

Jones, Brad, EMNRD

From: Jones, Brad, EMNRD
Sent: Monday, July 24, 2023 10:12 AM
To: Blythe, Amy M (Amy)
Subject: HBP-43 Natural Gas Pipeline Company of America LLC's 120-day temporary permission approval
Attachments: 2023 0724 HBP-43 Natural Gas Pipeline Company of America LLC 120-day temporary permission signed.pdf

Amy,

Please see the attached 120-day temporary permission approval HBP-43. You will also be receiving an email from OCD Permitting soon. If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Brad Jones

Brad A. Jones • Environmental Scientist Specialist - Advanced
Environmental Bureau
EMNRD - Oil Conservation Division
1220 S. Saint Francis Drive | Santa Fe, New Mexico 87505
(505) 469-7486 | brad.a.jones@emnrd.nm.gov
www.emnrd.nm.gov

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

Todd E. Leahy, JD, PhD
Deputy Secretary

Dylan Fuge
Director, Oil Conservation Division



BY ELECTRONIC MAIL ONLY

July 24, 2023

Ms. Amy Blythe
Natural Gas Pipeline Company of America, LLC
1001 Louisiana St., Suite 1000
Houston, Texas 77002

**Re: Request for Temporary Permission to Discharge Hydrostatic Test Water
Natural Gas Pipeline Company of America, LLC - OGRID 329155
Permit: HBP – 43**

Dear Ms. Blythe:

The New Mexico Oil Conservation Division (OCD) has completed its review of Natural Gas Pipeline Company of America, LLC's (NGPL) submittal, dated July 12, 2023, for approval of a 120-day temporary permission to discharge small quantities of hydrostatic test wastewater generated from the testing of new transmission pipelines of oil and gas or products thereof throughout the State of New Mexico. OCD acknowledges receipt of the filing fee (\$100.00) and temporary permission fee (\$50.00) with a separately mailed submittal received by OCD on July 22, 2023.

Based on the information provided in the request, *temporary permission is hereby granted to EPNG for the discharge of the hydrostatic test wastewater generated from all new pipeline hydrostatic tests* an operator may perform during the approved 120-day period with the following understandings and conditions:

1. the volume of the discharge is less than 25,000 gallons per hydrostatic test;
2. water from a public/municipal water supply or other OCD approved sources, by written request and analytical results, is used for each hydrostatic test;
3. email or written notification must be provided to the OCD 72 hours prior to each hydrostatic discharge event. The notice shall contain the following information:
 - a. the proposed location of hydrostatic test discharge (Section/Township/Range or GPS coordinates);
 - b. the date of the proposed discharge;

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- c. the volume of the proposed discharge; and
 - d. the source of hydrostatic test water;
4. no discharge shall enter any lake, perennial stream, river, or their respective tributaries that may be seasonal;
5. no discharge shall occur:
 - a. where ground water is less than 10 feet below ground surface.
 - b. within 200 feet of a watercourse (19.15.2.7.W(4) NMAC), lakebed, sinkhole, or playa lake (19.15.2.7.P(4) NMAC);
 - c. within an existing wellhead protection area (19.15.2.7.W(8) NMAC);
 - d. within 500 feet of a wetland (19.15.2.7.W(9) NMAC); or
 - e. within 500 feet from the nearest permanent residence, school, hospital, institution, or church;
6. no discharge shall occur to a surface water body without obtaining a National Pollution Discharge Elimination Systems (NPDES) permit from the US EPA, NMED, and OCD prior to the discharge;
7. best management practices must be implemented to contain the discharge onsite, to ensure that the discharge does not impact adjacent property, and to control erosion;
8. the discharge does not cause any fresh water supplies to be degraded or to exceed standards as set forth in Subsections A, B, and C of the 20.6.2.3103 NMAC (the Water Quality Regulations);
9. NGPL shall report all unauthorized discharges, spills, leaks, and releases of hydrostatic test wastewater and conduct corrective action pursuant to the Water Quality Regulations of 20.6.2.1203 NMAC and release notification pursuant to OCD Rule 29 (19.15.29 NMAC);
10. the landowner(s) of each proposed discharge and/or collection/retention or alternative discharge location must be properly notified of the activities prior to each proposed hydrostatic test event; and
11. a report, summarizing each test of new pipeline with less than 25,000 gallons per hydrostatic test per discharge event performed within the approved 120-day period, shall be submitted to OCD within 45 days after the temporary permission expiration date and shall contain the following information:
 - a. the location of hydrostatic test discharge (Section/Township/Range or GPS coordinates);
 - b. the date of each discharge;
 - c. the volume of each discharge; and
 - d. the source and quality of test water (laboratory analysis, if necessary).

This temporary permission shall expire 120-days after July 24, 2023. **This temporary permission will expire on November 21, 2023.** Renewal requests for a 120-day temporary permission to discharge

Natural Gas Pipeline Company of America, LLC
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July 24, 2023
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shall be submitted forty-five (45) days prior to the expiration date. A 120-day temporary permission may be revoked or suspended for violation of any applicable provisions and/or conditions of this approval.

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

If there are any questions, please do not hesitate to contact me at (505) 469-7486 or brad.a.jones@emnrd.nm.gov.

Respectfully,



Brad A. Jones
Environmental Specialist

Natural Gas Pipeline Company of America LLC

July 12, 2023

Mr. Brad Jones
New Mexico Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

Re: Request for 120-Day Temporary Permission to Discharge for Natural Gas Pipeline Company of America L.L.C – OGRID 329155

Dear Mr. Jones,

Natural Gas Pipeline Company of America LLC (NGPL) is submitting the following request for a 120-Day Temporary Permission to discharge waters from hydrostatic tests from new pipe generating less than 25,000 gallons of wastewater per test. Kinder Morgan Inc. owns a 20% interest in NGPL, which is a limited liability company. Kinder Morgan is the "operator" for NGPL. This application was completed using the Oil Conservation Division's (OCD) Guidelines for Hydrostatic Test Dewatering, revised April 21, 2021. A personal check in the amount of \$150.00 is included with this application to cover the filing and permission fees pursuant to 20.6.2.3114 NMAC.

In order to maintain coverage under the 120-Day Temporary Permit, EPNG will comply with the following conditions:

- 1) The volume of the discharge will be less than 25,000 gallons per *hydrostatic test*;
- 2) Water from a public/municipal water supply or other OCD-approved sources, by written request and analytical results, is used for each hydrostatic test;
- 3) Email or written notification shall be provided to the OCD 72-hours prior to each hydrostatic discharge event; The notice shall contain the following information:
 - a) The proposed location of hydrostatic test discharge (Section/Township/Range or GPS coordinates);
 - b) The date of the proposed discharge;
 - c) The volume of the proposed discharge; and
 - d) The source of hydrostatic test water.
- 4) The discharge will not enter any lake, perennial stream, river or their respective tributaries that may be seasonal;
- 5) No discharge shall occur:
 - a) Where ground water is less than 10 feet below ground surface;
 - b) Within 200 feet of a watercourse (defined in 19.15.2.7.W(4) NMAC), lakebed, sinkhole, or playa lake (defined in 19.15.2.7.P(4) NMAC);
 - c) Within an existing wellhead protection area (defined in 19.15.2.7.W(8) NMAC);
 - d) Within 500 feet of a wetland (defined in 19.15.2.7.W(9) NMAC); or
 - e) Within 500 feet from the nearest permanent residence, school, hospital, institution, or church.
6. No discharge shall occur to a surface water body without obtaining a National Pollution Discharge Elimination Systems (NPDES) permit from the US EPA, NMED, and OCD prior to the discharge;

7. Best management practices shall be implemented to contain the discharge onsite, to ensure that the discharge does not impact adjacent property, and to control erosion;
8. The discharge will not cause any fresh water supplies to be degraded or to exceed standards as set forth in Subsections A, B and C of the 20.6.2.3103 NMAC (the Water Quality Regulations);
9. EPNG shall report all unauthorized discharges, spills, leaks, and releases of hydrostatic test wastewater and conduct corrective action pursuant to the Water Quality Regulations of 210.6.2.1203 NMAC and release notification pursuant to OCD Rule 29 (19.15.29 NMAC);
10. The landowner(s) of each proposed discharge and/or collection/retention or alternative discharge location shall be properly notified of the activities prior to each proposed hydrostatic test discharge event; and
11. A report, summarizing each test of new pipeline with less than 25,000 gallons per hydrostatic test per discharge event performed within the approved 120-day period, shall be submitted to OCD within 45 days after the temporary permission expiration date and shall contain the following information:
 - a) The location of each hydrostatic test discharge (Section/Township/Range or GPS coordinates);
 - b) The date of each discharge
 - c) The volume of each discharge; and
 - d) The source and quality of test water (laboratory analysis, if necessary)

If you have any questions, please contact me at 719-520-4813.

Respectfully,



Amy M. Blythe
Environmental Specialist II

Copy (with enclosure):

CC: Chris Janak – Environmental Project Permitting Manager

AMY M BLYTHE
1515 GYPSY COURT
COLORADO SPRINGS, CO 80906

1028
23-71020 1037

7-17-2023 ^{Date}

Pay to the order of Water Quality Management Fund \$ 150.00

One hundred fifty dollars and no/100/100 Dollars

WELLS FARGO
Colorado
wellsfargo.com

Wells Fargo Bank, N.A.

Commit Random Acts of Kindness

For NEPL-120 day Temp Fund

Amy Blythe

Photo
Bank
Account
Details on Back

10/20/2019

District I
 1625 N. French Dr., Hobbs, NM 88240
 Phone:(575) 393-6161 Fax:(575) 393-0720

District II
 811 S. First St., Artesia, NM 88210
 Phone:(575) 748-1283 Fax:(575) 748-9720

District III
 1000 Rio Brazos Rd., Aztec, NM 87410
 Phone:(505) 334-6178 Fax:(505) 334-6170

District IV
 1220 S. St Francis Dr., Santa Fe, NM 87505
 Phone:(505) 476-3470 Fax:(505) 476-3462

State of New Mexico
Energy, Minerals and Natural Resources
Oil Conservation Division
1220 S. St Francis Dr.
Santa Fe, NM 87505

CONDITIONS

Action 239319

CONDITIONS

Operator: Natural Gas Pipeline Company of America LLC 1001 Louisiana Street Houston, TX 77002	OGRID: 329155
	Action Number: 239319
	Action Type: [UF-HP] HBP Permission (HBP)

CONDITIONS

Created By	Condition	Condition Date
bjones	OCD emailed the renewal approval of HBP-43 to Amy Blythe (Kinder Morgan/NGPL) on July 24, 2023. The approval email is attached to this request. If you have any questions regarding this matter, please do not hesitate to contact me.	7/24/2023