

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

**AMENDED APPLICATION OF OIL CONSERVATION  
DIVISION TO ADOPT 19.15.41, 19.15.42, and  
19.15.43 NMAC; STATEWIDE**

**CASE NO. 25875**

**OXY'S PRE-HEARING STATEMENT**

This Pre-Hearing Statement is submitted on behalf of OXY USA Inc. (“Oxy”), through undersigned counsel, as required by the Prehearing Procedural Order issued in this matter on June 8, 2026 and pursuant to 19.15.3.11.B NMAC.

**I. IDENTIFICATION OF PARTY AND COUNSEL**

Oxy has intervened in this matter and is represented by undersigned counsel.

**II. STATEMENT OF THE CASE**

The Energy, Minerals, and Natural Resources Department, Oil Conservation Division has applied to the New Mexico Oil Conservation Commission (“the Commission”) to hold a public hearing to consider and adopt rules for the underground injection of carbon dioxide for geologic sequestration consistent with the U.S. Environmental Protection Agency’s Class VI Underground Injection Control program and the Safe Drinking Water Act.

The proposed new rules are: *19.15.41 NMAC – Procedures for Decision Making*, *19.15.42 NMAC – Underground Injection Control Program*, and *19.15.43 NMAC – Underground Injection Control Program: Criteria and Standards*.

Oxy supports reasonable and efficient regulations and believes that pursuing and obtaining primacy is consistent with New Mexico's previous actions. Seeking Class VI primacy is consistent with New Mexico’s successful efforts to obtain primacy for Class II wells for the New Mexico Oil Conservation Division and Class I, III, IV and V wells for the New Mexico

Environment Department. Class VI Primacy will benefit New Mexico by providing local control over the regulatory process, rather than relying on federal regulatory processes and decisions. Oxy supports New Mexico obtaining primacy for Class VI wells but believes that the proposed rules can be improved with several modifications. Oxy's proposed modifications to the proposed rules are provided in Oxy Exhibit 1A–1C.

### **III. OXY'S WITNESS**

Oxy intends to present the technical testimony of the following witness at the hearing:

#### **1. Tiffany A. Wallace - Oxy**

Ms. Wallace is a petroleum engineer and holds an M.S. in Petroleum Engineering from Texas A&M University. Her current duties include managing policy and external affairs for Oxy in the lower 48 states, including New Mexico. She has previously testified before the New Mexico Oil Conservation Commission on rulemaking issues in her capacity as the Deputy Director of the New Mexico Oil Conservation Division. She has also testified on rulemaking issues in her capacity with Oxy.

Ms. Wallace's written direct testimony will address Oxy's key concerns with the proposed rules and Oxy's proposed modifications. Her qualifications and relevant experience are further detailed in her testimony. Oxy anticipates presenting a 60-minute summary of Ms. Wallace's testimony. Ms. Wallace is available for cross-examination following the submission of her direct testimony. Oxy reserves the right to call Ms. Wallace for rebuttal and surrebuttal testimony as necessary.

### **IV. OXY'S HEARING EXHIBITS**

Oxy has provided with this Prehearing Statement the following exhibits for admittance at the hearing:

**Oxy Exhibit 1A–1C, Oxy's Proposed Modifications.**

**Oxy Exhibit 2**, Direct Testimony of Tiffany A. Wallace.

**V. PROCEDURAL MATTERS**

Oxy has not identified any procedural matters to be resolved prior to the hearing.

Respectfully submitted,

HOLLAND & HART, LLP

*/s/ Aaron Tucker*

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 29, 2026, I served a copy of the foregoing document to the following via Electronic Mail to:

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***Hearing Officer***

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