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Clay Wilson  
Mesquite SWD Inc.  
P.O. Box 1479  
Carlsbad, NM, 88221  
575-706-1840

**Re: BL-1972 (Mesquite SWD, Inc.)**  
**Environmental Protection Requirements**  
**Section 27, Township, 25 South, Range 28 East**  
**Eddy County, New Mexico**

Dear Mr. Wilson:

It has come to our attention that Mesquite SWD, Inc. seeks a Business Lease on the above described NM State Trust Land property. The SLO requires the Grantee to use all reasonable and necessary safeguards to prevent contamination and/or pollution of soil, surface waters, and groundwater

**Contamination Prevention Infrastructure**

To prevent spills from contaminating soils and ground water, spill control infrastructure is required as listed below:

**Newly Installed Pumps, Motors and Storage Tanks** – Newly installed pumps and motors shall be placed within berms on an impermeable surface.

**Trucking Hookup Infrastructure** - All areas where the Salt Water is loaded or unloaded from a tank truck shall have a containment basin (such as a drum, barrel or a lined sump) of sufficient capacity to capture water released from transfer line. This containment basin shall be kept free of liquids

As the easement holder of record, you have incurred certain obligations which include using "all reasonably necessary safeguards to prevent contamination or pollution of soil, surface waters, and groundwater." To achieve this requirement the easement surface shall be maintained in a "clean" condition, free of stained soils and spills.

**Berms and Catchments** – All operations on the Easement premises shall be bermed for spill control and surface runoff control. The berming shall be a minimum of two (2) feet above ground level and prevent spills and surface water runoff for migrating to the playa adjacent to the Easement. A lined catchment within the bermed area shall be maintained and all operators shall be informed in writing of the required operational procedures for the proper handling of spills.

**-State Land Office Beneficiaries -**

Carne Tingley Hospital • Charitable Penal & Reform • Common Schools • Eastern NM University • Rio Grande Improvement • Miners' Hospital of NM • NM Boys School • NM Highlands University • NM Institute of Mining & Technology • New Mexico Military Institute • NM School for the Deaf • NM School for the Visually Handicapped • NM State Hospital • New Mexico State University • Northern NM Community College • Penitentiary of New Mexico • Public Buildings at Capital • State Park Commission • University of New Mexico • UNM Saline Lands • Water Reservoirs • Western New Mexico University

**Tank Containment Infrastructure** - All vessels, such as storage tanks, holding drums for chemical additives, etc. shall be located on an impermeable area, the volume of which shall hold 1.5 times the maximum volume of the storage capacity of the tank(s) located within impermeable area. The impermeable surface shall drain to a sump. The sump shall be maintained with a minimum level of fluids, including meteoric precipitation. The Grantee shall have the option to permanently locate a sump pump, maintain a portable sump pump at the site or utilizing a vacuum truck to eliminate fluids from the sump. Should the Grantee choose to utilize a vacuum truck, all Easement operators shall receive notification in writing for procedures of a vacuum truck should fluids exist.

**Trucking Hookup Infrastructure** - All areas where the transfer of fluids from tank trucks to the disposal facility shall be lined with an impermeable surface draining to a sump that is pumped, via a permanently located sump pump, to storage tanks, or the Easement well. For each station where a connection exists for the transfer of fluids from a tank truck to the facility the impermeable surface shall be no less than 0.5 times the length of the longest truck utilized and 1.5 times the width. The connection point shall be located on the impermeable surface and appropriate curbing is required to direct larger volume spills on the impermeable surface to the sump.

**Facility Pipeline** - All pipelines at the facility shall be located above ground; all buried pipe shall be double lined or in a continuous sleeve that discharges to an impermeable surface that reports to a sump.

**Impermeable Materials and Sump Requirements** - All impermeable surfaces shall be constructed of materials approved in writing by the Grantor; the following guidelines shall apply: HDPE liner of thickness equal to or greater than 20 mm, concrete of thickness capable of supporting 1.5 times the load applied, or other material to be approved by the Grantor. HDPE liners are best utilized as a single sheet with no penetrations, however shall be welded at all seams if necessary and checked for integrity. Operators shall be notified in writing of precautions required to maintain liners free of penetrations and in good condition. Under no circumstances shall a clay lined facility be accepted. A suitable sub-grade material, such as ¾ inch minus aggregate, shall be utilized to maintain the long-term integrity of all liners. If necessary, a suitable material and/or structure shall be placed on top of all liners, capable of supporting 1.5 times the weight of the load applied. A sump shall be placed in or on the impermeable and shall be maintained with a minimal level of fluids.

If you have any further questions regarding requirements on your BL1960&Environmental Requirements please contact me.

Sincerely,



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Cc: Jimmy Neece, District Resource Manager, NMSLO  
Randy Dade, District 2 Supervisor NMOCD  
Jennifer Baca, NMSLO