

**GW - 228**

# **ENFORCMENT**

**DATE:**

MAY 10, 2001



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**  
Governor  
**Jennifer A. Salisbury**  
Cabinet Secretary

May 10, 2001

**Lori Wrotenbery**  
Director  
Oil Conservation Division

**CERTIFIED MAIL**  
**RETURN RECEIPT NO. 5051 0463**

Mr. Carl Padilla  
CIP, Inc.  
#51 CR 5570  
Farmington, New Mexico 87401

**RE: Notice of Violation for the CIP, Inc. Farmington Facility**

Dear Mr. Padilla:

CIP, Inc. received, by Certified Mail, a discharge plan renewal notification on February 14, 2001 notifying CIP, Inc. that the discharge plan (GW-228) covering the operations at the Farmington facility was to expire **May 9, 2001**. To date the OCD has not received an application for renewal of this discharge plan. Continued operations at CIP, Inc.'s Farmington facility will be in violation of WQCC Rules and Regulations.

Please note the following regulation:

**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]

The discharge plan renewal application for the above facility is subject to WQCC Regulation 20NMAC 6.2.3114. Every billable facility submitting a discharge plan renewal will be assessed a fee equal to the filing fee of \$100.00. After January 15, 2001 renewal discharge plans require a flat fee equal to \$1,700.00 for oil field service facilities pursuant to revised WQCC Regulations 20NMAC 6.2.3114. A copy of the revised fee schedule was included for your assistance. The \$100.00 filing fee is to be submitted with each discharge plan renewal application and is nonrefundable.

Please make all checks payable to: **NMED-Water Quality Management** and addressed to the OCD Santa Fe Office. Please submit the original discharge plan renewal application and one copy to the OCD Santa Fe Office and one copy to the OCD Aztec District Office. **Note that the completed and signed application form must be submitted with your discharge plan renewal request.** A complete copy of the regulations is also available on NMED's website at [www.nmenv.state.nm.us](http://www.nmenv.state.nm.us).

If the above-sited facility no longer has any actual or potential discharges and a discharge plan is not needed, please notify this office. If the CIP, Inc. has any questions, please do not hesitate to contact Mr. Jack Ford at (505) 476-3489. **Failure to submit an application for renewal of Discharge Plan GW-228 by May 29, 2001 will result in further compliance actions, which may include civil penalties.**

Sincerely,



Roger C. Anderson  
Oil Conservation Division

cc: OCD Aztec District Office

7099 3220 0000 5051 0463

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only, No Insurance Coverage Provided)	
Article Sent To:	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Name (Please Print Clearly) (To be completed by addressee) <i>C. Padilla</i>	
Street, Apt. No.; or PO Box No. <i>CIP</i>	
City, State, ZIP+ 4 <i>Santa Fe, NM 87508</i>	
PS Form 3800, July 1999	
See Reverse for Instructions	

Postmark Here  
*SANTA FE NOV 9 2001*