for HBP-022. If you have any questions regarding this matter, please do not hesitate to contact me. Enjoy the holidays.

Brad

Brad A. Jones • Environmental Scientist Specialist - Advanced
Environmental Bureau
EMNRD - Oil Conservation Division
1220 S. Saint Francis Drive | Santa Fe, New Mexico 87505
(505) 469-7486 | brad.a.jones@state.nm.us
www.emnrd.nm.gov

From: Fiedler, Marcelle F. <Marcelle.Fiedler@nmgco.com>
Sent: Wednesday, December 15, 2021 1:36 PM
To: Jones, Brad A., EMNRD <brad.a.jones@state.nm.us>
Subject: [EXTERNAL] updated request

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Brad
Per our phone call I am sending you an updated request for a 120 day temporary permission.
Please apply the fees submitted on 12/13/21 for this request.
Thanks
marcelle

Marcelle Fiedler
New Mexico Gas Company
A TECO Energy Company
Environmental Supervisor
7120 Wyoming Blvd. NE Ste 20
Albuquerque, NM 87109

Mailing address:
PO Box 97500, BC 22
Albuquerque, NM 87199-7500

Office: 505-697-3516
Cell: 505-220-1056

New email address is: Marcelle.fiedler@nmgco.com

NOTICE: This email is intended only for the individual(s) to whom it is addressed and may contain confidential information. If you have received this email by mistake, please notify the sender immediately, delete this email from your system and do not copy or disclose it to anyone else. Although we take precautions to protect against viruses, we advise you to take your own precautions to protect against viruses as we accept no liability for any which remain.



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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

December 16, 2021

Brad Jones
New Mexico Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

Subject: New Mexico Gas Company, Inc Request for Renewal of 120-day Temporary
Permission (HBP-22) to Discharge Hydrostatic Test Water

Dear Mr. Jones,

The New Mexico Gas Company, Inc (NMGC) is requesting a 120-day Temporary Permission (HBP-22) to discharge hydrostatic test water from new natural gas pipelines. (On 12/13/2021, MNGC incorrectly submitted a request for an annual permit. This request replaces the previous request). The current permit expires February 17, 2022 and renewal request is due January 3, 2022. Discharges will occur within NMGC's right-of-way and will be done in a manner to control erosion and prevent sediment discharging from the site. Methods of controlling sediment include: filter bags, detention basins, utilizing a water truck to spray test waters for dust suppression on the right-of-way, working the test water into the trench spoils to aid with compaction, or placing water in the trench and allowing it to soak or evaporate.

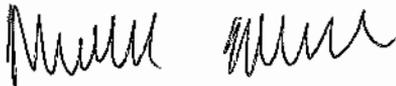
The annual temporary permission authorizes NMGC to discharge hydrostatic test waters throughout the state of New Mexico under the following conditions:

- a) The volume does not exceed 25,000 gallons per hydrostatic test;
- b) Only water from a public/municipal water supply or other OCD approved sources, by written request and analytical results, is be used for each hydrostatic test;
- c) NMGC will provide email or written notification to the OCD 72 hours prior to each hydrostatic discharge event. Each notice shall contain the following information:
 - i. The proposed location of hydrostatic test dishchare (Section/Township/range or GPS coordinates)
 - ii. The date of the proposed discharge
 - iii. The volume of the proposed discharge; and
 - iv. The source of hydrostatic test water
- d) Test water will not enter any lake, perennial stream, river or their respective tributaries that may be seasonal;
- e) No discharge shall occur:
 - i. where ground water is less than 10 feet below ground surface.
 - ii. within 200 feet of a watercourse (defined in 19.15.2.7.W(4) NMAC), lakebed, sinkhole or playa lake (defined in 19.15.2.7.P(4) NMAC);

- iii. within an existing wellhead protection area (defined in 19.15.2.7.W(8) NMAC);
 - iv. within, or within 500 feet of a wetland (defined in 19.15.2.7.W(9) NMAC); or
 - v. within 500 feet from the nearest permanent residence, school, hospital, institution or church;
- f) Best management practices will be implemented to contain the discharge onsite to ensure it does not impact adjacent property, and to control erosion;
 - g) The discharge will not cause any fresh water supplies to be degraded or to exceed standards as set forth in Subsections A, B, and C of the 20.6.2.3103 NMAC;
 - h) The landowner(s) of each proposed discharge and/or collection/retention or alternative discharge location will be properly notified of the activities prior to each proposed hydrostatic test event; and
 - i) NMGC will submit an report, summarizing all hydrostatic test wastewater discharges with less than 25,000 gallons per hydrostatic test event, to the OCD within 45 days after the temporary permission expiration date. The report shall contain the following information:
 - i. location of each hydrostatic test (Section, Township and Range or GPS coordinates);
 - ii. date of each discharge;
 - iii. volume of each discharge; and
 - iv. source and quality of test water (laboratory analysis, if necessary).

A report will be submitted by April 3, 2022 for the previous permit. On 12/13/2021, NMGC submitted a check with a request for an annual permit. Please apply those fees to this request. Please feel free to call me at (505) 697-3516 if you have any questions. I appreciate your timely review of this application.

Sincerely,



Marcelle Fiedler
Environmental Supervisor
NMGC



New Mexico
GAS COMPANY®
AN EMERA COMPANY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

December 13, 2021

Brad Jones
New Mexico Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

Subject: New Mexico Gas Company Request for Renewal of Annual Temporary
Permission (HBP-22) to Discharge Hydrostatic Test Water

Dear Mr. Jones,

The New Mexico Gas Company (NMGC) is requesting the renewal of their Annual Temporary Permission (HBP-22) to discharge hydrostatic test water from new natural gas pipelines. The current permit expires February 17, 2022 and renewal request is due January 3, 2022. Discharges will occur within NMGC's right-of-way and will be done in a manner to control erosion and prevent sediment discharging from the site. Methods of controlling sediment include: filter bags, detention basins, utilizing a water truck to spray test waters for dust suppression on the right-of-way, working the test water into the trench spoils to aid with compaction, or placing water in the trench and allowing it to soak or evaporate.

The annual temporary permission authorizes NMGC to discharge hydrostatic test waters throughout the state of New Mexico under the following conditions:

1. The volume does not exceed 25,000 gallons per hydrostatic test;
2. Only water from a public/municipal water supply or other OCD approved sources will be used for each test;
3. NMGC will provide email or written notification to the OCD 72 hours prior to each hydrostatic discharge event;
4. Test water will not enter any lake, perennial stream, river or their respective tributaries that may be seasonal;
5. No discharge shall occur:
 - i. where ground water is less than 10 feet below ground surface.
 - ii. within 200 feet of a watercourse, lakebed, sinkhole or playa lake;
 - iii. within an existing wellhead protection area;
 - iv. within, or within 500 feet of a wetland; or
 - v. within 500 feet from the nearest permanent residence, school, hospital, institution or church;
6. Best management practices will be implemented to contain the discharge onsite, ensure it does not impact adjacent property, and to control erosion;

7. The discharge will not cause any fresh water supplies to be degraded or to exceed standards as set forth in Subsections A, B, and C of the 20.6.2.3103 NMAC (the New Mexico Water Quality Control Commission Regulations);
8. The landowner(s) of each proposed discharge and/or collection/retention or alternative discharge location will be properly notified of the activities prior to each proposed hydrostatic test event; and
9. NMGC will submit an annual report, summarizing all tests of new pipe with less than 25,000 gallons per hydrostatic test event, to the OCD within 45 days after the temporary permission expiration date. The report shall contain the following information:
 - i. location of hydrostatic test (Section, Township and Range or GPS coordinates);
 - ii. date of each test;
 - iii. volume of each discharge; and
 - iv. source and quality of test water (laboratory analysis, if necessary).

An annual report for 2021 will be submitted by April 3, 2022. Enclosed is a check for \$150 to cover the filing and temporary permission fees. Please feel free to call me at (505) 697-3516 if you have any questions. I appreciate your timely review of this application.

Sincerely,



Marcelle Fiedler
Environmental Supervisor
NMGC

New Mexico Gas Company, Inc
7120 Wyoming Blvd NE, Suite 20
Albuquerque, NM 87109

Check Date 12/08/2021
Check Number 000052016
Check Amount \$ **150.00**
Vendor Number 10041927
Our Account

WATER QUALITY MANAGEMENT FUND
1220 S ST FRANCIS DR
SANTA FE, NM 87505

Invoice Date	Invoice Number	Document No	Description	Gross Amount	Discount	Net Amount
12/07/2021	PERMIT NBP-22	1900004167		150.00	0.00	150.00

THE BACK OF THIS CHECK CONTAINS A SECURITY MARK® - DO NOT ACCEPT WITHOUT HOLDING AT AN ANGLE TO VERIFY SECURITY MARK®

New Mexico Gas Company, Inc
7120 Wyoming Blvd NE, Suite 20
Albuquerque, NM 87109

JPMorgan Chase Bank, NA
Syracuse, NY

50-937/213 12/08/2021
000052016

*** ONE HUNDRED FIFTY USD***

PAY TO THE ORDER OF
WATER QUALITY MANAGEMENT FUND
1220 S ST FRANCIS DR
SANTA FE, NM 87505

Check Amount

\$ **150.00**

NOT VALID AFTER 180 DAYS

Ryan Sh