

NM1 - 21

**PERMITS,
RENEWALS, &
MODS**



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

June 14, 2004

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

Ms. Daniele Berardelli
Rhino Environmental Services, Inc.
P.O. Box 310
Canutillo, TX 79835

Dear Ms. Berardelli:

Your request for modification of Rhino's permits NM-01-0015 and NM-01-0021 as stated in your letter dated June 1, 2004 is hereby approved. In accordance with the description of the system in your letter, you may proceed with the construction and installation of the stabilization basin.

Further, you are permitted to accept non-hazardous oilfield liquid and semi-solid wastes for stabilization in said basin, followed by landfarming. All other stipulations as stated in your letter referenced above must be adhered to. These include:

1. All wastes will be stabilized within 48 hours of receipt.
2. In the event that free liquid must be left unattended for any period of time, a screen must be placed over the basin to prevent entry by wildlife.
3. Adequate berming must be constructed around the aboveground flow-through tank.
4. The ground surface will be double-lined with a 30-mil liner.
5. The system will be equipped with a monitor sump for leak detection.
6. The leak detection system will be checked weekly and OCD will be notified within 24 hours if any liquid is discovered.

This OCD approval does not relieve Rhino Environmental Services, Inc. of any liability should its operations result in pollution of surface waters, ground water or the environment. Nor does it relieve Rhino Environmental Services, Inc. of its responsibility for compliance with other federal, state, or local laws and/or regulations.

NEW MEXICO OIL CONSERVATION DIVISION

Edwin E. Martin

Environmental Bureau

cc: NMOCD-Hobbs District Office



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop
Cabinet Secretary

August 27, 2003

Lori Wrotenbery

Director

Oil Conservation Division

Ms. Daniele Beradelli
GooYea Landfarm, Inc.
200 Sunset Drive, Suite D
El Paso, Texas 79922

RE: Transfer of Commercial Surface Waste Management Facility Permit NM-01-0021 from Rhino Oilfield Disposal, Inc. to GooYea Landfarm, Inc. S/2 SW/4 and SW/4 SE/4 of Section 11, Township 20 South, Range 38 East, NMPM, Lea County, New Mexico

Dear Ms. Beradelli:

The New Mexico Oil Conservation Division (OCD) has received a request from Goo Yea Landfarm, Inc. dated July 1, 2003 to transfer ownership of the Rhino Oilfield Disposal, Inc surface waste management facilities referenced above to GooYea Landfarm, Inc. The request is **hereby approved** in accordance with OCD Rule 711.

Please note that the OCD has received and approved the replacement financial assurance from GooYea Landfarm, Inc. Please refer to the OCD letter to GooYea Landfarm, Inc. dated August 26, 2003 regarding financial assurance.

All modifications and alternatives to the approved disposal methods must receive prior OCD approval. GooYea Landfarm, Inc. is required to notify the Director of any facility expansion or process modification and to file the appropriate materials with the Division.

Please be advised approval of this transfer does not relieve GooYea Landfarm, Inc. of liability should their operation result in pollution of surface waters, ground water or the environment. In addition, OCD approval does not relieve GooYea Landfarm, Inc. of responsibility for compliance with other federal, state or local laws and/or regulations.

If there are any questions, please contact Martyne Kieling at (505) 476-3488.

Sincerely,

Roger C. Anderson
Environmental Bureau Chief

RCA/mjk

xc: Hobbs OCD Office



0 610 195299

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Carol Leach
Acting Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

January 30, 2002

CERTIFIED MAIL
RETURN RECEIPT NO. 7099-3220-0000-5051-2634

Ms. Daniele Berardelli
Rhino Oilfield Disposal, Inc.
P.O. Box 57180
Albuquerque, NM 87187-7180

RE: Rhino Oilfield Disposal, Inc.
Commercial Surface Waste Management Permit Approval NM-01-0021
SE/2 SW/4 & SW/4 SE/4 of Section 11, Township 20 South, Range 38 East, NMPM,
Lea County, New Mexico

Dear Ms. Berardelli:

The permit application for the Rhino Environmental Services, Inc. (Rhino) commercial surface waste management landfarm facility located in the S/2 SW/4 & SW/4 SE/4 of Section 11, Township 20 South, Range 38 East, NMPM, Lea County, New Mexico, is **hereby approved** in accordance with New Mexico Oil Conservation Division (OCD) Rule 711 under the conditions contained in the enclosed attachment. **This permit approval is conditional upon the receipt and approval by the Director of financial assurance in the amount of \$90,800.** According to the schedule outlined in the financial assurance section of the enclosed attachment, 25% of the \$90,800 bond (\$56,750) is required within thirty (30) days of the date of this permit approval letter. The application consists of the permit application Form C-137 dated February 8, 2001, the public notice dated May 22, 2001, and supplemental materials dated May 4, 2001, and the original permit application submitted November 17, 1997.

The operation, monitoring and reporting shall be as specified in the enclosed attachment. All modifications and alternatives to the approved landfarming methods must receive prior OCD approval. Rhino is required to notify the Director of any facility expansion or process modification and to file the appropriate materials with the Division.

Please be advised approval of this facility permit does not relieve Rhino Environmental Services, Inc. of liability should your operation result in pollution of surface water, ground water, or the environment. In addition, OCD approval does not relieve Rhino Environmental Services, Inc. of responsibility for compliance with other federal, state or local laws and/or regulations.

Please be advised that all tanks exceeding 16 feet in diameter and exposed pits, ponds or lagoons must be screened, netted or otherwise rendered nonhazardous to migratory birds. In addition, OCD Rule 310 prohibits oil from being stored or retained in earthen reservoirs, or open receptacles.

The facility is subject to periodic inspections by the OCD. The conditions of this permit will be reviewed by the OCD no later than five (5) years from the date of this approval and the facility will be inspected at least once a year. In addition, the closure cost estimate will be reviewed according to prices and remedial work estimates at the time of the five (5) year review. The financial assurance may be adjusted to incorporate any closure cost changes.

Enclosed are two copies of the conditions of approval. **Please sign and return one copy to the OCD Santa Fe Office within five working days of receipt of this letter.**

If you have any questions please do not hesitate to contact Martyne J. Kieling at (505) 476-3488.

Sincerely,



Lori Wrottenbery
Director

LW/mjk

xc with attachments:
Hobbs OCD Office

ATTACHMENT TO OCD 711 PERMIT APPROVAL
PERMIT NM-01-0021
RHINO OILFIELD DISPOSAL, INC.
S/2 SW/4 and SW/4 SE/4 of Section 11, Township 20 South, Range 38 East, NMPM,
Lea County, New Mexico
(January 30, 2002)

LANDFARM CONSTRUCTION

1. The facility must be fenced and have a sign at the entrance. The sign must be legible from at least fifty (50) feet and contain the following information: a) name of the facility; b) location by section, township and range; and c) emergency phone number.
2. Contaminated soils may not be placed within one hundred (100) feet of the boundary of the facility.
3. Contaminated soils may not be placed within twenty (20) feet of any pipelines crossing the landfarm. In addition, no equipment may be operated within ten (10) feet of a pipeline. All pipelines crossing the facility must have surface markers identifying the location of the pipelines.
4. The portion of the facility containing contaminated soils must be bermed to prevent runoff and runoff. A berm must be constructed and maintained such that it is capable of containing precipitation from a one-hundred year flood for that specific region.
5. All above-ground tanks located at the facility and containing materials other than fresh water must be bermed to contain one and one-third the volume of the largest tank or all interconnected tanks.

LANDFARM OPERATION

1. Disposal may only occur when an attendant is on duty. The facility must be secured when no attendant is present.
2. All contaminated soils received at the facility must be spread and disked within 72 hours of receipt.
3. Soils must be spread on the surface in lifts of six inches or less.
4. Soils must be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.

5. Exempt contaminated soils must be placed in the landfarm so that they are physically separate (*ie.*, bermed) from non-exempt contaminated soils. There may be no mixing of exempt and non-exempt soils.
6. Successive lifts of contaminated soils may not be spread until a laboratory measurement of total petroleum hydrocarbons (TPH) in the previous lift is less than 100 parts per million (ppm), the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and benzene is less than 10 ppm. Comprehensive records of the laboratory analyses and the sampling locations must be maintained at the facility. Authorization from the OCD must be obtained prior to application of successive lifts and/or removal of the remediated soils.
7. Moisture may be added as necessary to enhance bioremediation and to control blowing dust. There may be no ponding, pooling or run-off of water allowed. Any ponding or pooling of precipitation must be removed within twenty-four (24) hours of discovery.
8. Enhanced bio-remediation through the application of microbes (bugs) and/or fertilizers requires prior approval from the OCD. A request to apply microbes must include the location of the area designated for the bio-remediation program, the composition of additives, and the method, amount and frequency of application.
9. Landfarm inspection and maintenance must be conducted on at least a biweekly basis and immediately following each consequential rainstorm or windstorm. If any defect is noted, repairs must be made as soon as possible. If the defect will jeopardize the integrity of the landfarm the OCD Santa Fe and Hobbs offices must be notified within 24 hours and additional wastes may not be placed into the landfarm until repairs have been completed.
10. Within 24 hours of receiving notification from the OCD that an objectionable odor has been detected or reported, the facility must implement the following response procedure:
 - a. log date and approximate time of notice that an odor exists;
 - b. log investigative steps taken, including date and time, and conclusions reached;
and
 - c. log actions taken to alleviate the odor, which may include adjusting chemical treatment, air sparging, solidification, landfarming, or other similar responses.

A copy of the log, signed and dated by the facility manager, must be maintained for OCD review.

WASTE ACCEPTANCE CRITERIA

1. The facility is authorized to accept only:
 - a. Oilfield wastes that are exempt from RCRA Subtitle C regulations. All loads of these wastes received at the facility shall be accompanied by a "Generator Certificate of Waste Status" signed by the generator.
 - b. "Non-hazardous" non-exempt oilfield wastes on a case-by-case basis after conducting a hazardous waste characterization including corrosivity, reactivity, ignitability, and toxic constituents. The samples for these analyses must be obtained from the wastes prior to removal from the generator's facility and without dilution in accordance with EPA SW-846 sampling procedures. All "non-hazardous" non-exempt wastes received at the facility shall be accompanied by:
 - i. An approved OCD Form C-138 "Request For Approval To Accept Solid Waste."
 - ii. A "Generator Certificate of Waste Status" signed by the generator.
 - iii. A verification of waste status issued by the appropriate agency, for wastes generated outside OCD jurisdiction. The agency verification is based on specific information on the subject waste submitted by the generator and demonstrating the exempt or non-hazardous classification of the waste.
 - c. Non-oilfield wastes that are non-hazardous by testing if ordered by the Department of Public Safety in a public health emergency. OCD approval must be obtained prior to accepting the wastes.
2. At no time may any OCD-permitted surface waste management facility accept wastes that are hazardous by either testing or listing.
3. No free liquids or soils with free liquids may be accepted at the facility.
4. Materials that may be accepted into the facility must pass a paint filter test by EPA Method 9095 A prior to receipt.
5. The transporter of any wastes to the facility must supply a certification that wastes delivered are those wastes received from the generator and that no additional materials have been added.

TREATMENT ZONE MONITORING

1. One (1) background soil sample must be taken from the center portion of the landfarm two (2) feet below the native ground surface prior to operation. The sample must be analyzed for total petroleum hydrocarbons (TPH), volatile aromatic organics (BTEX), major cations/anions, and Water Quality Control Commission (WQCC) metals.
2. A treatment zone not to exceed three (3) feet beneath the landfarm native ground surface must be monitored. A minimum of one random soil sample must be taken from each individual cell, with no cell being larger than five (5) acres, six (6) months after the first contaminated soils are received in the cell and then quarterly thereafter. The sample must be taken at two (2) to three (3) feet below the native ground surface.
3. The soil samples must be analyzed using EPA-approved methods for total petroleum hydrocarbons (TPH) and volatile aromatic organics (BTEX) quarterly, and for major cations/anions and Water Quality Control Commission (WQCC) metals annually.
4. After the soil samples are obtained, the boreholes must be filled with an impermeable material such as cement or bentonite.

REPORTING

1. Background sample analytical results must be submitted to the OCD Santa Fe office **within thirty (30) days** of receipt from the laboratory.
2. Analytical results from the treatment zone monitoring must be submitted to the OCD Santa Fe office **within thirty (30) days** of receipt from the laboratory.
3. Records of landfarm inspections and maintenance must be kept and maintained for OCD review.
4. Rhino Landfarm must notify the **OCD Santa Fe and Hobbs offices within 24 hours** of any fire, break, leak, spill, blow out or any other circumstance that could constitute a hazard or contamination in accordance with OCD Rule 116.
5. Comprehensive records of all material disposed of at the facility must be maintained at the facility. The records for each load must include: 1) generator; 2) origin; 3) date received; 4) quantity; 5) certification of waste status as exempt or non-exempt with any necessary supporting documentation to certify non-hazardous status for non-exempt waste; 6) NORM status declaration; 7) transporter; 8) exact cell location; and 9) any addition of microbes, moisture, fertilizers, *etc.*

6. Analytical results regarding remediated soil must be submitted to the OCD Santa Fe office, with a copy to the Hobbs District office, along with any request to close the cell, apply successive lifts or remove the remediated material.
7. The OCD must be notified prior to any design changes to the landfarm facility. The facility must submit for approval any design changes to the facility to the OCD Santa Fe office and Hobbs District office.
8. The OCD must be notified prior to the installation of any pipelines or wells or other construction within the boundaries of the facility.

FINANCIAL ASSURANCE

1. Financial assurance in the amount of **\$90,800** (the estimated cost of closure) in the form of a surety or cash bond or a letter of credit, which is approved by the Division, is required from Rhino Oilfield Disposal, Inc. for the commercial surface waste management facility.

By February 28, 2002 Rhino Oilfield Disposal, Inc. must submit financial assurance in the amount of **\$56,750**.

By February 28, 2003 or when the facility is filled to 50% of the permitted capacity, whichever comes first, Rhino Oilfield Disposal, Inc. must submit financial assurance in the amount of **\$68,100**.

By February 28, 2004 or when the facility is filled to 75% of the permitted capacity, whichever comes first, Rhino Oilfield Disposal, Inc. must submit financial assurance in the amount of **\$79,450**.

By February 28, 2005, or when the facility is filled to 100% of the permitted capacity, whichever comes first, Rhino Oilfield Disposal, Inc. must submit financial assurance in the amount of **\$90,800**.

2. The conditions of this permit and the facility must be reviewed no later than five (5) years from the date of this approval and the facility must be inspected at least once a year. In addition, the closure cost estimate must be reviewed according to prices and remedial work estimates at the time of review. The financial assurance may be adjusted to incorporate any closure cost changes.

CLOSURE

1. The OCD Santa Fe and Hobbs offices must be notified when operation of the facility is to be discontinued for a period in excess of six (6) months or when the facility is to be dismantled. Within six (6) months after discontinuing use or within 30 days of deciding to dismantle the facility a closure plan must be submitted to the OCD Santa Fe office for approval. The operator must complete cleanup of constructed facilities and restoration of the facility site within six (6) months of receiving the closure plan approval, unless an extension of time is granted by the Director.

2. The closure plan to be submitted must include the following procedures:
 - a. When the facility is to be closed no new material may be accepted.

 - b. Existing landfarm soils exceeding OCD closure standards for the site must be remediated until they meet the OCD standards in effect at the time of closure.

 - c. The treatment zone soils within each cell, with no cell being larger than five (5) acres, must be sampled at two (2) to three (3) feet below the native ground surface and must be analyzed for total petroleum hydrocarbons (TPH), volatile aromatic organics (BTEX), major cations/anions and Water Quality Control Commission (WQCC) metals.

 - d. The area must be contoured, seeded with native grasses and allowed to return to its natural state. If the landowner desires to keep existing structures, berms, or fences for future alternative uses, the structures, berms, or fences may be left in place.

 - e. Closure must be pursuant to all OCD requirements in effect at the time of closure,

CERTIFICATION

Rhino Oilfield Disposal, Inc., by the officer whose signature appears below, accepts this permit and agrees to comply with all terms and conditions contained herein. Rhino Oilfield Disposal, Inc. further acknowledges that these conditions and requirements of this permit may be changed administratively by the Division for good cause shown as necessary to protect fresh water, public health and the environment.

Accepted: RHINO OILFIELD DISPOSAL, INC.

Signature _____ Title _____ Date _____

CLOSURE

1. The OCD Santa Fe and Hobbs offices must be notified when operation of the facility is to be discontinued for a period in excess of six (6) months or when the facility is to be dismantled. Within six (6) months after discontinuing use or within 30 days of deciding to dismantle the facility a closure plan must be submitted to the OCD Santa Fe office for approval. The operator must complete cleanup of constructed facilities and restoration of the facility site within six (6) months of receiving the closure plan approval, unless an extension of time is granted by the Director.

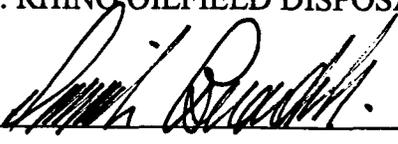
2. The closure plan to be submitted must include the following procedures:
 - a. When the facility is to be closed no new material may be accepted.
 - b. Existing landfarm soils exceeding OCD closure standards for the site must be remediated until they meet the OCD standards in effect at the time of closure.
 - c. The treatment zone soils within each cell, with no cell being larger than five (5) acres, must be sampled at two (2) to three (3) feet below the native ground surface and must be analyzed for total petroleum hydrocarbons (TPH), volatile aromatic organics (BTEX), major cations/anions and Water Quality Control Commission (WQCC) metals.
 - d. The area must be contoured, seeded with native grasses and allowed to return to its natural state. If the landowner desires to keep existing structures, berms, or fences for future alternative uses, the structures, berms, or fences may be left in place.
 - e. Closure must be pursuant to all OCD requirements in effect at the time of closure,

CERTIFICATION

Rhino Oilfield Disposal, Inc., by the officer whose signature appears below, accepts this permit and agrees to comply with all terms and conditions contained herein. Rhino Oilfield Disposal, Inc. further acknowledges that these conditions and requirements of this permit may be changed administratively by the Division for good cause shown as necessary to protect fresh water, public health and the environment.

Accepted: RHINO OILFIELD DISPOSAL, INC.

Signature



Title

General Manager

Date

2/13/02



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
2040 S. PACHECO
SANTA FE, NEW MEXICO 87505
(505) 827-7131

March 20, 2000

CERTIFIED MAIL
RETURN RECEIPT NO. Z-559-573-283

Ms. Daniele Beradelli
Rhino Environmental Services, Inc.
P.O. Box 25547
Albuquerque, New Mexico 87125

**RE: Transfer of Rhino Environmental Services, Inc. to Rhino Oilfield Disposal, Inc.
Commercial Surface Waste Management Facility Permit NM-01-0021
SE/4 Section 34, Township 31 North, Range 13 West, NMPM,
Lea County, New Mexico**

Dear Ms. Beradelli:

The New Mexico Oil Conservation Division (OCD) has received a request from Rhino Environmental Services, Inc. dated December 7, 1999 to transfer ownership of the Rhino Environmental Services, Inc. surface waste management facility located in SE/4 Section 34, Township 31 North, Range 13 West, NMPM, Lea County, New Mexico to Rhino Oilfield Disposal, Inc. The request is hereby approved in accordance with OCD Rule 711.

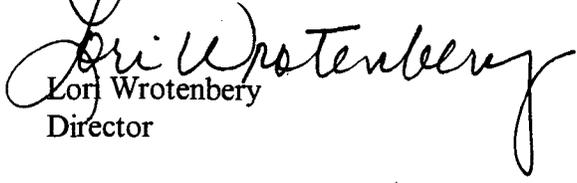
Please be advised that the OCD requires financial assurance from Rhino Oilfield Disposal, Inc. prior to the release of the transferor's financial assurance. Please refer to the OCD letter to Rhino Environmental Services, Inc dated March 15, 2000 regarding financial assurance requirements.

All modifications and alternatives to the approved disposal methods must receive prior OCD approval. Rhino Oilfield Disposal, Inc. is required to notify the Director of any facility expansion or process modification and to file the appropriate materials with the Division.

Please be advised approval of this transfer does not relieve Rhino Oilfield Disposal, Inc. of liability should their operation result in pollution of surface waters, ground water or the environment. In addition, OCD approval does not relieve Rhino Oilfield Disposal, Inc. of responsibility for compliance with other federal, state or local laws and/or regulations.

If there are any questions, please contact Martyne Kieling at (505) 827-7153.

Sincerely,


Lori Wrotenbery
Director

LW/mjk

xc: Hobbs OCD Office



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
2040 S. PACHECO
SANTA FE, NEW MEXICO 87505
(505) 827-7131

July 1, 1998

CERTIFIED MAIL
RETURN RECEIPT NO. P-326-936-445

Ms. Daniele Berardelli
Rhino Environmental Services, Inc.
5 County Road 6065
Farmington, NM 87401

RE: OCD Rule 711 Permit Approval NM-01-0021
Rhino Environmental Services, Inc.
Commercial Landfarm
SE/8 of SE/4 & SW/4 of SE/4 of Section 11, Township 20 South, Range 38 East,
NMPM, Lea County, New Mexico

Dear Ms. Berardelli:

The permit application for the Rhino Environmental Services, Inc. (Rhino) commercial surface waste management landfarm facility located in the SE/8 of SE/4 & SW/4 of SE/4 of Section 11, Township 20 South, Range 38 East, NMPM, Lea County, New Mexico, is hereby approved in accordance with New Mexico Oil Conservation Division (OCD) Rule 711 under the conditions contained in the enclosed attachment. This permit approval is conditional upon the receipt and approval by the Director of financial assurance in the amount of \$45,400. According to the schedule outlined in the financial assurance section of the enclosed attachment, 25% of the \$45,400 bond (\$11,350) is required within thirty (30) days of the date of this permit approval letter. The application consists of the permit application Form C-137 dated November 17, 1997, the public notice dated January 5, 1998, and supplemental materials dated December 30, 1997, February 9, 1998, February 13, 1998, March 14, 1998, March 23, 1998, and April 14, 1998.

The operation, monitoring and reporting shall be as specified in the enclosed attachment. All modifications and alternatives to the approved landfarming methods must receive prior OCD approval. Rhino is required to notify the Director of any facility expansion or process modification and to file the appropriate materials with the Division.

Please be advised approval of this facility permit does not relieve Rhino Environmental Services, Inc. of liability should your operation result in pollution of surface water, ground

Ms. Daniele Berardelli
July 1, 1998
Page 2

water, or the environment. In addition, OCD approval does not relieve Rhino Environmental Services, Inc. of responsibility for compliance with other federal, state or local laws and/or regulations.

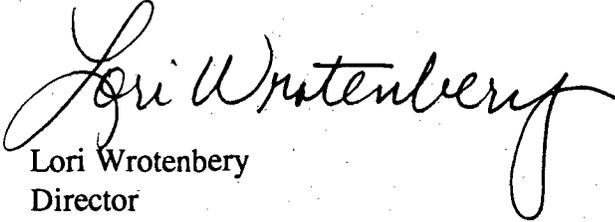
Please be advised that all tanks exceeding 16 feet in diameter and exposed pits, ponds or lagoons must be screened, netted or otherwise rendered nonhazardous to migratory birds. In addition, OCD Rule 310 prohibits oil from being stored or retained in earthen reservoirs, or open receptacles.

The facility is subject to periodic inspections by the OCD. The conditions of this permit will be reviewed by the OCD no later than five (5) years from the date of this approval and the facility will be inspected at least once a year. In addition, the closure cost estimate will be reviewed according to prices and remedial work estimates at the time of the five (5) year review. The financial assurance may be adjusted to incorporate any closure cost changes.

Enclosed are two copies of the conditions of approval. **Please sign and return one copy to the OCD Santa Fe Office within five working days of receipt of this letter.**

If you have any questions please do not hesitate to contact Martyne J. Kieling at (505) 827-7153.

Sincerely,



Lori Wrotenberg
Director

LW/mjk

xc with attachments:
Hobbs OCD Office

ATTACHMENT TO OCD 711 PERMIT APPROVAL
PERMIT NM-01-0021
RHINO ENVIRONMENTAL SERVICES, INC.
SE/8 of SE/4 & SW/4 of SE/4 of Section 11, Township 20 South, Range 38 East, NMPM,
Lea County, New Mexico
(July 1, 1998)

LANDFARM CONSTRUCTION

1. The facility will be fenced and have a sign at the entrance. The sign will be legible from at least fifty (50) feet and contain the following information: a) name of the facility, b) location by section, township and range, and c) emergency phone number.
2. Contaminated soils will not be placed within one hundred (100) feet of the boundary of the facility.
3. Contaminated soils will not be placed within twenty (20) feet of any pipelines crossing the landfarm. In addition, no equipment will be operated within ten (10) feet of a pipeline. All pipelines crossing the facility will have surface markers identifying the location of the pipelines.
4. The portion of the facility containing contaminated soils will be bermed to prevent runoff and runon. A berm will be constructed and maintained such that it is capable of containing precipitation from a one-hundred year flood for that specific region.
5. All above ground tanks located at the facility and containing materials other than fresh water will be bermed to contain one and one-third the volume of the largest tank or all interconnected tanks.

LANDFARM OPERATION

1. Disposal will only occur when an attendant is on duty. The facility will be secured when no attendant is present.
2. All contaminated soils received at the facility will be spread and disked within 72 hours of receipt.
3. Soils will be spread on the surface in six inch lifts or less.

4. Soils will be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.
5. Exempt contaminated soils will be placed in the landfarm so that they are physically separate (ie. bermed) from non-exempt contaminated soils. There will be no mixing of exempt and non-exempt soils.
6. Successive lifts of contaminated soils will not be spread until a laboratory measurement of total petroleum hydrocarbons (TPH) in the previous lift is less than 100 parts per million (ppm), the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and benzene is less than 10 ppm. Comprehensive records of the laboratory analyses and the sampling locations will be maintained at the facility. Authorization from the OCD will be obtained prior to application of successive lifts and/or removal of the remediated soils.
7. The facility is authorized to accept only:
 - a. Oilfield wastes that are exempt from RCRA Subtitle C regulations. All loads of these wastes received at the facility shall be accompanied by an OCD Form C-144 "Generator Certificate of Waste Status" signed by the generator.
 - b. "Non-hazardous" non-exempt oilfield wastes on a case-by-case basis after conducting a hazardous waste characterization including corrosivity, reactivity, ignitability, and toxic constituents. The samples for these analyses will be obtained from the wastes prior to removal from the generator's facility and without dilution in accordance with EPA SW-846 sampling procedures. All "non-hazardous" non-exempt wastes received at the facility shall be accompanied by:
 - i. An approved OCD Form C-138 "Request For Approval To Accept Solid Waste."
 - ii. An OCD Form C-144 "Generator Certificate of Waste Status" signed by the generator.
 - iii. A verification of waste status issued by the appropriate agency, for wastes generated outside OCD jurisdiction. The agency verification is based on specific information on the subject waste submitted by the generator and demonstrating the exempt or non-hazardous classification of the waste.

- c. Non-oilfield wastes that are non-hazardous by testing if ordered by the Department of Public Safety in a public health emergency. OCD approval must be obtained prior to accepting the wastes.
8. At no time will any OCD-permitted surface waste management facility accept wastes that are hazardous by either testing or listing.
9. No free liquids or soils with free liquids will be accepted at the facility.
10. The transporter of any wastes to the facility will supply a certification that wastes delivered are those wastes received from the generator and that no additional materials have been added.
11. Moisture will be added as necessary to enhance bioremediation and to control blowing dust. There will be no ponding, pooling or run-off of water allowed. Any ponding of precipitation will be removed within twenty-four (24) hours of discovery.
12. Enhanced bio-remediation through the application of microbes (bugs) and/or fertilizers will only be permitted after prior approval from the OCD. Request for application of microbes will include the location of the area designated for the bio-remediation program, the composition of additives, and the method, amount and frequency of application.
13. Comprehensive records of all material disposed of at the facility will be maintained at the facility. The records for each load will include: 1) generator, 2) origin, 3) date received, 4) quantity, 5) certification of exempt status or analysis for hazardous constituents if non-exempt, 6) NORM status declaration 7) transporter, 8) exact cell location, and 9) any addition of microbes, moisture, fertilizers, etc.

TREATMENT ZONE MONITORING

1. One (1) background soil sample will be taken from the center portion of the landfarm two (2) feet below the native ground surface prior to operation. The sample will be analyzed for total petroleum hydrocarbons (TPH), major cations/anions, volatile aromatic organics (BTEX), and heavy metals using approved EPA methods.
2. A treatment zone not to exceed three (3) feet beneath the landfarm native ground surface will be monitored. A minimum of one random soil sample will be taken from

each individual cell, with no cell being larger than five (5) acres, six (6) months after the first contaminated soils are received in the cell and then quarterly thereafter. The sample will be taken at two (2) to three (3) feet below the native ground surface.

3. The soil samples will be analyzed using approved EPA methods for TPH and BTEX quarterly, and for major cations/anions and heavy metals annually.
4. After obtaining the soil samples the boreholes will be filled with an impermeable material such as cement or bentonite.

REPORTING

1. Analytical results from the treatment zone monitoring will be submitted to the OCD Santa Fe office within thirty (30) days of receipt from the laboratory.
2. The applicant will notify the **OCD Hobbs District office within 24 hours** of any break, spill, blow out, or fire or any other circumstance that could constitute a hazard or contamination in accordance with OCD Rule 116.
3. Authorization from the OCD Santa Fe office will be obtained prior to application of successive lifts and/or removal of the remediated soils.
4. The OCD will be notified prior to the installation of any pipelines or wells or other construction within the boundaries of the facility.
5. The OCD Santa Fe and Hobbs District offices will be notified when operation of the facility is discontinued for a period in excess of six (6) months or when the facility is to be dismantled. A closure plan for the facility will be provided.

FINANCIAL ASSURANCE

1. Financial assurance in the amount of **\$45,400** (the estimated cost of closure) in the form of a surety or cash bond or a letter of credit, which is approved by the Division, is required from Rhino Environmental Services, Inc. for the commercial surface waste management facility.

By August 3, 1998, Rhino Environmental Services, Inc must submit financial

assurance in the amount of **\$11,350.**

By August 3, 1999, Rhino Environmental Services, Inc must submit financial assurance in the amount of **\$22,700.**

By August 3, 2000, Rhino Environmental Services, Inc must submit financial assurance in the amount of **\$34,050**

By August 3, 2001, Rhino Environmental Services, Inc must submit financial assurance in the amount of **\$45,400**

2. The conditions of this permit and the facility will be reviewed no later than five (5) years from the date of this approval and the facility will be inspected at least once a year. In addition, the closure cost estimate will be reviewed according to prices and remedial work estimates at the time of review. The financial assurance may be adjusted to incorporate any closure cost changes.

CLOSURE

1. The OCD Santa Fe and Hobbs District offices will be notified when operation of the facility is discontinued for a period in excess of six (6) months or when the facility is to be dismantled. Upon cessation of landfarming operations for six (6) consecutive months, the operator shall complete cleanup of constructed facilities and restoration of the facility site within the following six (6) months, unless an extension of time is granted by the Director.
2. A closure plan for the facility will be provided including the following OCD closure procedures:
 - a. When the facility is to be closed no new material will be accepted.
 - b. Existing landfarm soils will be remediated until they meet the OCD standards in effect at the time of closure.
 - c. The area will be contoured, reseeded with natural grasses and allowed to return to its natural state.
 - d. Closure will be pursuant to all OCD requirements in effect at the time of closure, and any other applicable local, state and/or federal regulations.

Rhino Environmental Services, Inc.
711 Permit NM-01-002L
July 1, 1998
Page 6

CERTIFICATION

Rhino Environmental Services, Inc., by the officer whose signature appears below, accepts this permit and agrees to comply with all terms and conditions contained herein. Rhino Environmental Services, Inc. further acknowledges that these conditions and requirements of this permit may be changed administratively by the Division for good cause shown as necessary to protect fresh water, human health and the environment.

Accepted:

RHINO ENVIRONMENTAL SERVICES, INC.

by _____ title _____



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
2040 S. PACHECO
SANTA FE, NEW MEXICO 87505
(505) 827-7131

July 1, 1998

CERTIFIED MAIL
RETURN RECEIPT NO. P-326-936-445

Ms. Daniele Berardelli
Rhino Environmental Services, Inc.
5 County Road 6065
Farmington, NM 87401

RE: OCD Rule 711 Permit Approval NM-01-0021
Rhino Environmental Services, Inc.
Commercial Landfarm
SE/8 of SE/4 & SW/4 of SE/4 of Section 11, Township 20 South, Range 38 East,
NMPM, Lea County, New Mexico

Dear Ms. Berardelli:

The permit application for the Rhino Environmental Services, Inc. (Rhino) commercial surface waste management landfarm facility located in the SE/8 of SE/4 & SW/4 of SE/4 of Section 11, Township 20 South, Range 38 East, NMPM, Lea County, New Mexico, is hereby approved in accordance with New Mexico Oil Conservation Division (OCD) Rule 711 under the conditions contained in the enclosed attachment. This permit approval is conditional upon the receipt and approval by the Director of financial assurance in the amount of \$45,400. According to the schedule outlined in the financial assurance section of the enclosed attachment, 25% of the \$45,400 bond (\$11,350) is required within thirty (30) days of the date of this permit approval letter. The application consists of the permit application Form C-137 dated November 17, 1997, the public notice dated January 5, 1998, and supplemental materials dated December 30, 1997, February 9, 1998, February 13, 1998, March 14, 1998, March 23, 1998, and April 14, 1998.

The operation, monitoring and reporting shall be as specified in the enclosed attachment. All modifications and alternatives to the approved landfarming methods must receive prior OCD approval. Rhino is required to notify the Director of any facility expansion or process modification and to file the appropriate materials with the Division.

Please be advised approval of this facility permit does not relieve Rhino Environmental Services, Inc. of liability should your operation result in pollution of surface water, ground

Ms. Daniele Berardelli
July 1, 1998
Page 2

water, or the environment. In addition, OCD approval does not relieve Rhino Environmental Services, Inc. of responsibility for compliance with other federal, state or local laws and/or regulations.

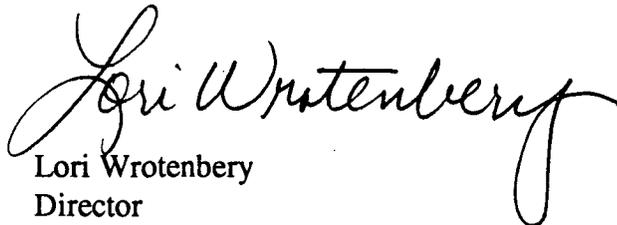
Please be advised that all tanks exceeding 16 feet in diameter and exposed pits, ponds or lagoons must be screened, netted or otherwise rendered nonhazardous to migratory birds. In addition, OCD Rule 310 prohibits oil from being stored or retained in earthen reservoirs, or open receptacles.

The facility is subject to periodic inspections by the OCD. The conditions of this permit will be reviewed by the OCD no later than five (5) years from the date of this approval and the facility will be inspected at least once a year. In addition, the closure cost estimate will be reviewed according to prices and remedial work estimates at the time of the five (5) year review. The financial assurance may be adjusted to incorporate any closure cost changes.

Enclosed are two copies of the conditions of approval. **Please sign and return one copy to the OCD Santa Fe Office within five working days of receipt of this letter.**

If you have any questions please do not hesitate to contact Martyne J. Kieling at (505) 827-7153.

Sincerely,



Lori Wrotenbery
Director

LW/mjk

xc with attachments:
Hobbs OCD Office

RECEIVED

AUG 01 1998

Environmental Bureau
Oil Conservation Division

**ATTACHMENT TO OCD 711 PERMIT APPROVAL
PERMIT NM-01-0021
RHINO ENVIRONMENTAL SERVICES, INC.
SE/8 of SE/4 & SW/4 of SE/4 of Section 11, Township 20 South, Range 38 East, NMPM,
Lea County, New Mexico
(July 1, 1998)**

LANDFARM CONSTRUCTION

1. The facility will be fenced and have a sign at the entrance. The sign will be legible from at least fifty (50) feet and contain the following information: a) name of the facility, b) location by section, township and range, and c) emergency phone number.
2. Contaminated soils will not be placed within one hundred (100) feet of the boundary of the facility.
3. Contaminated soils will not be placed within twenty (20) feet of any pipelines crossing the landfarm. In addition, no equipment will be operated within ten (10) feet of a pipeline. All pipelines crossing the facility will have surface markers identifying the location of the pipelines.
4. The portion of the facility containing contaminated soils will be bermed to prevent runoff and runoff. A berm will be constructed and maintained such that it is capable of containing precipitation from a one-hundred year flood for that specific region.
5. All above ground tanks located at the facility and containing materials other than fresh water will be bermed to contain one and one-third the volume of the largest tank or all interconnected tanks.

LANDFARM OPERATION

1. Disposal will only occur when an attendant is on duty. The facility will be secured when no attendant is present.
2. All contaminated soils received at the facility will be spread and disked within 72 hours of receipt.
3. Soils will be spread on the surface in six inch lifts or less.

4. Soils will be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.
5. Exempt contaminated soils will be placed in the landfarm so that they are physically separate (ie. bermed) from non-exempt contaminated soils. There will be no mixing of exempt and non-exempt soils.
6. Successive lifts of contaminated soils will not be spread until a laboratory measurement of total petroleum hydrocarbons (TPH) in the previous lift is less than 100 parts per million (ppm), the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and benzene is less than 10 ppm. Comprehensive records of the laboratory analyses and the sampling locations will be maintained at the facility. Authorization from the OCD will be obtained prior to application of successive lifts and/or removal of the remediated soils.
7. The facility is authorized to accept only:
 - a. Oilfield wastes that are exempt from RCRA Subtitle C regulations. All loads of these wastes received at the facility shall be accompanied by an OCD Form C-144 "Generator Certificate of Waste Status" signed by the generator.
 - b. "Non-hazardous" non-exempt oilfield wastes on a case-by-case basis after conducting a hazardous waste characterization including corrosivity, reactivity, ignitability, and toxic constituents. The samples for these analyses will be obtained from the wastes prior to removal from the generator's facility and without dilution in accordance with EPA SW-846 sampling procedures. All "non-hazardous" non-exempt wastes received at the facility shall be accompanied by:
 - i. An approved OCD Form C-138 "Request For Approval To Accept Solid Waste."
 - ii. An OCD Form C-144 "Generator Certificate of Waste Status" signed by the generator.
 - iii. A verification of waste status issued by the appropriate agency, for wastes generated outside OCD jurisdiction. The agency verification is based on specific information on the subject waste submitted by the generator and demonstrating the exempt or non-hazardous classification of the waste.

- c. Non-oilfield wastes that are non-hazardous by testing if ordered by the Department of Public Safety in a public health emergency. OCD approval must be obtained prior to accepting the wastes.
8. At no time will any OCD-permitted surface waste management facility accept wastes that are hazardous by either testing or listing.
9. No free liquids or soils with free liquids will be accepted at the facility.
10. The transporter of any wastes to the facility will supply a certification that wastes delivered are those wastes received from the generator and that no additional materials have been added.
11. Moisture will be added as necessary to enhance bioremediation and to control blowing dust. There will be no ponding, pooling or run-off of water allowed. Any ponding of precipitation will be removed within twenty-four (24) hours of discovery.
12. Enhanced bio-remediation through the application of microbes (bugs) and/or fertilizers will only be permitted after prior approval from the OCD. Request for application of microbes will include the location of the area designated for the bio-remediation program, the composition of additives, and the method, amount and frequency of application.
13. Comprehensive records of all material disposed of at the facility will be maintained at the facility. The records for each load will include: 1) generator, 2) origin, 3) date received, 4) quantity, 5) certification of exempt status or analysis for hazardous constituents if non-exempt, 6) NORM status declaration 7) transporter, 8) exact cell location, and 9) any addition of microbes, moisture, fertilizers, etc.

TREATMENT ZONE MONITORING

1. One (1) background soil sample will be taken from the center portion of the landfarm two (2) feet below the native ground surface prior to operation. The sample will be analyzed for total petroleum hydrocarbons (TPH), major cations/anions, volatile aromatic organics (BTEX), and heavy metals using approved EPA methods.
2. A treatment zone not to exceed three (3) feet beneath the landfarm native ground surface will be monitored. A minimum of one random soil sample will be taken from

each individual cell, with no cell being larger than five (5) acres, six (6) months after the first contaminated soils are received in the cell and then quarterly thereafter. The sample will be taken at two (2) to three (3) feet below the native ground surface.

3. The soil samples will be analyzed using approved EPA methods for TPH and BTEX quarterly, and for major cations/anions and heavy metals annually.
4. After obtaining the soil samples the boreholes will be filled with an impermeable material such as cement or bentonite.

REPORTING

1. Analytical results from the treatment zone monitoring will be submitted to the OCD Santa Fe office within thirty (30) days of receipt from the laboratory.
2. The applicant will notify the **OCD Hobbs District office within 24 hours** of any break, spill, blow out, or fire or any other circumstance that could constitute a hazard or contamination in accordance with OCD Rule 116.
3. Authorization from the OCD Santa Fe office will be obtained prior to application of successive lifts and/or removal of the remediated soils.
4. The OCD will be notified prior to the installation of any pipelines or wells or other construction within the boundaries of the facility.
5. The OCD Santa Fe and Hobbs District offices will be notified when operation of the facility is discontinued for a period in excess of six (6) months or when the facility is to be dismantled. A closure plan for the facility will be provided.

FINANCIAL ASSURANCE

1. Financial assurance in the amount of **\$45,400** (the estimated cost of closure) in the form of a surety or cash bond or a letter of credit, which is approved by the Division, is required from Rhino Environmental Services, Inc. for the commercial surface waste management facility.

By August 3, 1998, Rhino Environmental Services, Inc must submit financial

assurance in the amount of **\$11,350**.

By August 3, 1999, Rhino Environmental Services, Inc must submit financial assurance in the amount of **\$22,700**.

By August 3, 2000, Rhino Environmental Services, Inc must submit financial assurance in the amount of **\$34,050**

By August 3, 2001, Rhino Environmental Services, Inc must submit financial assurance in the amount of **\$45,400**

2. The conditions of this permit and the facility will be reviewed no later than five (5) years from the date of this approval and the facility will be inspected at least once a year. In addition, the closure cost estimate will be reviewed according to prices and remedial work estimates at the time of review. The financial assurance may be adjusted to incorporate any closure cost changes.

CLOSURE

1. The OCD Santa Fe and Hobbs District offices will be notified when operation of the facility is discontinued for a period in excess of six (6) months or when the facility is to be dismantled. Upon cessation of landfarming operations for six (6) consecutive months, the operator shall complete cleanup of constructed facilities and restoration of the facility site within the following six (6) months, unless an extension of time is granted by the Director.
2. A closure plan for the facility will be provided including the following OCD closure procedures:
 - a. When the facility is to be closed no new material will be accepted.
 - b. Existing landfarm soils will be remediated until they meet the OCD standards in effect at the time of closure.
 - c. The area will be contoured, reseeded with natural grasses and allowed to return to its natural state.
 - d. Closure will be pursuant to all OCD requirements in effect at the time of closure, and any other applicable local, state and/or federal regulations.

RECEIVED

AUG 01 1998

State of New Mexico
Department of Environment
Water Quality Division

Rhino Environmental Services, Inc.
711 Permit NM-01-0021
July 1, 1998
Page 6

CERTIFICATION

Rhino Environmental Services, Inc., by the officer whose signature appears below, accepts this permit and agrees to comply with all terms and conditions contained herein. Rhino Environmental Services, Inc. further acknowledges that these conditions and requirements of this permit may be changed administratively by the Division for good cause shown as necessary to protect fresh water, human health and the environment.

Accepted:

RHINO ENVIRONMENTAL SERVICES, INC.

by Steve Olson title President