

2RF – 149

**Eddy State Water
Treatment
and Reuse Facility
Application
Approval with
Conditions**

**Solaris Water
Midstream LLC
April 14, 2021**

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Wednesday, April 14, 2021 3:20 PM
To: Teena Robbins; Michael Incerto; Hernandez, Emily, EMNRD
Cc: Sanchez, Daniel J., EMNRD; r@rthicksconsult.com; Griswold, Jim, EMNRD
Subject: 2RF-149 - Eddy State Water Treatment and Reuse Facility. Conditions of approval.

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Ms. Robbins,

The New Mexico Oil Conservation Division has reviewed the final version of the recycling containment registration and related documents, submitted by SOLARIS WATER MIDSTREAM, LLC [371643] on November 2, 2020 and resubmitted via [OCD Online](#) on March 1, 2021, for **2RF-149 - Eddy State Water Treatment and Reuse Facility** in Unit Letter K, Section 2, T-26S, R-29E, in Eddy County, New Mexico.

The form C-147 and related documents for 2RF-149 - Eddy State Water Treatment and Reuse Facility, is approved with the following conditions of approval:

- SOLARIS WATER MIDSTREAM, LLC [371643], shall construct, operate, maintain, close, and reclaim the 2RF-149 - Eddy State Water Treatment and Reuse Facility in compliance with 19.15.34 NMAC including, but not limited to, the performance of containment inspections; recording of detailed inspection reports; removal of debris, foreign objects and oil from the containment; and monthly reporting of recycling and reuse of produced water, drilling fluids, and liquid oil field waste.
- The 2RF-149 - Eddy State Water Treatment and Reuse Facility is approved for five (5) years of operation from the date of permit application. 2RF-149 - Eddy State Water Treatment and Reuse Facility permit expires on November 2, 2025. If SOLARIS WATER MIDSTREAM, LLC [371643] wishes to extend operations past five (5) years, an annual permit extension request must be submitted using OCD form C-147 through [OCD Online](#) by October 2, 2025.
- Per Rule 19.15.34.15.A.(1) operators without existing financial assurance pursuant to 19.15.8 NMAC shall furnish financial assurance acceptable to the division in the amount of the recycling containment's estimated closure cost. The total closure cost estimate for the application submitted via email on November 2, 2020, and resubmitted through [OCD Online](#) on March 1, 2021, for 2RF-149 - Eddy State Water Treatment and Reuse Facility consisting of two inground containments in Unit Letter K, Section 2, T-26S, R-29E in the amount of \$658,975.00, satisfies the requirements of NMAC 19.15.34.15.A.(1).
- SOLARIS WATER MIDSTREAM, LLC [371643], shall notify OCD when recycling operations commence and cease at the 2RF-149 - Eddy State Water Treatment and Reuse Facility.
- A minimum of 3-feet freeboard must be maintained in the recycling containment, at all times during operations.
- SOLARIS WATER MIDSTREAM, LLC [371643], shall provide OCD with the calculations for the operational total fluid capacity of each containment. The operational fluid capacity is the total volume of the containment minus the volume not utilized due to the freeboard.
- If less than 20% of the total fluid capacity is utilized every six months, beginning from the first withdrawal, operation of the facility is considered ceased and notification of cessation of operations should be sent electronically to OCD.Enviro@state.nm.us. An extension to extend the cessation of operation, not to exceed six months, may be submitted using a C-147 form through the [OCD Online](#) system.
- SOLARIS WATER MIDSTREAM, LLC [371643] shall submit monthly reports of recycling and reuse of produced water, drilling fluids, and liquid oil field on OCD form C-148 through the [OCD Online](#) system even if there is zero activity.
- SOLARIS WATER MIDSTREAM, LLC [371643] shall comply with 19.15.29 NMAC Releases in the event of any release of produced water or other oil field wastes at 2RF-149 - Eddy State Water Treatment and Reuse Facility.

Please reference number **2RF-149** - Eddy State Water Treatment and Reuse Facility in all future communications related to Eddy State Water Treatment and Reuse Facility. Please keep a copy of this electronic communication for your files, as no paper copy of the approval will be delivered. A copy of this electronic communication will be saved in 2RF-149 - Eddy State Water Treatment and Reuse Facility electronic file on OCD Imaging @:

<https://ocdimage.emnrd.state.nm.us/imaging/AEOrderFileView.aspx?appNo=pSL2029430110>

Please let me know if you have any further questions or concerns.

Regards,

Victoria Venegas • Environmental Specialist

Environmental Bureau

EMNRD - Oil Conservation Division

811S. First St. | Artesia, NM 88210

(575) 909-0269 | Victoria.Venegas@state.nm.us

<http://www.emnrd.state.nm.us/OCD/>



District I
1625 N. French Dr., Hobbs, NM 88240
District II
811 S. First St., 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
Department
Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-147
Revised April 3, 2017

Recycling Facility and/or Recycling Containment

Type of Facility: Recycling Facility Recycling Containment*
Type of action: Permit Registration
 Modification Extension
 Closure Other (explain) _____

* At the time C-147 is submitted to the division for a Recycling Containment, a copy shall be provided to the surface owner.

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

1.
Operator: Solaris Water Midstream, LLC OGRID #: 371643
Address: 811 Katy Freeway, Suite 700 Houston, Texas 77024
Facility or well name (include API# if associated with a well): Eddy State Water Treatment and Reuse Facility
OCD Permit Number: 2RF-149 (For new facilities the permit number will be assigned by the district office)
U/L or Qtr/Qtr K Section 2 Township 26S Range 29E County: Eddy
Surface Owner: Federal State Private Tribal Trust or Indian Allotment

2.
 Recycling Facility:
Location of (if applicable): Latitude _____ Longitude _____
Proposed Use: Drilling* Completion* Production* Plugging *
**The re-use of produced water may NOT be used until fresh water zones are cased and cemented*
 Other, requires permit for other uses. Describe use, process, testing, volume of produced water and ensure there will be no adverse impact on groundwater or surface water.
 Fluid Storage
 Above ground tanks Recycling containment Activity permitted under 19.15.17 NMAC explain type _____
 Activity permitted under 19.15.36 NMAC explain type: _____ Other explain _____
 For multiple or additional recycling containments, attach design and location information of each containment
 Closure Report (required within 60 days of closure completion): Recycling Facility Closure Completion Date: _____

3.
 Recycling Containment: Two (2) in-ground containments
 Annual Extension after initial 5 years (attach summary of monthly leak detection inspections for previous year)
Center of Recycling Containment (if applicable) Pond Lat 32.071540 Long -103.958919 (approx.) NAD 83
 For multiple or additional recycling containments, attach design and location information of each containment
 Lined Liner type: Thickness Secondary 40 mil Primary 60- mil LLDPE HDPE PVC Other _____
 String-Reinforced
Liner Seams: Welded Factory Other Volume: 1,150,000 BBL Ponds Dimensions See Attachment ..1
 Recycling Containment Closure Completion Date: _____

4.

Bonding:

- Covered under bonding pursuant to 19.15.8 NMAC per 19.15.34.15(A)(2) NMAC (These containments are limited to only the wells owned or operated by the owners of the containment.)
- Bonding in accordance with 19.15.34.15(A)(1). Amount of bond \$ __ See Transmittal Letter __ (work on these facilities cannot commence until bonding amounts are approved)
- Attach closure cost estimate and documentation on how the closure cost was calculated.

5.

Fencing:

- Four-foot height, four strands of barbed wire evenly spaced between one and four feet
- Alternate. Please specify: Game fence to protect terrestrial wildlife

6.

Signs:

- 12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers
- Signed in compliance with 19.15.16.8 NMAC

7.

Variances:

Justifications and/or demonstrations that the proposed variance will afford reasonable protection against contamination of fresh water, human health, and the environment.

Check the below box only if a variance is requested:

- Variance(s): Requests must be submitted to the appropriate division district for consideration of approval. If a Variance is requested, include the variance information on a separate page and attach it to the C-147 as part of the application.
- If a Variance is requested, it must be approved prior to implementation.**

8.

Siting Criteria for Recycling Containment

Instructions: The applicant must provide attachments that demonstrate compliance for each siting criteria below as part of the application. Potential examples of the siting attachment source material are provided below under each criteria.

General siting

Ground water is less than 50 feet below the bottom of the Recycling Containment.

NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells **FIGURES 1-2**

- Yes No
- NA

Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended.

- Written confirmation or verification from the municipality; written approval obtained from the municipality **FIGURE 3**

- Yes No
- NA

Within the area overlying a subsurface mine.

- Written confirmation or verification or map from the NM EMNRD-Mining and Minerals Division **FIGURE 4**

- Yes No

Within an unstable area.

- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; topographic map **FIGURE 5**

- Yes No

Within a 100-year floodplain. FEMA map **FIGURE 6**

- Yes No

Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse, or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark).

- Topographic map; visual inspection (certification) of the proposed site **FIGURE 7**

- Yes No

Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.

- Visual inspection (certification) of the proposed site; aerial photo; satellite image **FIGURE 8**

- Yes No

Within 500 horizontal feet of a spring or a fresh water well used for domestic or stock watering purposes, in existence at the time of initial application. **FIGURES 1 and 7**

- NM Office of the State Engineer - iWATERS database search; visual inspection (certification) of the proposed site

- Yes No

Within 500 feet of a wetland. **FIGURE 9**

- US Fish and Wildlife Wetland Identification map; topographic map; visual inspection (certification) of the proposed site

- Yes No

9.

Recycling Facility and/or Containment Checklist:

Instructions: Each of the following items must be attached to the application. Indicate, by a check mark in the box, that the documents are attached.

- Design Plan - based upon the appropriate requirements.
- Operating and Maintenance Plan - based upon the appropriate requirements.
- Closure Plan - based upon the appropriate requirements.
- Site Specific Groundwater Data -
- Siting Criteria Compliance Demonstrations -
- Certify that notice of the C-147 (only) has been sent to the surface owner(s)

10.

Operator Application Certification:

I hereby certify that the information and attachments submitted with this application are true, accurate and complete to the best of my knowledge and belief.

Name (Print): Bradley Todd Carpenter Title: Operations Manager
 Signature: *Bradley Todd Carpenter* Date: October 30, 2020
 e-mail address Todd Carpenter <todd.carpenter@solarismidstream.com> Telephone: 432 203 9020

11.

OCD Representative Signature: *Victoria Venegas* Approval Date: April 14, 2021

Title: Environmental Specialist OCD Permit Number: 2RF-149

- OCD Conditions
- Additional OCD Conditions on Attachment