

BW - 32

ENFORCEMENT

DATE:



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

February 09, 2007

Mack Chase-President
Mack Energy Corporation
11352 Lovington Highway
Artesia, NM 88210

Dear Mr. Chase:

It has been reported that Mack Energy Corporation (MEC) is operating an EPA type Class III brine well located 1775 FNL @ 930 FWL in Section 20-Ts 17S-R 30E Eddy County, New Mexico. This information was obtained from a sign at the location.

Pursuant to New Mexico Water Quality Control Commission (WQCC) Regulations, all class III brine wells must have an approved discharge permit issued by the Oil Conservation Division Environmental Bureau. OCD cannot find any record or permit for this facility. Therefore, you are hereby ordered to cease and desist all operations at this site until MEC has obtained an approved discharge permit pursuant to 20.6.2 NMAC New Mexico Water Quality Control Commission Regulations.

Please make arrangements within 10 days to set up an inquiry meeting to be held in Santa Fe, New Mexico concerning this issue. If you have any questions please do not hesitate to call me at 505-476-3493 or E-mail daniel.sanchez@state.nm.us.

Sincerely,

Daniel Sanchez -Compliance and Enforcement Manager

Cc: Wayne Price-Environmental Chief
Tim Gum- OCD District Supervisor
Attachments- photos

Facility Name	Berry A Brine Well	Time Out	12:30	Time In	13:45	Hrs	
Inspector	Carl Chavez	Dt Mod	2/12/2007	Purpose	Normal Routine Activity		
Inspection Date	02/06/2007	Inspect No.	eCJC0704345670				
Type		Field Inspection					

Violations / Documentation	Additional Violation Notes
<p>List Violations or Indicate Compliance</p> <p style="text-align: center;">Specific Violation</p> <p>Other (Describe below)</p> <p>Documentation Acquired: <input type="checkbox"/> Samples <input type="checkbox"/> Statements <input checked="" type="checkbox"/> Photos</p>	<p>Brine well discovered in operation without an OCD Permit.</p>

Compliance Items (Additional Concerns with Checked Items)

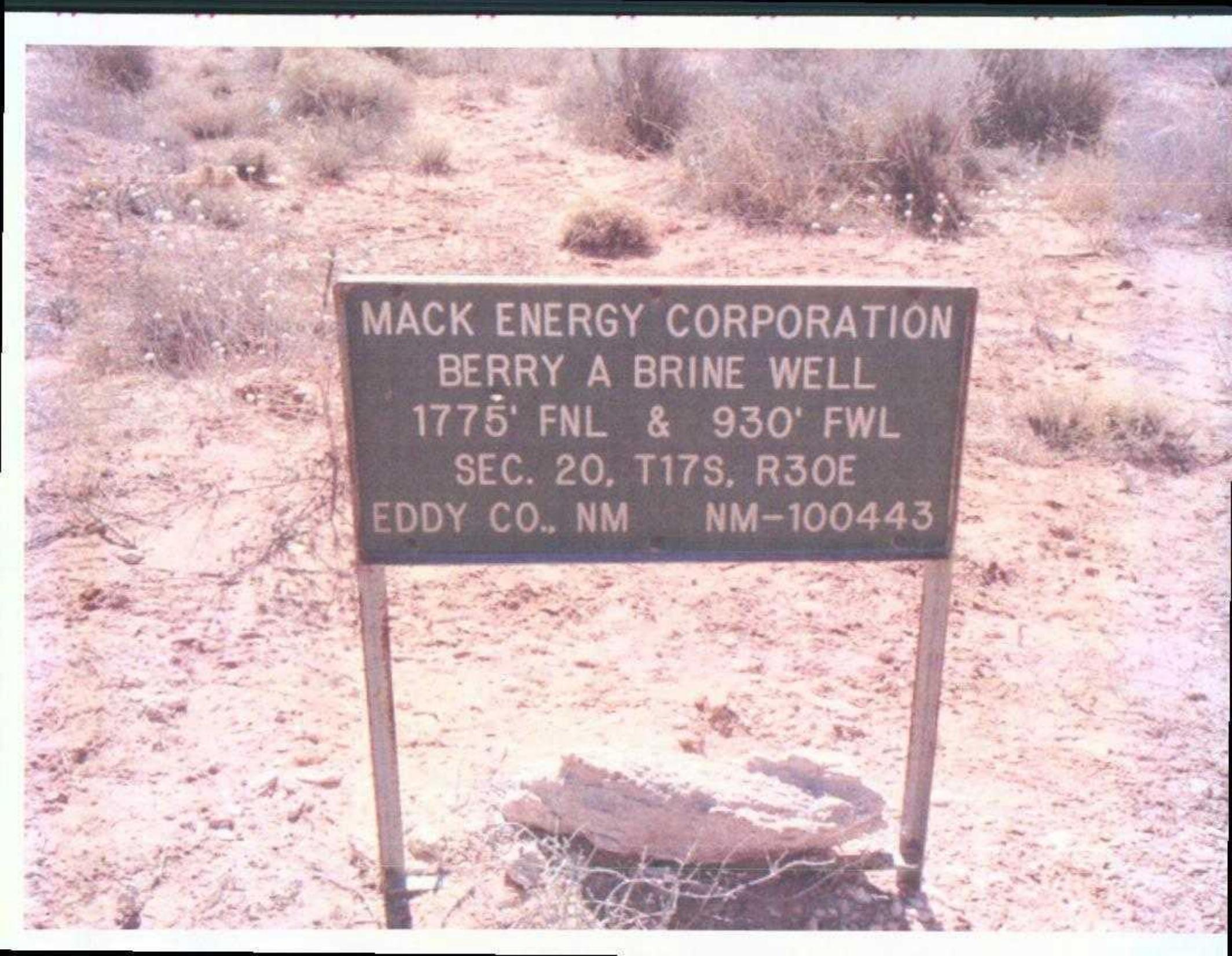
Write Compliance Based on this Inspection

<input type="checkbox"/> Unauth Dischg	<input type="checkbox"/> Process Area	<input type="checkbox"/> BG Tanks/Sumps	<input type="checkbox"/> WD Practice	<input type="checkbox"/> Housekeeping	<input type="checkbox"/> Remediations
<input type="checkbox"/> Drums	<input type="checkbox"/> Pad / Berm / Liner	<input type="checkbox"/> Labeling	<input type="checkbox"/> UG Lines	<input type="checkbox"/> Class V	<input type="checkbox"/> Storm Wtr

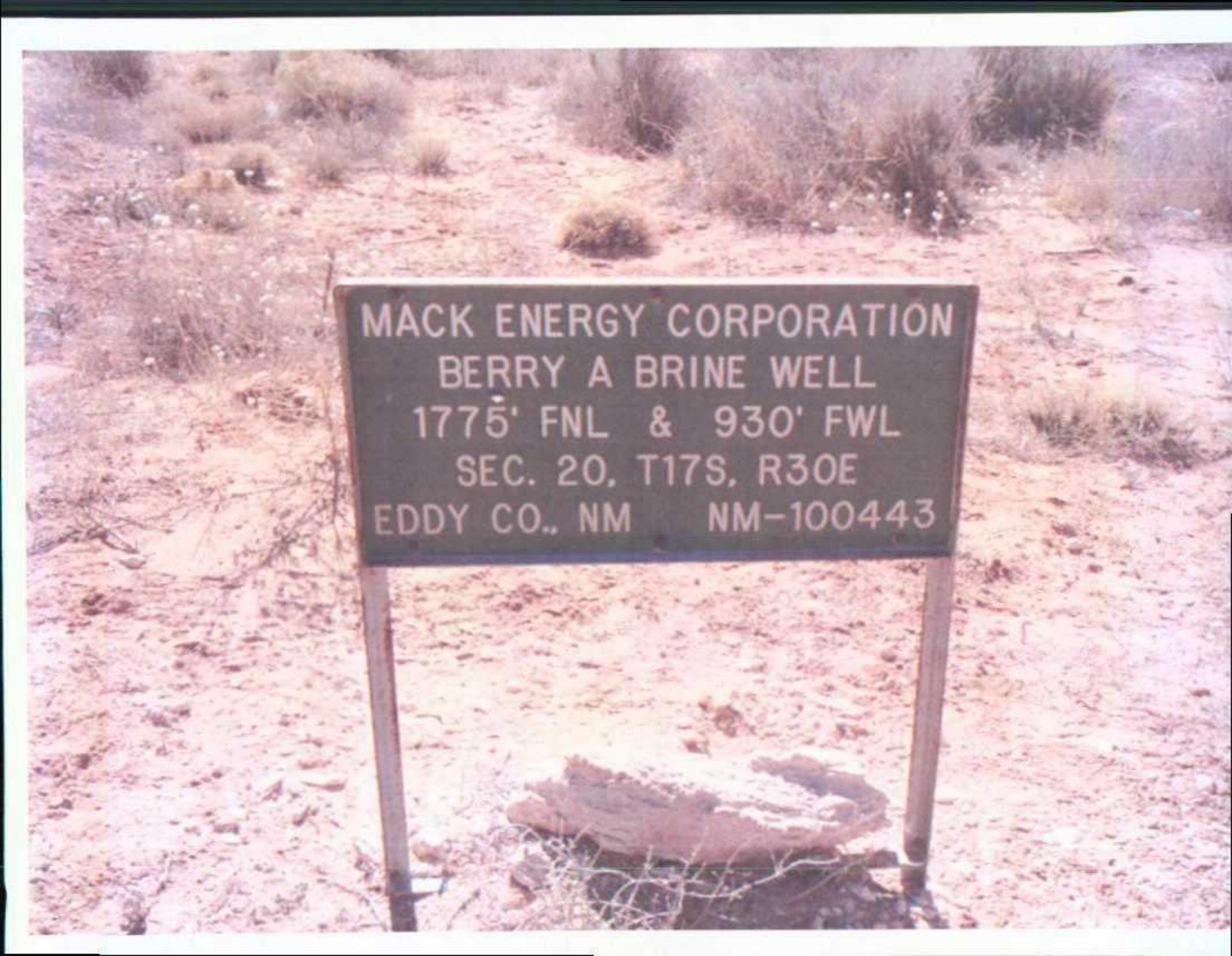
Describe Remedial Action Required

Company sent letter dated February 9, 2007, informing the company that it cannot find any record or permit for the facility; therefore, company ordered to cease and desist all operations at the site until company has obtained an approved discharge permit and is required to setup an inquiry meeting within 10

Use [SHIFT] + [F2] to Expand any Notes or Comment Field

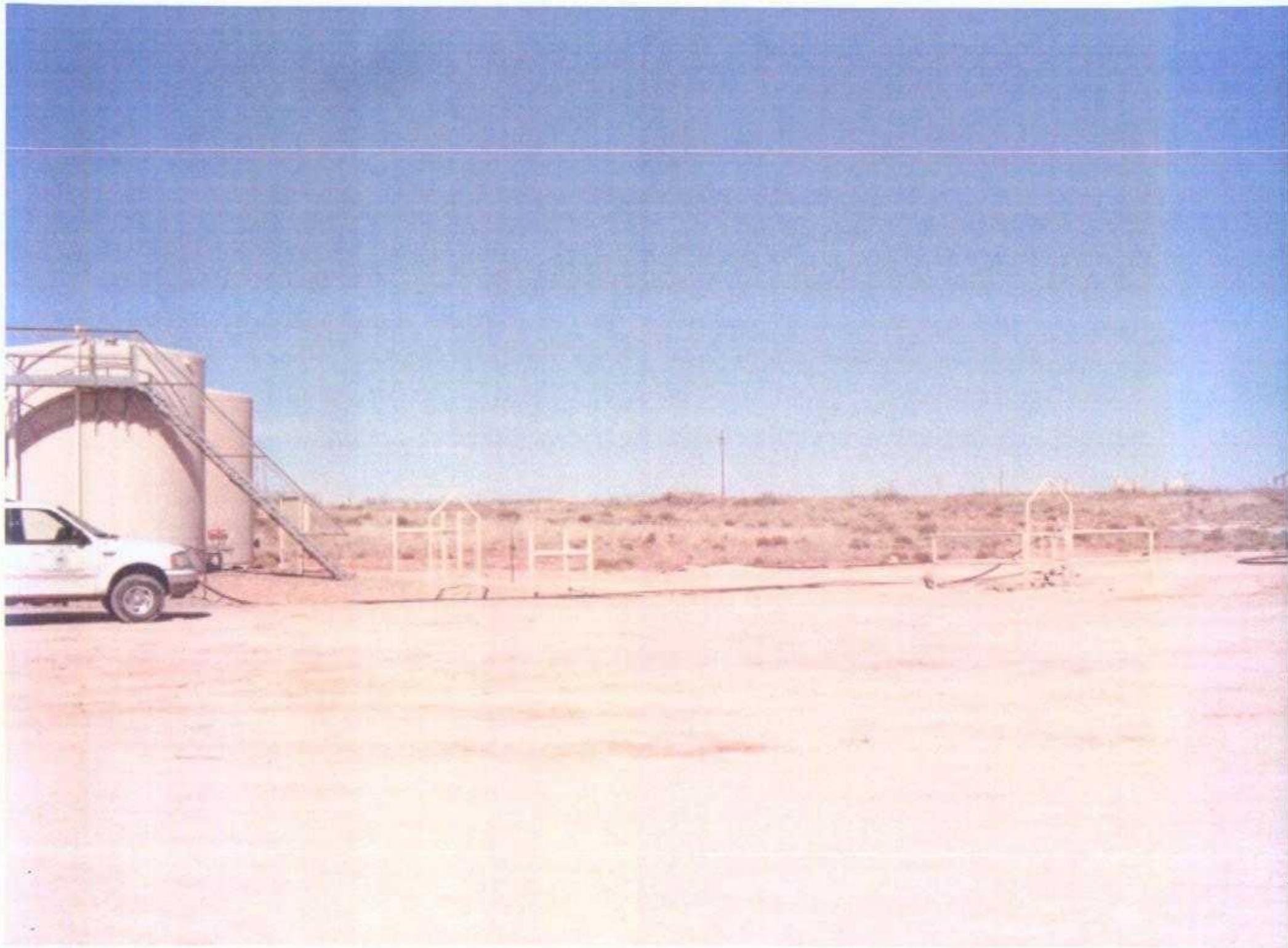


MACK ENERGY CORPORATION
BERRY A BRINE WELL
1775' FNL & 930' FWL
SEC. 20, T17S, R30E
EDDY CO., NM NM-100443

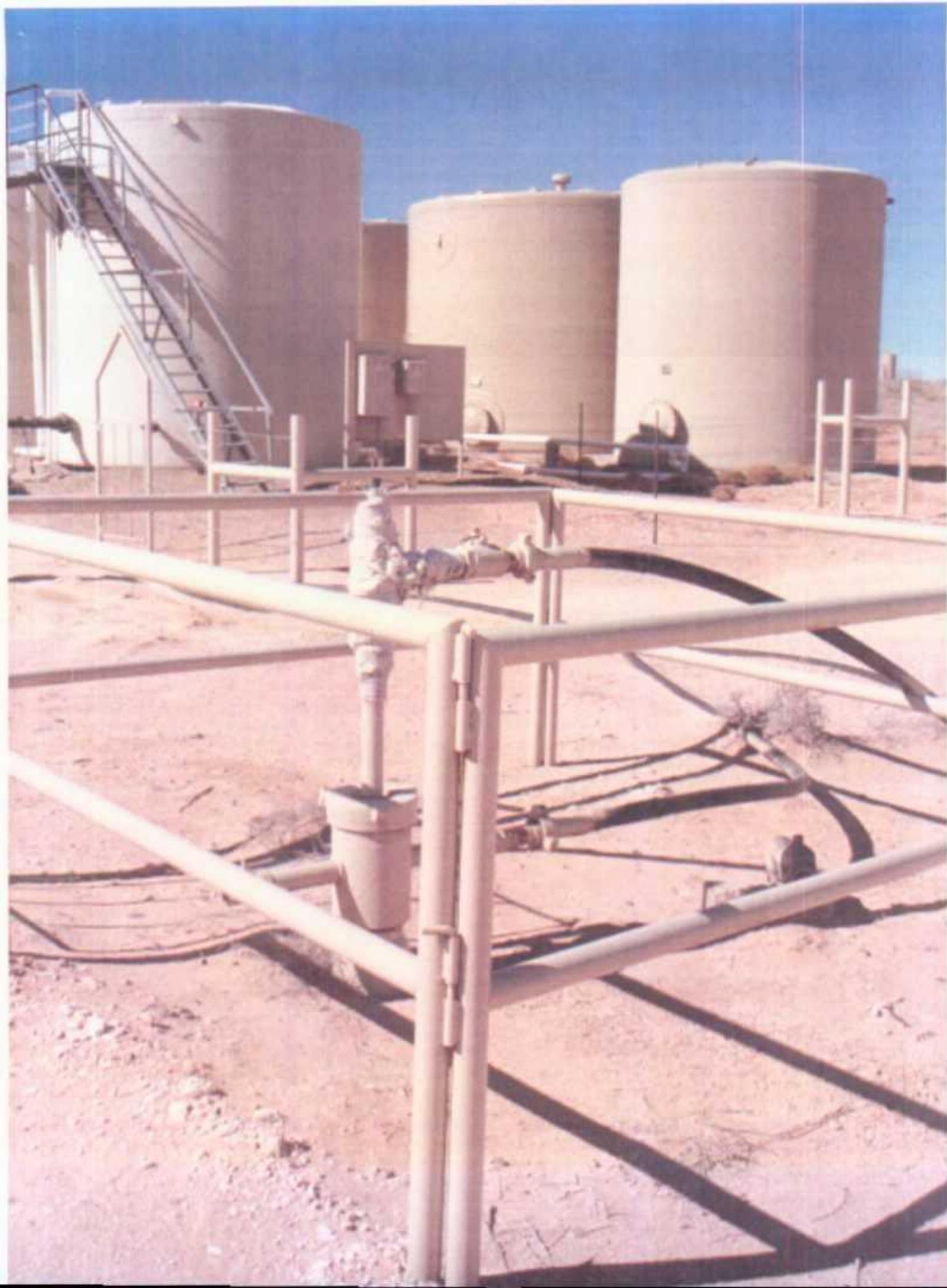


MACK ENERGY CORPORATION
BERRY A BRINE WELL
1775' FNL & 930' FWL
SEC. 20, T17S, R30E
EDDY CO., NM NM-100443











CONCHO COG Operating LLC

BERRY A FEDERAL #9

1775' FNL & 990' FWL

SEC. 21, T17S, R30E

EDDY COUNTY LC-054988-A

