GW - 23

GENERAL CORRESPONDENCE

YEAR(S):

2007 - 1981

Chavez, Carl J, EMNRD

From: Weathers, Stephen W [SWWeathers@dcpmidstream.com]
Sent: Monday, January 15, 2007 9:36 AM
To: Chavez, Carl J, EMNRD
Subject: DCP Midstream Remediation Projects

Carl

I would like to set up a meeting with you to go over DCP Midstream Remediation Projects. What would your availability be for next week possibly on Thursday (January 25) or Mid Week the following week to meet and discuss the projects?

Daniel Dick and myself would attend as well as Mike Stewart the Environmental Consultant that does most of our groundwater remediation projects in NM.

Thanks

Stephen Weathers
Sr. Environmental Specialist
DCP Midstream
303-605-1718 (Office)
303-619-3042 (Cell)

Effective 1/1/07 my email address has changed to swweathers@dcpmidstream.com

Duke Energy® Field Services

DUKE ENERGY FIELD SERVICES
Midland Regional Office
10 Desta Drive, Suite 400-West
Midland, TX 79705

432 620 4000

CERTIFIED MAIL: 7005 0390 0002 9899 9370

July 19, 2005

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

Re: Discharge Plan Renewal GW-023
Duke Energy Field Services, LP
Artesia Gas Plant
Eddy County, New Mexico

Dear NMOCD

Please find the signed enclosed copy of discharge plan No. GW-023 for the Duke Energy Field Services LP, Artesia Gas Plant in Eddy County, New Mexico.

Please note that DEFS did not receive the letter from OCD until July 7, 2005.

If you have any questions, feel free to contact me at (432) 620-4165 or by e-mail at bafortin@duke-energy.com

Respectfully

Boyd Fortin
Sr. Environmental Specialist

Cc: Tom Bernal
Denver Environmental Dept
Environmental File: 2.2.3.2

THE SANTA FE
NEW MEXICAN
Founded 1849

NM OIL CONSERVATION DIV.
Attn: Ed Martin
1220 ST. FRANCIS DR

SANTA FE NM 87505

ALTERNATE ACCOUNT: 56689
AD NUMBER: 00118790 ACCOUNT: 00002212
LEGAL NO: 77083 P.O. #: 05-199-050185

437 LINES 1 TIME(S)	192.28
AFFIDAVIT:	5.50
TAX:	14.46
TOTAL:	212.24

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO
COUNTY OF SANTA FE

I, B. Perner, being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily newspaper published in the English language, and having a general circulation in the Counties of Santa Fe and Los Alamos, State of New Mexico and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the publication # 77083 a copy of which is hereto attached was published in said newspaper 1 day(s) between 05/12/2005 and 05/12/2005 and that the notice was published in the newspaper proper and not in any supplement; the first date of publication being on the 12nd day of May, 2005 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

/S/ B Perner
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 12nd day of May, 2005

Notary Janet L. Montoya

Commission Expires: 12/30/07

OK to pay
Ed Martin
5-16-05

OFFICIAL SEAL
Janet L. Montoya
NOTARY PUBLIC - STATE OF NEW MEXICO
MY COMMISSION EXPIRES 12/30/07

NOTICE OF PUBLICATION
STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to New Mexico Water Quality Control Commission Regulations, the following discharge plan application(s) have been submitted to the Director of the Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

(GW-023) – Duke Energy Field Services, Tony R. Lee, (505) 397-5520, 10 Desta Drive, Suite 400 West, Midland, Texas 79705, has submitted a discharge renewal application for the Artesia Gas Plant located in Section 7, Township 18 South, Range 28 East, NMPM, Eddy County, New Mexico. Approximately 20,000 gallons per day of process waste water is disposed of in an OCD approved Class II injection well. The wastewater has a total dissolved solids concentration of approximately 2000 mg/l. Ground water most likely to be affected in the event of an accidental discharge is at a depth of approximately 85 feet with a total dissolved solids concentration of approximately 300 mg/l. The discharge permit addresses how oilfield products and waste will be properly handled, stored and disposed of, including how spills, leaks, and other accidental discharges to the surface will be managed in order to protect fresh water. The OCD proposed conditions can be viewed at www.emnrd.state.nm.us/ocd in the Draft Discharge Permit for this facility.

(GW-172) – Jim's Water Service, Sammy Stoneman, P.O. Box 1387, Artesia, New Mexico 88211-1387, has submitted a discharge plan renewal application for their Artesia facility located at 11413 U.S. Highway 82, Eddy County, New Mexico. Truck and tank rinsate will be stored in an above ground concrete wash bay prior to transport off-site to an OCD approved Class II disposal well. Groundwater most likely to be affected by an accidental discharge is at a depth of approximately 200 feet with a total dissolved solids concentration of approximately 2690 mg/l. The discharge plan addresses how spill, leaks, and other accidental discharges to the surface will be managed.

(GW-180) - Williams Field Service, Clara Garcia, Environmental Compliance, 188 CR 4900, Bloomfield, New Mexico 87413, has submitted a discharge plan renewal application for their Trunk L compressor station located in the NW/4 SW/4, Section 22, Township 28 North, Range 5 West, NMPM, Rio Arriba County, New Mexico. Approximately 4 barrels per day of produced water and waste water with a total dissolved solids concentration in excess of 2000 mg/l is stored in above ground, closed-top steel tanks prior to transport to an OCD approved off-site disposal facility. Groundwater most likely to be affected by an accidental discharge is at a depth of 45 feet with a total dissolved solids concentration of approximately 2000 mg/l. The discharge permit addresses how oilfield products and waste will be properly handled, stored and disposed of, including how spills, leaks, and other accidental discharges to the surface will be managed in order to protect fresh water. The OCD proposed conditions can be viewed at www.emnrd.state.nm.us/ocd in the Draft Discharge Permit for this facility.

(GW-181) - Williams Field Service, Clara Garcia, Environmental Compliance, 188 CR 4900, Boomfield, New Mexico 87413, has submitted a discharge plan renewal application for their Trunk M compressor station located in the SE/4 NE/4, Section 29, Township 30 North, Range 6 West, NMPM, Rio Arriba County, New Mexico. Approximately 4 barrels per day of produced water with a total dissolved solids concentration in excess of 2000 mg/l is stored in an above ground, closed-top steel tank prior to transport to an OCD approved off-site disposal facility. Groundwater most likely to be affected by an accidental discharge is at a depth of 20 feet with a total dissolved solids concentration of approximately 2000 mg/l. The discharge permit addresses how oilfield products and waste will be properly handled, stored and disposed of, including how spills, leaks, and other accidental discharges to the surface will be managed in order to protect fresh water. The OCD proposed conditions can be viewed at www.emnrd.state.nm.us/ocd in the Draft Discharge Permit for this facility.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The discharge plan application may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday thru Friday. Prior to ruling on any proposed discharge plan or its modification, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him and public hearing may be requested by any interested person. Request for public hearing shall set forth the reasons why a hearing shall be held. A hearing will be held if the director determines that there is significant public interest.

If no hearing is held, the Director will approve or disapprove the plan based on the information available. If a public hearing is held, the Director will approve the plan based on the information in the plan and information presented at the hearing.

GIVEN under the Seal of New Mexico Conservation Commission at Santa Fe, New Mexico, on this 9th day of May 2005.

STATE OF
NEW MEXICO
OIL CONSERVATION
DIVISION

SEAL

MARK FEISMIER, P.E.,
Director

Legal #77083
Pub. May 12, 2005

Affidavit of Publication

State of New Mexico,
County of Eddy, ss.

Dawn Higgins, being first duly sworn, on oath says:

That she is Business Manager of the Carlsbad Current-Argus, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof on the date as follows, to wit:

May 11 2005

2005

2005

2005

That the cost of publication is $95.58

and that payment thereof has been made and will be assessed as court costs.

Dawn Higgins

Subscribed and sworn to before me this

11 day of May, 2005

Stephanie Dixon

My commission expires 12-13-05

Notary Public

May 11, 2005

NOTICE OF PUBLICATION STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to New Mexico Water Quality Control Commission Regulations, the following discharge plan application(s) have been submitted to the Director of the Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

(GW-023) - Duke Energy Field Services, Tony R. Lee, (505) 397-5520, 10 Desta Drive, Suite 400 West, Midland, Texas 79705, has submitted a discharge renewal application for the Artesia Gas Plant located in Section 7, Township 18 South, Range 28 East, NMPM, Eddy County, New Mexico. Aproximately 20,000 gallons per day of process waste water is disposed of in an OCD approved Class II injection well. The wastewater has a total dissolved solids concentration of approximately 2000 mg/l. Ground water most likely to be affected in the event of an accidental discharge is at a depth of approximately 85 feet with a total dissolved solids concentration of approximately 300 mg/l. The discharge permit addresses how oilfield products and waste will be properly handled, stored and disposed of, including how spills, leaks, and other accidental discharges to the surface will be managed in order to protect fresh water. The OCD proposed conditions can be viewed at www.emnrd.state.nm.us/ocd in the Draft Discharge Permit for this facility.

(GW-172) - Jim's Water Service, Sammy Stoneman, P.O. Box 1387, Artesia, New Mexico 88211-1387, has submitted a discharge plan renewal application for their Artesia facility located at 11413 U.S. Highway 82, Eddy County, New Mexico. Truck and tank rinsate will be stored in an above ground concrete wash bay prior to transport off-site to an OCD approved Class II disposal well. Groundwater most likely to be affected by an accidental discharge is at a depth of approximately 200 feet with a total dissolved solids concentration of approximately 2690 mg/l. The discharge plan addresses how spill, leaks, and other accidental discharges to the surface will be managed.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The discharge plan application may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday thru Friday. Prior to ruling on any proposed discharge plan or its modification, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him and public hearing may be requested by any interested person. Request for public hearing shall set forth the reasons why a hearing shall be held. A hearing will be held if the director determines that there is significant public interest.

If no hearing is held, the Director will approve or disapprove the plan based on the information available. If a public hearing is held, the Director will approve the plan based on the information in the plan and information presented at the hearing.

GIVEN under the Seal of New Mexico Conservation Commission at Santa Fe, New Mexico, on this 9th day of May 2005.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

MARK FEISMIER, P.E.,
Director

Duke Energy®
Field Services

DUKE ENERGY FIELD SERVICES
370 17th Street
Suite 2500
Denver, CO 80202

303 595 3331

April 15, 2005

UPS Next Day Air *(Tracking No. 1Z F46 915 22 1003 244 3)*

Mr. Jack Ford
New Mexico Energy, Minerals
& Natural Resources Department
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

Subject: Artesia Gas Plant
Discharge Plan GW-023
Lea County, New Mexico

Dear Mr. Ford:

Duke Energy Field Services, LP (DEFS) has provided public notice, in accordance with the Water Quality Control Commission regulations (20.6.2.3108 NMAC), for the Artesia Gas Plant discharge plan renewal application.

DEFS submits the following as proof of notice:

- Copy of the Affidavit of Publication in the Artesia Daily Press;
- Photograph of the synopsis of public notice in English and Spanish posted on the facility front gate; and
- Copy of the synopsis of public notice in English and Spanish posted on the facility front gate

If you have any questions concerning the Artesia Gas Plant Discharge Plan renewal, please contact me at (303) 605-1717. Please send all correspondence regarding this Artesia Gas Plant Discharge Plan renewal to my attention at 370 17th Street, Suite 2500, Denver, CO 80202.

Sincerely,
Duke Energy Field Services, LP

Karin Kimura
Senior Environmental Specialist

Attachments

cc: NMOCD District 2 Office *(UPS Next Day Air Tracking No. 1Z F46 915 22 1003 245 2)*
1301 W. Grand Avenue
Artesia, NM 88210

Affidavit of Publication

NO. ______

STATE OF NEW MEXICO

County of Eddy:

Gary D. Scott being duly sworn, says: That he is the **Publisher** of The Artesia Daily Press, a daily newspaper of general circulation, published in English at Artesia, said county and county and state, and that the here to attached

Advertisement

was published in a regular and entire issue of the said Artesia Daily Press, a daily newspaper duly qualified for that purpose within the meaning of Chapter 167 of the 1937 Session Laws of the state of New Mexico for 1 consecutiv week/days on the same day as follows:

First Publication March 30 2005

Second Publication

Third Publication

Fourth Publication

[signature]

Subscribed and sworn to before me this

14th Day April 2005

[signature]

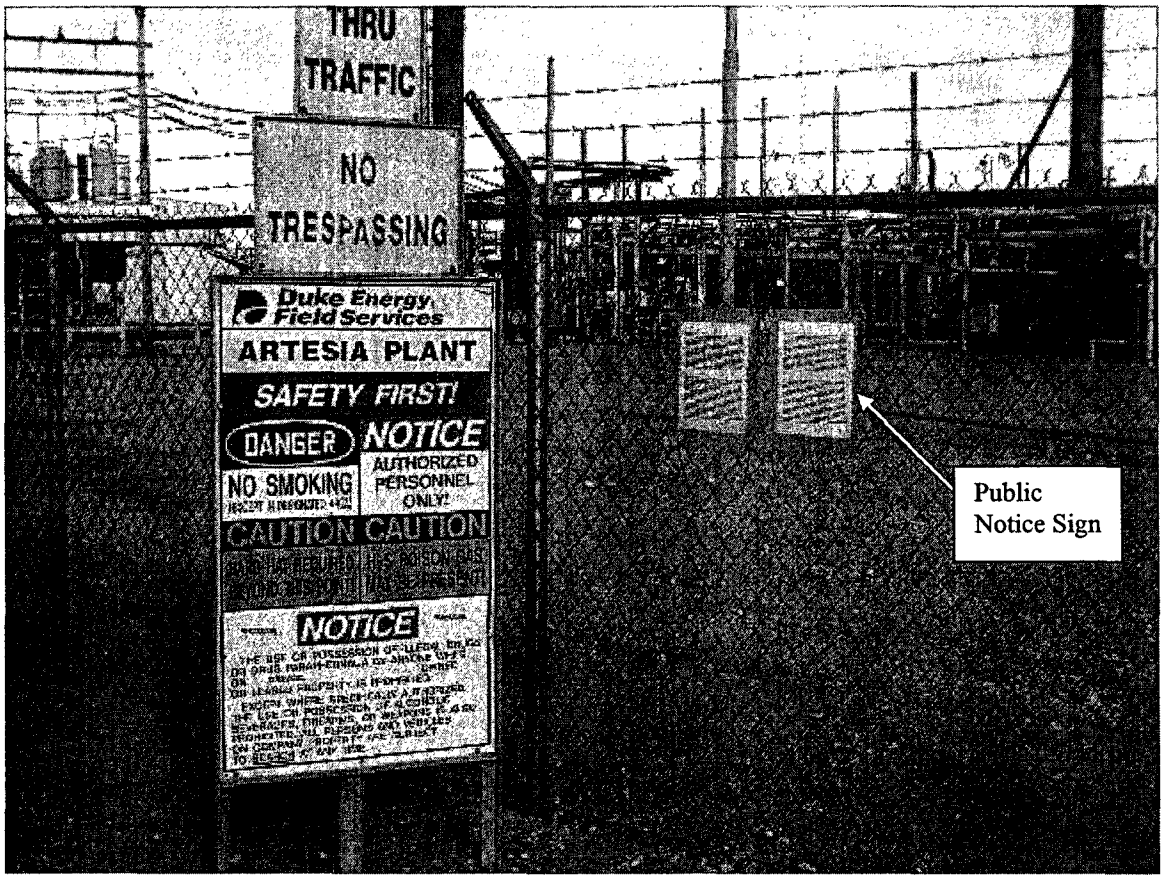
Notary Public, Eddy County, New Mexico

My Commission expires September 23, 2007

Copy of Publication:

DUKE ENERGY FIELD SERVICES, LP

[illegible] given pursuant to the New Mexico Water Quality Control [illegible] Regulations [illegible] Duke Energy Field Services [illegible] County, New Mexico [illegible] Oil Conservation Division [illegible] which may discharge a maximum of approximately [illegible] gallons of natural gas liquid [illegible] most likely [illegible] to the surface is at a depth of approximately 50 feet with a total dissolved solids concentration of approximately 2000 mg/l. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed. Any interested person may obtain further information, submit comments and request to be placed on a facility-specific mailing address to receive future notices [illegible] Conservation Division at the address or telephone number given above. The Oil Conservation Division will accept comments and statements of interest regarding the renewal application and will create a facility-specific mailing list for persons who wish to receive future notices.


THRU
TRAFFIC
NO
TRESPASSING
Duke Energy
Field Services
ARTESIA PLANT
SAFETY FIRST!
DANGER
NOTICE
NO SMOKING
AUTHORIZED
PERSONNEL
ONLY!
CAUTION
CAUTION
NOTICE
Public
Notice Sign

Duke Energy Field Services, LP, 370 17th Street, Suite 2500, Denver, Colorado 80202 has submitted a discharge plan renewal application for its Artesia Gas Plant located in Unit Letter O, Section 7, Township 18 South, Range 28 East, Lea County, New Mexico to the Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico, 87505, Telephone (505) 476-3440. DEFS operates a cryogenic system cold gas flare which may discharge a maximum of approximately 111 gallons of natural gas liquids during system shut downs and emergency operations. Ground water most likely to be affected in an event of a discharge at the surface is at a depth of approximately 50 feet with a total dissolved solids concentration of approximately 2040 mg/l. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed. Any interested person may obtain further information, submit comments, and request to be placed on a facility-specific mailing address to receive future notices to the Oil Conservation Division at the address or telephone number given above. The Oil Conservation Division will accept comments and statements of interest regarding the renewal application and will create a facility-specific mailing list for persons who wish to receive future notices.

Duke Energy Field Services, LP, 370 17th Street, Suite 2500, Denver, Colorado 80202 se han sometido una aplicación de la renovación del plan de la descarga para su Planta de gas de Artesia localizada en la Carta O de la Unidad, la Sección 7, Municipio 18 al sur, la Gama 28 al este, Condado de Lea, nuevo méxico a la División de la Conservación del Petróleo, 1220 South St. Francis Drive, Santa Fe, New Mexico, 87505, el Teléfono (505) 476-3440. Opere DEFS un sistema criogénico estallo frío de gas que puede descargar un máximo de aproximadamente 111 galones de líquidos de gas natural durante sistema cerró y las operaciones de la emergencia. Molió agua muy probable de ser afectada en un acontecimiento de una descarga en la superficie está en una profundidad de aproximadamente 50 pies con un suma la concentración disuelta de sólidos de aproximadamente 2040 mg/L. Las direcciones del plan de la descarga cómo rocian, los escapes, y otras descargas accidentales a la superficie se manejarán. Alguna persona interesada puede obtener información adicional, se somete los comentarios, y el pedido para ser colocado en un dirección de envío facilidad-específico para recibir notas futuras a la División de la Conservación del Petróleo en la dirección o el número de teléfono dados arriba. La División de la Conservación del Petróleo aceptará los comentarios y las declaraciones del interés con respecto a la aplicación de la renovación y creará una lista de envío facilidad-específico para personas que desean para recibir notas futuras.

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

Mark E. Fesmire, P.E.
Director
Oil Conservation Division

March 30, 2005

Duke Energy Field Services
c/o Louis W. Rose, attorney
Montgomery & Andrews
P.O. Box 2307
Santa Fe, NM 87504-2307

Re: Artesia Gas Plant
Eddy County, New Mexico

Dear Mr. Rose:

Reference is made to OCD's letter of July 13, 2004 to Ms. Karin Char Kimura of Duke Energy Field Services directing the filing of a request for a modification of the discharge plan for the subject facility.

On March 2, 2005, OCD received an application for renewal of the discharge permit for the referenced facility, and is now processing the same. Any issues with regard to compliance of the facility's discharge plan with OCD requirements will be considered in the permit renewal process.

Accordingly, OCD hereby withdraws its demand of July 13, 2004 for a discharge plan modification.

Contemporaneously herewith, we are filing with the WQCC a motion to dismiss Duke's appeal from the referenced action as moot.

Should you have questions, please feel free to call the undersigned at (505)-476-3450.

Very truly yours,

David K. Brooks,
Assistant General Counsel

cc: W. Jack Ford

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

Mark E. Fesmire, P.E.
Director
Oil Conservation Division

March 30, 2005

Water Quality Control Commission
1190 S. St. Francis Drive, Room N-1054
Santa Fe, NM 87505

Re: Case No. WQCC-04-06-P
In the Matter of the Petition for Hearing on Discharge Permit Required Determination, Duke Energy Field Services, LP, Petitioner

Ladies and Gentlemen:

Enclosed for filing in the captioned matter are the original and 14 copies of the Oil Conservation Division's Motion to Dismiss this appeal as moot.

Also enclosed is an additional copy of the Motion which we respectfully request you to file mark and return to us.

Should you have questions, please feel free to call the undersigned at (505)-476-3450.

Very truly yours,

David K. Brooks,
Assistant General Counsel

cc: Louis W. Rose
Montgomery & Andrews
P.O. Box 2307
Santa Fe, NM 89501

STATE OF NEW MEXICO
BEFORE THE WATER QUALITY CONTROL COMMISSION

IN THE MATTER OF THE PETITION FOR HEARING ON DISCHARGE PERMIT REQUIRED DETERMINATION **No. WQCC-04-06-P**

DUKE ENERGY FIELD SERVICES, LP,

Petitioner

MOTION TO DISMISS AS MOOT

Now comes the New Mexico Oil Conservation Division ("the Division"), respondent in the captioned appeal, and moves to dismiss the same as moot, in support whereof OCD would show the following:

1. This is an appeal by Duke Energy Field Services, LP ("Duke"), of an OCD determination, by letter dated July 13, 2004, that a proposed modification at Duke's permitted facility required a discharge plan modification.

2. On March 4, 2005, Duke filed an application for renewal of its discharge permit for the subject facility.

3. On March 30, 2005, OCD by letter withdrew its demand for a discharge plan modification, pending full consideration of Duke's application for permit renewal. A copy of OCD's letter withdrawing its modification demand of July 13, 2004 is attached hereto as Exhibit A.

Duke Energy®
Field Services

DUKE ENERGY FIELD SERVICES
370 17th Street
Suite 2500
Denver, CO 80202

303 595 3331

2005 MAR 30 PM 1 07

March 29, 2005

UPS Next Day Air *(Tracking No. 1Z F46 915 22 1003 182 8)*

Mr. Jack Ford
New Mexico Energy, Minerals
& Natural Resources Department
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

Subject: Artesia Gas Plant
Discharge Plan GW-023
Lea County, New Mexico

Dear Mr. Ford:

Duke Energy Field Services, LP (DEFS) submits supplemental information for its March 3, 2005 discharge plan renewal application. As stated in Section 1 – Type of Operations of the discharge plan submitted on March 3, 2005, DEFS was in the process of calculating an estimated volume of NGL that may be discharged to the surface of the earthen berm for the cryogenic plant cold gas flare during emergency/shutdown operations. Based upon calculations performed, the maximum volume of NGLs that may be discharged due to incomplete combustion of the NGLs in the cold gas flare is approximately 111 gallons. This estimate is based upon the following factors: 1) Draining liquids from the largest vessels to the cold gas flare (Absorber and Demethanizer Columns); and 2) Warming up the cryogenic plant to at least 32°F and reducing the cryogenic plant pressure to 100 psig before draining NGLs from cryogenic plant to the cold drain flare.

Also as stated in Section 9 – Proposed Modifications of the discharge plan submitted on March 3, 2005, DEFS is currently in the process of redesigning the cold gas flare to eliminate any discharges of NGLs due to incomplete combustion into the cold gas flare's earthen berm. DEFS will keep OCD apprised of its plans and schedule as soon as they are established.

If you have any questions concerning the Artesia Gas Plant Discharge Plan renewal, please contact me at (303) 605-1717. Please send all correspondence regarding this Artesia Gas Plant Discharge Plan renewal to my attention at 370 17th Street, Suite 2500, Denver, CO 80202.

Sincerely,
Duke Energy Field Services, LP

Karin Kimura
Senior Environmental Specialist

cc: NMOCD District 2 Office *(UPS Next Day Air Tracking No. 1Z F46 915 22 1003 183 7)*
1301 W. Grand Avenue
Artesia, NM 88210

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

Mark E. Fesmire, P.E.
Director
Oil Conservation Division

December 2, 2004

Mr. Louis W. Rose
Montgomery & Andrews
P.O.Box 2307
Santa Fe, NM 87504-2307

Re: Case No. WQCC-04-06-P
Duke Energy Field Services
Artesia Gas Plant, GW-023

Dear Mr. Rose:

Reference is made to letter of Karin Char Kimura for Duke Energy Field Services to Jack Ford of Oil Conservation Division dated July 6, 2004 concerning a proposed below-grade tank installation at the referenced plant, and to Mr. Ford's response dated July 13, 2004, stating that the proposed installation plan would require a discharge plan modification.

As you are aware, Duke has appealed the requirement of a discharge plan modification to the Water Quality Control Commission, and has also requested a reconsideration of this matter by the Division by letter from you to the Director dated November 5, 2004. The hearing before the WQCC has been postponed by agreement to April, 2005, in order to allow the Division to address the request for reconsideration.

Inasmuch as the proposed tank installation complies with OCD environmental requirements, and the issue is limited to the specific filing requirements, OCD has agreed that Duke may proceed with the installation without further filings or approvals, pending resolution of the question by the WQCC or otherwise, provided the tank is constructed substantially as previously described.

Should you have questions, please feel free to call the undersigned at (505)-476-3450.

Very truly yours,

David K. Brooks,
Assistant General Counsel

cc Jack Ford
OCD

MONTGOMERY & ANDREWS
PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

Post Office Box 2307
Santa Fe, New Mexico 87504-2307

LOUIS W. ROSE
Direct Line (505) 986-2506
E-Mail lrose@montand.com
www.montand.com

December 1, 2004

325 Paseo de Peralta
Santa Fe, New Mexico 87501

Telephone (505) 982-3873
Telecopy (505) 982-4289

BY HAND DELIVERY

Sally Worthington, Hearing Clerk
Water Quality Control Commission
1190 St. Francis Drive, Room N-2054
Santa Fe, NM 87502

Re: In the Matter of the Petition for Hearing on Discharge Permit Required Determination, Duke Energy Field Services, LP, Petitioner, No. WQCC-04-06-P

Dear Ms. Worthington:

Enclosed are the original and fourteen (14) copies of the Duke Energy Field Services, LP's and the Oil Conservation Division's Joint Motion to Continue Hearing in the above-captioned matter. Please file the original and return a conformed copy to me. If you have any questions, please contact me.

Sincerely,

Louis W. Rose

LWR
#12284-0401
Enclosures
cc: Joshua Epel, Esq.
Karin Char Kimura
David K. Brooks, Esq. (hand-delivered)

STATE OF NEW MEXICO
BEFORE THE WATER QUALITY CONTROL COMMISSION

IN THE MATTER OF THE PETITION FOR HEARING ON DISCHARGE PERMIT REQUIRED DETERMINATION **No. WQCC-04-06-P**

DUKE ENERGY FIELD SERVICES, LP,

Petitioner

JOINT MOTION TO CONTINUE HEARING

Petitioner Duke Energy Field Services, LP ("DEFS") and Respondent Oil Conservation Division of the New Mexico Energy, Minerals and Natural Resources Department ("OCD") jointly move the Commission for an order continuing the December 14, 2004 hearing on DEFS's petition until the Commission's April 2005 meeting (tentatively scheduled for April 12, 2005).

As grounds for this Motion, DEFS and OCD state as follows:

1. On August 11, 2004, DEFS filed its petition for hearing on the OCD's July 13, 2004 determination that a discharge permit modification was required for the installation of a below-grade tank at DEFS's Artesia Gas Plant.

2. The Commission set the matter for hearing at its December 14, 2004 meeting.

3. On November 5, 2004, DEFS submitted a request that OCD reconsider its decision to require a discharge permit.

4. DEFS and OCD agree that additional time is necessary for OCD to thoroughly evaluate the reconsideration request and for the parties to discuss possible settlement of the petition.

5. DEFS and OCD propose that the hearing be postponed until the April 2005 Commission meeting because the Commission does not normally meet during the Legislative session, which begins January 18, 2005. The 2005 Legislative session ends on March 19, 2005, after the Commission's normal monthly meeting date.

Respectfully submitted,

DUKE ENERGY FIELD SERVICES, LP

By: _____

Louis W. Rose
Montgomery & Andrews, P.A.
Post Office Box 2307
Santa Fe, New Mexico 87504-2307
(505) 982-3873

Attorneys for the Duke Energy Field Services, LP

OIL CONSERVATION DIVISION

By: Approved Telephonically
David K. Brooks, Esq.
Assistant General Counsel
Energy, Minerals & Natural Resources Department
1220 S. St. Francis Dr.
Santa Fe, N.M. 87505
(505) 476-3450

Attorney for Oil Conservation Division

MONTGOMERY & ANDREWS
PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

Post Office Box 2307
Santa Fe, New Mexico 87504-2307

LOUIS W. ROSE
Direct Line (505) 986-2506
E-Mail lrose@montand.com
www.montand.com

325 Paseo de Peralta
Santa Fe, New Mexico 87501

Telephone (505) 982-3873
Telecopy (505) 982-4289

November 5, 2004

BY HAND DELIVERY

Mark E. Fesmire, PE, JD, Director
Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, New Mexico 87505

Re: In the Matter of the Petition for Hearing on Discharge Permit Required Determination Duke Energy Field Services, L.P., Petitioner, No. WQCC-04-06-P

Dear Mr. Fesmire:

This letter is a follow up to our September 14, 2004 meeting concerning the above-captioned matter and DEFS's need for a discharge permit under the WQCC's regulations for the installation of below-grade tanks at its New Mexico facilities. As you will recall, DEFS's petition for hearing relates to OCD's determination that the below-grade tank proposed for DEFS's Artesia Gas Plant ("Artesia") required a modification to the discharge permit for the plant. The tank proposed for Artesia is a double-walled fiberglass tank, with leak detection, designed to serve as a sump in a closed-drain system for rain water and lube oil. The rain water and lube oil captured in the tank would be piped to the plant's slop oil system and separated prior to disposal or recycling.

Since that meeting, DEFS has reviewed the WQCC's decision in the Garcia case[1], cited by Mr. Anderson during the meeting as supporting the OCD's decision to require a discharge permit for the below-grade tank at Artesia, and the applicable WQCC regulations. As further discussed below, the decision in the Garcia case does not support the OCD's decision; rather, it reinforces DEFS's position that the WQCC's regulations do not require a discharge permit for a closed-loop tank. Therefore, DEFS renews its request that you reconsider and reverse the decision requiring DEFS to modify its discharge permit to install a closed-loop, below-grade tank at Artesia.

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[1] Decision and Order Granting Amended Compliance Order with Modified Penalties, *In the Matter of Mr. Richard Garcia and Richard's Residential Septic Cleaning*, No. WQCC 03-03 (CO) (March 12, 2004).

Contrary to Mr. Anderson's assertion, the WQCC's Garcia decision cannot be read as requiring a discharge permit for the operation of every storage tank. Rather, the decision is limited to the open tank[2] used by Garcia. The WQCC described Garcia's tank as "a cylindrical steel tank, cut in half lengthwise and embedded in the earth," Substantive Finding 32, and equated it to an impoundment, Substantive Finding 38. Further, Garcia's "tank" had a mere one inch of freeboard. The WQCC determined that "the septage in the steel tank had the potential to reach ground water **due to the lack of freeboard and questionable integrity of the tank.**" Substantive Finding 37 (emphasis added).

DEFS's proposal at Artesia differs substantially from situation in the Garcia decision. DEFS's proposed tank in no way resembles the structurally unsound, open air, steel impoundment identified as a "tank" in Garcia. The tank proposed for Artesia is a double-walled fiberglass tank, with leak detection. It is not open to the atmosphere; liquids in the tank are piped to Artesia's slop oil system, which separates the water and oil prior to disposal in the permitted on-site injection well or off-site transport for recycling. Absent catastrophic failure, there is no discharge of liquids from the tank to the environment, the basis for regulatory jurisdiction under the WQCC's regulations. By contrast, in Garcia, there was no impediment to the septage discharging onto the surface of the ground. In fact, the WQCC determined that there was only about "one inch of freeboard" when the NMED inspected the tank and was of "questionable integrity." Substantive Findings 35 & 37, at 8.

Under the WQCC regulations, a person is required to have a discharge permit for the discharge of effluent or leachate "**onto or below the surface of the ground**" so that it may move directly or indirectly into ground water (Emphasis added). 20.6.2.3101.A, 3104 & 3106.B NMAC. *See New Mexico v. General Electric Co.* 335 F. Supp. 2d. 1185, 2004 WL 2073976 (D.N.M. 2004). ("Like its federal counterpart, the New Mexico Water Quality Act [WQA] seeks to maintain and improve water quality by addressing pollution at its *source:* those who discharge contaminants into the State's waters.").[3] In this case, the liquids discharged into

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[2] The Garcia "tank" was not a tank within the common or regulatory meaning of the term *See e.g.* 20.5.1.7.EM NMAC (definition of "tank" in the Environmental Improvement Board's petroleum storage tank regulations) and 20.5.4 NMAC (design, construction and installation requirements for new and upgraded storage tank systems).

[3] The WQA's federal counterpart, the Clean Water Act (CWA), requires National Pollutant Discharge Elimination System (NPDES) point source discharge permits only when pollutants *are being added to navigable waters*. *See* 33 USC §1362(12) (2004); *Higbee v. Starr*, 598 F. Supp. 323, 331 (W.D.

the storage tank are not effluent or leachate. Further, the liquids are not being discharged onto or below the surface of the ground so that they may move directly or indirectly into ground water. Therefore, under the WQCC regulations, no discharge permit is required.

The WQCC regulations do not define "effluent" or "leachate". The meaning of the terms must be determined by their context, rules of grammar, and common usage. NMSA 1978, §12-2A-2 (1997).[4] Webster's Ninth New Collegiate Dictionary (1988) defines "effluent" as "waste material (as smoke, liquid industrial refuse or sewage) discharged into the environment esp. when serving as a pollutant" and "leachate" as "a solution or product obtained by leaching." Under these definitions, the material stored in the tank at Artesia is neither "effluent" nor "leachate".

In addition, the liquids stored in the proposed tank will not be discharged onto or below the surface of the ground so that they may move directly or indirectly into ground water. The tank at Artesia is designed to store liquids prior to piping them to the slop oil system and to provide secondary containment in the event of a leak in the inner wall. Absent catastrophic failure of the inner and outer walls of the tank, there will be no discharge from the tank to the environment. Therefore, there is no basis to conclude that liquids from the tank would be released directly to the ground surface or the subsurface, or that such liquid could move directly or indirectly into ground water. Thus, there is no basis under the WQCC regulations for requiring a discharge permit for the tank at Artesia.

DEFS's position that a discharge permit is not required for tank systems is consistent with NMED's interpretation of the regulations. NMED has not required a discharge permit for the installation of underground and above-ground petroleum storage tanks subject to the EIB's storage tank regulations.[5] Further, review of the NMED's Ground Water Discharge Permit Application reveals that NMED only applies the regulations to control actual releases of effluent or leachate to the ground surface or subsurface and not to regulate their hypothetical release or their

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Ark. 1984). The CWA also does not require NPDES permits for the hypothetical addition of pollutants. Similarly, the WQA and permitting regulations only require discharge permits at locations where there is an actual release of effluent or leachate to the ground surface or subsurface. Since DEFS is not discharging effluent or leachate to the ground surface or subsurface, it is not potentially contaminating water, and is therefore not subject to the permitting regulations.

[4] The Uniform Statute and Rule Construction Act, NMSA 1978, §12-2A-1 *et seq.*, applies to administrative agency rules, as well as statutes.

[5] NMED's position predates the implementation of the storage tank program.

movement to any other location. *See* the application's requirements that the applicant list the "discharge location (lagoons, leachfields, land application areas, outfalls, etc.)"[6] and "discharge type (septic tank/leachfields, surface water discharges, etc.)."[7]

Finally, 20.6.2.3107.C NMAC, also referenced by Mr. Anderson in the meeting, does not require DEFS to modify the Artesia discharge permit for the installation of the tank. §3107.C provides that a discharger must notify the director "of any facility expansion, production increase or process modification **that would result in a significant modification in the discharge of water contaminants.**" (Emphasis added.) Clearly, the installation of the tank is not a "facility expansion" "production increase" or a "process modification". Further, the tank will not "result in a significant modification in the discharge of water contaminants." The tank is not designed to, and will not, discharge water contaminants onto or below the surface of the ground. Therefore, the tank's installation cannot be a "significant modification in the discharge of water contaminants" within the meaning of §3107 and DEFS was not required to notify the OCD of the installation of the tank.

For the reasons stated above, DEFS respectfully requests that OCD reconsider its position that a discharge permit is required for DEFS's below-grade tanks and that OCD notify DEFS that a discharge permit is not required. Please note that DEFS is committed to compliance with every applicable state and federal environmental law and regulation. As stated in our meeting, DEFS has already registered more than 80 tanks pursuant to 19.15.2.50 NMAC. DEFS will obtain the necessary permits at any of its facilities that discharge effluent or leachate to the environment. What DEFS cannot do, is accept the OCD requirement for discharge permits for facilities that have no discharges.

If you have any questions concerning this letter or DEFS's position, please let me know.

Sincerely,

Louis W. Rose

[6] State of New Mexico, Env't Dept., Ground Water Quality Bureau, *Ground Water Discharge Permit Application* 4 (2003).
[7] *Id.* at 13.

LWR
#12284-0401
cc: Joshua Epel, Esq.
Karin Char Kimura
David K. Brooks, Esq. (hand delivered)

Duke Energy
04-06
WQCC

STATE OF NEW MEXICO
County of Bernalillo SS

Bill Tafoya, being duly sworn, declares and says that he is Classified Advertising Manager of **The Albuquerque Journal**, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 times, the first publication being on the 17 day of Nov., 2004 and the subsequent consecutive publications on _____, 20___.

Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 17 day of Nov. of 2004

PRICE $69.53

Statement to come at end of month.

ACCOUNT NUMBER C81972

My Commissi

CLA-22-A (R-1/93)

NEW MEXICO WATER QUALITY CONTROL COMMISSION NOTICE OF PUBLIC MEETING, AND PUBLIC HEARING TO CONSIDER APPEAL PETITION, DUKE ENERGY FIELD SERVICES, LP

The New Mexico Water Quality Commission (WQCC) will hold its regularly scheduled public meeting beginning on December 14, 2004 at 9:00 a.m. in Room 317 located at New Mexico State Capitol Building, Santa Fe New Mexico. Immediately following the meeting, a hearing will be held to consider the Petition for Review submitted by Duke Energy Field Services, LP (DEFS), to appeal the determination of the Oil Conservation Division of the New Mexico Energy, Minerals and Natural Resources Department (OCD) on July 13, 2004 that a discharge permit modification was required for DEFS's installation of a below-grade tank at the Artesia Gas Plant.

Specifically, DEFS states that the installation and operation of the tank will not result in a water contaminant discharge requiring notice to OCD under 20.6.2.3106.B NMAC or any significant modification in the discharge of water contaminants requiring notice to OCD under 20.6.2.3107.C, and therefore does not require a discharge permit under 20.6.2.3104 NMAC. OCD contends that the facility modification involves an anticipated change in the location of the discharge, and that a constituent agency of the Commission may require a discharge permit modification regardless.

The hearing will be conducted in accordance with NMSA 1978, § 74-6-5.O & .P, the Water Quality Control Commission's Adjudicatory Procedures, 20.1.3 NMAC, and other specific procedures that may apply. A copy of the Water Quality Control Commission's Adjudicatory Procedures may be obtained from the Water Quality Control Commission's Acting Administrator Sally Worthington in the Commission's offices, Room N-2150, 1190 St. Francis Drive, P.O. Box 26110, Santa Fe, New Mexico 87502, (505) 827-2002.

All interested participants will be given a reasonable opportunity at the hearing to submit relevant evidence, data, views and arguments, orally or in writing, to introduce relevant exhibits and to examine witnesses testifying at the hearing.

Any person who wishes to present technical evidence at the hearing must file a statement of intent to present technical evidence. The statement of intent shall include:

- The name of the person filing the statement;
- An indication of whether the person filing the statement supports or opposes the Petition for Review;
- The name of each witness;
- An estimate of the length of direct testimony of each witness;
- A list of exhibits, if any, to be offered into evidence at the hearing; and
- A summary or outline of the anticipated direct testimony of each witness;

Any person wishing to be treated as an interested participant and cross-examine witnesses at the hearing shall file and serve on all parties an entry of appearance. An entry of appearance must identify the person wishing to be treated as an interested participant, any individual who may appear on behalf of that person and the subjects they intend to address. A statement of intent will be considered an entry of appearance.

The deadline for filing statements of intent to present technical evidence and entries of appearance shall be December 3, 2004, at 5:00 p.m. Statements of intent and entries of appearance must be filed in the Commission's office and should reference the Duke Energy Field Services, LP Petition for Review and the date of the hearing.

Any person who wishes to submit a non-technical written statement in lieu of oral testimony may do so at or before the hearing.

If you are an individual with a disability and you require assistance of any auxiliary aid, e.g., Sign Language Interpreter to participate in any aspect of this process, please contact Judy Bentley, Personnel Services Bureau, NMED, 1190 St Francis Drive, P.O. Box 26110, Santa Fe, NM 87502, (505) 827-9872 as soon as possible. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331. Copies of the Petition for Review will be available in alternative forms, e.g., audiotape, if requested by December 1, 2004.

The Commission may deliberate and rule on the Petition for Review at the close of the hearing.
Journal: November 17, 2004

GW-023

District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

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

Form C-144
June 1, 2004

For drilling and production facilities, submit to appropriate NMOCD District Office.
For downstream facilities, submit to Santa Fe office

Pit or Below-Grade Tank Registration or Closure

Is pit or below-grade tank covered by a "general plan"? Yes ☐ No ☑
Type of action: Registration of a pit or below-grade tank ☑ Closure of a pit or below-grade tank ☐

Operator: Duke Energy Field Services, LP Telephone: (505) 677-5203 e-mail address:
Address: 1925 Illinois Camp Road, Artesia, NM 88211
Facility or well name: Artesia Gas Plant API #: U/L or Qtr/Qtr O Sec 7 T 18S R 30E
County: Eddy Latitude 32.7625 Longitude -104.2311 NAD: 1927 ☐ 1983 ☑ Surface Owner Federal ☐ State ☐ Private ☑ Indian ☐

Pit	**Below-grade tank**	
Type: Drilling ☐ Production ☐ Disposal ☐ Workover ☐ Emergency ☐ Lined ☐ Unlined ☐ Liner type: Synthetic ☐ Thickness ____mil Clay ☐ Pit Volume ____bbl	Volume: 27.6 bbl Type of fluid: Amine, water, iron sulfide, charcoal, miscellaneous chemicals, anti-foam Construction material: Steel tank coated with mastic Double-walled, with leak detection? Yes ☐ If not, explain why not. Tank was installed in 1976 prior to effective date of 19.15.1.18 NMAC (09/23/1985) and 19.15.2.50 NMAC (02/13/04) and prior to the OCD May 28, 2004 Pit and Below-Grade Tank Guidelines. When tank is replaced, replacement tank will be installed in accordance with 19.15.2.50 NMAC. SV18.02 Amine Sump	
Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water.)	Less than 50 feet ✔ 50 feet or more, but less than 100 feet 100 feet or more	(20 points) (10 points) (0 points)
Wellhead protection area: (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources.)	Yes ✔ No	(20 points) (0 points)
Distance to surface water: (horizontal distance to all wetlands, playas, irrigation canals, ditches, and perennial and ephemeral watercourses.)	Less than 200 feet 200 feet or more, but less than 1000 feet 1000 feet or more ✔	(20 points) (10 points) (0 points)
	Ranking Score (Total Points)	40

If this is a pit closure: (1) attach a diagram of the facility showing the pit's relationship to other equipment and tanks. (2) Indicate disposal location: (check the onsite box if your are burying in place) onsite ☐ offsite ☐ If offsite, name of facility_____. (3) Attach a general description of remedial action taken including remediation start date and end date. (4) Groundwater encountered: No ☐ Yes ☐ If yes, show depth below ground surface_____ft. and attach sample results. (5) Attach soil sample results and a diagram of sample locations and excavations.

Additional Comments:

I hereby certify that the information above is true and complete to the best of my knowledge and belief. **I further certify that the above-described pit or below-grade tank has been/will be constructed or closed according to NMOCD guidelines ☐, a general permit ☐, or an (attached) alternative OCD-approved plan ☐.**
Date: 9/20/04
Printed Name/Title Tom Bernal/Plant Supervisor Signature Thomas Bernal

Your certification and NMOCD approval of this application/closure does not relieve the operator of liability should the contents of the pit or tank contaminate ground water or otherwise endanger public health or the environment. Nor does it relieve the operator of its responsibility for compliance with any other federal, state, or local laws and/or regulations.

Approval:
Printed Name/Title_____ Signature_____ Date: _____

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Is pit or below-grade tank covered by a "general plan"? Yes ☐ No ☑
Type of action: Registration of a pit or below-grade tank ☑ Closure of a pit or below-grade tank ☐

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County: Eddy Latitude 32.7625 Longitude -104.2311 NAD: 1927 ☐ 1983 ☑ Surface Owner Federal ☐ State ☐ Private ☐ Indian ☐

Pit	**Below-grade tank**	
Type: Drilling ☐ Production ☐ Disposal ☐ Workover ☐ Emergency ☐ Lined ☐ Unlined ☐ Liner type: Synthetic ☐ Thickness ____mil Clay ☐ Pit Volume ____bbl	Volume: 23.8 bbl Type of fluid: Glycol, water, compressor lube oil Construction material: Steel tank painted with special coating system Double-walled, with leak detection? Yes ☐ If not, explain why not. Tank was installed in 1976 prior to effective date of 19.15.1.18 NMAC (09/23/1985) and 19.15.2.50 NMAC (02/13/04) and prior to the OCD May 28, 2004 Pit and Below-Grade Tank Guidelines. When tank is replaced, replacement tank will be installed in accordance with 19.15.2.50 NMAC. SV18.03 Recompressor Jacket Water Sump	
Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water.)	Less than 50 feet ✔ 50 feet or more, but less than 100 feet 100 feet or more	(20 points) (10 points) (0 points)
Wellhead protection area: (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources.)	Yes ✔ No	(20 points) (0 points)
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Additional Comments:

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Date: 9/20/04
Printed Name/Title Tom Bernal/Plant Supervisor Signature Thomas Bernal

Your certification and NMOCD approval of this application/closure does not relieve the operator of liability should the contents of the pit or tank contaminate ground water or otherwise endanger public health or the environment. Nor does it relieve the operator of its responsibility for compliance with any other federal, state, or local laws and/or regulations.

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June 1, 2004

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Pit	**Below-grade tank**	
Type: Drilling ☐ Production ☐ Disposal ☐ Workover ☐ Emergency ☐ Lined ☐ Unlined ☐ Liner type: Synthetic ☐ Thickness ____mil Clay ☐ Pit Volume ____bbl	Volume: 23.8 bbl Type of fluid: Water, compressor lube oil, detergent, miscellaneous chemicals, solvents Construction material: Steel tank painted with special coating system Double-walled, with leak detection? Yes ☐ If not, explain why not. Tank was installed in 1976 prior to effective date of 19.15.1.18 NMAC (09/23/1985) and 19.15.2.50 NMAC (02/13/04) and prior to the OCD May 28, 2004 Pit and Below-Grade Tank Guidelines. When tank is replaced, replacement tank will be installed in accordance with 19.15.2.50 NMAC. SV18.05 Recompressor Oily Waste Sump	
Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water.)	Less than 50 feet ✔ 50 feet or more, but less than 100 feet 100 feet or more	(20 points) (10 points) (0 points)
Wellhead protection area: (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources.)	Yes ✔ No	(20 points) (0 points)
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Additional Comments:

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Date: 9/20/04
Printed Name/Title Tom Bernal/Plant Supervisor Signature Thomas Bernal

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Pit	**Below-grade tank**	
Type: Drilling ☐ Production ☐ Disposal ☐ Workover ☐ Emergency ☐ Lined ☐ Unlined ☐ Liner type: Synthetic ☐ Thickness _____mil Clay ☐ Pit Volume _____bbl	Volume: 11.9 bbl Type of fluid: chemicals, solvents Construction material: Fiberglass Double-walled, with leak detection? Yes ☑ If not, explain why not. SV18.111 Oily Water Drain Tank	Water, compressor lube oil, detergent, miscellaneous
Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water.)	Less than 50 feet ✔ 50 feet or more, but less than 100 feet 100 feet or more	(20 points) (10 points) (0 points)
Wellhead protection area: (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources.)	Yes ✔ No	(20 points) (0 points)
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County: Eddy Latitude 32.7625 Longitude -104.2311 NAD: 1927 ☐ 1983 ☑ Surface Owner Federal ☐ State ☐ Private ☑ Indian ☐

Pit	**Below-grade tank**	
Type: Drilling ☐ Production ☐ Disposal ☐ Workover ☐ Emergency ☐ Lined ☐ Unlined ☐ Liner type: Synthetic ☐ Thickness ____mil Clay ☐ Pit Volume ____bbl	Volume: 11.9 bbl Type of fluid: water Construction material: Fiberglass Double-walled, with leak detection? Yes ☑ If not, explain why not. Water, ethylene glycol, miscellaneous chemicals for jacket SV18.113 Jacket Water Tank	
Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water.)	Less than 50 feet ✔ 50 feet or more, but less than 100 feet 100 feet or more	(20 points) (10 points) (0 points)
Wellhead protection area: (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources.)	Yes ✔ No	(20 points) (0 points)
Distance to surface water: (horizontal distance to all wetlands, playas, irrigation canals, ditches, and perennial and ephemeral watercourses.)	Less than 200 feet 200 feet or more, but less than 1000 feet 1000 feet or more ✔	(20 points) (10 points) (0 points)
	Ranking Score (Total Points)	40

If this is a pit closure: (1) attach a diagram of the facility showing the pit's relationship to other equipment and tanks. (2) Indicate disposal location: (check the onsite box if your are burying in place) onsite ☐ offsite ☐ If offsite, name of facility_____. (3) Attach a general description of remedial action taken including remediation start date and end date. (4) Groundwater encountered: No ☐ Yes ☐ If yes, show depth below ground surface_____ft. and attach sample results. (5) Attach soil sample results and a diagram of sample locations and excavations.

Additional Comments:

I hereby certify that the information above is true and complete to the best of my knowledge and belief. **I further certify that the above-described pit or below-grade tank has been/will be constructed or closed according to NMOCD guidelines ☑, a general permit ☐, or an (attached) alternative OCD-approved plan ☐.**
Date: 9/20/04
Printed Name/Title Tom Bernal/Plant Supervisor Signature Thomas Bernal

Your certification and NMOCD approval of this application/closure does not relieve the operator of liability should the contents of the pit or tank contaminate ground water or otherwise endanger public health or the environment. Nor does it relieve the operator of its responsibility for compliance with any other federal, state, or local laws and/or regulations.

Approval:
Printed Name/Title_____ Signature_____ Date: _____

GW-023

District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

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

Form C-144
June 1, 2004

For drilling and production facilities, submit to appropriate NMOCD District Office.
For downstream facilities, submit to Santa Fe office

Pit or Below-Grade Tank Registration or Closure

Is pit or below-grade tank covered by a "general plan"? Yes ☐ No ☑
Type of action: Registration of a pit or below-grade tank ☑ Closure of a pit or below-grade tank ☐

Operator: Duke Energy Field Services, LP Telephone: (505) 677-5203 e-mail address:
Address: 1925 Illinois Camp Road, Artesia, NM 88211
Facility or well name: Artesia Gas Plant API #: U/L or Qtr/Qtr O Sec 7 T 18S R 30E
County: Eddy Latitude 32.7625 Longitude -104.2311 NAD: 1927 ☐ 1983 ☑ Surface Owner Federal ☐ State ☐ Private ☑ Indian ☐

Pit	**Below-grade tank**	
Type: Drilling ☐ Production ☐ Disposal ☐ Workover ☐ Emergency ☐ Lined ☐ Unlined ☐ Liner type: Synthetic ☐ Thickness ____mil Clay ☐ Pit Volume ____bbl	Volume: 13.9 bbl Type of fluid: Water, compressor lube oil, detergent, miscellaneous chemicals, solvents Construction material: Fiberglass Double-walled, with leak detection? Yes ☑ If not, explain why not. SV18.250 AGI Oily Waste Sump	
Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water.)	Less than 50 feet ✔ 50 feet or more, but less than 100 feet 100 feet or more	(20 points) (10 points) (0 points)
Wellhead protection area: (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources.)	Yes ✔ No	(20 points) (0 points)
Distance to surface water: (horizontal distance to all wetlands, playas, irrigation canals, ditches, and perennial and ephemeral watercourses.)	Less than 200 feet 200 feet or more, but less than 1000 feet 1000 feet or more ✔	(20 points) (10 points) (0 points)
	Ranking Score (Total Points)	40

If this is a pit closure: (1) attach a diagram of the facility showing the pit's relationship to other equipment and tanks. (2) Indicate disposal location: (check the onsite box if your are burying in place) onsite ☐ offsite ☐ If offsite, name of facility_____. (3) Attach a general description of remedial action taken including remediation start date and end date. (4) Groundwater encountered: No ☐ Yes ☐ If yes, show depth below ground surface_____ft. and attach sample results. (5) Attach soil sample results and a diagram of sample locations and excavations.

Additional Comments:

I hereby certify that the information above is true and complete to the best of my knowledge and belief. **I further certify that the above-described pit or below-grade tank has been/will be constructed or closed according to NMOCD guidelines ☑, a general permit ☐, or an (attached) alternative OCD-approved plan ☐.**
Date: 9/20/04
Printed Name/Title Tom Bernal/Plant Supervisor Signature Thomas Bernal

Your certification and NMOCD approval of this application/closure does not relieve the operator of liability should the contents of the pit or tank contaminate ground water or otherwise endanger public health or the environment. Nor does it relieve the operator of its responsibility for compliance with any other federal, state, or local laws and/or regulations.

Approval:
Printed Name/Title_____ Signature_____ Date: _____

GW-023

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State of New Mexico
Energy Minerals and Natural Resources

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

Form C-144
June 1, 2004

For drilling and production facilities, submit to appropriate NMOCD District Office.
For downstream facilities, submit to Santa Fe office

Pit or Below-Grade Tank Registration or Closure

Is pit or below-grade tank covered by a "general plan"? Yes ☐ No ☑
Type of action: Registration of a pit or below-grade tank ☑ Closure of a pit or below-grade tank ☐

Operator: Duke Energy Field Services, LP Telephone: (505) 677-5203 e-mail address:
Address: 1925 Illinois Camp Road, Artesia, NM 88211
Facility or well name: Artesia Gas Plant API #: U/L or Qtr/Qtr O Sec 7 T 18S R 30E
County: Eddy Latitude 32.7625 Longitude -104.2311 NAD: 1927 ☐ 1983 ☑ Surface Owner Federal ☐ State ☐ Private ☑ Indian ☐

Pit	**Below-grade tank**	
Type: Drilling ☐ Production ☐ Disposal ☐ Workover ☐ Emergency ☐ Lined ☐ Unlined ☐ Liner type: Synthetic ☐ Thickness ____mil Clay ☐ Pit Volume ____bbl	Volume: ≥ 3.6 bbl Type of fluid: Glycol, water, compressor lube oil Construction material: Steel tank painted with special coating system. Double-walled, with leak detection? Yes ☐ If not, explain why not. Tank was installed in 1976 prior to effective date of 19.15.1.18 NMAC (09/23/1985) and 19.15.2.50 NMAC (02/13/04) and prior to the OCD May 28, 2004 Pit and Below-Grade Tank Guidelines. When tank is replaced, replacement tank will be installed in accordance with 19.15.2.50 NMAC. Portable Compressor Jacket Water Sump	
Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water.)	Less than 50 feet ✔ 50 feet or more, but less than 100 feet 100 feet or more	(20 points) (10 points) (0 points)
Wellhead protection area: (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources.)	Yes ✔ No	(20 points) (0 points)
Distance to surface water: (horizontal distance to all wetlands, playas, irrigation canals, ditches, and perennial and ephemeral watercourses.)	Less than 200 feet 200 feet or more, but less than 1000 feet 1000 feet or more ✔	(20 points) (10 points) (0 points)
	Ranking Score (Total Points)	40

If this is a pit closure: (1) attach a diagram of the facility showing the pit's relationship to other equipment and tanks. (2) Indicate disposal location: (check the onsite box if your are burying in place) onsite ☐ offsite ☐ If offsite, name of facility_____. (3) Attach a general description of remedial action taken including remediation start date and end date. (4) Groundwater encountered: No ☐ Yes ☐ If yes, show depth below ground surface_____ft. and attach sample results. (5) Attach soil sample results and a diagram of sample locations and excavations.

Additional Comments:

I hereby certify that the information above is true and complete to the best of my knowledge and belief. **I further certify that the above-described pit or below-grade tank has been/will be constructed or closed according to NMOCD guidelines ☐, a general permit ☐, or an (attached) alternative OCD-approved plan ☐.**
Date: 9/20/04
Printed Name/Title Tom Bernal/Plant Supervisor Signature Thomas Bernal

Your certification and NMOCD approval of this application/closure does not relieve the operator of liability should the contents of the pit or tank contaminate ground water or otherwise endanger public health or the environment. Nor does it relieve the operator of its responsibility for compliance with any other federal, state, or local laws and/or regulations.

Approval:
Printed Name/Title_____ Signature_____ Date: _____

GW-023

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State of New Mexico
Energy Minerals and Natural Resources

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

Form C-144
June 1, 2004

For drilling and production facilities, submit to appropriate NMOCD District Office.
For downstream facilities, submit to Santa Fe office

Pit or Below-Grade Tank Registration or Closure

Is pit or below-grade tank covered by a "general plan"? Yes ☐ No ☑
Type of action: Registration of a pit or below-grade tank ☑ Closure of a pit or below-grade tank ☐

Operator: Duke Energy Field Services, LP Telephone: (505) 677-5203 e-mail address:
Address: 1925 Illinois Camp Road, Artesia, NM 88211
Facility or well name: Artesia Gas Plant API #: U/L or Qtr/Qtr O Sec 7 T 18S R 30E
County: Eddy Latitude 32.7625 Longitude -104.2311 NAD: 1927 ☐ 1983 ☑ Surface Owner Federal ☐ State ☐ Private ☐ Indian ☐

Pit	**Below-grade tank**	
Type: Drilling ☐ Production ☐ Disposal ☐ Workover ☐ Emergency ☐ Lined ☐ Unlined ☐ Liner type: Synthetic ☐ Thickness ____mil Clay ☐ Pit Volume ____bbl	Volume: ~~250 LT~~ ~~bbl~~ Type of fluid: Molten sulfur Construction material: Concrete Double-walled, with leak detection? Yes ☐ If not, explain why not. Tank was installed in 1976 prior to effective date of 19.15.1.18 NMAC (09/23/1985) and 19.15.2.50 NMAC (02/13/04) and prior to the OCD May 28, 2004 Pit and Below-Grade Tank Guidelines. When tank is replaced, replacement tank will be installed in accordance with 19.15.2.50 NMAC. Sulfur Storage Tank	
Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water.)	Less than 50 feet ✔ 50 feet or more, but less than 100 feet 100 feet or more	(20 points) (10 points) (0 points)
Wellhead protection area: (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources.)	Yes ✔ No	(20 points) (0 points)
Distance to surface water: (horizontal distance to all wetlands, playas, irrigation canals, ditches, and perennial and ephemeral watercourses.)	Less than 200 feet 200 feet or more, but less than 1000 feet 1000 feet or more ✔	(20 points) (10 points) (0 points)
	Ranking Score (Total Points)	40

If this is a pit closure: (1) attach a diagram of the facility showing the pit's relationship to other equipment and tanks. (2) Indicate disposal location: (check the onsite box if your are burying in place) onsite ☐ offsite ☐ If offsite, name of facility_____. (3) Attach a general description of remedial action taken including remediation start date and end date. (4) Groundwater encountered: No ☐ Yes ☐ If yes, show depth below ground surface_____ft. and attach sample results. (5) Attach soil sample results and a diagram of sample locations and excavations.

Additional Comments:
In the event of a leak, molten sulfur released will cool and harden immediately acting as a self-sealing agent for the tank.

I hereby certify that the information above is true and complete to the best of my knowledge and belief. **I further certify that the above-described pit or below-grade tank has been/will be constructed or closed according to NMOCD guidelines ☐, a general permit ☐, or an (attached) alternative OCD-approved plan ☐.**
Date: 9/20/04
Printed Name/Title Tom Bernal/Plant Supervisor Signature Thomas Bernal

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Approval:
Printed Name/Title_____ Signature_____ Date: _____

GW-023

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1000 Rio Brazos Road, Aztec, NM 87410
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1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

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

Form C-144
June 1, 2004

For drilling and production facilities, submit to appropriate NMOCD District Office.
For downstream facilities, submit to Santa Fe office

Pit or Below-Grade Tank Registration or Closure

Is pit or below-grade tank covered by a "general plan"? Yes ☐ No ☑
Type of action: Registration of a pit or below-grade tank ☑ Closure of a pit or below-grade tank ☐

Operator: Duke Energy Field Services, LP Telephone: (505) 677-5203 e-mail address:
Address: 1925 Illinois Camp Road, Artesia, NM 88211
Facility or well name: Artesia Gas Plant API #: U/L or Qtr/Qtr O Sec 7 T 18S R 30E
County: Eddy Latitude 32.7625 Longitude -104.2311 NAD: 1927 ☐ 1983 ☑ Surface Owner Federal ☐ State ☐ Private ☐ Indian ☐

Pit	**Below-grade tank**	
Type: Drilling ☐ Production ☐ Disposal ☐ Workover ☐ Emergency ☐ Lined ☐ Unlined ☐ Liner type: Synthetic ☐ Thickness ____mil Clay ☐ Pit Volume ____bbl	Volume: 82.28 bbl Type of fluid: Water, compressor lube oil, detergent, miscellaneous chemicals, solvents, propane liquids and oils Construction material: Concrete Double-walled, with leak detection? Yes ☐ If not, explain why not. Tank was installed in 1976 prior to effective date of 19.15.1.18 NMAC (09/23/1985) and 19.15.2.50 NMAC (02/13/04) and prior to the OCD May 28, 2004 Pit and Below-Grade Tank Guidelines. When tank is replaced, replacement tank will be installed in accordance with 19.15.2.50 NMAC. API Classifier	
Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water.)	Less than 50 feet ✔ 50 feet or more, but less than 100 feet 100 feet or more	(20 points) (10 points) (0 points)
Wellhead protection area: (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources.)	Yes ✔ No	(20 points) (0 points)
Distance to surface water: (horizontal distance to all wetlands, playas, irrigation canals, ditches, and perennial and ephemeral watercourses.)	Less than 200 feet 200 feet or more, but less than 1000 feet 1000 feet or more ✔	(20 points) (10 points) (0 points)
	Ranking Score (Total Points)	40

If this is a pit closure: (1) attach a diagram of the facility showing the pit's relationship to other equipment and tanks. (2) Indicate disposal location: (check the onsite box if your are burying in place) onsite ☐ offsite ☐ If offsite, name of facility_____. (3) Attach a general description of remedial action taken including remediation start date and end date. (4) Groundwater encountered: No ☐ Yes ☐ If yes, show depth below ground surface_____ft. and attach sample results. (5) Attach soil sample results and a diagram of sample locations and excavations.

Additional Comments:

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Date: 9/20/04
Printed Name/Title Tom Bernal/Plant Supervisor Signature Thomas Bernal

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Approval:
Printed Name/Title_____ Signature_____ 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

September 9, 2004

Water Quality Control Commission
1190 S. St. Francis Drive, Room N-1054
Santa Fe, NM 87505

Re: Case No. WQCC-04-06-P
In the Matter of the Petition for Hearing on Discharge Permit Required Determination, Duke Energy Field Services, LP, Petitioner

Ladies and Gentlemen:

Enclosed for filing in the captioned matter are the original and 14 copies of the Agency Response and the original of the administrative record.

Also enclosed is an additional copy of the Response which we respectfully request you to file mark and return to us.

Should you have questions, please feel free to call the undersigned at (505)-476-3450.

Very truly yours,

David K. Brooks,
Assistant General Counsel

cc: Louis W. Rose
Montgomery & Andrews
P.O. Box 2307
Santa Fe, NM 89501

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

July 13, 2004

Mark E. Fesmire, P.E.
Director
Oil Conservation Division

Ms. Karin Char Kimura
Senior Environmental Specialist
Duke Energy Field Services
370 17th Street, Suite 900
Denver, Colorado 80202

RE: Artesia Gas Plant
Eddy County, New Mexico

Dear Ms. Kimura:

The OCD is receipt of your letter, dated July 6, 2004, regarding the installation of a below grade tank at the Artesia Gas Plant. The proposed installation will require a modification of the discharge permit GW-023. Please furnish the OCD with a site plat showing the location of the proposed below grade tank and a formal request for a facility discharge permit modification.

Upon receipt of the above information an evaluation can be made for approval of this modification. If you have any questions contact me at (505) 476-3489.

Sincerely,

W. Jack Ford, C.P.G.
Environmental Bureau
Oil Conservation Division

Cc: OCD Artesia District Office

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

July 13, 2004

Mark E. Fesmire, P.E.
Director
Oil Conservation Division

Ms. Karin Char Kimura
Senior Environmental Specialist
Duke Energy Field Services
370 17th Street, Suite 900
Denver, Colorado 80202

RE: Artesia Gas Plant
Eddy County, New Mexico

Dear Ms. Kimura:

The OCD is receipt of your letter, dated July 6, 2004, regarding the installation of a below grade tank at the Artesia Gas Plant. The proposed installation will require a modification of the discharge permit GW-023. Please furnish the OCD with a site plat showing the location of the proposed below grade tank and a formal request for a facility discharge permit modification.

Upon receipt of the above information an evaluation can be made for approval of this modification. If you have any questions contact me at (505) 476-3489.

Sincerely,

W. Jack Ford, C.P.G.
Environmental Bureau
Oil Conservation Division

Cc: OCD Artesia District Office

Duke Energy®
Field Services

DUKE ENERGY FIELD SERVICES
370 17th Street
Suite 900
Denver, CO 80202

303 595 3331

2004 JUL 8 AM 11 19

July 6, 2004

UPS 2nd Day Air *(Tracking No.1Z F46 915 37 1002 581 6)*

Mr. Jack Ford
New Mexico Energy, Minerals
& Natural Resources Department
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

SUBJECT: Artesia Gas Plant
Lea County, New Mexico

Dear Mr. Ford:

Duke Energy Field Services, LP (DEFS) submits the following, in accordance with 19.15.2.50 NMAC, for NMOCD approval:

- Enclosed Below-Grade Tank General Plan; and
- Form C-144 Pit or Below-Grade Tank Registration or Closure form for the below-grade tank installation at Artesia Gas Plant. The below-grade tank will be installed as described in the enclosed Below-Grade Tank General Plan.

If you have any questions regarding this submittal, please call me at (303) 605-1717.

Sincerely,
Duke Energy Field Services, LP

Karin Char Kimura
Senior Environmental Specialist

Enclosures

Duke Energy Field Services, LP

Below-Grade Tank General Plan

This document constitutes a general plan for the installation of below-grade tanks in accordance with 19.15.2.50 NMAC. The specifications for these below-grade tanks are described below and will be installed at Duke Energy Field Services, LP facilities which are "downstream facilities" as defined in 19.15.2.50 NMAC.

Tank Selection

Murray Services double-walled, fiberglass tank with inspection tube in the interstitial space for leak detection. Tank capacity is 490 gallons.

Installation

The surface upon which the below-grade tank will rest will be level and free of rocks to prevent puncturing, cracking, or indentation of the tank bottom.

Secondary Containment

Secondary containment for the below-grade tank is provided by the double-walled construction.

Leak Detection and Maintenance

The below-grade tank is equipped with an inspection tube for leak detection. The below-grade tank and inspection tube will be inspected at least once every 30 days. If any problems are noted, repairs are made in the most expeditious manner possible.

Contingency Plan

DEFS will respond to spills as outlined in the facility's Spill Prevention Control and Countermeasure Plan and report spills and leaks according to the requirements of the State of New Mexico found in NMOCD Rule 116, 19.15.C.116 NMAC.

Figure 1. Tank Construction and Design Details. Side View.

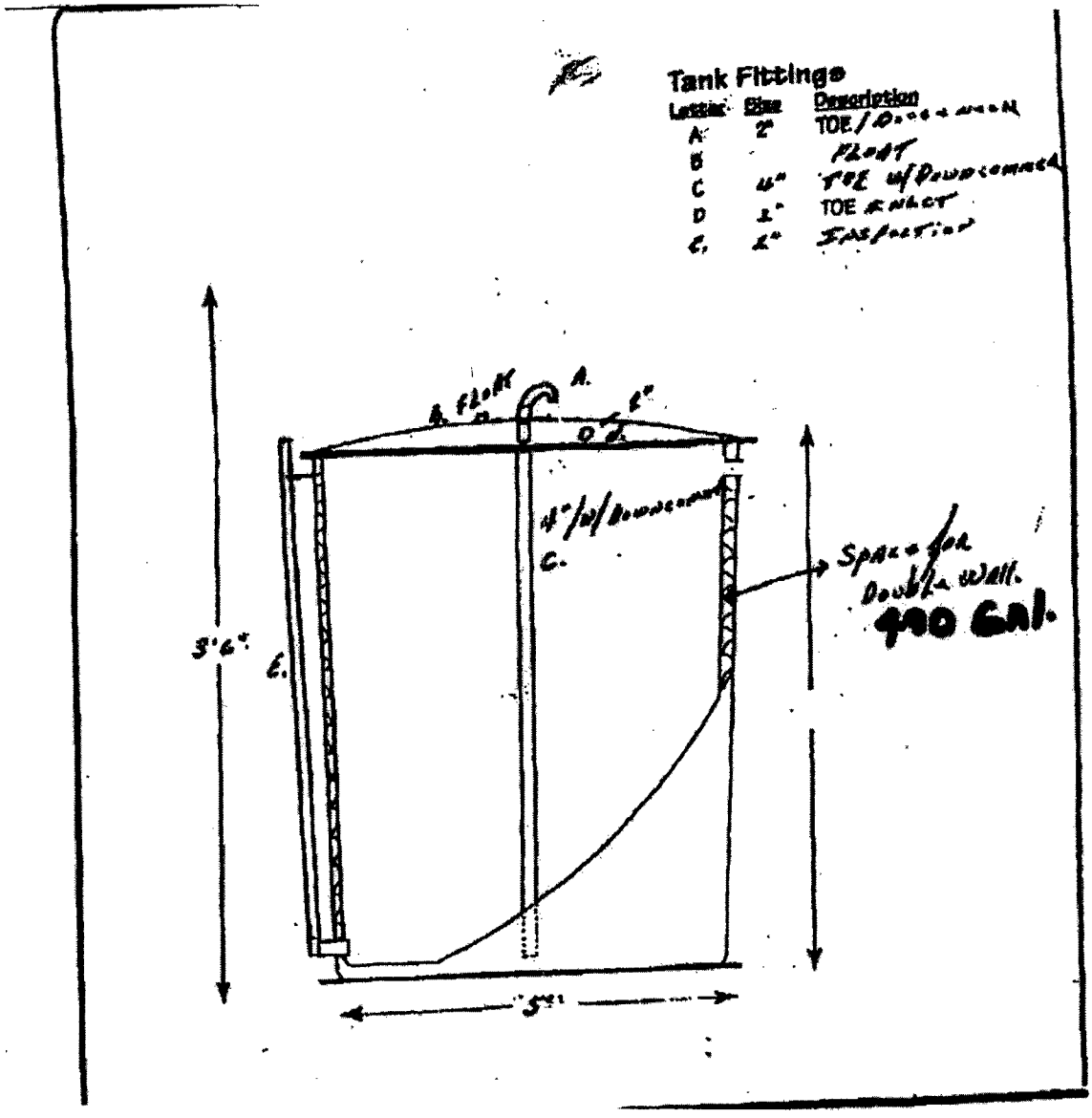
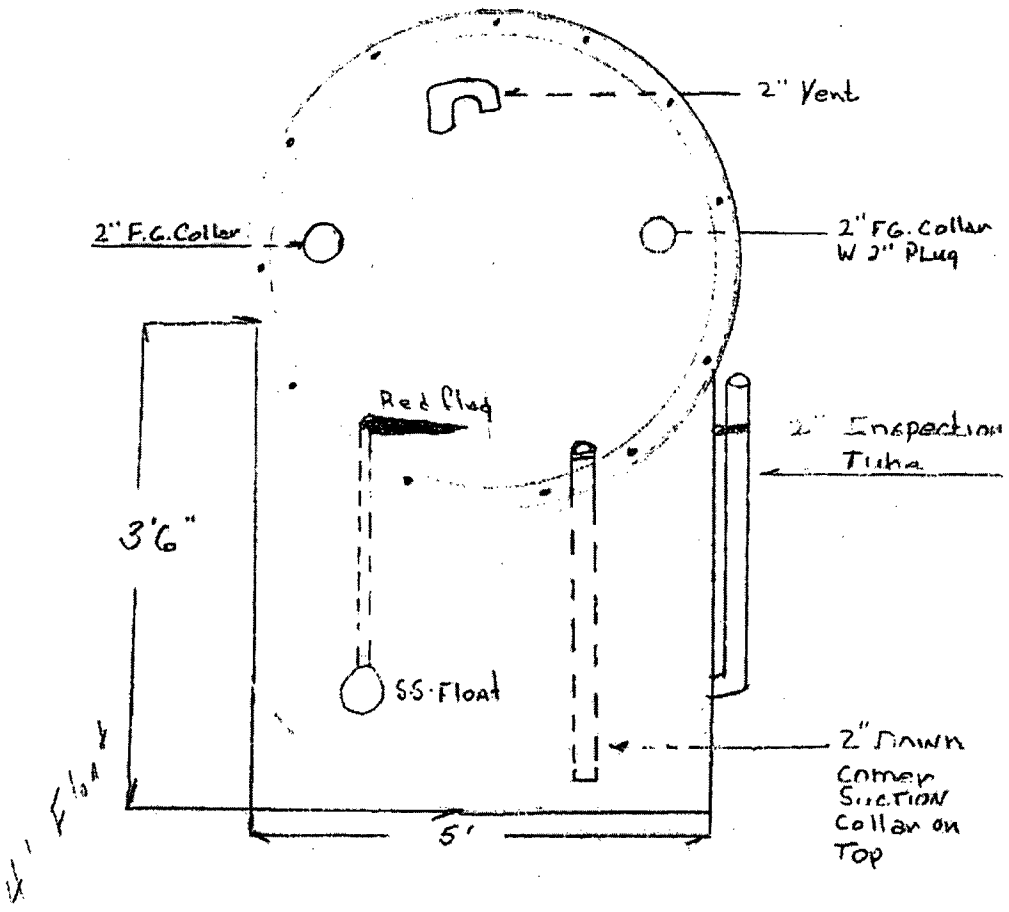


Figure 2. Tank Construction and Design Details. Top/Side View.



490 Gallon
Double Wall
Tank
Yellow Jell Coat

District I
1625 N. French Dr., Hobbs, NM 88240
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1301 W. Grand Avenue, Artesia, NM 88210
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1000 Rio Brazos Road, Aztec, NM 87410
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1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

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

Form C-144
March 12, 2004

For drilling and production facilities, submit to appropriate NMOCD District Office.
For downstream facilities, submit to Santa Fe office

Pit or Below-Grade Tank Registration or Closure

Is pit or below-grade tank covered by a "general plan"? Yes ☐ No ☑
Type of action: Registration of a pit or below-grade tank ☑ Closure of a pit or below-grade tank ☐

Operator: Duke Energy Field Services, LP Telephone: (303) 595-3331 e-mail address: kchar@duke-energy.com
Address: 1925 Illinois Camp Road, Artesia, NM 88211
Facility or well name: Artesia Gas Plant API #: _____ U/L or Qtr/Qtr _____ Sec 7 T 18S R 28E
County: Eddy Latitude 32.7625 Longitude -104.2311 NAD: 1927 ☐ 1983 ☑ Surface Owner Federal ☐ State ☐ Private ☑ Indian ☐

Pit	**Below-grade tank**	
Type: Drilling ☐ Production ☐ Disposal ☐ Workover ☐ Emergency ☐ Lined ☐ Unlined ☐ Liner type: Synthetic ☐ Thickness _____mil Clay ☐ Volume _____bbl	Volume: 11.67 bbl Type of fluid: Rain water and incidental volume of lube oil from equipment Construction material: Fiberglass Double-walled, with leak detection? Yes ☑ If not, explain why not.	
Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water.)	Less than 50 feet ✓ 50 feet or more, but less than 100 feet 100 feet or more	(20 points) (10 points) (0 points)
Wellhead protection area: (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources.)	Yes ✓ No	(20 points) (0 points)
Distance to surface water: (horizontal distance to all wetlands, playas, irrigation canals, ditches, and perennial and ephemeral watercourses.)	Less than 200 feet 200 feet or more, but less than 1000 feet 1000 feet or more ✓	(20 points) (10 points) (0 points)
	Ranking Score (Total Points)	40

If this is a pit closure: (1) attach a diagram of the facility showing the pit's relationship to other equipment and tanks. (2) Indicate disposal location: onsite ☐ offsite ☐ If offsite, name of facility_____. (3) Attach a general description of remedial action taken including remediation start date and end date. (4) Groundwater encountered: No ☐ Yes ☐ If yes, show depth below ground surface_____ft. and attach sample results. (5) Attach soil sample results and a diagram of sample locations and excavations.

I hereby certify that the information above is true and complete to the best of my knowledge and belief. **I further certify that the above-described pit or below-grade tank has been/will be constructed or closed according to NMOCD guidelines ☐, a general permit ☑, or an (attached) alternative OCD-approved plan ☐.**
Date: 6/28/04
Printed Name/Title Tom Bernal, Plant Supervisor Signature Thomas J Bernal

Your certification and NMOCD approval of this application/closure does not relieve the operator of liability should the contents of the pit or tank contaminate ground water or otherwise endanger public health or the environment. Nor does it relieve the operator of its responsibility for compliance with any other federal, state, or local laws and/or regulations.

Approval:
Date: _____
Printed Name/Title_____ Signature_____

Duke Energy®
Field Services

DUKE ENERGY FIELD SERVICES
370 17th Street
Suite 900
Denver, CO 80202

303 595 3331

May 12, 2003

CERTIFIED MAIL
RETURN RECEIPT REQUESTED *(Article No. 7002 2030 0006 2400 0426)*

Mr. Jack Ford
New Mexico Energy, Minerals
& Natural Resources Department
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

SUBJECT: Artesia Gas Plant
Lea County, New Mexico

Dear Mr. Ford:

Duke Energy Field Services, LP (DEFS) requests the approval for the installation of two below-grade tanks at the Artesia Gas Plant. In accordance with 19.15.1.18A NMAC and NMOCD "Guidelines for the Selection and Installation of Below-Grade Produced Water Tanks" (revised October 1991), DEFS submits the enclosed below-grade tank installation application.

If you have any questions regarding this below-grade tank installation application, please call me at (303) 605-1717.

Sincerely,
Duke Energy Field Services, LP

Karin Char Kimura
Senior Environmental Specialist

Enclosure

Duke Energy Field Services, LP
Artesia Gas Plant
Below-grade Tank Installation Application

Tank Selection

Fiberglass reinforced polymer (FRP) double-walled tanks (500 gallon capacity). Both tanks are equipped with a connection in the interstitial space to allow the tank to be periodically checked for leaks. For construction details, refer to Figure 1 – SV18.111 Oily Water Drain Tank and Figure 2 – SVS18.113 Jacket Water Tank.

Installation

Refer to Figure 3 Facility Plot Plan and Figure 4 – Equipment Location Plan for the two below-grade tank (sump) installation locations. Piping to and from both tanks are from the top of each tank.

Function

The below-grade tanks will collect wastes from various sources for re-use or disposal. The table below identifies the wastes, sources, and volumes of effluent that will be collected in the below-grade tanks (sumps) and disposition.

Tank	Sources	Waste Streams	Activities Generating Waste	Volume	Disposition
SV18.111 Oily Water Drain Tank	• Compressor building • Inlet compressor oil drains • Inlet compressor skid drains • Inlet compressor distance piece drains	• Water • Compressor lube oil • Detergent[1] • Miscellaneous chemicals[1] • Solvents[1]	• Monthly compressor oil changes • Weekly compressor skid wash downs • Weekly building floor wash downs	~ 2,500 gal./mo.	Aboveground storage tank for off-site disposal
SV18.113 Jacket Water Tank	• Inlet compressor jacket	• Water • Ethylene glycol • Miscellaneous chemicals for jacket water[1]	• Monthly compressor maintenance	~ 2,000 gal./mo.	Return to compressors for re-use or, if necessary remove for off-site disposal

Maintenance

Annual integrity testing will be conducted on both below-grade tanks. Plant personnel will perform daily visual inspections of the below-grade tanks during each shift. If any problems are noted, repairs are made in the most expeditious manner possible.

Contingency Plan

In the event of a tank leak, the first on-site responder will contact emergency responders for containment and clean-up if necessary and the below-grade tank will be repaired in the most expeditious manner possible.

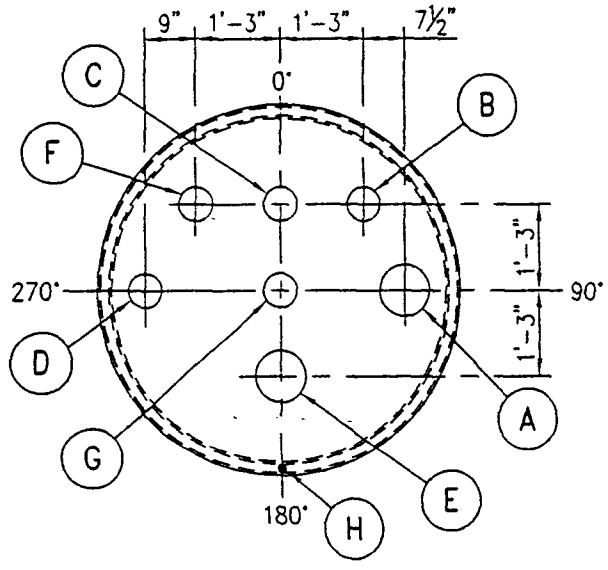
Figures

Figure 1. SV18.111 Oily Water Drain Tank Construction and Design Details.

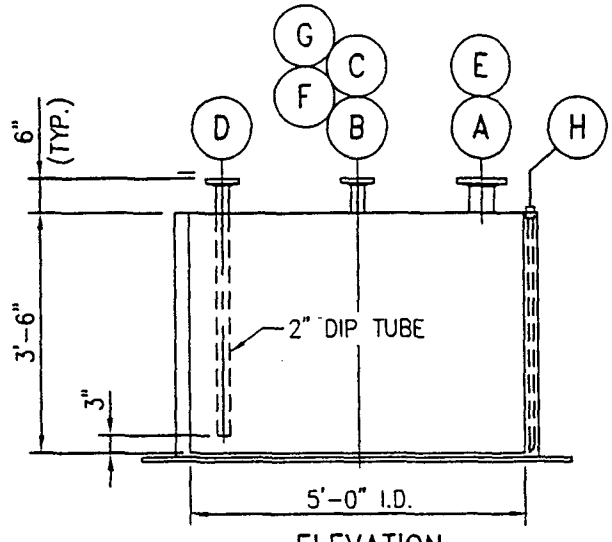
N

CONNECTION SCHEDULE

MARK	REQ'D	SIZE	CONN. TYPE	SERVICE
A	1	4"	150# FF FLG.	INLET
B	1	2"	150# FF FLG.	INLET
C	1	2"	150# FF FLG.	INLET
D	1	2"	150# FF FLG.	OUTLET
E	1	4"	150# FF FLG.	VENT
F	1	2"	150# FF FLG.	LEVEL SWITCH
G	1	2"	150# FF FLG.	LEVEL TRANSMITTER
H	1	1/2"	THRD. CPLG	LEAK DETECTION



TRUE ORIENTATION



ELEVATION

REF-CHEM SINCE 1967
ENGINEERING · CONSTRUCTION · MAINTENANCE
HOUSTON ENGINEERING

DRAWING TITLE: SV-18.111 OIL/WATER DRAIN TANK

CLIENT: DUKE ENERGY
PROJECT: 70 MMSCFD EXPANSION PROJECT NO:

DRAWN BY:	CHECKED BY:	APPROVED BY:
DEV	GV	
DATE: 5/29/02	DATE: 5/29/02	DATE:

CAD NO. SV-18.111 JOB NO: 6766
SCALE: NONE SHEET 1 OF 1
DRAWING No. SV-18.111 REV. 0

REF-CHEM L.P.

HORIZONTAL VESSEL PROCESS DESIGN DATA

Client	DUKE ENERGY	Date	5/1/02
Project Title	ARTESIA PLANT EXPANSION	By	RWS
Location	ARTESIA, NEW MEXICO	Item No.	SV - 18.111
Client Project No.		Revision No.	0
Ref-Chem Job No.	6766	Issued For	PURCHASE

VESSEL NAME OILY WATER DRAIN TANK

Design Conditions	Pressure	ATM	psig @	70	°F
		NA	psig @		°F
		NA	psig @		°F
Operating Conditions	Pressure	ATM	psig @	70	°F
			psig @		°F
Vessel Liquid Sp. Gr.			@		°F
Sour Water Service	☐ Yes		☑ No		

MECHANICAL DATA

Code Stamp	NA			
ASME Code Sect.	NA	Div.		
Stress Relieve for Proc.	☐ Yes		☑ No	
Insulation	☐ None	☐ Conservation	☑ Protect	
	Type		Thickness, in	
	Rings		Attachment Lugs	
Ref. Specs				

MATERIAL SPECIFICATIONS

	MATERIAL	CORR. ALLOWANCE
Shell	**FRP**	
Nozzles	FRP	
Internals		
Lining/Clad Mat'l	DOUBLE WALL	Thickness, ir
Baffle		
Mist Eliminator	NA	
Gaskets		

NOZZLE SCHEDULE

MK	NO.	SIZE	RTG.	FCG.	SERVICE
A	1	4"	150#	FF FLG.	INLET
B	1	2"	150#	FF FLG.	INLET
C	1	2"	150#	FF FLG.	INLET
D	1	2"	150#	FF FLG.	OUTLET
E	1	4"	150#	FF FLG.	VENT
F	1	2"	150#	FF FLG.	LEVEL SWITCH
G	1	2"	150#	FF FLG.	LEVEL TRANSMITTER
H	1	1/2"	THRD.	CPLG.	LEAK DETECTION IN OUTER
J					WALL
K					
L					
M					
N					
P					
R					
S					

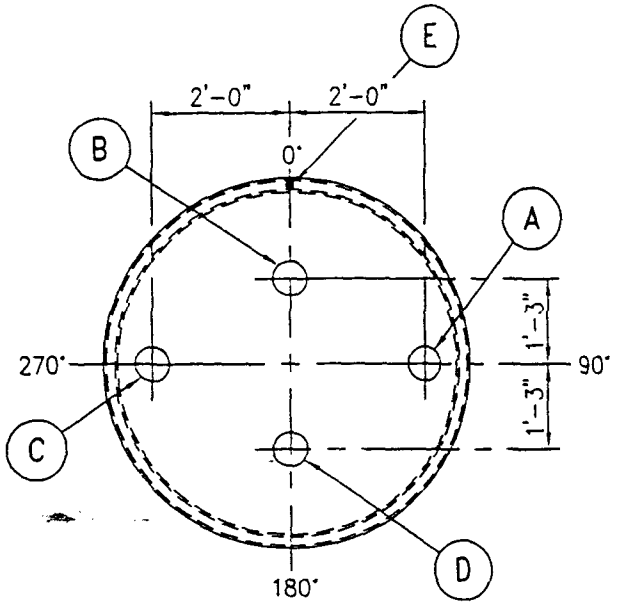
NOTES:

NOZZLES TO HAVE 6" PROJECTIONS

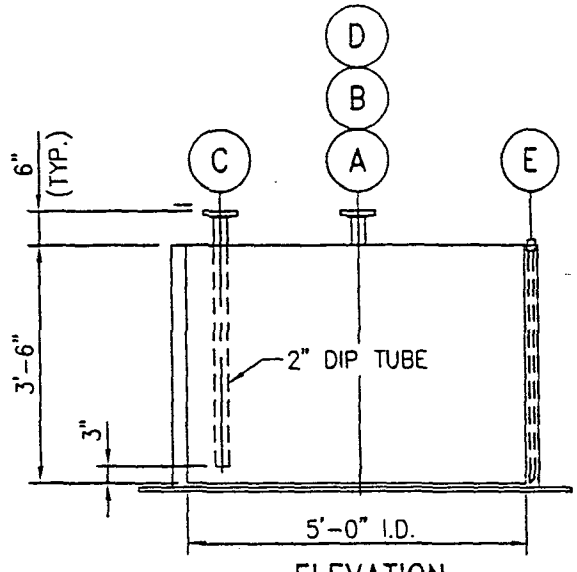
VESSEL IS TO BURIED UNDERGROUND

Figure 2. SV18.113 Jacket Water Tank Construction and Design Details.

CONNECTION SCHEDULE				
MARK	REQ'D	SIZE	CONN. TYPE	SERVICE
A	1	2"	150# FF FLG.	INLET
B	1	2"	150# FF FLG.	VENT
C	1	2"	150# FF FLG.	OUTLET
D	1	2"	150# FF FLG.	SPARE
E	1	1/2"	THRD. CPLG	LEAK DETECTION



TRUE ORIENTATION



ELEVATION

REF-CHEM SINCE 1967
ENGINEERING · CONSTRUCTION · MAINTENANCE
HOUSTON ENGINEERING

DRAWING TITLE: SV-18.113 JACKET WATER HOLDING TANK

CLIENT: DUKE ENERGY
PROJECT: 70 MMSCFD EXPANSION PROJECT NO:

DRAWN BY:	CHECKED BY:	APPROVED BY:
DEV	CV	
DATE: 5/29/02	DATE: 5/29/02	DATE:
CAD NO. SV-18.113	JOB NO: 6766	
SCALE: NONE	SHEET 1 OF 1	
DRAWING No. SV-18.113	REV. 0	

REF-CHEM L.P.

HORIZONTAL VESSEL PROCESS DESIGN DATA

Client	DUKE ENERGY	Date	5/1/02
Project Title	ARTESIA PLANT EXPANSION	By	RWS
Location	ARTESIA, NEW MEXICO	Item No.	SV 18.113
Client Project No.		Revision No.	0
Ref-Chem Job No.	6766	Issued For	PURCHASE

VESSEL NAME JACKET WATER TANK

Design Conditions	Pressure	ATM	psig @	70	°F
		NA	psig @		°F
		NA	psig @		°F
Operating Conditions	Pressure	ATM	psig @	70	°F
			psig @		°F
Vessel Liquid Sp. Gr.			@		°F

Sour Water Service ☐ Yes ☑ No

MECHANICAL DATA

Code Stamp	NA		
ASME Code Sect.	NA	Div.	
Stress Relieve for Proc.	☐ Yes	☑ No	
Insulation	☐ None	☐ Conservation	☑ Protect
Type		Thickness, in	
Rings		Attachment Lugs	
Ref. Specs			

MATERIAL SPECIFICATIONS

	MATERIAL	CORR. ALLOWANCE
Shell	**FRP**	
Nozzles	FRP	
Internals		
Lining/Clad Mat'l	DOUBLE WALL	Thickness, ir
Baffle		
Mist Eliminator	NA	
Gaskets		

NOZZLE SCHEDULE

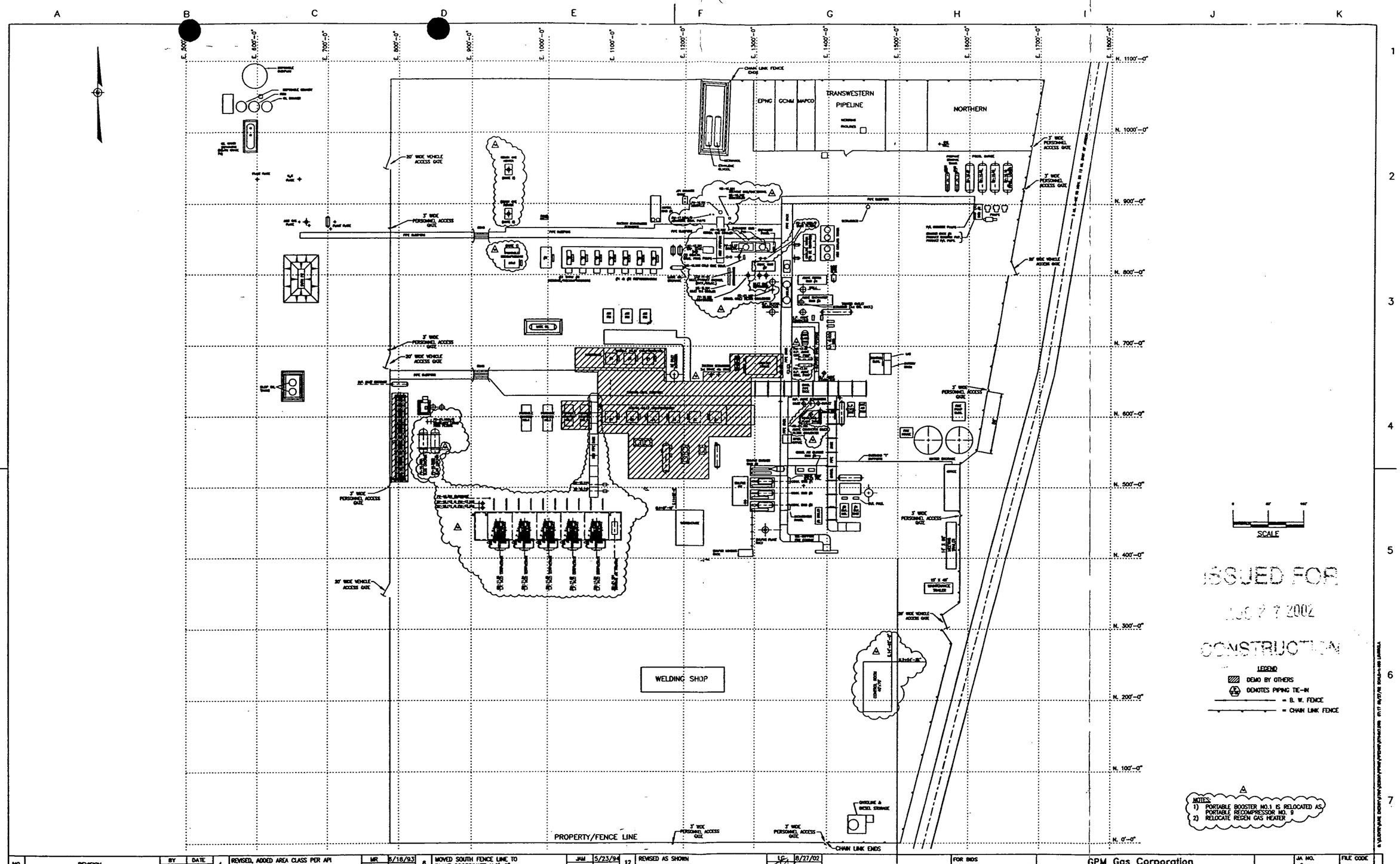
MK	NO.	SIZE	RTG.	FCG.	SERVICE
A	1	4"	150#	FF FLG.	PUMP
B	1	2"	150#	FF FLG.	INLET
C	1	2"	150#	FF FLG.	INLET
D	1	2"	150#	FF FLG.	VENT
E	1	4"	150#	FF FLG.	LEVEL
F	1	2"	150#	FF FLG.	SPARE
G	1	2"	150#	FF FLG.	
H	1	1/2"	150#	THRD. CPLG	LEAK DETECTION IN OUTER
J					WALL
K					
L					
M					
N					
P					
R					
S					

NOTES:

NOZZLES TO HAVE 6" PROJECTIONS

VESSEL IS TO BURIED UNDERGROUND

Figure 3. Facility Plot Plan.



NO.	REVISION	BY	DATE
		CHKD	APP'D
1	ADDED SLUG CATCHER SYSTEM REVISED TITLE BLOCK	DGR	5/23/91
2	ADDED #6 RESIDUE COMPRESSOR	DGR	9/18/91
3	ADDED H.P. OUTLET SCRUBBER	JM	1/17/92
4	REVISED, ADDED AREA CLASS PER API	MR	6/18/93
5	REVISED AREA CLASS, ADD NOTE 6	JWE	9/17/93
6	ADDED WEST PROPANE TANK, REMOVED LUBE OIL TANK AND METHANOL STORAGE TANK	JWE/GJE	11/17/93
7	GENERAL REVISIONS	JC	1/7/94
8	MOVED SOUTH FENCE LINE TO PLANT COORDINATE N.0'+0"	JAM	5/23/94
9	REVISE LOCATION OF NORTH FENCE LINE, ADD GATES, TRAILERS & MISC. EQUIP.	RRK	6/2/94
10	REVISED TO SHOW NEW COOLING TOWER	JC	5/26/98
11	REVISED FOR 70MMSCFD EXPANSION PROJECT	PASH	12/19/01
12	REVISED AS SHOWN	LC	8/27/02

FOR BIDS
FOR APPR
FOR CONST
DRAWN SES 8/23/90
CHECKED
APP'D

GPM Gas Corporation
Formerly PHILLIPS NATURAL GAS COMPANY

PLOT PLAN
ARTESIA PLANT EXPANSION

NEW MEXICO REGION ARTESIA PLANT

JA NO. *
AFE NO. *
DWG NO. GWD-764PRE
SH NO. M-7-12

FILE CODE
SCALE NONE

CAD # W764467

Figure 4. Equipment Location Plan.

MATCH LINE N.7+00'-0" FOR CONT. SEE DWG. P-282

N

ROAD

PIPE SLEEPERS

GROUND LEVEL SLEEPERS

5# INLET SCRUBBER

PM-17.52 N.6+75'-0"
PM-17.51 N.6+65'-0"

PIPE RACK

E.13+71'-6 7/16" P.O.S. EL. 3611'-1"

OVHD. PIPE RACK

H.P. AMINE SCRUBBERS INLET N.6+18'-6"

FC-21.105 E.13+79'-0" P.O.S. EL. 3612'-3 3/4"

PIPE RACK

OPER. OFFICE

COMB. AIR BLOWER SKID #2

SULFUR BURNER SKID #6

WASTE HEAT BOILER PNL.

CONV. SKID #1

CONV. SKID #2

CONV. SKID #3

INCINERATOR PANEL

#3 BOILER

SULFUR PIT

SULFUR PLANT ONLY

TEE-SUPPORT FOR CONDUIT

SULFUR LOADING RACK

FC-21.106B E.8+39'-9"
FC-21.106A E.8+44'-9"

N.5+93'-0 1/2" P.O.S. EL. 3608'-9"

N.5+75'-0" P.O.S. EL. 3614'-3"

N.5+56'-0" P.O.S. EL. 3614'-3"

PV-16.302A E.8+34'-3"

PV-16.302B E.8+50'-3"

2

PORTABLE BOOSTER NO.4

PORTABLE BOOSTER NO.3

NEW PIPE RACK

E. 10+84'-4"

CONCRETE CONTAINMENT

SV-18.114 N.5+04'-0" P.O.S. EL. 3611'-6"

SV-18.112 N.4+95'-0" P.O.S. EL. 3611'-6"

PUMP DISCH. E.9+11'-5 1/8" P.O.S EL. 3610'-0"

E.9+16'-0"

E.9+25'-0" P.O.S. EL. 3609'-1"

PV-16.301 N.4+84'-6"

SV-18.113 & PM-17.105 N.4+77'-0" P.O.S. EL. 3602'-8 1/2"

SV-18.111 & PM-17.104 N.4+71'-0" P.O.S. EL. 3602'-8 1/2"

N.4+65'-0"

N.4+51'-3" P.O.S. EL. 3612'-0"

EDGE OF SKIDS N.4+50'-10"

N.4+67'-10"

E.11+88'-6"

WAREHOUSE

E.11+10'-9"

CM-11.55 E.9+39'-6" P.O.S. EL. 3613'-0"

CM-11.54 E.9+73'-6" P.O.S. EL. 3613'-0"

CM-11.53 E.10+07'-6" P.O.S. EL. 3613'-0"

CM-11.52 E.10+41'-6 P.O.S. EL. 3613'-0"

CM-11.51 E.10+75'-6" P.O.S. EL. 3613'-0"

DU-21.101 E.11+01'-0"

DRAWING LIMITS E.8+00'-0"

DRAWING LIMITS E.14+00'-0"

DRAWING LIMITS N.3+50'-0"

ISSUED FOR AUG 27 2002 CONSTRUCTION

REV.	DATE	REVISION	BY	CHK'D	ENGR.	ENGR. MGR.	REV.	DATE	REVISION	BY	CHK'D	ENGR.	ENGR. MGR.
0	6/02	ISSUED FOR CONSTRUCTION	MSC	TATE		TJ							
1	8/02	REVISED AS NOTED	KM	RT		TJ							
2	8/27/02	REVISED AS NOTED	LG	GV									

REF-CHEM SINCE 1957 CORPORATION
ENGINEERING · CONSTRUCTION · MAINTENANCE

Duke Energy Field Services
A New Kind of Energy™

EQUIPMENT LOCATION PLAN SOUTH WEST AREA ARTESIA PLANT EXPANSION PROJ.

JA NO.	FILE NAME P-281
AFE NO.	SCALE 1"=20'-0"
BASE NO.	
DRAWN: MSC	DATE: 4/17/02
DWG. NO. P-281	2

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Betty Rivera
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

October 10, 2002

CERTIFIED MAIL
RECEIPT NUMBER 3929 9178

Mr. Stephen Weathers
Environmental Specialist
Duke Energy Field Services
P.O. Box 5493
Denver, Colorado 80217

RE: ARTESIA GAS PLANT, GW-023
WASTE PIT CLOSURE
EDDY COUNTY, NEW MEXICO

Dear Mr. Weathers:

The OCD is in receipt of a request, dated October 7, 2002, for closure of the waste pit area at the Artesia Gas Plant, GW-023, located in the SE/4 of Section 7, Township 18 South, Range 28 East, NMPM, Eddy County, New Mexico. Based upon information supplied to OCD with the request letter and investigative procedures performed the **closure of the waste pit area is hereby approved.**

Please be advised that the closure of the waste pit area does not alter the discharge plan nor relieve Duke Energy Field Services, Inc. of liability should any remaining contaminants associated with the operations of this facility by Duke Energy Field Services, Inc. result in pollution of surface water, ground water, or the environment. In addition, this approval does not release Duke Energy Field Services, Inc. of responsibility for compliance with other federal, state and local laws and regulations.

If you have any questions please feel free to call me at (505) 476-3489.

Sincerely,

W. Jack Ford, C.P.G.
Environmental Bureau
Oil Conservation Division

cc: Artesia OCD District Office

Duke Energy Field Services
A New Kind of Energy™

Duke Energy Field Services
P.O. Box 5493
Denver, Colorado 80217
370 17th Street, Suite 900
Denver, Colorado 80202
303/595-3331

October 7, 2002

Mr. Jack Ford, C.P.G.
New Mexico Oil Conservation Division
1220 S. St. Francis Dr.
Santa Fe, NM 87505

RE: Closure Report for the Former Waste Pit
Artesia Gas Plant (GW-023), Artesia, New Mexico

Dear Mr. Ford:

Duke Energy Field Services, LP (DEFS) is pleased to submit for your review, one copy of the following report:

- **Report for the Closure of a Former Waste Pit, Duke Energy Field Services, LP, Artesia Gas Plant.**

Upon your review, DEFS would like to request a closure letter from the New Mexico Oil Conservation Division (OCD) for this former waste pit.

If you have any questions regarding the above mentioned report, please call me at 303-605-1718.

Sincerely

Duke Energy Field Services, LP

Stephen Weathers
Environmental Specialist

Enclosure

cc: Mike Stubblefield, OCD Artesia District
Becky Moore, DEFS Midland Office
Kenneth Winn, DEFS Artesia Gas Plant
Environmental Files

FULBRIGHT & JAWORSKI L.L.P.
A REGISTERED LIMITED LIABILITY PARTNERSHIP
1301 MCKINNEY, SUITE 5100
HOUSTON, TEXAS 77010-3095

TELEPHONE: 713/651-5151
FACSIMILE: 713/651-5246

WRITER'S INTERNET ADDRESS:
elewis@fulbright.com

WRITER'S DIRECT DIAL NUMBER:
713/651-3760

HOUSTON
WASHINGTON, D.C.
AUSTIN
SAN ANTONIO
DALLAS
NEW YORK
LOS ANGELES
MINNEAPOLIS
LONDON
HONG KONG

January 15, 2001

Re: Notification of Name Change to Duke Energy Field Services, LP

Mr. Roger Anderson
New Mexico Oil Conservation Division
2040 South Pacheco Street
Santa Fe, New Mexico 87505

Dear Mr. Anderson:

In a February 16, 2000 letter addressed to you from Mel Driver of GPM Gas Company, LLC, Mr. Driver informed you that GPM Gas Company, LLC and Duke Energy Field Services, LLC were planning to undergo an internal corporate reorganization later in the year. As a result of this corporate reorganization, which has now taken place, facilities that were formerly operated under the name of GPM Gas Company, LLC are now being operated under the name of Duke Energy Field Services, LP. A chart that lists facilities with New Mexico Oil Conservation Division permits that are affected by this change is enclosed with this letter. Please update your records to reflect Duke Energy Field Services, LP as the permit holder for the facilities listed on the enclosed chart.

Thank you for your assistance, and please feel free to call me at (713) 651-3760 if you have any questions.

Very truly yours,

Eddie Lewis

Edward C. Lewis

ECL/jnr

5589827.1

cc: Ms. Nelda Morgan
New Mexico Oil Conservation Division
1625 North French Drive
Hobbs, New Mexico 88240

Ms. Vicki Gunter
Duke Energy Field Services, LP
P. O. Box 50020
Midland, Texas 79710

FACILITY NAME	PERMIT NUMBER	CURRENT NAME	NEAREST CITY
Artesia Plant	GW-~~168~~ 023	GPM Gas Company, LLC	Artesia
Avalon Plant	GW-024	GPM Gas Company, LLC	Carlsbad
Eunice Plane	GW-009	GPM Gas Company, LLC	Eunice
Feagen	GW-168	GPM Gas Company, LLC	Artesia
Hat Mesa	GW-128	GPM Gas Company, LLC	Hobbs
Hobbs	GW-044	GPM Gas Company, LLC	Hobbs
Indian Hills	GW-042	GPM Gas Company, LLC	Carlsbad
Lee Plant	GW-002	GPM Gas Company, LLC	Lovington
Linam Ranch Plant	GW-015	GPM Gas Company, LLC	Hobbs
Maljamar	GW-177	GPM Gas Company, LLC	Lovington
Sand Dunes	GW-142	GPM Gas Company, LLC	Loving
Won Ton	GW-178	GPM Gas Company, LLC	Lovington
Zia Plant	GW-145	GPM Gas Company, LLC	Maljamar

Artesia Gas Plant
Unit Letter O Section 7 Township 18S Range 28E

DISCHARGE PLAN

This document constitutes a renewal application for the Groundwater Discharge Plan for the Artesia Gas Plant which was previously approved by the NMOCD on July 26, 2000. This Discharge Plan application has been prepared in accordance with the NMOCD "Guidelines for the Preparation of Discharge Plans at Natural Gas Plants, Refineries, Compressor and Crude Oil Pump Stations" (revised 12-95) and New Mexico Water Quality Control Commission (WQCC) regulations, 20.6.2.3-104 and 3-106 NMAC.

1 Type of Operation

On-site cold gas flare for the cryogenic plant. The facility utilizes an on-site horizontal cold gas flare located within an earthen berm to flare hydrocarbon streams during routine, shut down, and emergency operations. The following hydrocarbon streams routed to the flare, their sources, and the method used to route the hydrocarbon streams to the flare are identified in the following table. Due to possible incomplete combustion of the NGLs routed to the cold gas flare, it is possible that a minimal volume of NGLs may be discharged to the surface of the earthen berm in which the flare is located. DEFS is in the process of calculating an estimated volume of NGL that may be discharged to the surface of the earthen berm at 80°F and 20°F and will provide this information to the OCD as soon as the calculations are completed.

Source	Material	Method	Frequency
East and West Absorber Bottoms Pump Bowl Drains	NGLs	Manual	Pump Repair
East and West Absorber Bottoms Pump Secondary Seal Vents	NGLs	Automatic	Seal Failure
Absorber Column Drain	NGLs	Manual	Emergency/Shutdown Operations
Demethanizer Column	NGLs	Manual	Emergency/Shutdown Operations
Demethanizer Bottoms Pump Discharge PSV	NGLs	Automatic	Overpressure
Cold Separator Drain	NGLs	Manual	Emergency/Shutdown Operations
Product Meter Skid Blowdowns	NGLs	Manual	Emergency/Shutdown Operations
On Skid Product Cooler PSV	NGLs	Automatic	Overpressure
East, Middle, and West Product Tank (SV 16.07, SV 16.08, SV 16.09) Drain	NGLs	Manual	Emergency/Shutdown Operations
Propane Surge Tank	Propane	Manual	Emergency/Shutdown Operations
Chiller Reclaimer Drain	Propane	Manual	Daily (~ 10 – 15 seconds), Emergency/Shutdown Operations
East and West Propane Storage Tank Drain	Propane	Manual	Emergency/Shutdown Operations
Stabilized Product Tank (SV16.10) Drain	Stabilized Product (C-5+)	Manual	Emergency/Shutdown Operations

2 Operator / Legally Responsible Party

Operator
Duke Energy Field Services, LP
10 Desta Drive, Ste 400 West
Midland, TX 79705
(505) 397-5520
Contact Person: Tony Lee – Asset Manager

Owner
Duke Energy Field Services, LP
370 17th Street, Suite 2500
Denver, CO 80202

3 Location Facility

Unit Letter O Section 7 Township 18S Range 28E, Lea County, NM

See Figure 1 – Site Location Map.

4 Landowner

Duke Energy Field Services, LP
370 17th Street, Suite 2500
Denver, CO 80202

5 Facility Description

The plant's basic function is to remove the ethane and heavier hydrocarbon fractions from casinghead and gas well gas. The plant receives sour hydrocarbon gas streams from gathering systems. The plant compresses the gas before it is routed to the amine system which removes hydrogen sulfide (H_2S) and carbon dioxide (CO_2) from the gas stream. The H_2S and CO_2 are sent to the plant's sulfur recovery unit and/or the acid gas injection well. The sweetened gas from the amine system is dehydrated in the molecular sieve dehydration system before it is sent to the cryogenic unit which produces to hydrocarbon streams. The liquid hydrocarbon stream from the cryogenic unit is pumped to aboveground tanks before delivered to a pipeline for sale. The methane hydrocarbon stream from the cryogenic unit is sold to third party distribution companies.

6 Materials Stored or Used

Materials stored on site or used that are discharged on site so that they may move directly or indirectly into groundwater are identified in the following table.

Materials Stored/Used	Method of Storage
Stabilized Product	Aboveground storage tanks

7 Sources and Quantities of Effluent and Waste Solids

Effluents or waste solids associated with the cold gas flare which are discharged on site onto or below the surface of the ground so that they may move directly or indirectly into groundwater are described below. Other effluents or waste solids are not discharged on site so that they may move directly or indirectly into groundwater are also described below. Approximate quantities for wastes are provided in the table in Section 8.

Separators/Scrubbers
Wastewater generated from separators or scrubbers is collected and stored in aboveground storage containers for disposal into the facility's NMOCD permitted SWD Well No. 1. Hydrocarbon liquids generated from separators or scrubbers are routed back into the system for processing via the Slop Oil or Stabilized Product Systems.

Boilers and Cooling Towers/Fans
Wastewater generated from the facility's boilers and cooling tower collected in aboveground tanks within secondary containment via the facility drain system and skimmer tank for disposal into the facility's NMOCD permitted SWD Well No. 1.

Process and Storage Equipment Wash Down
Effluent or waste solids generated from process and storage equipment wash down are not discharged on site. Wastewater from process and storage equipment wash down is generated within process containment pads, routed via the facility drain system and piping to aboveground tanks within secondary containment for disposal in into the facility's NMOCD SWD Well No. 1.

Solvents/Degreasers
Solvent or degreasers are not discharged on site. Solvent from the facility's parts washer is removed routinely from the parts washer by a contractor for off-site recycling/disposal.

Spent Acids/Caustics
If generated, spent acids or caustics are not discharged on site; they are collected and stored in aboveground storage containers and removed by a contractor for off-site disposal in accordance with applicable NMOCD, NMED, and EPA regulations.

Used Engine Coolants
Used engine coolants are not discharged on site; if necessary, they are removed and collected in aboveground storage containers and removed by a contractor for off-site disposal.

Waste Lubrication and Motor Oils
Lubricating and motor oils are not discharged on site. Used oil is stored in aboveground storage containers within secondary containment and removed by a contractor for off-site recycling.

Used Filters
Used oil, glycol, and amine filters generated at the facility are drained and stored in aboveground container and removed by a contractor for off-site recycling.

Solids and Sludges
Solids and sludges are not discharged on site. Any solids or sludges generated on site are collected and stored in aboveground storage tanks within secondary containment for off-site disposal.

Painting Wastes
Painting wastes generated on site are not discharged on site. All painting wastes generated on site are managed in aboveground containers and disposed off site.

Sewage
Sewage generated on site is routed to three on-site septic tank and leach line systems subject to the Environmental Improvement Board's Liquid Waste Disposal Regulations, 20.7.3 NMAC.

Lab Wastes
Lab wastes generated at the facility for testing the facility's boiler and cooling tower water, amine, and NGL product. Lab wastes generated are collected in an aboveground storage drum within secondary containment and removed by a contractor for off-site disposal.

Other Liquids and Solid Wastes
NGLs from the Product Booster Pumps, Inlet Product Exchanger, Product Meter Skid, SV-16.07 Product Storage Tank, SV-16.08 Product Storage Tank, SV-16.09 Product Storage Tank, SV-16.10 Stabilized Liquids Tank, Absorber Bottom Pumps, and Absorber Column Drain are routed to the cold gas flare when liquids need to be removed from the cryogenic system for maintenance activities. Propane from the Propane Surge Tank, Chiller Reclaimer, West Propane Storage Tank, and East Propane Storage Tank are routed to the cold gas flare when liquids need to be removed from the cryogenic system for maintenance activities. Other liquids or solid wastes are managed and disposed/recycled off site in accordance with applicable NMOCD, NMED, and EPA regulations.

8 Liquid and Solid Waste Collection / Storage / Disposal

Collection/Storage
All liquid and solid wastes, except domestic sewage, are collected and stored in containers for off-site disposal/recycling. Domestic waste is collected and stored in the on-site septic tanks and leach fields subject to the Environmental Improvement Board's Liquid Waste Disposal Regulations, 20.7.3 NMAC.

On-site Disposal
There is no on-site disposal at the facility, except for the disposal of domestic sewage into the facility's septic systems and produced water and gas plant process wastewater into the facility's Class II SWD Well No. 1. Domestic sewage is disposed in the on-site septic tanks and leach fields subject to the Environmental Improvement Board's Liquid Waste Disposal Regulations, 20.7.3 NMAC. The facility is authorized to dispose of produced salt water and gas plant process wastewater into its Class II SWD Well No. 1 as approved by the NMOCD on April 16, 1985 in Case No. 8526, Order No. R-7876.

Off-site Disposal
All liquid and solid wastes, except for domestic sewage, produced water, and gas plant process wastewater, are disposed off site.

The following table provides information regarding wastes collected and stored for off-site disposal and/or recycling.

Waste	Collection/Storage Method	Quantity Generated	Final Disposition	Receiving Facility
Produced Water/Wastewater	Aboveground tanks within secondary containment	~20,000 bbl/mo	On-site Class II SWD Well No. 1	DEFS Artesia Gas Plant
Used Oil	Aboveground storage tanks within secondary containment	~650 gal/mo	Recycled	HMR&V Environmental Services
Amine, Glycol, Inlet, Oil Filters	Aboveground storage container	~15 drums/mo	Recycled	HMR&V Environmental Services
Spent Solvent	Parts Washer	~20 gal/mo	Recycled	HMR&V Environmental Services
Charcoal filter media?	Concrete containment	~5 cy/yr	Off-site disposal	CRI
Molecular Sieve	Aboveground storage container	~36 cy/yr	Off-site disposal	CRI
Used Light Bulbs	Cardboard boxes within building	~12 – 18/ yr	Recycled	HMR&V Environmental Services
Used Batteries	Aboveground storage containers within buildings	~2.5 gal container/yr	Recycled	HMR&V Environmental Services
Laboratory Waste	Aboveground storage drum within secondary containment	< 55 gal/yr	Off-site disposal	HMR&V Environmental Services
Sulfur Catalyst/Support Balls	Concrete containment	~34 cy/2 – 3 yrs	Off-site disposal	CRI

9 Proposed Modifications

DEFS is currently in the process of redesigning the cold gas flare to eliminate any discharges of NGLs due to incomplete combustion into the flare's earthen berm. DEFS will keep OCD apprised of its plans and schedule as soon as they are established.

DEFS requests modification to Condition 12 in the July 26, 2000 Discharge Plan Approval Conditions. Condition 12 states: "Housekeeping: All systems designed for spill collection/prevention, and leak detection will be inspected weekly and after each storm event to ensure proper operation and to prevent over topping or system failure." Since the facility is located in an area that does not receive much rainfall, DEFS requests to modify this condition to inspect all systems designed for spill collection/prevention, and leak detection on a monthly basis and after each storm event.

10 Inspection, Maintenance, and Reporting

Routine inspections and maintenance are performed to ensure proper collection, storage, and off-site disposal of wastes generated at the facility.

11 Spill / Leak Prevention and Reporting (Contingency Plans)

DEFS will respond to and report spills as outlined in the DEFS Environmental Compliance Manual and in accordance with the requirements of NMOCD Rule 116 [19.15.C.116 NMAC] and WQCC regulation [20.6.2.1203 NMAC].

12 Site Characteristics

No Changes.

13 Additional Information

All unauthorized releases and discharges will be reported to the NMOCD in accordance with NMOCD Rule 116, 19.15.C.116 NMAC, and WQCC regulation, 20.6.2.1203 NMAC.

FIGURES

FIGURE 1. Site Location Map – Artesia Gas Plant.

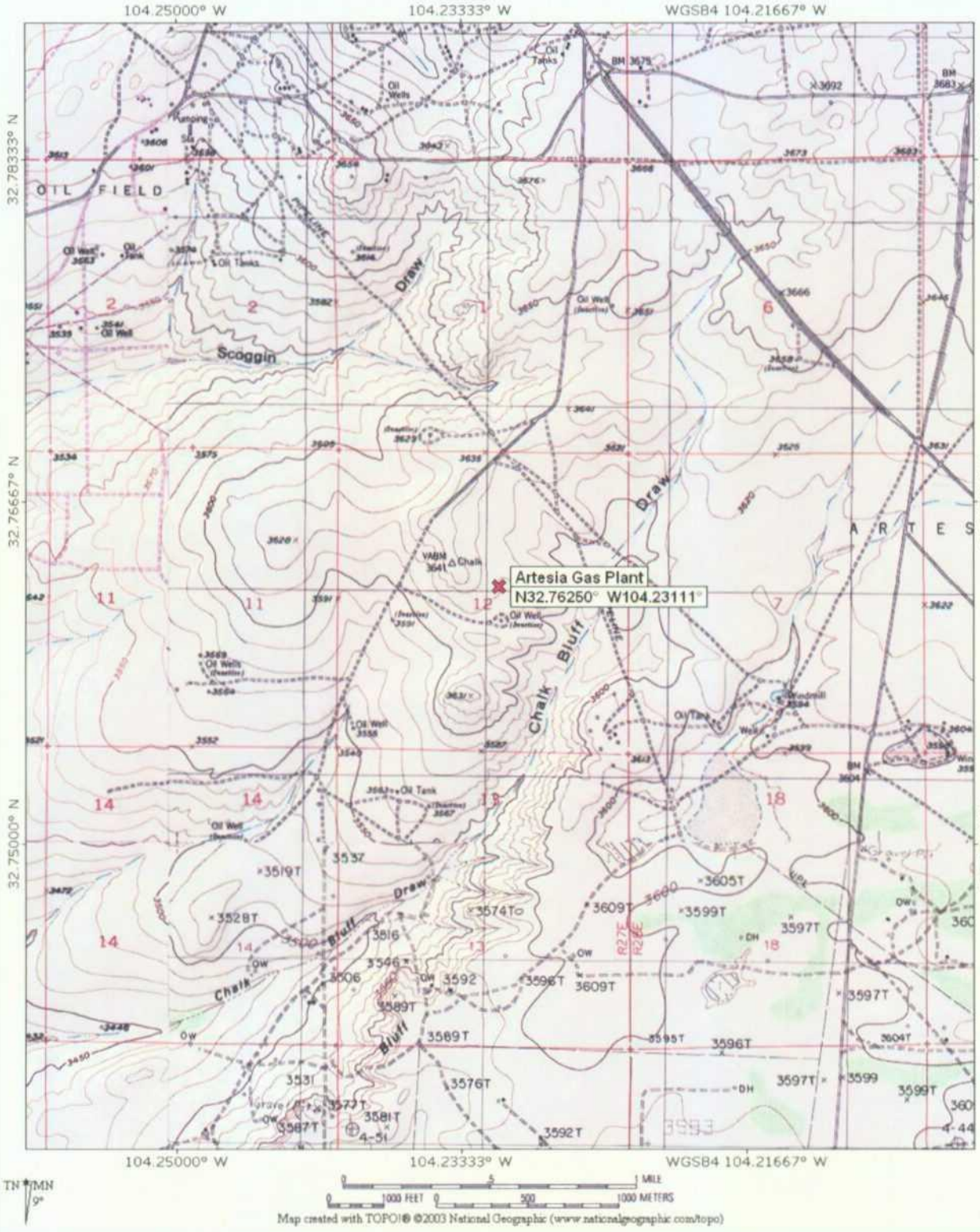


FIGURE 2. Facility Plot Plan – Artesia Gas Plant.

DWG. NO.
SHEET NO.

296'-0"

ABSORBTION TANK CONCRETE BLOCKS SEE SHEET NO. M-11-0

136'-10"

10'-0"

1000 GAL. PRECAST CONCRETE SEPTIC TANK. SEE SHEET NO. M-1-2

B SEE SHEET No. MP-5-1

EL.+1½' EL.-1¾ EL.-2.0' EL.-1¾

20'-0"

EL.+1½' EL.-3¼' EL.-3½' EL.-3¼' EL.-¼'

EL.+½'

174'-9"

VERTICAL CAN PUMP

FLOAT & READOUT

FLOAT & READOUT

FLOAT & READOUT

EL. 6½' EL. 6½' EL.+6½'

12'-0" 10'-0" 27'-0"

EMERGENCY CATCH BASIN
(ORDINARY COMPACTION)

365'-0"

EL. 1½'

EL.-3.0' EL.-3½' EL.-3.0'

SUCTION INLET

425'-0"

LINED OVERFLOW PIT. (SEE SHEET NO. MP-5-1)
(ORDINARY COMPACTION)

80'-0" c/c 80'-0" c/c

EL. 6½'

4" PERFORATED DRISCOPIPE LEAK DETECTION

4" PERFORATED DRISCOPIPE LEAK DETECTION

4" PERFORATED DRISCOPIPE LEAK DETECTION

EL. 6½'

246'-0"

SEE SHEET No. MP-5-1 A

EL.-4.0' EL.-4.0' EL.-2.0' EL.-2½' EL.-2.0'

A SEE SHEET No. MP-5-1

18'-0" 6'-0" 12'-0"

27'-0" 10'-0" 12'-0"

EL. 1½' EL. 1½' EL. 6½' EL 6½' EL +6½'

12'-0" 10'-0" 18'-0" 114'-0" 27'-0" 10'-0" 27'-0" 246'-0" 27'-0" 10'-0" 12'-0"

SEE SHEET No. MP-5-1 B

513'-0"

REF. ONLY

NO.	REVISION	BY CHKD.	DATE APP'D.
1	OVERFLOW PIT SPECS. CHANGED SEPTIC SYST. CHANGED	B.P	03/02/99

FOR BIDS
FOR APPR
FOR CONST
DESIGN E.P 2/21/99
DRAWN
CHECKED
APP'D

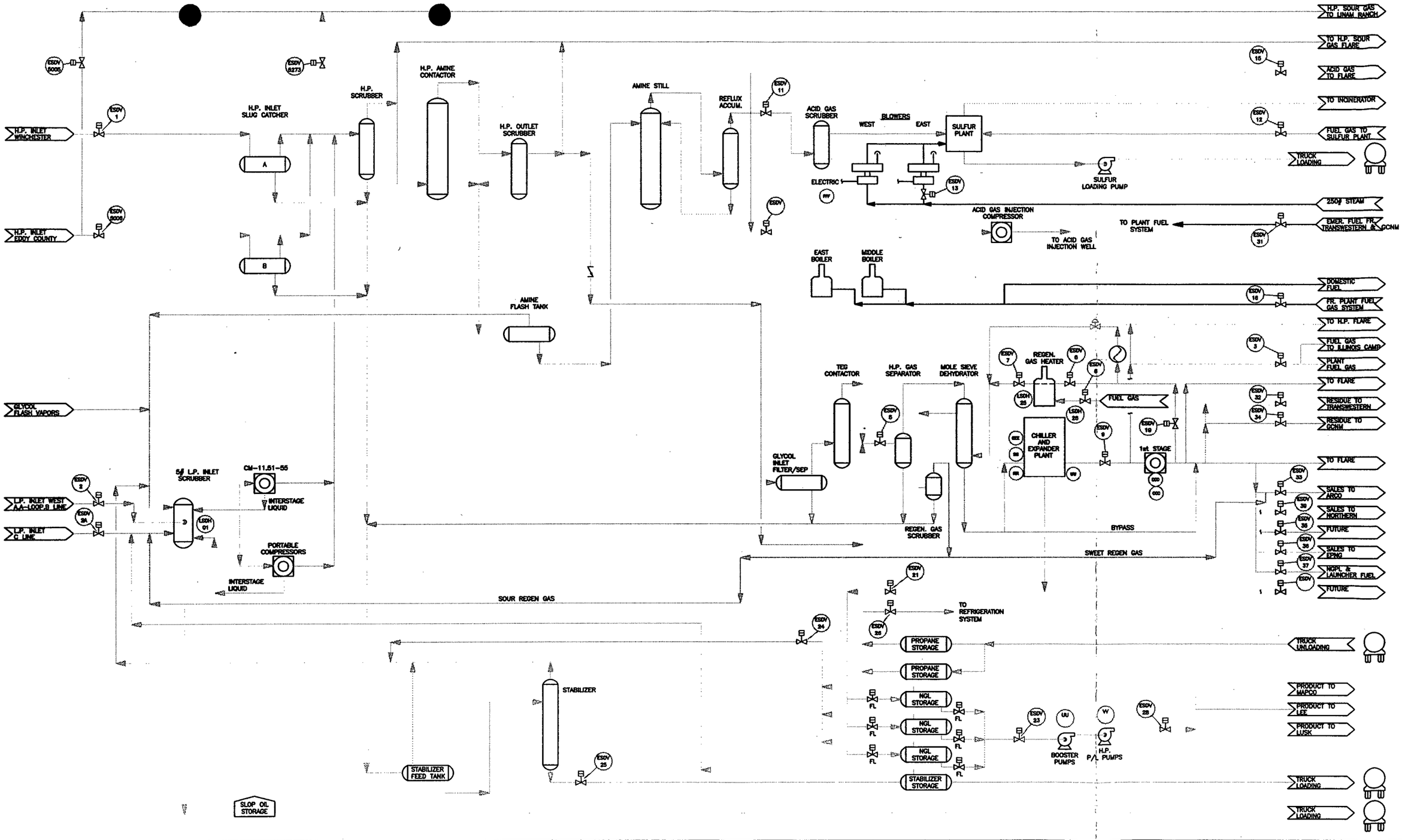
BARTLESVILLE, OKLAHOMA

CATCH BASIN & OVERFLOW PIT
CENTRAL TANK BATTERY
EAST VACUUM GRAYBURG-SAN ANDRES UNIT LEA Co., N.M.

AFE NO. P-2160
SCALE 1" = 20'
DWG NO. PED-100
SH NO. MP-4-1

Form 1783 7-91

FIGURE 3. Simplified Overall Process Flow Diagram – Artesia Gas Plant.



REV.	DATE	REVISION	BY	CHK'D	ENGR.	ENGR. MGR.

REV.	DATE	REVISION	BY	CHK'D	ENGR.	ENGR. MGR.
A	5/19/92	ISSUED FOR APPROVAL	MR	BF		
0	8/13/92	FINAL ISSUE TO GPM	MR	BF		
1	2/19/93	REVISED FOR CONSTRUCTION	IN			
2	10/15/93	GENERAL REVISIONS	J.W.E.			
3	11/14/02	REVISED FOR PLANT EXPANSION	JHS	SD		

REF-CHEM SINCE 1967 CORPORATION
ENGINEERING • CONSTRUCTION • MAINTENANCE

Duke Energy Field Services
A New Kind of Energy™

SIMPLIFIED OVERALL PROCESS FLOW DIAGRAM

ARTESIA PROCESS PLANT
DRAWN | MR | DATE: | 3/31/92

JA NO.	FILE NAME 764PF1
AFE NO.	SCALE NONE
BASE NO.	GED-764
DWG. NO.	PF1 (3)

G:\CLIENTS\DUKE ENERGY\764\DESIGN\PIPING\PFD\764PF1.DWG 15:58 12/04/02 SCALE=1:1 KMCDANIEL

FIGURE 4. Block Flow Diagram – Artesia Gas Plant.

LP INLET GAS 0-25 MMscfd

LP INLET RECEIVING (5# SCRUBBER)

LP GAS

OIL

INLET COMPRESSION 5 CAT 3516LE 2 SUPERIOR ENGINES

STARTING AIR

FUEL GAS

LIQUIDS

SOUR REGEN GAS

ACID GAS INJECTION COMPRESSOR

ACID GAS TO INJECTION WELL

SULFUR RECOVERY UNIT (SRU)

SULFUR PRODUCT (TRUCK SALES)

SO2 VENT

FLASH GAS

HP GAS

COOLING WATER

AMINE REGENERATION

LP GAS

VRU / PUMP

FLASH GAS

GLYCOL REGENERATION

FUEL GAS

50# STEAM

RICH

LEAN

FUEL GAS

50# STEAM

RICH

LEAN

HP INLET GAS 45-70 MMscfpd

HP INLET RECEIVING SLUG CATCHER

HP GAS

HP GAS

HP AMINE TREATER

SWEET GAS

GLYCOL (TEG) DEHYDRATION

GAS BYPASS

WATER

TO DISPOSAL WELL

FLASH GAS

LIQUIDS

TREATER & DEHY LIQUIDS

FUEL GAS

REGEN GAS

MOLECULAR SIEVE REGENERATION

HOT REGEN GAS

MOLECULAR SIEVE DEHYDRATOR & FILTER

SWEET COLD REGEN GAS

CONDENSATE FILTER, FEED TANK AND STABILIZER

DRY GAS

CHILLED GAS

CRYOGENIC PLANT

RESIDUE GAS

RECOMPRESSION (WITH REGEN GAS CYLINDERS)

HP RESIDUE GAS TO PIPELINES

FUEL GAS

COOLING WATER

FUEL GAS

REFRIGERATION COMPRESSION & GAS CHILLER

NATURAL GAS LIQUIDS (NGL)

NGL STORAGE TANKS

NATURAL GAS LIQUIDS (NGL) TO PIPELINE

25#/ (OR 50#) STEAM

CONDENSATE

OIL TANKS

OIL PRODUCT (TRUCK SALES)

CONDENSATE STORAGE TANK

CONDENSATE (TRUCK SALES)

COMPRESSOR UTILITIES (JW AND OIL)

FUEL GAS

EXPANDER UTILITIES

INSTRUMENT AIR STARTING AIR

FLARE SYSTEM HYDROCARBON, COLD & ACID GAS

RAW WATER PLANT WATER FIRE WATER

COOLING WATER

STEAM

DRAIN SYSTEMS OPEN, OIL, JW, AND WATER INJECTION

REV.	DATE	REVISION	BY	CHK'D	ENGR.	ENGR. MGR.

REV.	DATE	REVISION	BY	CHK'D	ENGR.	ENGR. MGR.
0	12/02/02	ISSUED FOR CONSTRUCTION	KM			

REF-CHEM SINCE 1967 CORPORATION
ENGINEERING • CONSTRUCTION • MAINTENANCE

Duke Energy Field Services
A New Kind of Energy™

BLOCK FLOW DIAGRAM

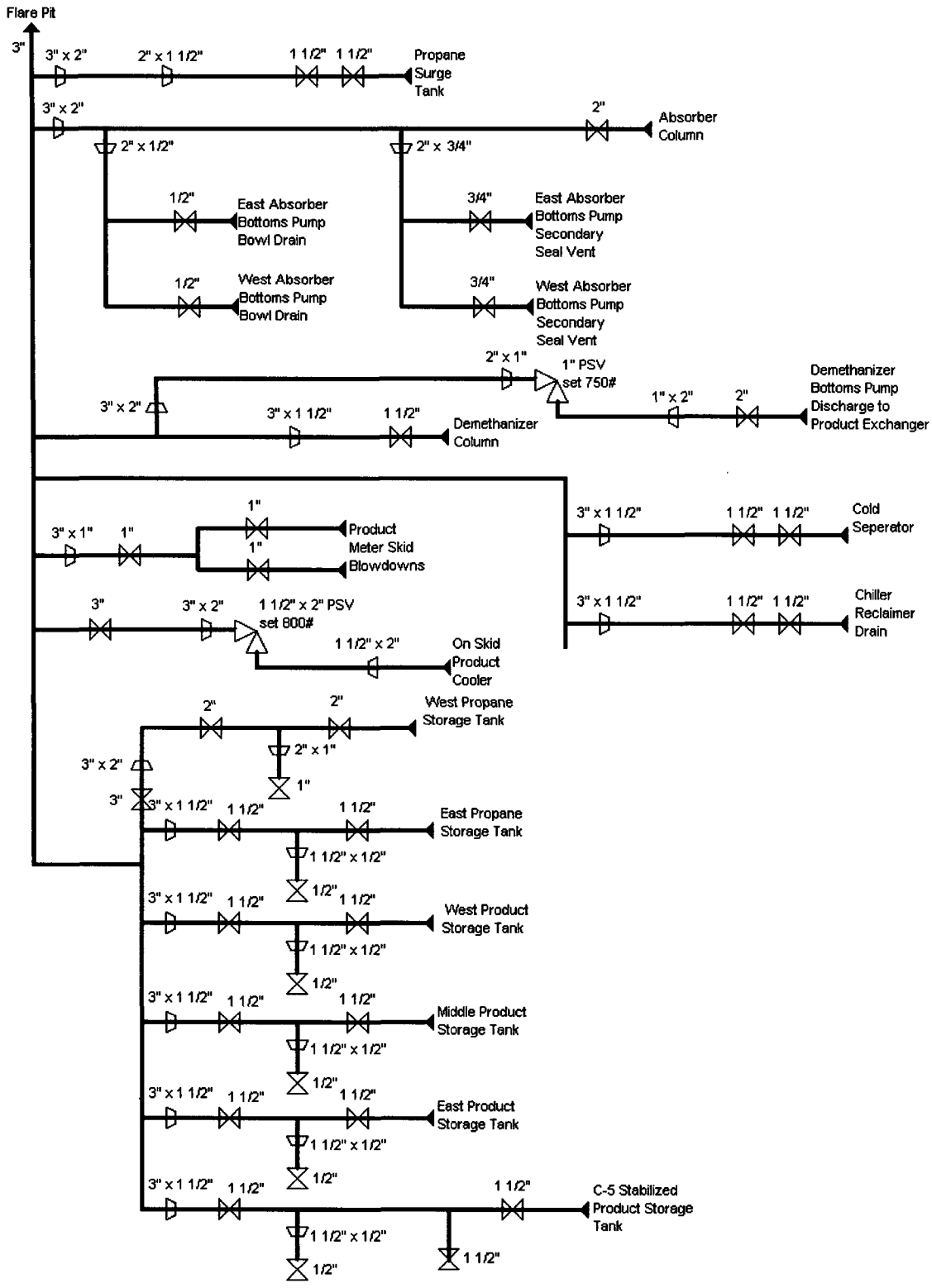
ARTESIA PROCESS PLANT

DRAWN: KM | DATE: 12/04/02

JA NO.	FILE NAME
AFE NO.	SCALE NONE
BASE NO. GED-764	
DWG. NO. PF16	0

P:\CLIENTS\DUKE ENERGY\PROJECTS\PF16\DWG\PF16.DWG 10:05 12/05/02 SCALE=1:1 BY:ASH

FIGURE 5. Cryogenic System Cold Gas Flare ("Flare Pit") Flow Diagram – Artesia Gas Plant.


Flare Pit
3"
3" x 2"
2" x 1 1/2"
1 1/2"
1 1/2"
Propane Surge Tank
3" x 2"
2"
Absorber Column
2" x 1/2"
2" x 3/4"
1/2"
East Absorber Bottoms Pump Bowl Drain
3/4"
East Absorber Bottoms Pump Secondary Seal Vent
1/2"
West Absorber Bottoms Pump Bowl Drain
3/4"
West Absorber Bottoms Pump Secondary Seal Vent
2" x 1"
1" PSV set 750#
1" x 2"
2"
Demethanizer Bottoms Pump Discharge to Product Exchanger
3" x 2"
3" x 1 1/2"
1 1/2"
Demethanizer Column
1"
3" x 1"
1"
1"
Product Meter Skid Blowdowns
3" x 1 1/2"
1 1/2"
1 1/2"
Cold Seperator
3"
3" x 2"
1 1/2" x 2" PSV set 800#
1 1/2" x 2"
On Skid Product Cooler
3" x 1 1/2"
1 1/2"
1 1/2"
Chiller Reclaimer Drain
2"
2"
West Propane Storage Tank
2" x 1"
3" x 2"
1"
3"
3" x 1 1/2"
1 1/2"
1 1/2"
East Propane Storage Tank
1 1/2" x 1/2"
1/2"
3" x 1 1/2"
1 1/2"
1 1/2"
West Product Storage Tank
1 1/2" x 1/2"
1/2"
3" x 1 1/2"
1 1/2"
1 1/2"
Middle Product Storage Tank
1 1/2" x 1/2"
1/2"
3" x 1 1/2"
1 1/2"
1 1/2"
East Product Storage Tank
1 1/2" x 1/2"
1/2"
3" x 1 1/2"
1 1/2"
1 1/2"
C-5 Stabilized Product Storage Tank
1 1/2" x 1/2"
1/2"
1 1/2"

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

January 11, 2002

Lori Wrotenbery
Director
Oil Conservation Division

CERTIFIED MAIL
RETURN RECEIPT NO. 3929 7440

Ms. Karin Char
Duke Energy Field Services, LP
P.O. Box 5493
Denver, Colorado 80217

RE: Discharge Plan Fee GW-023
Artesia Gas Plant
Eddy County, New Mexico

Dear Ms. Char:

On August 17, 2000, GPM Gas Services (Duke Energy Field Services, LP), received, via certified mail, an approval dated July 26, 2000 from the New Mexico Oil Conservation Division (OCD) for discharge plan GW-023. Each discharge plan has a filing fee and a flat fee as described in WQCC Section 3114. A review of the files for this facility indicates that the OCD has not, as of this date (January 11, 2002), received the flat fee for this facility. The last check submitted by GPM Gas Services (Duke Energy Field Services, LP) was dated February 25, 2000 in the amount of $50.00 for the required filing fee for the discharge renewal plan. The flat fee of $1,667.50 is due and payable for discharge renewal plan GW-023.

Duke Energy Field Services, LP will submit the remaining $1,667.50 flat fee in full by February 28, 2002 in order to be in compliance with Water Quality Control Commission Regulation 3114.B.6, or the OCD may initiate enforcement actions which may include fines and/or an order to cease all operations at the facility. Please make all checks payable to: **NMED-Water Quality Management Fund** and addressed to the OCD Santa Fe Office.

If you have any questions regarding this matter, please contact Mr. Jack Ford at (505) 476-3489.

Sincerely,

Roger Anderson
Environmental Bureau Chief

RCA/wjf
xc: Artesia OCD district office

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

OFFICIAL USE

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

Postmark Here

JAN 17 2002

Sent To K. Chan

Street, Apt. No.; or PO Box No. Duke

City, State, ZIP+4 GW-023

7001 1940 0004 3929 7440

PS Form 3800, January 2001 See Reverse for Instructions

NEW MEXICO ENERGY, MINERALS and
NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Betty Rivera
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

July 3, 2001

Via e-mail, hard copy to follow.

CERTIFIED MAIL
RETURN RECEIPT NO. 3929 7969

Mr. Stephen Weathers
Duke Energy Field Services, LLC
P.O. Box 5493
Denver, Colorado 80217

RE: PIT CLOSURE WORKPLAN
ARTESIA GAS PLANT GW-023

Dear Mr. Weathers:

The New Mexico Oil Conservation Division (OCD) has reviewed Duke Energy Field Services's (DEFS) June, 2002 letter work plan from your consultant, Cordilleran Compliance Services, Inc., for the pit closure work plan at the Artesia Gas Plant GW-023. The work plan specified the procedures Cordilleran Compliance Services, Inc. would follow during the investigation, the waste sampling, characterization, analytical laboratory analyses and the reporting. The above referenced work plan **is herewith approved with the following conditions:**

1. All soil and any ground water samples shall be sampled and analyzed using EPA approved methods and quality assurance/quality control (QA/QC) procedures as described in the work plan.

2. All wastes generated during the investigation activities shall be disposed properly.

3. One copy of a report of the results of all activities relating to the work plan shall be furnished to the OCD Santa Fe office and one copy to the OCD Artesia District office within 30 days from completion of the work plan.

4. Mr. Mike Stubblefield, OCD Artesia District Office shall be notified 72 hours prior to commencement of the Program activities.

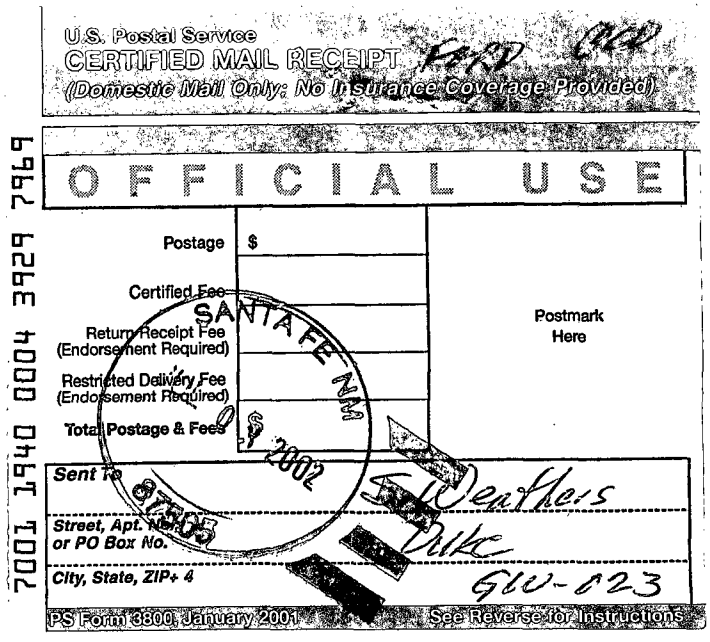
Please be advised that OCD approval does not relieve DEFS of liability should the work plan fail to adequately delineate the limits of soil and/or ground water contamination related to DEFS activities, or if contamination exists which is outside the scope of the work plan. In addition, OCD approval does not relieve DEFS of responsibility for compliance with any other federal, state or local laws and regulations.

If you have any questions, please call me at (505) 476-3489.

Sincerely,

W. Jack Ford, C.P.G.
OCD Environmental Bureau

cc: OCD Artesia District Office



FULBRIGHT & JAWORSKI L.L.P.
A REGISTERED LIMITED LIABILITY PARTNERSHIP
1301 MCKINNEY, SUITE 5100
HOUSTON, TEXAS 77010-3095

TELEPHONE: 713/651-5151
FACSIMILE: 713/651-5246

WRITER'S INTERNET ADDRESS:
elewis@fulbright.com

WRITER'S DIRECT DIAL NUMBER:
713/651-3760

HOUSTON
WASHINGTON, D.C.
AUSTIN
SAN ANTONIO
DALLAS
NEW YORK
LOS ANGELES
MINNEAPOLIS
LONDON
HONG KONG

January 15, 2001

Re: Notification of Name Change to Duke Energy Field Services, LP

Mr. Roger Anderson
New Mexico Oil Conservation Division
2040 South Pacheco Street
Santa Fe, New Mexico 87505

Dear Mr. Anderson:

In a February 16, 2000 letter addressed to you from Mel Driver of GPM Gas Company, LLC, Mr. Driver informed you that GPM Gas Company, LLC and Duke Energy Field Services, LLC were planning to undergo an internal corporate reorganization later in the year. As a result of this corporate reorganization, which has now taken place, facilities that were formerly operated under the name of GPM Gas Company, LLC are now being operated under the name of Duke Energy Field Services, LP. A chart that lists facilities with New Mexico Oil Conservation Division permits that are affected by this change is enclosed with this letter. Please update your records to reflect Duke Energy Field Services, LP as the permit holder for the facilities listed on the enclosed chart.

Thank you for your assistance, and please feel free to call me at (713) 651-3760 if you have any questions.

Very truly yours,

Eddie Lewis

Edward C. Lewis

ECL/jnr

5589827.1

cc: Ms. Nelda Morgan
New Mexico Oil Conservation Division
1625 North French Drive
Hobbs, New Mexico 88240

Ms. Vicki Gunter
Duke Energy Field Services, LP
P. O. Box 50020
Midland, Texas 79710

FACILITY NAME	PERMIT NUMBER	CURRENT NAME	NEAREST CITY
Artesia Plant	GW-~~168~~ 023	GPM Gas Company, LLC	Artesia
Avalon Plant	GW-024	GPM Gas Company, LLC	Carlsbad
Eunice Plane	GW-009	GPM Gas Company, LLC	Eunice
Feagen	GW-168	GPM Gas Company, LLC	Artesia
Hat Mesa	GW-128	GPM Gas Company, LLC	Hobbs
Hobbs	GW-044	GPM Gas Company, LLC	Hobbs
Indian Hills	GW-042	GPM Gas Company, LLC	Carlsbad
Lee Plant	GW-002	GPM Gas Company, LLC	Lovington
Linam Ranch Plant	GW-015	GPM Gas Company, LLC	Hobbs
Maljamar	GW-177	GPM Gas Company, LLC	Lovington
Sand Dunes	GW-142	GPM Gas Company, LLC	Loving
Won Ton	GW-178	GPM Gas Company, LLC	Lovington
Zia Plant	GW-145	GPM Gas Company, LLC	Maljamar

GPM GAS CORPORATION

3300 N "A" ST. BLDG 7
MIDLAND, TX 79705-5421

MAILING ADDRESS
P.O. BOX 50020
MIDLAND, TX 79710-0020

March 17, 2000

FAXED

Mr. Tim Gum
State of New Mexico
Energy, Minerals & Natural Resources Department
Oil Conservation Division, Environmental Bureau
811 S. First Street
Artesia, New Mexico 88210

RE: Below Grade Tanks/Sumps Integrity Testing
Artesia Gas Processing Plant
Discharge Plan GW-023

Dear Mr. Gum:

GPM Gas Company, LLC is proposing to integrity test its sumps starting the week of March 20, 2000 through March 23, 2000. GPM proposes to liquid fill the sumps and associated piping. The sump levels will be gauged and recheck 24 hours later to verify integrity. The drain lines will also be integrity tested at a later date by pressurizing the lines to 3 pounds above operating pressure were possible or visually inspecting.

Please do not hesitate to contact me at (915) 620-4142 or Kenneth Winn, Artesia Plant Manager at (505) 397-5682 should you have any questions or require additional information concerning GPM's proposed sump integrity testing.

Sincerely,

Mel P. Driver

Mel P. Driver, P.E.
Environmental Engineer
New Mexico Region

cc: Jack Ford
OCD, Environmental Bureau
2040 S. Pacheco Street
Santa Fe, NM 87505

The Santa Fe New Mexican
Since 1849. We Read You.

MAR 17 2000
OIL CONSERVATION DIVISION

NM OIL CONSERVATION DIVISION
ATTN: DONNA DOMINGUEZ
2040 S. PACHECO ST.
SANTA FE, NM 87505

AD NUMBER: 137795 ACCOUNT: 56689
LEGAL NO: 67050 P.O.#: 00199000278
179 LINES 1 time(s) at $ 78.91
AFFIDAVITS: 5.25
TAX: 5.26
TOTAL: 89.42

NOTICE OF PUBLICATION

STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to New Mexico Water Quality Control Commission Regulations, the following discharge plan application(s) have been submitted to the Director of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131:

(GW-023) - GPM Gas Services Company, Mel D. Driver, (915) 620-4142, 3300 N. "A" Street, Building 7, Midland, Texas 79705-5421, has submitted a discharge renewal application for the Artesia Gas Plant located in Section 7, Township 18 South, Range 28 East, NMPM, Eddy County, New Mexico. Approximately 23,000 gallons per day of process waste water is disposed of in an OCD approved Class II injection well. The waste water has a total dissolved solids concentration of approximately 2000 mg/l. Ground water most likely to be affected in the event of an accidental discharge is at a depth of approximately 85 feet with a total dissolved solids concentration of approximately 300 mg/l. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The discharge plan application may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on any proposed discharge plan or its modification, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him and a public hearing may be requested by any interested person. Requests for a public hearing shall set forth the reasons why a hearing should be held. A hearing will be held if the Director determines there is significant public interest.

If no public hearing is held, the Director will approve or disapprove the proposed plan based on information available. If a public hearing is held, the director will approve or disapprove the proposed plan based on information in the plan and information submitted at the hearing.

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 10th day of March, 2000.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION
LORI WROTENBERY, Director

Legal #67050
Pub. March 16, 2000

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO
COUNTY OF SANTA FE

I, B Perner being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily newspaper published in the English language, and having a general circulation in the Counties of Santa Fe and Los Alamos, State of New Mexico and being a Newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the publication #67050 a copy of which is hereto attached was published in said newspaper 1 day(s) between 03/16/2000 and 03/16/2000 and that the notice was published in the newspaper proper and not in any supplement; the first publication being on the 16 day of March, 2000 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

/S/ Betsy Perner
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 15 day of March A.D., 2000

Notary Candace R. Dunton

Commission Expires 11/16/2003

GPM GAS CORPORATION

3300 N "A" ST. BLDG 7
MIDLAND, TX 79705-5421

P.O. BOX 50020
MIDLAND, TX 79710-0020

March 21, 2000

Notification of Venting and Flaring
For Period of March 1 thru 15, 2000

Tim Gum, Supervisor and Oil & Gas Inspector
New Mexico Oil Conservation Division
811 S. First Street
Artesia , NM 88210

Dear Mr. Gum:

Rule 116(a), of the State of New Mexico Oil Conservation Division (OCD) Rules and Regulations requires GPM Gas Corporation (GPM) to notify the OCD of venting and flaring. In compliance with Rule 116(a), GPM hereby notifies the State of New Mexico OCD of the following attached account of the events.

If you have any questions or require additional information, please do not hesitate to contact me at (915) 620-4144. Thank you.

Sincerely,

Vicki F. Gunter

Vicki F. Gunter
Regulatory Compliance Assist.
New Mexico Region

Date	Duration	County	Facility	MCF Amt	Reason	Corrective Measure
03/14/200 09:00 AM	6.0	Eddy	Square Lake Booster	66.00	Square Lake booster experienced an upset in operations due to the #1 engine surging and going down on overspeed shutdown.	To correct the upset, operations adjusted the governor and returned the unit to service.
03/14/200 08:00 AM	2.0	Eddy	Gas Dehydration Unit	263.00	Artesia plant experienced an upset in operations due to a high H2S reading on the Regen gas.	To correct the upset, operations resumed normal operations after the H2S had cleared from the gas stream.
03/14/200 06:30 AM	3.7	Eddy	Shugart Booster	55.00	Shugart booster experienced venting due to a purchased power failure at Parkway, which shut the unit down and caused the field to pressuring up.	To correct the upset, operations waited for the power to be restored at Parkway and resarted the compressors.
03/14/200 06:00 AM	4.2	Eddy	Parkway Booster	609.00	Parkway booster experienced an upset in operations due to a purchased power failure.	To correct the upset, operations waited for the power to be restored and restarted all compressors.
03/13/200 02:24 PM	0.5	Eddy	Sand Dunes Booster	105.00	Sand Dunes booster required to be shut down to remove the #4 engine, pull piping and cap.	To correct the operations of the booster, all compression was restarted after the # 4 engine was removed and the piping capped.
03/11/200 03:30 PM	2.5	Eddy	Jackson Booster	147.00	Grayburg Booster experienced an excess emission due to an operational upset involving the Jackson #1 compressor. The Jackson compressor went down with hot compressor valves causing high field pressure and flare at Grayburg.	To correct the upset, operations changed out the hot compressor valves on the Jackson #1 and returned the unit to service. This action pulled the field pressure back into normal pressure range, eliminating the flare conditions at Grayburg.
03/11/200 06:10 AM	3.6	Eddy	Gas Dehydration Unit	361.00	Artesia Plant experienced a high H2S reading in the Regen gas, switched beds.	Open up valve to sales after flare.
03/10/200 10:00 PM	2.0	Eddy	Fitz Booster	262.00	Fitz booster experienced an operational upset due to problems with the site control panel.	To correct, operations turned the power off to the site panel and reset, bringing it back up to normal operations.
03/08/200 11:00 AM	2.0	Eddy	Shugart Booster	76.00	Shugart booster experienced an upset in operations due to a purchase power interruption.	To correct the upset, operations waited for the power to be restored, then restarted the compressors.
03/08/200 10:00 AM	3.5	Eddy	Parkway Booster	304.00	Parkway booster experienced an upset in operations due to a purchase power interruption.	To correct the upset, operations waited for the power to be restored, then restarted the compressors.
03/08/200 05:00 AM	1.3	Eddy	Gas Dehydration Unit	128.00	Artesia Plant experienced an upset in operations due to a high H2S reading on the regen gas due to a bed switch.	To correct the upset, operations allowed the high H2S content gas to clear, then rusummed normal operations.

Date	Duration	County	Facility	MCF Amt	Reason	Corrective Measure
03/04/200 11:15 PM	0.7	Eddy	Gas Dehydration Unit	89.00	Artesia plant experienced an upset in operations due to a dehydrator bed switch, which caused a high pressure on the residue gas and shut in the residue sales.	To correct the upset, operations called the residue sales recievers and requested the valves be reopened.
03/04/200 11:00 AM	2.0	Chavez	Buffalo Valley	70.00	Buffalo Valley booster experienced an upset in operations due to a bad magneto on the #5 unit, which caused the unit to go down.	To correct the upset conditions, operations started the #4 unit, and scheduled repair for #5 for Monday, March 6, 2000.
03/02/200 10:00 PM	1.5	Eddy	Grayburg Booster	60.00	Grayburg booster experienced an operational upset due to the #6 compressor being down for repair and Loco Hills Booster went down because of discharge line blockage, which caused the field pressure to built up.	To correct the upset, operations manually loaded up the remaining units at the booster site to help bring down the field pressure.
03/01/200 11:00 PM	1.0	Eddy	Gas Dehydration Unit	240.00	Artesia Plant experienced an upset in operations during a Deydrator Bed switch and lost the GCNM and El Paso Sales, which pressured up the residue gas, opening the flare line.	To correct the upset, operations called GCNM and El Paso to re-open the residue gas sales valves.
03/01/200 11:00 PM	1.0	Eddy	Residue Delivery Unit	90.00	Artesia Plant experienced an upset in operations during a Deydrator Bed switch and lost the GCNM and El Paso Sales, which pressured up the residue gas, opening the flare line.	To correct the upset, operations called GCNM and El Paso to re-open the residue gas sales valves.

GPM GAS CORPORATION

3300 N "A" ST. BLDG 7
MIDLAND, TX 79705-5421

MAILING ADDRESS
P.O. BOX 50020
MIDLAND, TX 79710-0020

March 17, 2000

FAXED

Mr. Tim Gum
State of New Mexico
Energy, Minerals & Natural Resources Department
Oil Conservation Division, Environmental Bureau
811 S. First Street
Artesia, New Mexico 88210

RE: Below Grade Tanks/Sumps Integrity Testing
Artesia Gas Processing Plant
Discharge Plan GW-023

Dear Mr. Gum:

GPM Gas Company, LLC is proposing to integrity test its sumps starting the week of March 20, 2000 through March 23, 2000. GPM proposes to liquid fill the sumps and associated piping. The sump levels will be gauged and recheck 24 hours later to verify integrity. The drain lines will also be integrity tested at a later date by pressurizing the lines to 3 pounds above operating pressure were possible or visually inspecting.

Please do not hesitate to contact me at (915) 620-4142 or Kenneth Winn, Artesia Plant Manager at (505) 397-5682 should you have any questions or require additional information concerning GPM's proposed sump integrity testing.

Sincerely,

Mel P. Driver

Mel P. Driver, P.E.
Environmental Engineer
New Mexico Region

cc: Jack Ford
OCD, Environmental Bureau
2040 S. Pacheco Street
Santa Fe, NM 87505

The Santa Fe New Mexican

Since 1849. We Read You.

MAR 17 2000

OIL CONSERVATION DIVISION

NM OIL CONSERVATION DIVISION
ATTN: DONNA DOMINGUEZ
2040 S. PACHECO ST.
SANTA FE, NM 87505

AD NUMBER: 137795 ACCOUNT: 56689
LEGAL NO: 67050 P.O.#: 00199000278
179 LINES 1 time(s) at $ 78.91
AFFIDAVITS: 5.25
TAX: 5.26
TOTAL: 89.42

NOTICE OF PUBLICATION

STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to New Mexico Water Quality Control Commission Regulations, the following discharge plan application(s) have been submitted to the Director of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131:

(GW-023) - GPM Gas Services Company, Mel D. Driver, (915) 620-4142, 3300 N. "A" Street, Building 7, Midland, Texas 79705-5421, has submitted a discharge renewal application for the Artesia Gas Plant located in Section 7, Township 18 South, Range 28 East, NMPM, Eddy County, New Mexico. Approximately 23,000 gallons per day of process waste water is disposed of in an OCD approved Class II injection well. The waste water has a total dissolved solids concentration of approximately 2000 mg/l. Ground water most likely to be affected in the event of an accidental discharge is at a depth of approximately 85 feet with a total dissolved solids concentration of approximately 300 mg/l. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The discharge plan application may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on any proposed discharge plan or its modification, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him and a public hearing may be requested by any interested person. Requests for a public hearing shall set forth the reasons why a hearing should be held. A hearing will be held if the Director determines there is significant public interest.

If no public hearing is held, the Director will approve or disapprove the proposed plan based on information available. If a public hearing is held, the director will approve or disapprove the proposed plan based on information in the plan and information submitted at the hearing.

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 10th day of March, 2000.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION
LORI WROTENBERY,
Director

Legal #67050
Pub. March 16, 2000

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO
COUNTY OF SANTA FE
I, B Perner being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily newspaper published in the English language, and having a general circulation in the Counties of Santa Fe and Los Alamos, State of New Mexico and being a Newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the publication #67050 a copy of which is hereto attached was published in said newspaper 1 day(s) between 03/16/2000 and 03/16/2000 and that the notice was published in the newspaper proper and not in any supplement; the first publication being on the 16 day of March, 2000 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

/S/ Betsy Perner
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 15 day of March A.D., 2000

Notary Candace R. Gurule

Commission Expires 11/16/2003

NOTICE OF PUBLICATION

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

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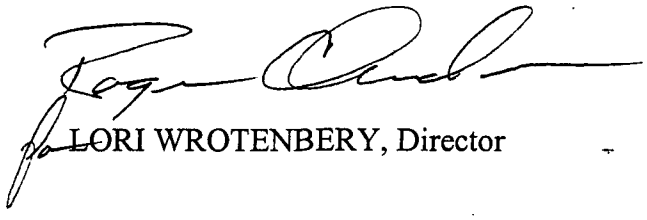
If no public hearing is held, the Director will approve or disapprove the proposed plan(s) based on information available. If a public hearing is held, the Director will approve or disapprove the proposed plan(s) based on the information in the discharge plan application(s) and information submitted at the hearing.

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 10th day of March 2000.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION



SEAL

LORI WROTENBERY, Director

GPM GAS CORPORATION

3300 N "A" ST. BLDG 7
MIDLAND, TX 79705-5421

P.O. BOX 50020
MIDLAND, TX 79710-0020

February 21, 2000

Notification of Venting and Flaring
For Period of February 01 thru 15, 2000

Tim Gum, Supervisor and Oil & Gas Inspector
New Mexico Oil Conservation Division
811 S. First Street
Artesia , NM 88210

Dear Mr. Gum:

Rule 116(a), of the State of New Mexico Oil Conservation Division (OCD) Rules and Regulations requires GPM Gas Corporation (GPM) to notify the OCD of venting and flaring. In compliance with Rule 116(a), GPM hereby notifies the State of New Mexico OCD of the following attached account of the events.

If you have any questions or require additional information, please do not hesitate to contact me at (915) 620-4144. Thank you.

Sincerely,

Vicki F. Gunter

Vicki F. Gunter
Regulatory Compliance Assist.
New Mexico Region

Date	Duration	County	Facility	MCF Amt	Reason	Corrective Measure
02/11/200 11:00 AM	11.5	Chavez	Buffalo Valley	2401.00	Buffalo Valley booster experienced an upset in operations due to the discharge line failing, which caused all units to go down.	To correct the upset, operations called out maintenance to repair the discharge line and then returned all units to service.
02/10/200 12:01 AM	0.8	Eddy	Residue Delivery Unit	105.00	Artesia Plant experienced an upset in operations due to the El Paso and PNM analyzers tripping out on High H2S	To correct the upset, operations called in El Paso and PNM to turn back in their analyzers and resume residue sales flow.
02/09/200 11:40 PM	0.3	Eddy	Residue Delivery Unit	90.00	Artesia Plant experienced an upset in operations due to the El Paso and PNM analyzers tripping out on High H2S	To correct the upset, operations called in El Paso and PNM to turn back in their analyzers and resume residue sales flow.
02/05/200 08:00 AM	3.5	Eddy	Grayburg Booster	240.00	Grayburg Booster experienced upset operations due to the #3 compressor going down with hot compressor valves. The #7 compressor also went down with hot valves and starter bad.	To correct the upset, operations changed the hot valves on #3 compressor and #7 compressor. The #3 compressor was returned to service, but the #7 starter would not operate. Operations changed out the starter on #7 compressor then returned it to service.
02/05/200 08:00 AM	3.0	Eddy	Shugart Booster	99.00	Shugart booster experienced a loss of purchase power due to a power failure and lost instrument air pressure.	To correct the upset, when power was restored, operations restarted the booster.

GPM GAS CORPORATION

3300 N "A" ST. BLDG 7
MIDLAND, TX 79705-5421

MAILING ADDRESS
P.O. BOX 50020
MIDLAND, TX 79710-0020

February 16, 2000

Mr. Roger Anderson
New Mexico Oil Conservation Division
2040 South Pacheco Street
Santa Fe, New Mexico 87505

Subject: Notification of Name Change to **GPM Gas Company, LLC**

Dear Mr. Anderson:

This letter is to notify you that on February 1, 2000, GPM Gas Corporation underwent a **name change**. The name of the company is now **GPM Gas Company, LLC**. This name change relates to a change in corporate status which occurred in anticipation of the expected merger between GPM and a unit of Duke Energy. GPM and Duke currently expect that, if all necessary regulatory approvals are obtained, the merger should be completed in April of this year.

Submitted with this letter is a listing of all environmental permits that are affected by this name change. Please take the actions necessary to reflect this name change on your records.

As a matter of general information, we wanted also to advise you of the possibility of a further name change in the coming months. In connection with the expected merger, it is possible that a further change in name or in corporate status could take place. We will advise you of any future changes that occur.

We appreciate your assistance in this matter.

GPM Gas Company, LLC

Mel P. Driver

Mel P. Driver
Environmental Engineer
New Mexico Region

Attachment

Facility Name	Permit Number	Expiration Date	Issued by	Held by	Nearest City
Artesia Plant	GW-168	7/1/00	NMED OCD	GPM Gas Corporation	Artesia
Avalon Plant	GW-024	9/1/00	NMED OCD	GPM Gas Corporation	Carlsbad
Eunice Plant	GW-009	4/1/04	NMED OCD	GPM Gas Corporation	Eunice
Feagen	GW-168	12/1/99	NMED OCD	GPM Gas Corporation	Artesia
Hat Mesa	GW-128	11/1/02	NMED OCD	GPM Gas Corporation	Hobbs
Hobbs	GW-044	12/1/02	NMED OCD	GPM Gas Corporation	Hobbs
Indian Hills	GW-042	4/1/02	NMED OCD	GPM Gas Corporation	Carlsbad
Lee Plant	GW-002	3/1/01	NMED OCD	GPM Gas Corporation	Lovington
Linam Ranch Plant	GW-015	4/1/04	NMED OCD	GPM Gas Corporation	Hobbs
Maljamar	GW-177	3/1/00	NMED OCD	GPM Gas Corporation	Lovington
Sand Dunes	GW-142	5/1/03	NMED OCD	GPM Gas Corporation	Loving
Won Ton	GW-178	3/1/00	NMED OCD	GPM Gas Corporation	Lovington
Zia Plant	GW-145	7/1/03	NMED OCD	GPM Gas Corporation	Maljamar

February 7, 2000

GPM GAS CORPORATION

3300 N "A" ST. BLDG 7
MIDLAND, TX 79705-5421

P.O. BOX 50020
MIDLAND, TX 79710-0020

Notification of Venting and Flaring
For Period of January 15 thru 31, 2000

Tim Gum, Supervisor and Oil & Gas Inspector
State of New Mexico Oil Conservation Commission
811 S. First Street
Artesia, New Mexico 88210

Dear Mr. Gum:

Rule 116(a), of the State of New Mexico Oil Conservation Division (OCD) Rules and Regulations requires GPM Gas Corporation (GPM) to notify the OCD of venting and flaring. In compliance with Rule 116(a), GPM hereby notifies the State of New Mexico OCD of the following attached account of the events.

If you should need additional information, please do not hesitate to contact me at (915) 620-4144. Thank you.

Sincerely,

Vicki Gunter

Vicki Gunter
Regulatory Compliance Assist.
New Mexico Region

Date	Duration	County	Facility	MCF Amt	Reason	Corrective Measure
01/29/2000 08:00 AM	2.5	Eddy	Shugart Booster	102.00	Shugart booster experienced an operational upset due to a first interstage scrubber high level that shut down the compression.	To correct the upset, operations observed that the liquid slug had cleared, so the shutdown was reset and the unit was restarted.
01/29/2000 07:00 AM	3.0	Eddy	Square Lake Booster	217.00	Square Lake booster experienced an operational upset due to the #1 compressor, 1st interstage cooler freezing up, which caused the unit to go down on high interstage pressure.	To correct the upset, operations thawed out the cooler and restarted the unit.
01/28/2000 08:45 AM	1.5	Eddy	Shugart Booster	188.00	Shugart booster experienced an operational upset due to the Instrument air freezing up which shut down the unit.	To correct the upset, operations thawed out the air line and restarted the unit.
01/25/2000 08:30 AM	1.5	Eddy	Gas Dehydration Unit	276.00	Artesia Plant experienced an upset in operations during a dehydration bed switch, which shut out the residue sales.	To correct the upset, operations normalized and requested Trans Western. El Paso and GCNM to turn back in residue sales. Normal operations resumed.
01/25/2000 08:30 AM	1.5	Eddy	Residue Delivery Unit	114.00	Artesia Plant experienced an upset in operations during a dehydration bed switch, which shut out the residue sales.	To correct the upset, operations normalized and requested Trans Western. El Paso and GCNM to turn back in residue sales. Normal operations resumed.
01/22/2000 10:00 AM	5.5	Eddy	Gas Dehydration Unit	1110.00	Artesia Plant experienced an operational upset when Transwestern lost main line turbine, which in turn, shut out the residue flow and opened the flare..	To correct the upset, operations diverted gas to PNM and El Paso. Operations also backed up gas to field to pervent further emissions..
01/22/2000 09:00 AM	6.5	Eddy	Residue Delivery Unit	2396.00	Artesia Plant experienced an operational upset when Transwestern lost main line turbine, which in turn shut out the residue flow and opened the flare.	To correct th eupset, operations diverted gas to PNM and El Paso. Operations also backed up gas the field to prevent further emissions.
01/22/2000 01:00 AM	4.0	Eddy	Grayburg Booster	214.00	Grayburg booster experienced an operational upset when the #1, #3, & #7 compressors went down with hot compressor valves.	To correct the upset, operations changed out the hot compressor valves and returned compresors to service.
01/21/2000 06:30 PM	2.2	Eddy	Gas Dehydration Unit	717.00	Artesia Plant experienced an operational upset when Transwestern lost their main line turbine, thus shutting out residue sales.	To correct the upset, operations diverted gas to PNM and El Paso and backed up gas to the field.

Date	Duration	County	Facility	MCF Amt	Reason	Corrective Measure
01/19/2000 11:30 AM	2.2	Eddy	Gas Dehydration Unit	142.00	Artesia plant experienced an operational upset when the El Paso Analyzer malfuntioned.	To correct the upset, an employee for El Paso came out and did repairs to their anlayzer, returning operations to normal.

Artesia Daily Press

P.O. Box 190, Artesia, NM 88211-0190
Phone: (505) 746-3524
Fax: (505) 746-8795

INVOICE

Invoice Date:	03/18/00
Invoice Number:	1056730
Customer Number:	10005610

Oil Conservation Division
2040 South Pacheco St.
Santa Fe NM 87505

DATE	TYPE	DOC NO	REF NUMBER	DESCRIPTION	# OF INS	DEPTH	RATE	AMOUNT
03/18/00	INV	1056730	A/R:1056730 Ord:10682946	**LEGAL NOTICE NOTICE OF PUBLIC** Artesia Daily Press Legal Section, LEGAL NOTICE 3/17/0 State Sales Tax **This is your First Notice! Thank You!**	 1 1	 13.37 13.37	 47.08 2.91	 47.08 2.91
							TOTAL	49.99

I hereby certify that this is a true and correct statement to the best of my knowledge.

Barbara Boone
Bookkeeper

Please detach and return this portion with payment. To ensure proper credit to your account, please write your customer number on your check. If you have any questions about your account, please contact Accounts Receivable at (505) 746-3524.

Invoice Date	Invoice Number
03/18/00	1056730
Customer Number	
10005610	

Retail Advertising Legal 16891

PLEASE PAY: 49.99

ARTESIA DAILY PRESS
Attn: Accounts Receivable
P.O. Box 190
Artesia, NM 88211-0190

Oil Conservation Division
2040 South Pacheco St.
Santa Fe NM 87505

Affidavit of Publication

NO. 16891

STATE OF NEW MEXICO

County of Eddy:

Gary D. Scott being duly sworn,says: That he is the **Publisher** of The Artesia Daily Press, a daily newspaper of general circulation, published in English at Artesia, said county and county and state, and that the here to attached

Legal Notice

was published in a regular and entire issue of the said Artesia Daily Press,a daily newspaper duly qualified for that purpose within the meaning of Chapter 167 of the 1937 Session Laws of the state of New Mexico for 1 consecutive weeks/days on the same day as follows:

First Publication March 17 2000

Second Publication

Third Publication

Fourth Publication

Gary D. Scott

Subscribed and sworn to before me this 17 day of March 2000

Barbara Ann Bears

Notary Public, Eddy County, New Mexico

My Commission expires September 23, 2003

LEGAL NOTICE

NOTICE OF PUBLICATION
STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to New Mexico Water Quality Control Commission Regulations, the following discharge plan application(s) have been submitted to the Director of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131.

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If no public hearing is held, the Director will approve or disapprove the proposed plan(s) based on information available. If a public hearing is held, the director will approve or disapprove the proposed plan(s) based on the information in the discharge plan application(s) and information submitted at the hearing.

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 10th day of March, 2000.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION
s-Lori Wrotenbery.
LORI WROTENBERY, Director
S E A L

Published in the Artesia Daily Press, Artesia, N.M. March 17, 2000.

Legal 16891

January 10, 2000

GPM GAS CORPORATION

3300 N "A" ST. BLDG 7
MIDLAND, TX 79705-5421

MAILING ADDRESS
P.O. BOX 50020
MIDLAND, TX 79710-0020

Notification of Venting and Flaring
For Period of December 15 thru 31, 1999

Tim Gum, Supervisor and Oil & Gas Inspector
State of New Mexico Oil Conservation Commission
811 S. First Street
Artesia, New Mexico 88210

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Sincerely,

Vicki Gunter

Vicki Gunter
Regulatory Compliance Assist.
New Mexico Region

DISPOSABLE OVERFLOW
DISPOSABLE DELIVERY
FEED
OIL SKIMMER
OIL
WATER
OIL WATER SEPARATOR
N
API SKIMMER BASIN
OIL PHASE
WATER PHASE
6" DRAIN
6" STEEL
6" MARLEX
6" PVC
DRAIN POT
PUMP
SLOP OIL TANKS
AMINE SUMP
ACID GAS SCRUBBER PUMP
1/2" FRESH WATER
6"-"P" TRAP
1/8" SS TUBING

NO.	REVISION	BY	CHKD	DATE	APP'D

FOR BIDS
FOR APPR
FOR CONST

DRAWN COLEMAN 01/27/00
CHECKED
APP'D

GPM Gas Corporation

PIPING PLAN
DRAIN SYSTEM

NEW MEXICO REGION — ARTESIA GAS PLANT

AFE NO. —
SCALE 1"=40'
DWG NO. GWD-764
SH NO. M-17-0
CAD# W764M17

Date	Duration	County	Facility	MCF Amt	Reason	Corrective Measure
12/27/99 06:00 AM	3.0	Eddy	Fitz Booster	409.00	Fitz booster experienced an upset due to a purchase power failure.	To correct the upset, operations restarted the compressors when the power was restored.
12/26/99 08:00 AM	6.5	Chavez	Buffalo Valley	855.00	Buffalo Valley booster experienced an operational problem when the flare motor valve malfunctioned.	To correct the emissions, operations called out an instrument technician to repair the control valve.
12/26/99 06:00 AM	2.0	Eddy	Amine Sweetening Unit	92.00	Artesia Plant experienced an operational upset due to loosing the the #1 and #2 Coopers, the #3 Clark, the #2 Boiler and the SRU due to purchase power dip.	To correct the upset, operations restarted all engines and brought the plant back on line.
12/25/99 07:30 PM	3.5	Eddy	Emily	518.00	Emily Booster experienced an operational upset due to a dead battery pack. (Scada had no power therefore there was no communication from the booster)	To correct the upset, operations started a unit at Dagger Draw to pull down the field pressure.
12/25/99 06:00 PM	5.7	Chavez	Buffalo Valley	1505.00	Buffalo Valley Booster experienced an operational upset when the engines went down becuase of a bad voltage regulator on the battery pack.	To correct the upset, operations had to call out an electrician to replace the voltage regulator. The units were returned to service and the emissions were eliminated when the field pressure stabilized.
12/23/99 08:02 AM	2.0	Eddy	Grayburg Booster	104.00	Grayburg booster experienced an operational upset due to the compressors going down on high discharge pressure caused by a pig hanging up in the pig reciever.	To correct the emissions, operations removed the pig from the reciever to get the discharge pressure down and then, restarted the compressors.
12/22/99 10:30 AM	2.5	Eddy	Amine Sweetening Unit	62.00	Artesia Plant experienced an operational upset due to the loss of the SRU caused by a still reflux accumulator control malfunction.	To correct the upset, operations called out instrument personnel, who worked on the control and then operations returned the SRU service.
12/16/99 02:30 PM	2.5	Eddy	Fitz Booster	152.00	Fitz booster experienced venting due to the discharge line (Y-line) freezing up.	To correct the upset, operations thawed the line out and restarted the compressors.

NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT

Jennifer A. Salisbury
CABINET SECRETARY

Oil Conservation Div.
Environmental Bureau
2040 S. Pacheco
Santa Fe, NM 87505

Memorandum of Meeting or Conversation

Telephone __X___
Personal _____
E-Mail __X_____
Time: 1:45pm
Date: January 7, 2000

Originating Party: Wayne Price-OCD

Other Parties: Vickie Gunter-GPM E-mail vfgunte@gpm.com

Subject: Discharge Plan Renewal Notice for the following Facilities:

GW-gw-023	**Artesia PLT**	**expires**	**01/07/2000**
GW-___	**Name**	**expires**	
GW-___	**Name**	**expires**	
GW-___	**Name**	**expires**	

WQCC 3106.F. If the holder of an approved discharge plan submits an application for discharge plan renewal at least 120 days before the discharge plan expires, and the discharger is not in violation of the approved discharge plan on the date of its expiration, then the existing approved discharge plan for the same activity shall not expire until the application for renewal has been approved or disapproved. A discharge plan continued under this provision remains fully effective and enforceable. An application for discharge plan renewal must include and adequately address all of the information necessary for evaluation of a new discharge plan. Previously submitted materials may be included by reference provided they are current, readily available to the secretary and sufficiently identified to be retrieved. [12-1-95]

Discussion: Discussed WQCC 3106F and gave notice to submit Discharge Plan renewal application with $50.00 filing fee for the above listed facilities.

Conclusions or Agreements:
Signed: _____

CC: E-Mail

Price, Wayne

From: VFGUNTE@gpm.com[SMTP:VFGUNTE@gpm.com]
Sent: Friday, January 07, 2000 1:51 PM
To: Price, Wayne
Subject: Discharge Plan renewal notice

Return Receipt

Your document: Discharge Plan renewal notice

was received by: Vicki F Gunter/PPCO

at: 02:51:46 PM Today

NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT

Jennifer A. Salisbury
CABINET SECRETARY

Oil Conservation Div.
Environmental Bureau
2040 S. Pacheco
Santa Fe, NM 87505

Memorandum of Meeting or Conversation

Telephone __X___
Personal _____
E-Mail __X____
Time: 1:45pm
Date: January 7, 2000

Originating Party: **Wayne Price-OCD**

Other Parties: **Vickie Gunter-GPM E-mail vfgunte@gpm.com**

Subject: **Discharge Plan Renewal Notice for the following Facilities:**

GW-gw-023	**Artesia PLT**	**expires**	**01/07/2000**
GW-___	**Name**	**expires**	
GW-___	**Name**	**expires**	
GW-___	**Name**	**expires**	

WQCC 3106.F. If the holder of an approved discharge plan submits an application for discharge plan renewal at least 120 days before the discharge plan expires, and the discharger is not in violation of the approved discharge plan on the date of its expiration, then the existing approved discharge plan for the same activity shall not expire until the application for renewal has been approved or disapproved. A discharge plan continued under this provision remains fully effective and enforceable. An application for discharge plan renewal must include and adequately address all of the information necessary for evaluation of a new discharge plan. Previously submitted materials may be included by reference provided they are current, readily available to the secretary and sufficiently identified to be retrieved. [12-1-95]

Discussion: Discussed WQCC 3106F and gave notice to submit Discharge Plan renewal application with $50.00 filing fee for the above listed facilities.

Conclusions or Agreements:
Signed: Wayne Price

CC: E-Mail

Price, Wayne

From: VFGUNTE@gpm.com[SMTP:VFGUNTE@gpm.com]
Sent: Friday, January 07, 2000 1:51 PM
To: Price, Wayne
Subject: Discharge Plan renewal notice

Return Receipt

Your document: Discharge Plan renewal notice

was received by: Vicki F Gunter/PPCO

at: 02:51:46 PM Today

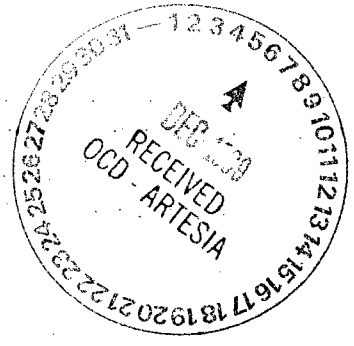
December 3, 1999

GPM GAS CORPORATION

3300 N "A" ST. BLDG 7
MIDLAND, TX 79705-5421

P.O. BOX 50020
MIDLAND, TX 79710-0020

Notification of Venting and Flaring
For Period of November 15 thru 30, 1999



Tim Gum, Supervisor and Oil & Gas Inspector
State of New Mexico Oil Conservation Commission
811 S. First Street
Artesia, New Mexico 88210

Dear Mr. Gum:

Rule 116(a), of the State of New Mexico Oil Conservation Division (OCD) Rules and Regulations requires GPM Gas Corporation (GPM) to notify the OCD of venting and flaring. In compliance with Rule 116(a), GPM hereby notifies the State of New Mexico OCD of the following attached account of the events.

If you should need additional information, please do not hesitate to contact me at (915) 620-4144. Thank you.

Sincerely,

Vicki Gunter

Vicki Gunter
Regulatory Compliance Assist.
New Mexico Region

Date	Duration	County	Facility	MCF Amt	Reason	Corrective Measure
11/28/99 03:00 PM	0.3	Eddy	Gas Dehydration Unit	518.00	Artesia Plant experienced an operational upset due to a high H2S content in the Regen gas.	To correct the upset, operations flashed the H2S out of the beds and regenerated. Operations returned to normal.
11/26/99 10:45 AM	1.8	Eddy	Parkway Booster	171.00	Parkway booster experienced an operational upset due to a suction control malfunction, which caused the suction control to close and compressors went down on low suction pressure.	To correct the upset, operations restarted the compressors and suction control worked without further problems.
11/23/99 07:30 AM	3.3	Eddy	Gas Dehydration Unit	557.00	Artesia Plant experienced an operational upset due to a high H2S in the regen gas.	To correct the upset, operations flashed the H2S out of the beds and regenerated. Operations returned to normal.
11/17/99 08:00 AM	0.6	Eddy	Grayburg Booster	99.00	Grayburg booster experience an shut down due to Central Valley Electric shutting off purchase power without notification.	To correct the venting, operations contacted Central Valley Electric to turn power back on and then operations restarted the booster.
11/16/99 01:35 PM	3.2	Eddy	Gas Dehydration Unit	535.00	Artesia Plant experienced an operational upset due to a high H2S and Mercaptain reading in the regen gas during regeneration.	To correct the upset, operations Flared regen gas to until the stream sweetened.

NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
2040 South Pacheco Street
Santa Fe, New Mexico 87505
(505) 827-7131

November 19, 1999

CERTIFIED MAIL
RECEIPT NUMBER Z-274-520-548

Mr. Mel P. Driver
Environmental Engineer
GPM Gas Corporation
P.O. Box 50020
Midland, Texas 79710-0020

RE: ARTESIA GAS PLANT, GW-023
EDDY COUNTY, NEW MEXICO

Dear Mr. Driver:

OCD is in receipt of your letter, dated November 8, 1999, and attached laboratory report for cooling tower sludge removed from recent cleaning of the water cooling tower. Based upon laboratory results of the collected samples OCD **approves the burial on-site** of the sludge material within the boundaries of the plant with the following stipulation:

1. No liquid sludge will be buried, i.e. all materials to be buried will be dried prior to burial.

Note that OCD approval does not relieve GPM Gas Corporation of liability should GPM Gas Corporation's operations result in contamination of surface waters, ground waters or the environment.

If you have any questions please feel free to call Jack Ford at (505) 827-7156.

Sincerely,

W. Jack Ford, C.P.G.
Geologist
Environmental Bureau
Oil Conservation Division

cc: Artesia OCD District Office

PS Form 3800, April 1995

Z 274 520 548 OCD Ford

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to	M. Driver
Street & Number	GPM
Post Office, State, & ZIP Code	Midland
Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	$ 0.80
Postmark or Date	11/19/99

November 11, 1999

GPM GAS CORPORATION

3300 N "A" ST. BLDG 7
MIDLAND, TX 79705-5421

P.O. BOX 50020
MIDLAND, TX 79710-0020

Notification of Venting and Flaring
For Period of October 15 thru 31, 1999

Tim Gum, Supervisor and Oil & Gas Inspector
State of New Mexico Oil Conservation Commission
811 S. First Street
Artesia, New Mexico 88210

Dear Mr. Gum:

Rule 116(a), of the State of New Mexico Oil Conservation Division (OCD) Rules and Regulations requires GPM Gas Corporation (GPM) to notify the OCD of venting and flaring. In compliance with Rule 116(a), GPM hereby notifies the State of New Mexico OCD of the following attached account of the events.

If you should need additional information please do not hesitate to contact me at (915) 620-4144. Thank you.

Sincerely,

Vicki Gunter

Vicki Gunter
Regulatory Compliance Assist.
New Mexico Region

Date	Duration	County	Facility	MCF Amt	Reason	Corrective Measure
10/17/99 02:51 PM	0.0	Eddy	Fitz Booster	757.00	Fitz booster experienced an operational upset due to problems with the suction control closing and the vent valve went wide open.	To correct the upset, operations, finding the electronic control had malfunctioned, reset the switch and put the compressors back on line. No cause was found for the switch not working correctly.
10/17/99 04:00 AM	6.5	Eddy	Jackson Booster	297.00	Jackson Booster experienced an operational upset when the fuel composition changed and the compressors went down.	To correct the upset, operations called CSI out to trouble shoot the engine, since they were not finding a problem. The problem was found with the fuel composition change, therefore operations reset the ignition timing and restarted the compressors.

spe

Date	Duration	County	Facility	MCF Amt	Reason	Corrective Measure
10/29/99 04:30 PM	5.7	Eddy	Gas Dehydration Unit	744.00	Artesia Plant experienced an operational upset when high H2S carried over into the Regen Gas.	To correct the upset, opertions flashed the H2S out of the regeneration bed, regenerated and returned to normal service.
10/27/99 01:30 PM	1.5	Eddy	Gas Dehydration Unit	262.00	Artesia Plant experienced an operational upset due to Transwestern loosing the Atoka unit, which shut us out and we flared regen gas.	To correct the upset, operations rerouted the gas to El Paso.
10/22/99 03:10 PM	3.6	Eddy	Gas Dehydration Unit	582.00	Artesia Plant experienced a high H2S reading in the in Regen gas.	To correct the operational upset, operations had to flash the H2S out of bed and regenerate it, returning it to service when completed.
10/22/99 10:00 AM	4.0	Eddy	Fitz Booster	124.00	Fitz booster experienced an upset condition when a crew that was working on an electrical conduit line which had liquid in it. A short caused the booster to go down on high scrubber level.	To correct the upset, when the conduit line was cleaned out, and the electricians repaired the wire which caused the short, operations put the booster back on line.
10/21/99 10:45 PM	0.5	Eddy	Residue Delivery Unit	50.00	Artesia plant experienced an upset condition when the low pressure gas system startup.	To correct the upset, operations adjusted the operations by increasing the expander speed.
10/21/99 12:01 AM	15.5	Eddy	Sulfur Recovery Unit	542.00	Eunice Plant experienced excess emissions due to a planned maintenance shut down of the Sulfur Recovery Unit.	The unit was brought back into service when repairs were completed.
10/20/99 08:30 PM	0.8	Eddy	Shugart Booster	170.00	Shugart booster experienced an upset due to a purchase power failure. Lost air compressors and instrument air.	To correct the upset, when the power was restored, the operator restarted the booster.

NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
2040 South Pacheco Street
Santa Fe, New Mexico 87505
(505) 827-7131

November 19, 1999

CERTIFIED MAIL
RECEIPT NUMBER Z-274-520-548

Mr. Mel P. Driver
Environmental Engineer
GPM Gas Corporation
P.O. Box 50020
Midland, Texas 79710-0020

RE: ARTESIA GAS PLANT, GW-023
EDDY COUNTY, NEW MEXICO

Dear Mr. Driver:

OCD is in receipt of your letter, dated November 8, 1999, and attached laboratory report for cooling tower sludge removed from recent cleaning of the water cooling tower. Based upon laboratory results of the collected samples OCD **approves the burial on-site** of the sludge material within the boundaries of the plant with the following stipulation:

1. No liquid sludge will be buried, i.e. all materials to be buried will be dried prior to burial.

Note that OCD approval does not relieve GPM Gas Corporation of liability should GPM Gas Corporation's operations result in contamination of surface waters, ground waters or the environment.

If you have any questions please feel free to call Jack Ford at (505) 827-7156.

Sincerely,

W. Jack Ford, C.P.G.
Geologist
Environmental Bureau
Oil Conservation Division

cc: Artesia OCD District Office

Z 274 520 548 OAD

FORD

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail *(See reverse)*

Sent to M. Driver	
Street & Number GPM	
Post Office, State, & ZIP Code Midland	
Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	$
Postmark or Date	

PS Form **3800**, April 1995

Is your **RETURN ADDRESS** completed on the reverse side?

SENDER:

- ☐ Complete items 1 and/or 2 for additional services. JF 023
  Complete items 3, 4a, and 4b.
- ☐ Print your name and address on the reverse of this form so that we can return this card to you.
- ☐ Attach this form to the front of the mailpiece, or on the back if space does not permit.
- ☐ Write *"Return Receipt Requested"* on the mailpiece below the article number.
- ☐ The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

3. Article Addressed to:

Mr. Mel Driver
GPM Gas Corp.
P.O. Box 50020
Midland, TX 79710-0020

4a. Article Number
Z-274-520-548

4b. Service Type
- ☐ Registered
- ☑ Certified
- ☐ Express Mail
- ☐ Insured
- ☑ Return Receipt for Merchandise
- ☐ COD

7. Date of Delivery
11-25

5. Received By: *(Print Name)*

6. Signature *(Addressee or Agent)*

8. Addressee's Address *(Only if requested and fee is paid)*

PS Form **3811**, December 1994 102595-99-B-0223 Domestic Return Receipt

Thank you for using Return Receipt Service.

November 8, 1999

GPM GAS CORPORATION

3300 N "A" ST. BLDG 7
MIDLAND, TX 79705-5421

P.O. BOX 50020
MIDLAND, TX 79710-0020

Mr. W. Jack Ford, C.P.G.
Environmental Bureau
Oil Conservation Division
2040 South Pacheco
P.O. Box 6428
Santa Fe, New Mexico 87505-5472

RE: GPM Artesia Gas Plant
Cooling Tower Sludge Burial
Discharge Plan GW-023

Dear Mr. Ford:

GPM Gas Corporation (GPM) Artesia Gas Plant requests approval to bury on-site cooling tower sludge removed from the recent cleaning of its cooling towers. Please find attached the laboratory report for the sludge.

If you have any questions or need additional information, please call me at (915) 620-4142.

Sincerely,

Mel P. Driver

Mel P. Driver, P.E.
Environmental Engineer
New Mexico Region

Attachment

CARDINAL LABORATORIES

PHONE (915) 673-7001 • 2111 BEECHWOOD • ABILENE, TX 79603
PHONE (505) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR
GPM GAS CORP.
ATTN: MEL DRIVER
P.O. BOX 50020
MIDLAND, TX 79710
FAX TO: (915) 620-9162

Receiving Date: 10/26/99
Reporting Date: 10/28/99
Project Number: E211000-70200
Project Name: NOT GIVEN
Project Location: NOT GIVEN

Sampling Date: 10/25/99
Sample Type: SOIL
Sample Condition: COOL & INTACT
Sample Received By: BC
Analyzed By: GP/AH

TCLP METALS

LAB NO.	SAMPLE ID	As ppm	Ag ppm	Ba ppm	Cd ppm	Cr ppm	Pb ppm	Hg ppm	Se ppm
ANALYSIS DATE:		10/27/99	10/27/99	10/28/99	10/27/99	10/28/99	10/27/99	10/28/99	10/27/99
EPA LIMITS:		5	5	100	1	5	5	0.2	1
H4417-1	E211000-70200	<1	<1	<10	<0.5	<1	<1	<0.02	<0.1
Quality Control		0.201	1.098	50.12	1.138	1.850	4.850	0.0093	0.052
True Value QC		0.200	1.000	50.00	1.000	2.000	5.000	0.0100	0.050
% Recovery		101	110	100	114	93	97	93	104
Relative Standard Deviation		2.3	0.6	1.0	1.3	0.6	0.6	7.9	0.7
METHODS: EPA 1311, 600/4-91/		206.2	272.1	208.1	213.1	218.1	239.1	245.1	270.2

Gayle A. Potter, Chemist

10/28/99
Date

H4417.XLS

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

MEMORANDUM OF MEETING OR CONVERSATION

☑ Telephone ☐ Personal	Time	Date 8-28-98

Originating Party	Other Parties
J. F.	Mel Driver GPM

Subject: Soil for Berming @ Artesia GP

Discussion

Hobbs
Proposal - 1 Booster Station
BDM - vertical extent w/ Orig - $20,000
8 borings

Conclusions or Agreements

1. GW table
2. Isolate hi contamination
3. Mix with on-site soil
4. Analyze for TPH

Distribution

Signed

August 25, 1998

GPM GAS CORPORATION

4044 PENBROOK
ODESSA, TEXAS 79762

NEW MEXICO REGION

Mr. W. Jack Ford, G.P.G.
New Mexico Oil Conservation Division
2040 South Pacheco Street
Santa Fe, New Mexico 87505

RE: Request to Use Contaminated Soils for Earthen Firewall Artesia Plant GW-23

Dear Mr. Ford:

As per our telephone conversation this morning, I am herewith submitting the following request to use contaminated soil stockpiled at GPM's Artesia Gas Plant (GW-23) to build up the south wall of Artesia Plant's Flare Pit.

GPM proposes to use the contaminated soil from the stock pile to build up its Flare Pit south wall to approximately ten feet. The contaminated soil was below detection for BETX and had varying levels of TPH as can be seen from the attached analytical summary. GPM proposes to mix in place the contaminated soils with clean soil to below 5,000 ppm. GPM believes that using the contaminated soil treated to these levels do not pose a significant risk or threat to the beneficial use of fresh water, public health, or the environment.

I am also enclosing a photo of the plant identifying the stockpile and flare pit areas as well as a discussion on the site geology and hydrology as reported by GCL.

If you have any questions concerning this work plan, please call me at (915) 368-1142.

Sincerely,

Mel P. Driver

Mel P. Driver, P.E.
Environmental Engineer
New Mexico Region

Attachments

CARDINAL LABORATORIES

PHONE (915) 673-7001 • 2111 BEECHWOOD • ABILENE, TX 79603
PHONE (505) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR
GPM GAS SERVICES COMPANY
ATTN: S. J. SEEBY
4044 PENBROOK
ODESSA, TX 79762
FAX TO: (915) 368-1163

Receiving Date: 08/07/98
Reporting Date: 08/10/98
Project Number: N8085
Project Name: HEIGHTEN BURN PITS SOUTH BERM
Project Location: ARTESIA NAT. GAS PROCESS PLANT

Sampling Date: 08/06/98
Sample Type: SOIL
Sample Condition: COOL & INTACT
Sample Received By: GP
Analyzed By: BC

LAB NO.	SAMPLE ID	TPH (mg/kg)	BENZENE (mg/kg)	TOLUENE (mg/kg)	ETHYL BENZENE (mg/kg)	TOTAL XYLENES (mg/kg)
ANALYSIS DATE:		08/07/98	08/07/98	08/07/98	08/07/98	08/07/98
H3770-1	SOUTH A	5530	<0.002	<0.002	<0.002	<0.006
H3770-2	SOUTH B	5840	<0.002	<0.002	<0.002	<0.006
H3770-3	SOUTH C	5640	<0.002	<0.002	<0.002	<0.006
H3770-4	SOUTH D	7270	<0.002	<0.002	<0.002	<0.006
H3770-5	SOUTH E	5130	<0.002	<0.002	<0.002	<0.006
H3770-6	SOUTH F	5920	<0.002	<0.002	<0.002	<0.006
H3770-7	SOUTH G	2640	<0.002	<0.002	<0.002	<0.006
H3770-8	SOUTH H	1100	<0.002	<0.002	<0.002	<0.006
H3770-9	SOUTH I	694	<0.002	<0.002	<0.002	<0.006
H3770-10	NORTH 1	19400	<0.002	<0.002	<0.002	<0.006
H3770-11	NORTH 2	11500	<0.002	<0.002	<0.002	<0.006
H3770-12	NORTH 3	8760	<0.002	<0.002	<0.002	<0.006
H3770-13	NORTH 4	16500	<0.002	<0.002	<0.002	<0.006
H3770-14	NORTH 5	5460	<0.002	<0.002	<0.002	<0.006
H3770-15	NORTH 6	6070	<0.002	<0.002	<0.002	<0.006
H3770-16	NORTH 7	5084	<0.002	<0.002	<0.002	<0.006
H3770-17	BACKGROUND	<10	<0.002	<0.002	<0.002	<0.006
		7034				
Quality Control		265	0.090	0.098	0.101	0.290
True Value QC		242	0.100	0.100	0.100	0.300
% Recovery		109	89.9	98.3	101	98.7
Relative Percent Difference		1.4	3.2	0.1	1.5	3.8

METHODS: TRPHC - EPA 600/7-79-020, 418.1; BTEX - EPA SW-846-8260

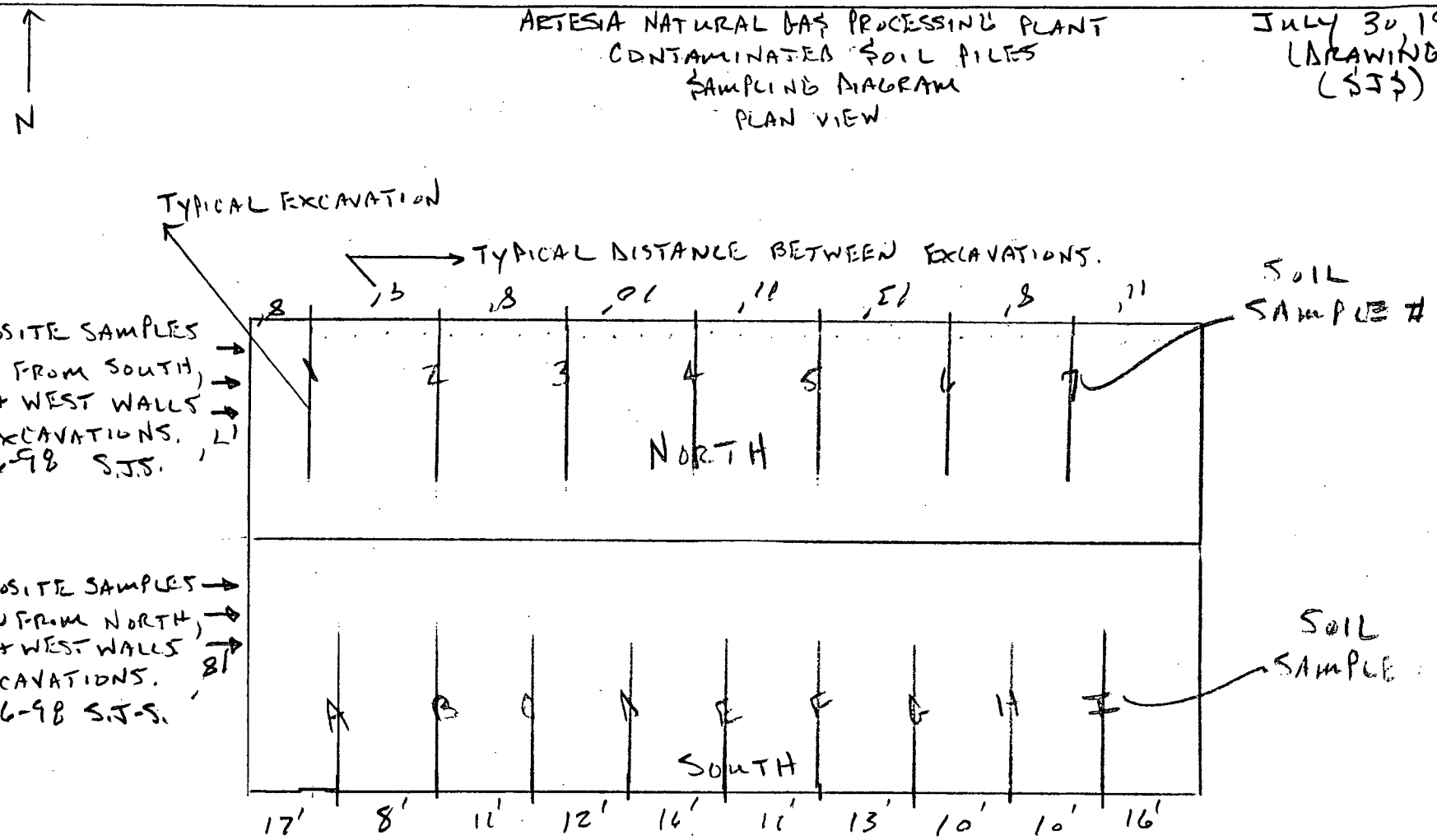
Chemist

8/10/98
Date

H3770-1.XLS

ARTESIA NATURAL GAS PROCESSING PLANT
CONTAMINATED SOIL PILES
SAMPLING DIAGRAM
PLAN VIEW

JULY 30, 1998.
(DRAWING)
(SJS)



NOTE: MADE EXCAVATIONS IN PILES TO DETERMINE CONTAMINATION AT DEPTH.

REPORT ON THE INSTALLATION OF A GROUND-WATER MONITORING SYSTEM AT THE PHILLIPS 66 NATURAL GAS COMPANY ARTESIA PLANT

June 6, 1988

Prepared for:

BRUCE G. STEARNS
PHILLIPS PETROLEUM COMPANY
Phillips 66 Natural Gas Company
Bartlesville, Oklahoma 74004

Prepared by:

GEOSCIENCE CONSULTANTS, LTD.

HEADQUARTERS
500 Copper Avenue, NW
Suite 200
Albuquerque, New Mexico 87102
(505) 842-0001
FAX (505) 842-0595

WEST COAST REGIONAL OFFICE
5000 Birch Street
West Tower, Suite 3000
Newport Beach, CA 92660
(714) 476-3650
FAX (714) 752-2160

EASTERN REGIONAL OFFICE
1109 Spring Street
Suite 706
Silver Spring, Maryland 20910
(301) 587-2088
FAX (301) 588-0605

GCL

5.0 SITE GEOLOGY AND HYDROLOGY

5.1 SITE GEOLOGY

Surficial geology at the Artesia Plant consists of a thin layer of wind-blown sand covering a caliche horizon of variable thickness. The "blow sand" is very fine grained and is less than one foot thick at the site.

A caliche horizon occurs beneath the site and ranges in thickness from 5 feet in monitor well MW-2 to 20 feet in MW-4. The caliche typically exhibits stage III development in the upper horizon, with stage IV development present locally. Borehole cuttings showed the caliche to be commonly matrix-supported and very well indurated with the stage of development and induration decreasing with depth. Caliche encountered in MW-2 occurred as a caliche-cemented sand which was less well developed than the caliche unit occurring in MW-1, MW-3 and MW-4, which formed in sediments containing coarser-grained material.

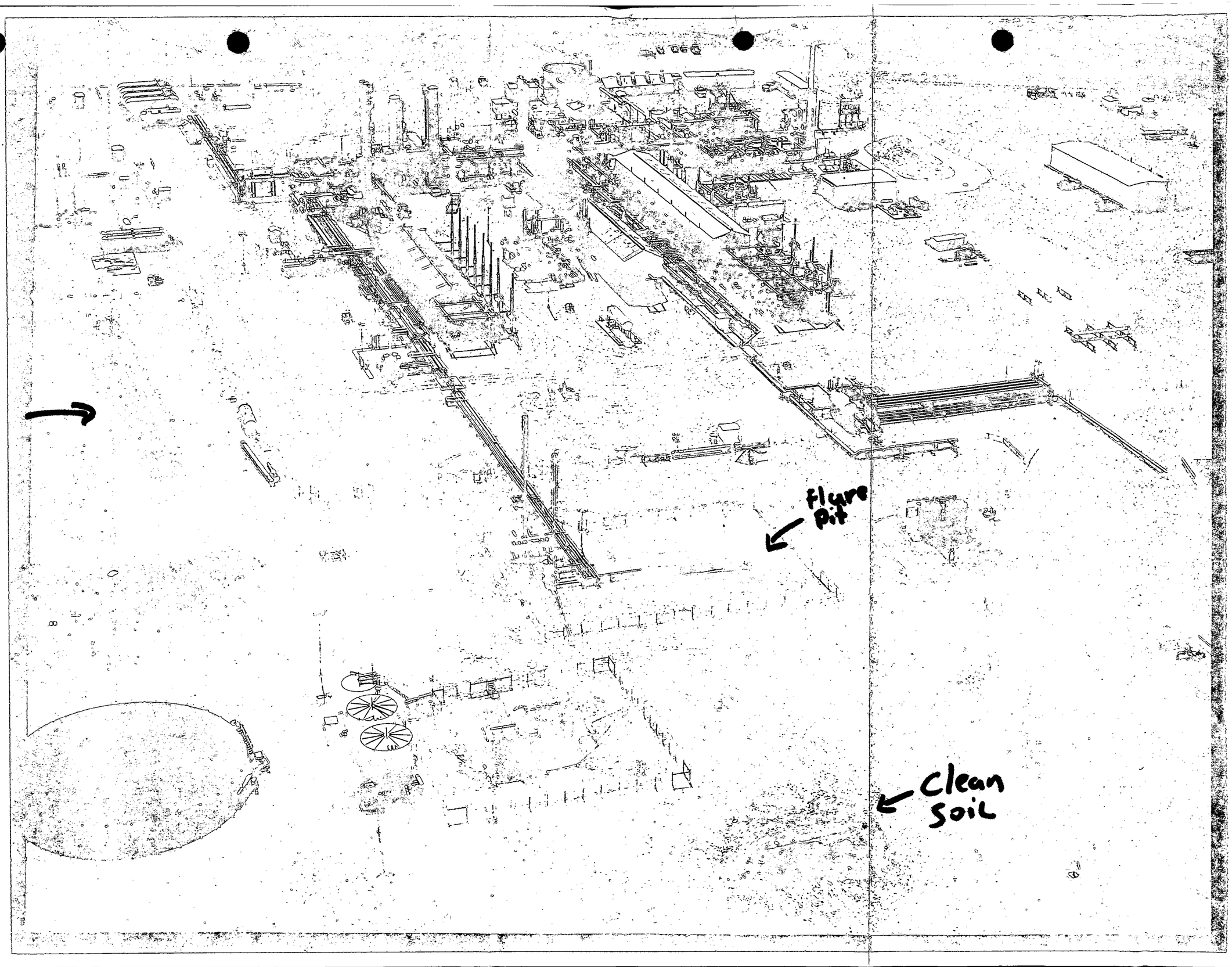
A 15- to 20-foot thick zone dominated by sand and gravel occurs beneath the caliche. The unit is unconsolidated and contains gravel clasts up to one inch in diameter. Grain size varies from sandy gravel to gravelly sand, with silt and clay present in minor amounts.

Underlying the sand and gravel is a fine-grained unit composed of reddish-brown clay, silt and fine sand. This unit is present throughout the site and is relatively homogeneous, both laterally and vertically. The upper horizon of this unit is typically silty sand with the grain size decreasing with depth as clay and silt-rich sediments become dominant. Thin gravel interbeds were also observed in cuttings. All four boreholes achieved target depth before exiting this unit, preventing estimation of the total thickness.

The caliche, sand and gravel units that occur at shallow depths at the Artesia Plant are described by Kelley (1971) as Quaternary pediment deposits which form the Mescalero Plain, a gently westward-sloping surface east of the Pecos River. The source rocks for this unit were probably eroded Ogallala Formation sediments which occur to the east on

Artesia Plant

Proposed Soil



North

GCL

the Llano Estacado. Comparison of borehole lithologic logs to published descriptions (Kelley, 1971; Hendrickson and Jones, 1952) show that the cuttings of the fine-grained unit resemble those of the Tertiary Gatuna Formation.

5.2 SITE HYDROLOGY

Shallow ground water at the Artesia Plant is under water table conditions. Based on May, 1988 data, ground water flows to the northwest with a hydraulic gradient of 0.002 (Figure 5-1). The uppermost saturated unit is a water-bearing fine-grained unit within the Gatuna Formation. The water table occurs at depths below the land surface ranging from 51.4 feet in MW-3 to 58.6 feet in MW-1.

Development of the 2-inch monitor wells resulted in extremely low well yields. While developing the wells, sustainable pumping rates of less than 1 to 2 gallons per minute were observed. A value in this range is consistent for the fine-grained sediments that occur in the uppermost saturated zone at the site, which typically exhibit hydraulic conductivities of 10^{-2} to 10^{2} gallons per day per square foot (Figure 5-2).

As shown in Figure 5-1, MW-2 appears to be located off-gradient. The location was selected based on historical water-level elevations from the previously installed monitor wells, which indicate that the local water table has been declining. The extremely low hydraulic gradient at the site could easily be affected by seasonal water-table fluctuations. However, because any potential downward dispersion of fluids from the evaporation pond would have both vertical and horizontal components, any release to ground water would be larger in areal extent than its originating point on the surface. It is probable that MW-2 would detect any significant release from the pond.

GPM GAS CORPORATION

GPM GAS CORPORATION

FAX

Date: 8/25/98

Number of pages including cover sheet: 8

To:

W. Jack Ford
Oil Conservation Division
2040 S. Pacheco Street
Santa Fe, NM 87505

Phone: 505-827-7156
Fax phone: 505-827-8177
CC:

From:

Mel P. Driver
4044 Penbrook
Odessa, TX 79762
email: mpdrive@ppco.com

Phone: 915-368-1142
Fax phone: 915-368-1163

REMARKS: ☐ Urgent ☐ For your review ☒ Reply ASAP ☐ Please comment

Jack, please find to follow the request that we spoke of this morning. Please take a look at the information, and let me know if you think it is doable or not.

Mel

GW = 50-99' 10
iWPA = 0
Surf. lctr. 0

August 25, 1998

GPM GAS CORPORATION

4044 PENBROOK
ODESSA, TEXAS 79762

NEW MEXICO REGION

Mr. W. Jack Ford, G.P.G.
New Mexico Oil Conservation Division
2040 South Pacheco Street
Santa Fe, New Mexico 87505

RE: Request to Use Contaminated Soils for Earthen Firewall Artesia Plant GW-23

Dear Mr. Ford:

As per our telephone conversation this morning, I am herewith submitting the following request to use contaminated soil stockpiled at GPM's Artesia Gas Plant (GW-23) to build up the south wall of Artesia Plant's Flare Pit.

GPM proposes to use the contaminated soil from the stock pile to build up its Flare Pit south wall to approximately ten feet. The contaminated soil was below detection for BETX and had varying levels of TPH as can be seen from the attached analytical summary. GPM proposes to mix in place the contaminated soils with clean soil to below 5,000 ppm. GPM believes that using the contaminated soil treated to these levels do not pose a significant risk or threat to the beneficial use of fresh water, public health, or the environment.

I am also enclosing a photo of the plant identifying the stockpile and flare pit areas as well as a discussion on the site geology and hydrology as reported by GCL.

If you have any questions concerning this work plan, please call me at (915) 368-1142.

Sincerely,

Mel P. Driver

Mel P. Driver, P.E.
Environmental Engineer
New Mexico Region

Attachments

CARDINAL LABORATORIES

PHONE (915) 673-7001 • 2111 BEECHWOOD • ABILENE, TX 79603
PHONE (505) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR
GPM GAS SERVICES COMPANY
ATTN: S. J. SEEBY
4044 PENBROOK
ODESSA, TX 79762
FAX TO: (915) 368-1163

Receiving Date: 08/07/98
Reporting Date: 08/10/98
Project Number: N8085
Project Name: HEIGHTEN BURN PITS SOUTH BERM
Project Location: ARTESIA NAT. GAS PROCESS PLANT

Sampling Date: 08/06/98
Sample Type: SOIL
Sample Condition: COOL & INTACT
Sample Received By: GP
Analyzed By: BC

LAB NO.	SAMPLE ID	TPH (mg/kg)	BENZENE (mg/kg)	TOLUENE (mg/kg)	ETHYL BENZENE (mg/kg)	TOTAL XYLENES (mg/kg)
ANALYSIS DATE:		08/07/98	08/07/98	08/07/98	08/07/98	08/07/98
H3770-1	SOUTH A	5530	<0.002	<0.002	<0.002	<0.006
H3770-2	SOUTH B	5840	<0.002	<0.002	<0.002	<0.006
H3770-3	SOUTH C	5640	<0.002	<0.002	<0.002	<0.006
H3770-4	SOUTH D	7270	<0.002	<0.002	<0.002	<0.006
H3770-5	SOUTH E	5130	<0.002	<0.002	<0.002	<0.006
H3770-6	SOUTH F	5920	<0.002	<0.002	<0.002	<0.006
H3770-7	SOUTH G	2840	<0.002	<0.002	<0.002	<0.006
H3770-8	SOUTH H	1100	<0.002	<0.002	<0.002	<0.006
H3770-9	SOUTH I	894	<0.002	<0.002	<0.002	<0.006
H3770-10	NORTH 1	19400	<0.002	<0.002	<0.002	<0.006
H3770-11	NORTH 2	11500	<0.002	<0.002	<0.002	<0.006
H3770-12	NORTH 3	8760	<0.002	<0.002	<0.002	<0.006
H3770-13	NORTH 4	16500	<0.002	<0.002	<0.002	<0.006
H3770-14	NORTH 5	5480	<0.002	<0.002	<0.002	<0.006
H3770-15	NORTH 6	6070	<0.002	<0.002	<0.002	<0.006
H3770-16	NORTH 7	5084	<0.002	<0.002	<0.002	<0.006
H3770-17	BACKGROUND	<10	<0.002	<0.002	<0.002	<0.006
		7034				
Quality Control		265	0.090	0.098	0.101	0.290
True Value QC		242	0.100	0.100	0.100	0.300
% Recovery		109	89.9	98.3	101	96.7
Relative Percent Difference		1.4	3.2	0.1	1.5	3.8

METHODS: TRPHC - EPA 600/7-78-020, 418.1; BTEX - EPA SW-846-8260

Chemist

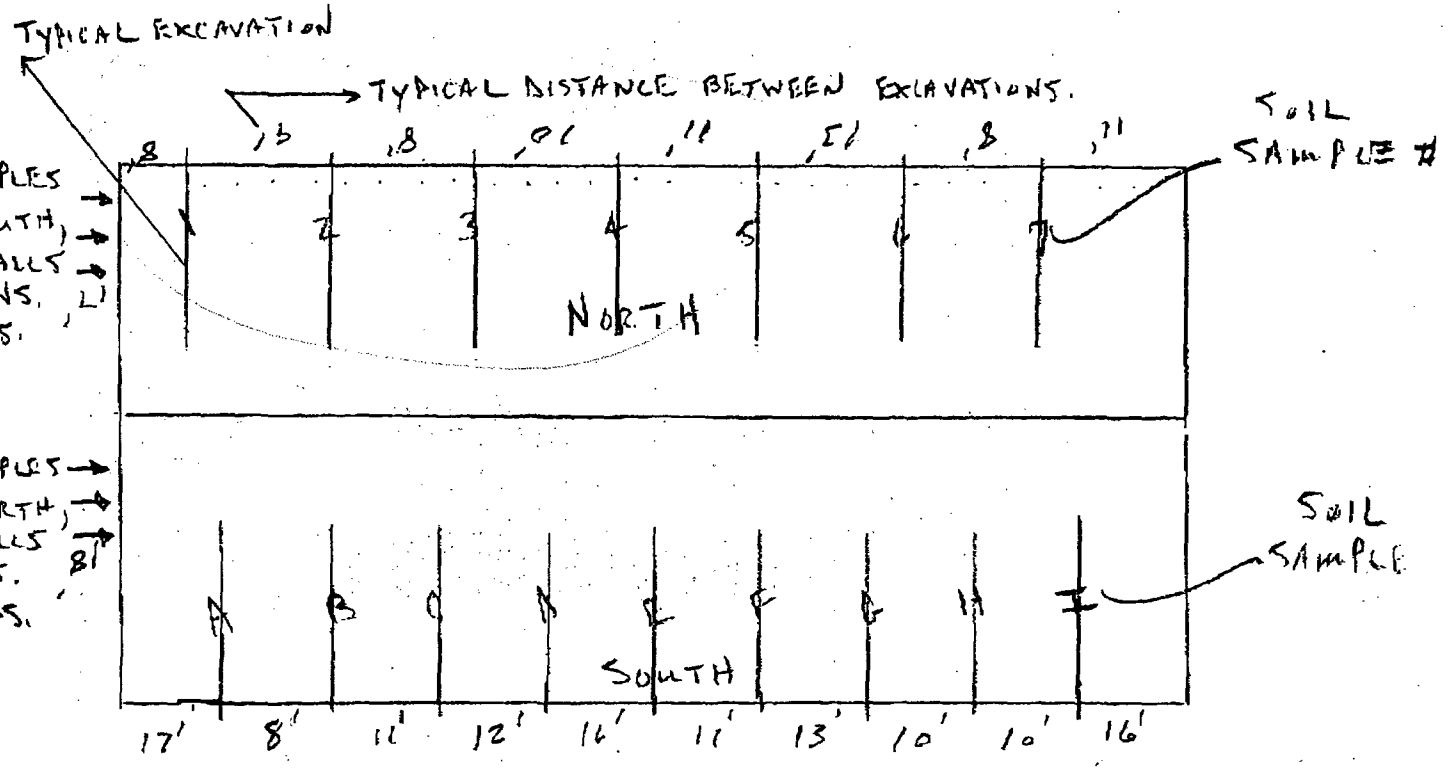
8/10/98
Date

H3770-1.XLS

ARTESIA NATURAL GAS PROCESSING PLANT
CONTAMINATED SOIL PILES
SAMPLING DIAGRAM
PLAN VIEW

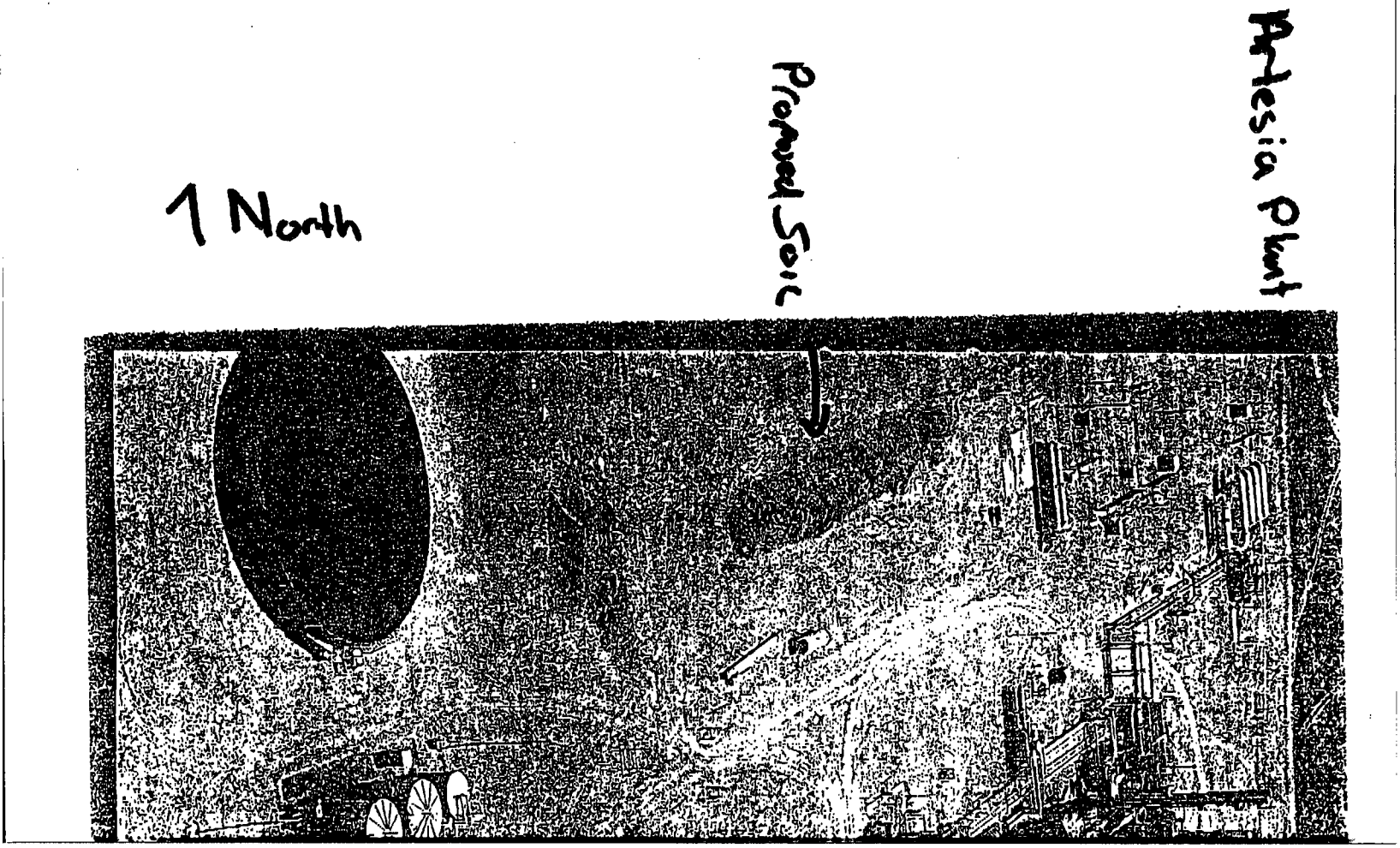
JULY 30 1998.
(DRAWING)
(SJS)

N



NOTE: MADE EXCAVATIONS IN PILES TO DETERMINE CONTAMINATION AT DEPTH.

8 24 '98 16:32


N North
Prevailing Soil
Artesia Plant

REPORT ON THE INSTALLATION OF A GROUND-WATER MONITORING SYSTEM AT THE PHILLIPS 66 NATURAL GAS COMPANY ARTESIA PLANT

June 6, 1988

Prepared for:

BRUCE G. STEARNS
PHILLIPS PETROLEUM COMPANY
Phillips 66 Natural Gas Company
Bartlesville, Oklahoma 74004

Prepared by:

GEOSCIENCE CONSULTANTS, LTD.

HEADQUARTERS
500 Copper Avenue, NW
Suite 200
Albuquerque, New Mexico 87102
(505) 842-0001
FAX (505) 842-0595

WEST COAST REGIONAL OFFICE
5000 Birch Street
West Tower, Suite 3000
Newport Beach, CA 92660
(714) 476-3650
FAX (714) 752-2160

EASTERN REGIONAL OFFICE
1109 Spring Street
Suite 706
Silver Spring, Maryland 20910
(301) 587-2088
FAX (301) 588-0605

5.0 SITE GEOLOGY AND HYDROLOGY

5.1 SITE GEOLOGY

Surficial geology at the Artesia Plant consists of a thin layer of wind-blown sand covering a caliche horizon of variable thickness. The "blow sand" is very fine grained and is less than one foot thick at the site.

A caliche horizon occurs beneath the site and ranges in thickness from 5 feet in monitor well MW-2 to 20 feet in MW-4. The caliche typically exhibits stage III development in the upper horizon, with stage IV development present locally. Borehole cuttings showed the caliche to be commonly matrix-supported and very well indurated with the stage of development and induration decreasing with depth. Caliche encountered in MW-2 occurred as a caliche-cemented sand which was less well developed than the caliche unit occurring in MW-1, MW-3 and MW-4, which formed in sediments containing coarser-grained material.

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5.2 SITE HYDROLOGY

Shallow ground water at the Artesia Plant is under water table conditions. Based on May, 1988 data, ground water flows to the northwest with a hydraulic gradient of 0.002 (Figure 5-1). The uppermost saturated unit is a water-bearing fine-grained unit within the Gatuna Formation. The water table occurs at depths below the land surface ranging from 51.4 feet in MW-3 to 58.6 feet in MW-1.

Development of the 2-inch monitor wells resulted in extremely low well yields. While developing the wells, sustainable pumping rates of less than 1 to 2 gallons per minute were observed. A value in this range is consistent for the fine-grained sediments that occur in the uppermost saturated zone at the site, which typically exhibit hydraulic conductivities of 10^{-2} to 10^{2} gallons per day per square foot (Figure 5-2).

As shown in Figure 5-1, MW-2 appears to be located off-gradient. The location was selected based on historical water-level elevations from the previously installed monitor wells, which indicate that the local water table has been declining. The extremely low hydraulic gradient at the site could easily be affected by seasonal water-table fluctuations. However, because any potential downward dispersion of fluids from the evaporation pond would have both vertical and horizontal components, any release to ground water would be larger in areal extent than its originating point on the surface. It is probable that MW-2 would detect any significant release from the pond.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

MEMORANDUM OF MEETING OR CONVERSATION

☑ Telephone ☐ Personal	Time	Date 8-28-98

Originating Party	Other Parties
J.F.	Mel Driver GPM

Subject: Soil for berming @ Artesia GP

Discussion

Hobbs
Proposal - 1 Booster Station
BDM - vertical extent w/ orig - 20,000 #
8 borings

Conclusions or Agreements

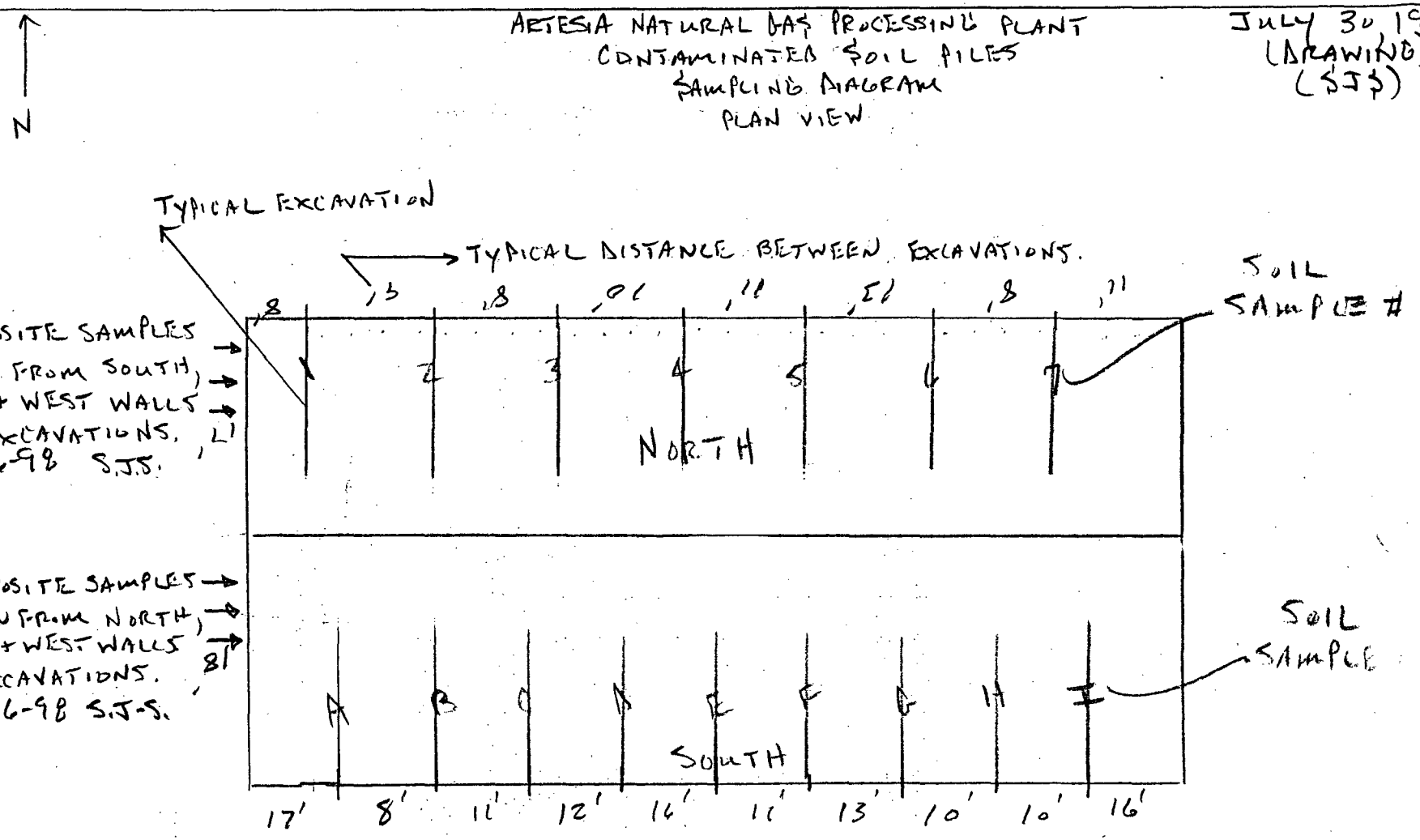
1. GW table
2. Isolate for contamination
3. Mix with on-site soil
4. Analyze for TPH

Distribution

Signed

ARTESIA NATURAL GAS PROCESSING PLANT
CONTAMINATED SOIL PILES
SAMPLING DIAGRAM
PLAN VIEW

JULY 30, 1998.
(DRAWING)
(SJS)



NOTE: MADE EXCAVATIONS IN PILES TO DETERMINE CONTAMINATION AT DEPTH.

163 42 8

June 8, 1995

OIL CONSERVATION DIVISION
RECEIVED
'95 JUN 14 AM 8 52

GPM GAS SERVICES COMPANY
A DIVISION OF PHILLIPS PETROLEUM COMPANY

4044 PENBROOK
ODESSA, TX 79762

Artesia Natural Gas Processing Plant
Discharge Plan Renewal GW-23

Mark Ashley, Environmental Geologist
State of New Mexico
Energy, Minerals and Natural Resources Department
Oil Conservation Division
2040 S. Pacheco
Santa Fe, New Mexico 87505

RECEIVED
JUN 14 1995
Environmental Bureau
Oil Conservation Division

Dear Mr. Ashley:

GPM Gas Corporation (GPM) has received the Oil Conservation Division's (OCD's) letter of April 11, 1995, approving the renewal of Artesia Natural Gas Processing Plant's (Artesia Plant's) Discharge Plan GW-23. As requested of the attachment to the approval letter, following are GPM's responses or commitments to concerns regarding the OCD's field inspection of Artesia Plant on March 31, 1995.

1. The lube oil container at the product storage area needs to be contained.

Response: The lube oil container at the product storage area has been contained with a metal drip pan.

2. The product pumps need to be contained with a curb or angle iron.

Response: The product pumps have been contained with angle iron.

3. The north cooling tower leak needs to be repaired.

Commitment: The north cooling tower leak will be repaired during the next plant maintenance shutdown tentatively scheduled for September 1995.

4. Leaking seals at the API skimmer need to be repaired.

Response: Leaking seals at the API skimmer have been repaired and hydrocarbon stained gravel has been removed and replaced with clean gravel.

5. An oil leak from the propane skid needs to be repaired.

Response: The oil leak from the propane skid has been repaired.

6. The wastewater treatment area needs berming around storage tanks that will equal one and one-third (1 1/3) combined volumes of all the tanks.

Commitment: It is not possible to loose the contents of all three tanks due to the specific piping configuration of the tanks. The piping is not of a common-header design and therefore containment equal to one and one-third (1 1/3) of the volume **of the largest storage tank only** is required as discussed and agreed upon with the OCD on June 1, 1995. Construction of the containment will be completed prior to January 1, 1996.

7. The leaks at the high pressure amine pumps need to be repaired.

Response: Leaks at the high pressure amine pumps have been repaired and containment has been added to the amine pump skid to prevent possible future gravel staining. Hydrocarbon stained gravel has been removed and replaced with clean gravel.

8. The white and cooper engine rooms have evidence of fluids draining off their pads that need to be contained.

Response: Debris plugging containment drains causing liquids to drain onto the engine pads has been removed. Hydrocarbon stained gravel has been removed and replaced with clean gravel.

9. Any spills that are present as a result of the above mentioned leaks need to be removed and bioremediated or disposed of at an OCD approved facility.

Response: Hydrocarbon stained soil and gravel resulting from the above mentioned leaks has been removed and stockpiled for future bioremediation.

10. Submit a plan for identifying the source and extent, and remediating the contamination that exists on the north side of the cooper engine room.

Commitment: The surface staining at the north side of the Cooper engine room is a result of a combination of water and lube oil from engines and compressors located inside the building. GPM believes the lube oils and water migrate onto the ground through cracks in the Cooper building foundation and containment.

GPM plans to repair the cracks in the building foundation and containment by January 1, 1996. This will prevent any possible future engine and compressor drippings from contacting surrounding soil. The stained soil will be removed and bioremeditated or disposed upon repair of the building foundation.

11. Submit a plan for modifying the existing sump system.

Commitment: A design for modifying the existing sump system is currently being evaluated. Pursuant to Water Quality Control Commission (WQCC) Regulation 3-107.C., GPM will provide the OCD the new design prior to modification of the existing sump system.

Pursuant to WQCC Regulation 3-114, Fees, GPM submits the enclosed checks in the amount of $50.00 and $1,667.00 as payment for Artesia Plant's Discharge Plan GW-23 filing fee and flat fee, respectively. Also, as requested, please find attached a list of all GPM plants and boosters located in New Mexico.

The OCD's time and energy in renewing Artesia Plant's discharge plan is appreciated. Please contact me at (915) 368-1142 should you have any questions regarding this submittal.

Sincerely,

Scott Seeby
Environmental Engineer
New Mexico Region

a:\artplocd.res

SENDER:
- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

MR. SCOTT SEEST
GPM GAS CORP
4044 PENBROOK
ODESSA, TX 79762

4a. Article Number
Z-765-962-834

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery
4-13-95

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)
X Nancy Buck

PS Form **3811**, December 1991 ☆ U.S.G.P.O.: 1992-307-530 **DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.

Z 765 962 834

Receipt for Certified Mail
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

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t and No.	
State and ZIP Code	
ge	$
ad Fee	
al Delivery Fee	
cted Delivery Fee	
h Receipt Showing om & Date Delivered	
Receipt Showing to Whom, and Addressee's Address	
Postage & Fees	$

Postmark or Date

PS Form **3800**,

STATE OF NEW MEXICO
County of Bernalillo SS

RECEIVED
MAR 07 1995
Environmental Bureau
Oil Conservation Division

Bill Tafoya being duly sworn declares and says that he is Classified Advertising manager of **The Albuquerque Journal**, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 times, the first publication being of the 6th day of February, 1995, and the subsequent consecutive publications on _____, 1995

Bill Tafoya

Sworn and subscribed to before me, a notary Public in and for the County of Bernalillo and State of New Mexico, this 6th day of, Feb. 1995

OFFICIAL SEAL
Megan Millage
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 5-20-98

PRICE $31.62
Statement to come at end of month.

CLA-22-A (R-1/93) ACCOUNT NUMBER C80932

NOTICE OF PUBLICATION

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to the New Mexico Water Quality Control Commission Regulations, the following discharge plan applications have been submitted to the Director of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131:

(GW-023) - Vince Bernard, Safety and Environmental Director, 4044 Penbrook, Odessa, Texas 79762, has submitted an application for renewal of its previously approved discharge plan for its Artesia Gas Plant located in Section 7, Township 18 South, Range 28 East, NMPM, Eddy County, New Mexico. Approximately 23,000 gallons per day of process waste water is disposed of in an OCD approved Class II injection well. The wastewater has a total dissolved solids concentration of approximately 2000 mg/l. Ground water most likely to be affected in the event of an accidental discharge is at a depth of approximately 85 feet with a total dissolved solids concentration from 300 mg/l. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The discharge plan applications may be viewed at the above address between 8:00 a.m. and 5:00 p.m., Monday thru Friday. Prior to ruling on any proposed discharge plan or its modification, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him and public hearing may be requested by any interested person. Request for public hearing shall set forth the reasons why a hearing shall be held. A hearing will be held if the director determines that there is significant public interest.

If no hearing is held, the Director will approve or disapprove the plan based on the information available. If a public hearing is held, the Director will approve the plan based on the information in the plan and information presented at the hearing.

GIVEN under the Seal of New Mexico Conservation Commission at Santa Fe, New Mexico, on this 27th day of January, 1995.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

SEAL

WILLIAM J. LEMAY, Director

NO EFFECT FINDING

The described action will have no effect on listed species, wetlands, or other important wildlife resources.

Date 24 February 1995

Consultation # 2-22-95-I-194

Approved by

U.S. FISH and WILDLIFE SERVICE
NEW MEXICO ECOLOGICAL SERVICES FIELD OFFICE
ALBUQUERQUE, NEW MEXICO

Affidavit of Publication

No. 14980

STATE OF NEW MEXICO,

County of Eddy:

Gary D. Scott being duly sworn, says: That he is the Publisher of The Artesia Daily Press, a daily newspaper of general circulation, published in English at Artesia, said county and state, and that the hereto attached Legal Notice

was published in a regular and entire issue of the said Artesia Daily Press, a daily newspaper duly qualified for that purpose within the meaning of Chapter 167 of the 1937 Session Laws of the state of New Mexico for 1 consecutive days weeks on the same day as follows:

First Publication February 3, 1995

Second Publication

Third Publication

Fourth Publication

Gary D. Scott

Subscribed and sworn to before me this 13th day of February 19 95

Barbara Ann Beans

Notary Public, Eddy County, New Mexico

My Commission expires September 23, 1996

Copy of Publication

LEGAL NOTICE

NOTICE OF PUBLICATION
STATE OF NEW MEXICO
ENERGY, MINERALS AND
NATURAL RESOURCES
DEPARTMENT
OIL CONSERVATION
DIVISION

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GIVEN under the Seal of New Mexico Conservation Commission at Santa Fe, New Mexico, on this 27th day of January, 1995.

STATE OF NEW MEXICO
OIL CONSERVATION
DIVISION
s-William J. LeMay
WILLIAM J. LEMAY
Director

SEAL

Published in the Artesia Daily Press, Artesia, N.M. February 3, 1995.

Legal 14980

State of New Mexico
ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT
Santa Fe, New Mexico 87505

New Mexico DRUG FREE It's a State of Mind!

January 30, 1995

ARTESIA DAILY PRESS
P. O. Box 179
Artesia, New Mexico 88210

ATTN: ADVERTISING MANAGER

RE: NOTICE OF PUBLICATION

Dear Sir/Madam:

Please publish the attached notice one time immediately on receipt of this request. Please proofread carefully, as any error in a land description or in a key word or phrase can invalidate the entire notice.

Immediately upon completion of publication, please send the following to this office:

1. Publisher's affidavit in duplicate.
2. Statement of cost (also in duplicate.)
2. CERTIFIED invoices for prompt payment.

We should have these immediately after publication in order that the legal notice will be available for the hearing which it advertises, and also so that there will be no delay in your receiving payment.

Please publish the notice no later than February 6, 1995.

Sincerely,

Sally Martinez
Sally E. Martinez
Administrative Secretary

Attachment

Z 765 962 295

Receipt for Certified Mail
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827-7465

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Office of the Secretary
827-5950
Administrative Services
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827-7131

State of New Mexico
ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT
Santa Fe, New Mexico 87505

New Mexico DRUG FREE It's a State of Mind!

January 30, 1995

ALBUQUERQUE JOURNAL
P. O. Drawer J-T
Albuquerque, New Mexico 87103

ATTN: ADVERTISING MANAGER

RE: NOTICE OF PUBLICATION

Dear Sir/Madam:

Please publish the attached notice one time immediately on receipt of this request. Please proofread carefully, as any error in a land description or in a key word or phrase can invalidate the entire notice.

Immediately upon completion of publication, please send the following to this office:

1. Publisher's affidavit in duplicate.
2. Statement of cost (also in duplicate.)
2. CERTIFIED invoices for prompt payment.

We should have these immediately after publication in order that the legal notice will be available for the hearing which it advertises, and also so that there will be no delay in your receiving payment.

Please publish the notice no later than February 6, 1995.

Sincerely,

Sally E. Martinez
Administrative Secretary

Attachment

Z 765 962 293

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Z 765 962 293

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PS Form 3800, March 1993

State of New Mexico
INERALS and NATURAL RESOURCE EPARTMENT
Santa Fe, New Mexico 87505

New Mexico DRUG FREE It's a State of Mind!

RNAL

xico 87103

G MANAGER

RE: NOTICE OF PUBLICATION

_____
_____
_____
_____

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any error in a land description or in a key word or phrase can invalidate
proof
the entire notice.

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Please publish the notice no later than February 6, 1995.

Sincerely,

Sally Martinez
Sally E. Martinez
Administrative Secretary

Attachment

VILLAGRA BUILDING - 408 Galisteo
Forestry and Resources Conservation Division
P.O. Box 1948 87504-1948
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PS Form 3811, December 1991 ★U.S. GPO: 1992—323-402 **DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service

NOTICE OF PUBLICATION

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to the New Mexico Water Quality Control Commission Regulations, the following discharge plan applications have been submitted to the Director of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131:

(GW-023) - Vince Bernard, Safety and Environmental Director, 4044 Penbrook, Odessa, Texas 79762, has submitted an application for renewal of its previously approved discharge plan for its Artesia Gas Plant located in Section 7, Township 18 South, Range 28 East, NMPM, Eddy County, New Mexico. Approximately 23,000 gallons per day of process waste water is disposed of in an OCD approved Class II injection well. The wastewater has a total dissolved solids concentration of approximately 2000 mg/l. Ground water most likely to be affected in the event of an accidental discharge is at a depth of approximately 85 feet with a total dissolved solids concentration from 300 mg/l. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The discharge plan applications may be viewed at the above address between 8:00 a.m. and 5:00 p.m., Monday thru Friday. Prior to ruling on any proposed discharge plan or its modification, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him and public hearing may be requested by any interested person. Request for public hearing shall set forth the reasons why a hearing shall be held. A hearing will be held if the director determines that there is significant public interest.

If no hearing is held, the Director will approve or disapprove the plan based on the information available. If a public hearing is held, the Director will approve the plan based on the information in the plan and information presented at the hearing.

GIVEN under the Seal of New Mexico Conservation Commission at Santa Fe, New Mexico, on this 27th day of January, 1995.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

SEAL

WILLIAM J. LEMAY, Director

GPM GAS CORPORATION

GPM GAS SERVICES COMPANY
A DIVISION OF PHILLIPS PETROLEUM COMPANY

4044 PENBROOK
ODESSA, TX 79762

January 17, 1995

Mr. Roger C. Anderson
Environmental Bureau Chief
State of New Mexico
Energy, Minerals, and Natural Resources Department
Oil Conservation Division
2040 South Pacheco
Santa Fe, New Mexico 87505

RE: Discharge Plan Renewal GW-023
Artesia Gas Plant - Eddy County

Dear Mr. Anderson:

On July 1, 1995, discharge plan GW-023 for GPM Gas Corporation's Artesia Plant, located in Section 27, Township 18 South, Range 28 East, Eddy County, New Mexico, will expire. As per the Oil Conservation Division (OCD) letter to GPM of January 11, 1995, please consider this notification that GPM wishes to continue operations at this facility, and we request renewal of the current discharge plan.

As per Water Quality Control Commission regulations, we have not made or intend to make any changes in the current system that would have any effect on actual or potential discharges.

If you have any questions or if I can be of further assistance, please contact me at (915) 368-1085.

Sincerely,

Vince Bernard
Safety & Environmental Director
New Mexico Region

VBB:mdp

cc: Maureen Gannon - GCL Albuquerque
OCD Artesia Office

State of New Mexico
ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT
Santa Fe, New Mexico 87505

New Mexico DRUG FREE It's a State of Mind!

January 11, 1995

CERTIFIED MAIL
RETURN RECEIPT NO. Z-765-962-793

Mr. Vince Bernard
Safety & Environmental Supervisor
GPM Gas Corporation
4044 Penbrook
Odessa, Texas 79762

RE: Discharge Plan Renewal GW-023
Artesia Gas Plant
Eddy County, New Mexico

Z 765 962 793
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PS Form 3800, March 1993

Dear Mr. Bernard:

On June 15, 1994, GPM Gas Corporation received, via certified mail, notice from the New Mexico Oil Conservation Division (OCD) that the discharge plan BW-023 for the Artesia Gas Plant, located in Section 27, Township 18 South, Range 28 East, NMPM, Eddy County, New Mexico would expire on July 1, 1995. As of this date (January 11, 1995), the OCD has not received a renewal application from GPM Corporation.

If you wish to renew operations at this facility, a discharge plan application shall be submitted and approved by the OCD prior to July 1, 1995. The application shall follow the Water Quality Control Commission Regulations and the OCD's Guidelines for the Preparation of Ground Water Discharge Plans at Natural Gas Processing Plants delivered to you with the OCD's June 15, 1994 renewal notice letter.

If there are any questions on this matter, please contact Mark Ashley at (505) 827-7155.

Sincerely,

Roger C. Anderson
Environmental Bureau Chief

RCA/mwa
xc: OCD Artesia Office

VILLAGRA BUILDING - 408 Galisteo
Forestry and Resources Conservation Division
P.O. Box 1948 87504-1948
827-5830
Park and Recreation Division
P.O. Box 1147 87504-1147
827-7465

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Office of the Secretary
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STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION

BRUCE KING
GOVERNOR

ANITA LOCKWOOD
CABINET SECRETARY

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

June 15, 1994

CERTIFIED MAIL
RETURN RECEIPT NO. P 176 012 226

Mr. Vince Bernard
Safety & Environmental Supervisor
GPM Gas Corporation
4044 Penbrook
Odessa, TX 79762

RE: Discharge Plan GW-023 Renewal
Artesia Gas Plant
Eddy County, New Mexico

Dear Mr. Bernard,

On July 1, 1985, the groundwater discharge plan, GW-023 for the Artesia Gas Plant located in Section 27, Township 18 South, Range 28 East, NMPM, Eddy County, New Mexico, was approved by the Director of the Oil Conservation Division (OCD). This discharge plan was required and submitted pursuant to Water Quality Control Commission (WQCC) regulations and was approved for a period of five years, and was subsequently renewed on July 19, 1990. The current approval will expire on July 1, 1995.

If your facility continues to have potential or actual effluent or leachate discharges and you wish to continue operation, you must renew your discharge plan. The OCD is reviewing discharge plan submittals and renewals carefully and the review time can extend for several months. Please indicate whether you have made, or intend to make, any changes in you system, and if so, please include these modifications in your application for renewal.

Note that the completed and signed application form must be submitted with your discharge plant renewal request.

If you no longer have any actual or potential discharges please

identify this office. If you have any questions, please do not hesitate to contact me at (505)827-5812.

Sincerely,

Roger C. Anderson
Environmental Bureau Chief

RCA/rlm

xc: OCD Artesia Office

GPM GAS CORPORATION

September 28, 1992

INTER-OFFICE CORRESPONDENCE / SUBJECT:

New Mexico Oil Conservation Division
State Land Office Building
310 Old Santa Fe Trail
Santa Fe, New Mexico 87504

Gentlemen:

Effective October 31, 1992, at 11:59 p.m., the responsibility, coverage, and liability for the following permits will be transferred from GPM Gas Corporation to a new Delaware corporation using the same name, GPM Gas Corporation. The present permit holder (GPM Gas Corporation) will change its name to avoid any confusion.

Facility	Permit Description	Permit Number
Artesia Gas Plant	Discharge	GW-23
Eunice Gas Plant	Discharge	GW-16
Hobbs Booster	Discharge	GW-44
Lee Gas Plant	Discharge	GW-2

Please reflect this change in your records. If you need further information, please contact Mr. Steve Godby at 713/297-5971.

Sincerely,

M. J. Panatier
Sr. Vice President
Chief Operating Officer
1300 Post Oak Blvd.
Houston, TX 77056

I acknowledge receipt of the above notice.

D. W. Casselberry
Promoter
new GPM Gas Corporation

STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION

BRUCE KING
GOVERNOR

March 18, 1991

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

CERTIFIED MAIL
RETURN RECEIPT NO. P-918-402-108

Mr. David Jelmini
Environmental Specialist
Phillips 66 Natural Gas Company
4001 Penbrook
Odessa, Texas 79762

RE: Discharge Plan GW-23
Artesia Plant
Eddy County, New Mexico

Dear Mr. Jelmini:

The Oil Conservation Division (OCD) has received your proposal, dated February 27, 1991, to apply bioremediation products to remediate the oil stained soils at the above referenced facility.

Your proposed action is an acceptable method for fulfilling the requirements of the approved discharge plan (GW-23) to remediate oil stained soil, therefore, this proposal is not a modification to that plan.

Based on the information provided in your letter, the proposal to bioremediate the oil stained soils at your Artesia Plant is approved. Please provide results of the remediation evaluation to this office.

If you have any questions, please call me at (505) 827-5884.

Sincerely,

Roger C. Anderson
Environmental Engineer

RCA/sl

cc: OCD Artesia Office

PHILLIPS PETROLEUM COMPANY

RECEIVED
JAN 31 1992
OIL CONSERVATION DIV.
SANTA FE

December 27, 1991

Robert C. Koch
Promoter
Phillips Gas Company

Effective 11:59 p.m., January 31, 1992, the responsibility, coverage, and liability for the permits listed in the attachment will be transferred from Phillips Petroleum Company to Phillips Gas Company, a corporation being created pursuant to Delaware law.

Please reflect this change in your records. Please contact M. C. Wofford at 918-661-6500 if you need further information.

Very truly yours,

PHILLIPS PETROLEUM COMPANY

John N. Scott

John Scott
Vice President
Quality, Environment, and Safety

JS:MCW:tr
Attachment: GW Permit List

I acknowledge receipt of the above notice.

Robert C. Koch
Promoter
Phillips Gas Company

xc: New Mexico Oil Conservation Division
State Land Office Building
Attention: Roger Anderson
310 Old Santa Fe Trail
Santa Fe, New Mexico 87504

New Mexico Oil Conservation Division

Facility	Permit Description	Permit Number
Artesia Gas Plant	Discharge	GW-23
Eunice Gas Plant	Discharge	GW-16
Hobbs Booster	Discharge	GW-44
Lee Gas Plant	Discharge	GW-2

OIL CONSERVATION DIVISION
RECEIVED
'91 FEB 28 AM 9 07

PHILLIPS 66 NATURAL GAS COMPANY
A SUBSIDIARY OF PHILLIPS PETROLEUM COMPANY
ODESSA, TEXAS 79762
4001 PENBROOK, PHONE: 915 367-1266

February 27, 1991

Modification to Discharge Plan GW-23
Artesia Plant

Mr. Roger Anderson
Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87504

Dear Mr. Anderson:

In an effort to clean up some of the oil-stained soil at our Artesia Plant, Phillips is planning to use the Bioremediation Contractors & Consultants (Hobbs) to apply their bioremediation products. The products that will be used are "Medina Soil Activator", "Hydrocarbon Degrader" and "D-P-5"; associated MSDS are attached for your reference. Initially, we will use these products around the slop oil storage tanks and portable compressors. After an evaluation period of approximately three months, we will determine if further applications of these products at other locations are justified.

According to the vendor, these products have been safely used in various industries throughout the United States. I am requesting the OCD's approval to use these products at Artesia Plant, and also update the existing discharge plan. If you have any questions, please contact me at (915) 368-1316.

Yours truly,

David Jelmini
Environmental Specialist

DJJ:artbio

Attachments

*** MATERIAL SAFETY DATA SHEET ***

15 gallons initial appl.,
8 gallons/month for
next 2 months.

MEDINA AGRICULTURE PRODUCTS CO. INC.
P.O. BOX 309
HONDO, TEXAS 78861 (512)426-3011

PRODUCT NAME: Medina Soil Activator
INGREDIENTS : Magnesium Chloride (MgCl) 0.5%
Iron Sulfate (FeSO4) 0.1%
Zinc Chloride (ZnCl) 0.05%

***Section 1 PHYSICAL DATA

BOILING POINT.....: 212 deg F SOL. IN WATER....: 100 %
VAPOR PRESS.....: 17 mm. Hg SP. GRAVITY.....: 1.050
VAPOR DENSITY.....: not apply % VOLATILE BY VOL: 99.8 %
APPEARANCE AND ODOR: Light yellow, with no odor

***Section 2 FIRE AND EXPLOSION HAZARD DATA

FLASH POINT.....: Non Flammable
METHOD USED.....: All
EXTINGUISING MEDIA.....: All
SPECIAL FIRE EQUIPMENT.: None

***Section 3 REACTIVE DATA

STABILITY.....: Stable
INCOMPATIBILITY.....: Strong Base Products
HAZARDOUS DECOMPOSITION..: None HAZARDOUS POLYMERIZATION.: None

---

***Section 4 SPILL OR LEAK PROCEDURES

ACTION TO TAKE FOR SPILLS: Contain Spill, Mop up or vacuum.
DISPOSAL METHOD.....: Apply to farm land at a rate up to 20 gal/Acre

---

***Section 5 HEALTH HAZARD DATA

INGESTION...: Slight Irritation
EYE CONTACT.: Slight Eye Irritation
SKIN CONTACT: Slight Skin Irritation

***Section 6 FIRST AID

EYES..: Irrigation with flowing water
SKIN..: Wash in flowing water

***Section 7 SPECIAL HANDLING INFORMATION

VENTILATION.....: None
PROTECTIVE CLOTHING...: Rubber Gloves
EYE PROTECTION.....: Goggles

***Section 8 SPECIAL PRECAUTIONS AND ADDITIONAL INFO

PRECAUTIONS TO BE TAKEN IN HANDLING AND STORAGE: Do Not Freeze- Container may break. Material may be stored outside
OTHER PRECAUTIONS: Avoid eye and skin contact

**THE INFORMATION HEREIN IS GIVEN IN GOOD FAITH, BUT NO WARRANTY, EXPRESSED OR IMPLIED, IS MADE:

6 lbs. initial applicati

*** MATERIAL SAFETY DATE SHEET *** .

MEDINA AGRICULTUE PRODUCTS CO., INC.
P. O. BOX 309
HONDO, TEXAS 7886L (512) 426-3011

PRODUCT NAME: Hydrocarbon Degrader
INGREDIENTS : Non hazardous.
Mixed biochemicals, enzymes and surfactants on bran base.

***Section 1 PHYSICAL DATA

BOILING POINT.....: N/A SOL. IN WATER....: Slurry
VAPOR PRESS.....: N/A SP. GRAVITY.....: .5-.7
VAPOR DENSITY.....: N/A % VOLATILE BY VOL: N/A
APPEARANCE AND ODOR.: Granular; Buff color; Musty odor

***Section 2 FIRE AND EXPLOSION HAZARD DATA

FLASH POINT.....: N/A
METHOD USED.....: N/A
EXTINGUISING MEDIA....: N/A
SPECIAL FIRE EQUIPMENT: N/A

***Section 3 REACTIVE DATA

STABILITY.....: Stable
INCOMPATIBILITY.....: Store at 32 to 105 deg F
HAZADROUS DECOMPOSITION...: N/A HAZARDOUS POLYMERIZATON:N/A

***Section 4 SPILL OR LEAK PROCEDURES

ACTION TO TAKE FOR SPILLS: Sweep up/collect
DISPOSAL METHOD.....: No special disposal needed may be sewered.

***Section 5 HEALTH HAZARD DATA

INGESTION....: Do not ingest
EYE CONTACT..: Avoid exposure to dust
SKIN CONTACT.: Avoid exposure to dust

***Section 6 FIRST AID

EYES.....: Irrigation with flowing water
SKIN.....: Wash in flowing water

***Section 7 SPECIAL HANDLING INFORMATION

VENTILATION.....: Local Exhaust
PROTECTIVE CLOTHING...: Rubber Gloves
EYE PROTECTION.....: Goggles (Dust)

***Section 8 SPECIAL PRECAUTIONS AND ADDITIONAL INFO

PRECAUTIONS TO BE TAKEN IN HANDLING AND STORAGE: Do not freeze OTHER PRECAUTIONS: Avoid eye and skin contact.

**THE INFORMATION HEREIN IS GIVEN IN GOOD FAITH, BUT NO WARRANTY, EXPRESSED OR IMPLIED, IS MADE.

16. initial treatment

6

*** MATERIAL SAFETY DATE SHEET ***

MEDINA AGRICULTURE PRODUCTS CO., INC.
P. O. BOX 309
HONDO, TEXAS 78861 (512) 426-3011

PRODUCT NAME: D-P-5 (Non Toxic, Non Corrosive, Non Pathogenic, Biological Mixture)
INGREDIENTS : Bacillus Subtilis, Bacillus Thuringiensis, Bacillus Megaterium, Sacromyces and Digestive Enzymes.

***Section 1 PHYSICAL DATA

BOILING POINT.....: N/A
VAPOR PRESS.....: N/A
VAPOR DENSITY.....: N/A
APPEARANCE AND ODOR.: N/A
SOL. IN WATER....: N/A
SP. GRAVITY.....: N/A
% VOLATILE BY VOL: N/A

***Section 2 FIRE AND EXPLOSION HAZARD DATA

FLASH POINT.....: N/A
METHOD USED.....: N/A
EXTINGUISHING MEDIA....: N/A
SPECIAL FIRE EQUIPMENT: N/A

***Section 3 REACTIVE DATA

STABILITY.....: Store 32 degree F - 105 degree F
INCOMPATIBILITY.....: Avoid exposure to moisture.
HAZARDOUS DECOMPOSITION...: N/A HAZARDOUS POLYMERIZATION:N/A

***Section 4 SPILL OR LEAK PROCEDURES

ACTION TO TAKE FOR SPILLS: Sweep up and collect. Avoid direct contact and/or direct inhalation of dust.
DISPOSAL METHOD.: No special disposal method. May be sewered; compatible with all known biological treatment methods.

***Section 5 HEALTH HAZARD DATA

INGESTION....: Non Toxic, (slight Irritation may occur)
EYE CONTACT..: Non Toxic, (allergic reaction to enzymes may occur)
SKIN CONTACT.: Allergic reaction to enzymes may occur.

***Section 6 FIRST AID

EYES.....: Irrigation with flowing water
SKIN.....: Wash in flowing water

***Section 7 SPECIAL HANDLING INFORMATION

VENTILATION.....: N/A
PROTECTIVE CLOTHING...: N/A
EYE PROTECTION.....: N/A

***Section 8 SPECIAL PRECAUTIONS AND ADDITIONAL INFO

PRECAUTIONS TO BE TAKEN IN HANDLING AND STORAGE: Keep dry & at room temperature.
OTHER PRECAUTIONS: Do not ingest. Avoid dust. Wash hands.
**THE INFORMATION IS GIVEN IN GOOD FAITH, BUT NO WARRANTY, EXPRESSED OR IMPLIED, IS MADE;

--CHECK LIST FROM INSPECTION

RECEIVED

JUN 28 1990

OIL CONSERVATION DIV.
SANTA FE

PHILLIPS PETROLEUM COMPANY
BARTLESVILLE, OKLAHOMA 74004

QUALITY, ENVIRONMENT AND SAFETY

June 27, 1990

Discharge Plan Renewal
Artesia Plant
Discharge Plan No. GW-23

Mr. Roger Anderson
Environmental Engineer
New Mexico Oil Conservation Division
P. O. Box 2088
Santa Fe, New Mexico 87504

Dear Mr. Anderson:

This is to provide information you requested in order to continue your review of the discharge plan submitted for our Artesia Plant. The items of concern contained in your letter of May 8, 1990 with our responses follows.

Item #1 - The OCD is requiring that above grade tanks that contain materials with constituents that can be harmful to fresh water and the environment, if a sudden and catastrophic spill were to occur, be bermed so that the spill is contained at the site and mitigated immediately. The vertical amine and the engine jacket water storage tanks were identified as tanks that will require berming during the recent inspection.

Response: The vertical amine and the engine jacket water storage tanks will have earthen or caliche berms constructed around them in order to contain their contents in the event of a tank failure. The berms will be installed by July 1, 1992.

Item #2 - The OCD is requiring that above grade saddle tanks and all drum storage areas be paved and curbed to contain any spills or leaks. The following areas were identified during the inspection that will require paving and/or curbing:

1. The saddle tank containing chemicals at the product storage area.
2. The glycol tank. w/ Methanol.
3. The horizontal amine storage tanks.
4. The drum storage areas at the north and south cooling towers.
5. The acid and chemical storage saddle tanks at the north and south cooling towers.
6. The lube oil storage saddle tanks.
7. The oil filter and drum steaming area.
8. The drum storage at the injection disposal area.

9. The loading area adjacent to the slop oil tanks. BBQ Pit
10. The central drum storage area.
11. The solvent storage on the east end of the Cooper compressor building.
12. The chemical addition troughs at the south cooling towers.
13. The gasoline storage tanks.

Response: The above mentioned tanks/areas will be paved and/or curbed. This work will be completed by July 1, 1992.

Item #3 - The steel reflux skid had evidence of amine leaking. Submit a plan and completion timetable for the repair or containment of all leaks on this skid.

Response: All known amine leaks from the reflux skid have been repaired. If it appears that surface contamination from amine leaks continues to be a problem, a system will be designed and installed to catch the leaking fluid and ensure surface contamination does not occur.

Item #4 - The White engine room and the Cooper and Clark engine room have evidence of oil and/or oily wastewater draining off their pads. Submit a plan to contain all fluids from the engine room pads.

Response: New engine room pad drain systems will be installed at the Cooper and Clark engine rooms to contain the oily wastewater draining off their pads. The systems will be similar in construction to the systems installed at our Lee Plant and Hobbs Booster. These systems will be operational by July 1, 1992.

The White engine room is equipped with a concrete pad to prevent oily water from contaminating the surface. We have had maintenance problems with the portion of the drain system used to collect the fluids coming off of the concrete pad. The White engine room drain system will be upgraded to ensure it functions properly in preventing surface contamination. This work will be completed by July 1, 1991.

Item #5 - None of the sumps at the facility were constructed with leak detection. It is OCD's policy that all below grade facilities now in service that do not have leak detection are required to be visually inspected yearly to insure integrity. A commitment to incorporate leak detection in the design and construction of any replacement or newly constructed facilities is also required.

Response: The below grade sumps now in service at the plant will be visually inspected yearly to ensure integrity. Leak detection will be incorporated in the design and construction of any replacement or newly constructed sumps at the plant.

DOCUMENTATION OF VISUAL INSPECTION?

ANY NEW CONSTRUCTION?

Item #6 - The area inside the berm of the slop oil tank had oil standing on the ground indicating the tank had overflowed. What measures are being taken to prevent overflow of this tank? What measures were taken to cleanup the bermed area?

Response: Plant operators have been instructed to check the level of fluid in the slop oil tanks on a more frequent basis to prevent overflows. The oil in the diked area was removed by vacuum truck. Oil contaminated soil was spread on our lease roads for road maintenance purposes.

Item #7 - Oily liquids were observed in the bottom of the solid waste landfill. Submit a proposal to prevent all liquid disposal in this landfill. What measures were taken to remove the liquids from the landfill?

Response: Plant personnel have been instructed not to dispose of any liquid containing material in the landfill. They have also been told to ensure contractors working at the plant comply with this requirement. The oily rock that had been disposed of in the landfill was used for lease road maintenance.

If you should have any questions regarding this information, please contact me at (918) 661-0478.

Very truly yours,

Michael D. Ford

Michael D. Ford
Environmental Scientist

MDF:artdisl

The University of Georgia College of Agriculture

ATHENS, GEORGIA 30602

DEPARTMENT OF HORTICULTURE

PLEASE REPLY TO:
PLANT SCIENCE BUILDING
404/542-2471

September 28, 1981

Stuart Franke
MEDINA Agricultural Products, Inc.
P.O. Box 309
Hondo, Texas 78861

Dear Mr. Franke:

I have completed the first phase of our experiments with MEDINA and have enclosed a brief report of our findings.

Southern peas and greenbeans were grown in a hydroponic solution with 30 ppm Na and 1-, 2-, 4-, or 10-ml of MEDINA. The plants were periodically analyzed for their nutrient element content. There was no effect of MEDINA on pod or bean yield. There were no visual differences in plant growth as a result of the MEDINA treatments.

There were nutrient element effects as a result of the MEDINA treatments. The MEDINA treatments had a very marked affect on the zinc content of the leaf tissue.

Treatment	Zinc Content, ppm	
	Greenbean Leaves	Southern Pea Leaves
Control	29	67
1-ml MEDINA*	49	80
2-ml MEDINA	100	98
4-ml MEDINA	105	133
10-ml MEDINA	260	219

* ml per 1-liter of nutrient solution.

As a result of the increased zinc uptake, there was a slight reduction in iron uptake. There were no other nutrient element effects except for sodium.

As usual, the sodium content of the plants were reduced. However, the reduction was somewhat variable and less consistent with greenbean as with southern pea. In fact, the sodium reduction was not significant with greenbean.

Treatment	Sodium Content, ppm	
	7/10	7/23
Control	198	371
1-ml MEDINA	160	414
2-ml MEDINA	121	357
4-ml MEDINA	123	305
10-ml MEDINA	145	190

Sodium content of southern pea leaves at two harvest dates.

The sodium content of the greenbean leaves ranged from 50 to 114 ppm and there was no significant relationship between MEDINA treatments and sodium content. I was not entirely satified with this experiment since initially there was an error made in the make-up of the nutrient solution since boron was not added in sufficient quantities to satisfy the crop requirement. At the initial analysis, this was discovered and boron added to bring the level up to the desired point. This may help to explain the lack of a possible yield response.

In another experiment, the nutrient solution containing the 4 levels of MEDINA was added to pine bark and the bark placed in petri dishes. After an equilibrium was established, 1-gram of fescue seed was planted and the dishes covered. In about two days, there appeared a heavy condensation on the cover dishes where the 4- and 10-ml of MEDINA had been added. There was no condensation of the other cover dishes, indicating significant biological activity at these two higher levels of MEDINA addition. After germination, the covers were removed and in about 10 days, the fescue was harvested. Growth was excellent. The harvested growth was dried and weighed, and then analyzed. The results were as follows:

Treatment	Yield, gms.	Total Elemental Content	
		Zinc, ppm	Sodium, ppm
Control	0.28	155	407
1-ml MEDINA	0.33	61	333
2-ml MEDINA	0.31	61	330
4-ml MEDINA	0.21	65	301
10-ml MEDINA	0.26	81	406

There was definitely a yield response to the two initial concentrations of MEDINA. I would suspect that the low 4-ml MEDINA treatment yield was due to some errors in harvesting. This experiment will be repeated using only one level of MEDINA so that a statistical evaluation can be made. The characteristic reduction in sodium level appears again, although there is an increase with the 10-ml MEDINA treatment. Note that the zinc effect is not seen. I think that such short-term experiments can be useful when determining initial effects.

We have in the greenhouse a fall crop of tomatoes and the experiment conducted by Dr. Mills last year will be repeated, except we will add sodium to the nutrient solution at various rates to determine the effect of MEDINA on sodium uptake as the sodium levels increases. I will also use the pine bark-petri dish-fescue experimental technique to evaluate the same thing, increasing the sodium content in the growth media and measuring the effect of MEDINA on sodium uptake. In this way, we can determine in just a few days what relationship does exist here.

It seems to me that we ought to find out what is happening and why MEDINA reduces sodium uptake. It will take some careful chemistry to do this. My experience with MEDINA using the hydroponic technique may indicate that it is not just a simple uptake phenomenon, but may be the result of an interaction between the growth media and the plant root. Also, there may a crop species interaction with some plants responding differently to MEDINA as to their ability or inability to take up sodium from the soil. I beleive we have sufficient data to show that we are indeed looking at a real effect and now it is time to be more specific and try to learn what is happening.

My current plans are to repeat the short-term studies and to complete the tomato-greenhouse experiment. These studies will give the MEDINA effect on sodium uptake with increasing sodium levels in the growth media. We will be able to see whether the reduction holds over the increasing concentration range, either as a linear function or possibly non-linear. Which ever does occur will help to determine whether we are looking at an active effect or passive one. This will be helpful for future studies if we are to look more deeply into the cause and effect relationship.

With what we have discovered up to this point (with the completion of the experiments I gave above), I would feel that we have met our obligation for the funds that were provided this year and that further studies would have to be additionaly funded. I would be happy to discuss this with you and make a proposal. I think that I should have the short-term experiments completed by the end of October.

Medina Consistantly reduced Sodium uptake —

September 28, 1981

I hope my results and comments are helpful to you. I think that we have verified what was initially observed by Dr. Mills and are now ready to more closely look at the sodium-MEDINA reduction phenomenon.

Sincerely yours,

J. Benton Jones, Jr.
Professor

PS - You may know there are two ways one can go to produce top yields, either modify the environment to meet the plant needs or alter the plant to suit the environmental conditions. Through genetic engineering there is the possibility to alter plants sufficiently to meet most every type of environmental condition possible. One of the major areas of interest is to find crop species or to modify current crop cultivars and hybrids to with stand high saline conditions, either that already exist in many soil areas of the world or are being created through the use of ever increasingly brackish irrigation waters. MEDINA would be classed as a product that would modify the soil environment to suit the plant - although I would suspect that there is more to it than just a simple chemical process of some kind. If the mechanism that creates this change were known, it may be possible to capitalize on that discovery and improve MEDINA is such a way that it becomes effective over a wide range of saline conditions. Such a development could prove very useful during this period before new crop lines are developed that can with stand saline soil conditions. Something to think about which may make MEDINA a more useful product for future marketing.