CASE 6660: B. & W. OIL ERCLAINING FOR AN 'OIL TREATING PLANT PERMIT, EDDY COUNTY, NEW MEXICO

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CASE NO.

6660

APPliCation, Transcripts, Small Exhibits,

ETC.



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INDEX

FRANK BOYCE

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Direct Examination by Mr. Watson

ROLAND WILLBANKS

Direct Examination by Mr. Watson Cross Examination by Mr. Stamets

EXHIBITS

Applicant Exhibit One, Plat Applicant Exhibit Two, Document Applicant Exhibit Three, Diagram Applicant Exhibit Four, Statement Applicant Exhibit Five, Statement

MR. STAMETS: Call next Case Number 6660. MR. PADILLA: Application of B. & W. Oil Reclaiming for an oil treating plant permit, Eddy County, New Mexico.

MR. WATSON: Mr. Examiner, Fred Watson from Artesia, attorney for the applicant in this case. I would anticipate that we would have two witnesses, one for the -- to show the land where this is located and the other to show the process. Both of the applicants are here.

MR. STAMETS: I'd like to have both of

the witnesses stand and be sworn, please.

(Witnesses sworn.)

FRANK BOYCE

being called as a witness and having been duly sworn upon his oath, testified as follows, to-wit:

DIRECT EXAMINATION

BY MR. WATSON:

Q.

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please, sir?

C

Q You are one of the applicants and a member

For the record, will you state your name,

of the company called B. & W. Oil Reclaiming?

Frank Boyce.

LLY WALTON BO FFEIS SHOATHAND REDOR FFEIS SHOATHAND REDOR FFEIS SHOATHAND REDOR FFEIS SHOATHAND REDOR 1

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2	Q. With reference to the permit sought here
	in this case?
4	
	A. Yes.
5	Q I'll hand you what's been marked on the
G A CARACTERISTICS OF A CARACTERISTICARACTERISTICS OF A CARACTERISTICS OF A CARACTERIS	back as Applicant's Exhibit Number One. I'll ask you to
7	describe that. Is that just a plat or an area map of the
8	area?
Na se de la companya de la companya A companya de la comp A companya de la comp	A. Yes, it is.
	Q And your land is located in Section 34,
	Township 18 South, Range 26 East?
TIN 12	A. Yes, that's right.
	Q In Eddy County. How far is the and
	the plant site is colored in red. It's ten acres down in
15	the northeast corner, is that correct?
16	A. Yes, sir.
17	Q. And that's where your reclaiming plant
18	
19	will be located if the permit is approved.
	A. That's correct.
20	Q. And you're a considerable distance from
21	Artesia. Have you calculated that?
22	A. It's 13 miles.
23	
24	Q 8 south and 2 or 3 east, in other words.
25	A. Yes.
	Q Approximately 13 miles from the City of
⊈n 1. Na an Anna an Anna an Anna Anna Anna An	

Province.

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~	<u>}</u>	1	Artasia. Are there any other heading the billed and the
	ах	2	Artesia. Are there any other heavily inhabited areas in
<u> </u>			where this plant will be located?
		3	A. Well, just the little town of Atoka, which
		4	is 8 miles, approximate.
		5	Q. Is there how far are the nearest resi-
	. ·	6	dential properties from this plant site?
		7	A The closest residential area would be
		8	approximately 2 miles.
$ \begin{array}{c} \left($		9	Q. Okay, and that's sparse settlement, is
		10	that right?
	N BO	17	A Yes, there's just two persons down in that
9		12	
	V W V	13	area.
	SALL SALL Gentry Banta	14	Q And the land where your plant will locate,
		l	that is fee land, it would be fee located, it's fee land
		15	owned by you, is that correct?
	i secono	16	A. Yes, that's correct.
		17	Q What kind of land is it?
		18	A It's just pasture land.
		19	Q Unimproved pasture land?
		20	A. Unimproved pasture land.
	an an tao an Tao an tao an	21	Q. Now I'll hand you what's been marked on
	× .	22	the back as Applicant's Exhibit Number Two and ask you if
		23	
J		24	that shows the lands that you own in this area? Roughly?
		25	A. Yes.
			Q. In other words, you own the entire northeas
	and an	Hain San tinu (1995)	

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,	1	quarter of Section 34, Township 18 South, Range 26 East.
	2	A. Yes.
and and a second se	3	Ω You also own land north of the road, which
	4	is at the north to that section.
	5	A. Yes, that's right.
	6	Q. You own the east half of the southwest
	7	corner quarter, the west half of the southeast quarter,
	8	the southeast quarter of the southeast quarter, and those
	9	other small 10-acre tracts?
170 4163 1412	10	A. Yes, that's right.
0 N B O O O O O O O O O O O O O O O O O O	11	Q. In other words, you'll not be in locating
	12	your plant you'll not be abutting it against the land of any
	• 13 •	other person.
	14	A No, that's correct. It will be just on
	15	quite a distance from anyone's property anyone else's
	16	property.
n an	17	
	18	Q. Have you calculated where this will be
		located in the northeast quarter? For instance, approximately
	19	how far is it from from the north 660?
	20	A. From the north?
	21	Q. Yeah.
	22	A. No.
O	23	Q Is it about
	24	A. One guarter.
	25	Q Is it about 330 from the north line?
	-	

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			Page7
	1	λ.	330 from the north line.
	2		
		Q.	And about what, 600 feet?
	3	Λ.	About 600 feet from the other line
	4	Q	From the east line of Section 34?
	5	λ.	Right.
	6	Q. (4)	Okay.
-	7		MR. WATSON: That was the main purpose of
	8	having this witnes	as and the process will be described by
	9	Mr. Willbank.	
BOYD EPONTEN 471-4403	10		MR. STAMETS: Okay. Any questions of Mr.
	11	Boyce? He may be	excused.
WALTON SHOATHAND Blanca (601)	12	·.	
	13		ROLAND WILLBANKS
SAL	14	being called as a	witness and having been duly sworn upon
	15	his oath, testifie	ed as follows, to-wit:
	16		
د این اسان این د درشا ده میشند. ا	17		DIRECT BRAMINATION
	18	BY MR. WILLBANKS:	
	19	Q	Now, let me hand you what's been marked as
	20	Applicant's Exhibi	t wait, first, you're Roland L. Will-
	21	banks?	
	22	A	Yes, sir.
	23		And you're one of the applicants for this
	24	oil sediment treat	
	25		
		A.	Yes, I am.

				Page
	$\widehat{}$	1	Q.	You'll be one of the partners in the B. &
		2 y	. Reclaiming	,
		3	A.	Yes.
		4	Q.	the operators of this plant?
		5	λ.	Uh-huh.
		6	Q	What is your experience in the oil business,
and gradient strategies in the second strategies of the second strategi		7 N	lr. Willbanks	?
		8	A.	Well, I've I've been involved in hot
		9 c	il work since	e '74. In fact I operated a treating plant for
	OYD ONTEN T101	10 _I	ank Service i	for about two years and I've been in the hot oil
		11 E	usiness for f	four years, and I've been involved in production
	TIRW MINING	12 W	ith Amoco Pro	oduction.
		13	Q	How long were you with Amoco?
		14	. A .	About five years.
		15	Q	And you presently operate your own business,
	in de la companya de Reference de la companya de la company Reference de la companya de la compa	16 k	nown as Willb	oanks Hot Oil Service?
	an a	17	Α.	Yes.
		18	Q.	Headquartered?
		19	A	In Artesáa.
		20	Q	In Artesia? In Riverside, New Mexico, near
		21 A	rtesia.	
		22	A	Uh-huh.
	0	23	Q.	You have not oil units, in other words.
		24	Ă.	Yes, sir.
		25	Q.	That would be available. Okay, Mr. Will-

banks, I'll ask you what's -- I'll hand you what's been marked as Applicant's Exhibit Number Three and ask you to describe that for the Examiner, please.

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A Okay. What we have is one 400-barrel storage tank, which we'll use to bring this sediment oil into store, and then we have on the south end here, we have two 210-barrel sales tanks, which we'll use to transfer the oil out of the storage tanks into these sales tanks and treat it out in the sales tanks. And then what wasto we have we'll bleed it off into this 250-barrel waste tank, which will be a fibreglass tank, which all of this waste will be trucked out. We'll truck to Lea County Disposal to dispose of it. And of course we'll also have a firewall, which will be a 3-foot dike. 120 feet by 120 feet, which will enclose the process area.

And as far as the treating process itself, we intend to do this with my het cil units, which is just a truck-mounted heater.

MR. STAMETS: Will you be moving the fluid to the area in this hot oil truck?

A. No, we we use a vacuum truck. I've got vacuum trucks that we intend to incorporate into this B. & W. business.

Q Now will you please describe for the Examiner what's been marked Exhibit Four?

Page _____10____

That's simply a statement as to the type of equipment, is it not?

A Okay, the one tank will be a fibreglass water and waste tank, which will be equipped with --- all tanks except the fibreglass water tank will be equipped with vapor-proof positive-seal thief hatches, and of course the fibreglass tank will be an open top tank, and this will be strictly for holding the waste that we bleed off the processed oil.

No portion of the treating system from storage tank through treating process and into the sales tank will permit of or involve any emissions into the atmosphere. The storage tank, sales tank, treating lines, drain lines, and pipeline will be metal. The proposed water and waste tank will be an open top 250-barrel fibreglass tank, and the firewall approximately 120 feet square will be constructed as an earth dike three feet high.

Basically, then, that, with the hot oil
 units, will be your equipment - A. Yes, sir.

Q. -- for the operation of the plant?

A. Yes, sir.

Q Finally I'll hand you what's been marked as Applicant's Exhibit Number Five, which described the treating process. I believe you've been through part of

ALLY WALTON BOYD TTIFFID SHOTTAND REPORTER SPIRIT BANKA (505) 471-5462 MARIA PA, New Moridon 57361 1

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that but if you'll just review that as quickly as possible for the ---

A. Sediment oil from tank bottoms and pits on various leases located within a radius of about 50 miles from the plant will be trucked by vacuum truck to the treating plant and put into the 400-barrel storage tank.

The sediment oil will be treated with hot oil units of Willbanks Hot Oil Service, Incorporated. Suction will be pulled off from a storage tank and discharged into bottom of sales tanks after pumping through heater on hot oil unit. Chemicals will be added and oil will be heated to 135 degrees Fahrenheit.

Oil in sales tanks will be allowed to sit for 24 hours to allow water and heavy sediment to settle to bottom of tank. Water from sales tanks will be bled to 250 barrels water and waste tank to be trucked off for proper disposal at later times as required.

Further, the heavy sediment, which will be mostly paraffin, will be bled to the water and waste tank and trucked to a permitted disposal facility from time to time as necessary.

Q In other words, that describes your process and the waste material, we've amended the application. There will be no pit burning or anything.

No.

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SALLY WALTON BOYD SATTPED SHORTHAND REPORTER 5

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		1	Ū.	The waste materia	l will be re	moved from
	. <u>.</u>	2	tho site and tak	en to the Lea Count	y Disposal.	an a
		3	A.	Yes, sir.		an an air an tha an
		4	Q.	By truck.	-	
		5	А.	Yes, sir.		
		6	A	And it will be a	closed syste	m, then, in
	. *	7		be no emissions int		
		8	the process.			nore auring
			the process.	· · · · · · · · · · · · · · · · · · ·		
	o 5 7_	10	А.	Yes, sir, that's		
·			Q	Now you're fully	familiar with	h these ex-
$\widehat{}$	NOL (191	11	hibits that have	been testified to	and they were	e prepared
and the second	WAL BHORN	12	from your notes	and at your directi	on, is that	correct?
		13	λ.	Yes, sir.		<u></u>
	29 8 2 3	14	φ	Mr. Willbanks, ar	e you and Mr	. Boyce aware
	-	15	that you must po	st a bond, a \$10,00	0 performance	e bond, with
	· · ·	16	the Division prid	or to commencing op	erations?	
		- 17 - E		Yes, sir, we are.		
		18	Q.	And you've taken	the prelimina	aries to ob-
		19	tain that bond.	- 		
		20	A	Yes, we have.		
		21	¢.	And will post it]	hafara hadin	lna onoratio
		22			berore begin	ing operation
		23	if this permit is			
		24	λ.	Yes, sir, we will		
		25	Q.	Will this process	treat and re	eclaim as
		20 i		l sediment oil which	and the second	· · ·

and a second second

.1 wasted? 2 Yes, sir, this is true. This is all the A. oil that's just disposed of. 3 0. In other words it's considered wasted and 5 disposed of and it's just picked up and treated. Yes, sir, it's just wasted oil on tank 6 A. 7 bottoms that normally are disposed of or else oil that had 8 been bled to pits. What's your capacity on this plant? 9 a It would be about 180 barrels a day, would 10 A. 11 be maximum capacity. 12 And of that would a portion be waste or Q 13 would that be the recovered oil? 14 A. Well, that would be the recovered 180 a 15 day, would be a maximum recovery, which normally, of the 16 waste, it's about 65 percent recovery and about 35 percent 37 waste. 18

MR. WATSON: The applicant's move the introduction of their Exhibits One, Two, Three, Four, and Five. MR. STAMETS: These exhibits will be ad-

MR. WATSON: The applicants rest.

CROSS EXAMINATION

BY MR. STAMETS:

mitted.

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Mr. Willbanks, I presume you will have no 0. 2 pits at this site. 3 λ. No, sir, there will be no pite at all. Q. And if you should ever have a spill you've 5 got the equipment to clean it up at the site. 6 Yes, we've got it already. A. 7 Q. And I presume you intend to file all the 8 reports that are required. 9 A. Yes, sir, I'm pretty familiar with these 10 reports and everything because I have -- I operated a treating 11 plant for about two years and then Yates Petroleum as a re-12 claiming permit themselves and I've been in the process of 13 reclaiming their oil for them in which I've had to handle 14 the proper paper work for transferring the oil. 15 MR. STAMETS: Any other questions of the 16 witness? He may be excused. 17 Anything further in this case? 18 The case will be taken under advisement. 19

(Hearing concluded.)

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REPORTER'S CERTIFICATE
I, SALLY W. BOYD, a court reporter, DO HEREBY
CERTIFY that the foregoing and attached Transcript of Hearing
before the Oil Conservation Division was reported by me;
that the said transcript is a full, true, and correct record
of the hearing, prepared by me to the best of my ability from
my notes taken at the time of the hearing.

Sally W. Boyd, C.S.R.

Oil Conservation Division

SALLY WALTON BOYD SETTFEE SHORTHAND REPORTED 316 Plain Blacca (345) 411-346 Sanda Pe, New Review 317-34


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· · · · · · · · · · · · · · · · · · ·	<u> </u>	1.	MR. NUTTER: We'll ca	11 next Case Number
1 1	т. 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	2	6660. <u>(</u>);	
Ageneration A <u>n 1991 - International International International International International International International I</u> nternational International Internation International International Internation International International Internationa International International International International International International International International Internationa International International International International International International International Internationa		3	MR. PADILLA: Applica	tion of B & W Oil
		4		
		5	Reclaiming for an oil treating plant pe	rmit, Eddy County,
			New Mexico.	
		6	MR. NUTTER: Applican	t has requested that
		7	this case be continued.	-
		8	Case Number 6660 will	be continued to the
		· · · · · · · · · · · · · · · · · · ·	Examiner Hearing scheduled to be held a	t this same place at
	ΧD	Ê	9:00 o'clock a. m. October 2nd, 1979.	
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			(Hearing concluded.)	a an
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REPORTER'S CERTIFICATE

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WALTON

I, SALLY W. BOYD, a court reporter, DO HEREBY CERTIFY THAT THE FOREGOING and attached Transcript of Hearing before the Oil Conservation Division was reported by me; that the said transcript is a full, true, and correct record of the hearing, prepared by me to the best of my ability, from my notes taken at the time of the hearing.

Sally W. Boyd, C.S.R.

I do hereby certify that the foregoing is a complete record of the proceedings in the Examiner hearing of Case No. 4669 heard by me on . Examiner

Oil Conservation Division



	Page 2
	MR, NUTTER: We'll call next Case Number
· ,	2 6660.
	MR. PADILLA: Application of B. & W. Oil
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	⁵ New Mexico.
	• MR, NUTTER: Applicant has requested that
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5 E §=	 ¹⁰ 9:00 o'clock a. m. October 2nd, 1979.
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	12 (Hearing concluded.)
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Sally W. Boyd, C.S.R.

I do hereby certify that the foregoing is a complete record of the proceedings in the Examiner hearing of Case No. 6669 heard by me on 919 19 79. Examiner Oil Conservation Division

STATE OF NEW MEXICO ENERGY AND MINERALS DEPARTMENT OIL CONSERVATION DIVISION

IN THE MATTER OF THE HEARING CALLED BY THE OIL CONSERVATION DIVISION FOR THE PURPOSE OF CONSIDERING:

> CASE NO. 6660 Order No. R-6144

APPLICATION OF B. & W. OIL RECLAIMING FOR AN OIL TREATING PLANT PERMIT, EDDY COUNTY, NEW MEXICO.

ORDER OF THE DIVISION

BY THE DIVISION:

This cause came on for hearing at 9 a.m. on October 2, 1979, at Santa Fe, New Mexico, before Examiner Richard L. Stamets.

NOW, on this 18th day of October, 1979, the Division Director, having considered the testimony, the record, and the recommendations of the Examiner, and being fully advised in the premises,

FINDS:

(1) That due public notice having been given as required by law, the Division has jurisdiction of this cause and the subject matter thereof.

(2) That the applicant, B. & W. Oil Reclaiming, seeks authority to construct and operate a chemical and heat-treatment type oil treating plant in the NE/4 NE/4 NE/4 of Section 34, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico, for the reclamation of up to approximately 180 barrels of sediment oil per day to be obtained from tank bottoms, disposal water, and waste pits.

(3) That dikes, dams and/or emergency pits should be constructed around the plant capable of holding the entire capacity of all tanks and vessels at the plant location in order that sediment oil, reclaimed oil, or waste oil cannot escape from the immediate vicinity of such plant.

(4) That the proposed plant and method of processing will efficiently process, treat, and reclaim the aforementioned waste oil, thereby salvaging oil which would otherwise be wasted. -2-Case No. 6660 Order No. R-6144

(5) That the subject application should be approved as being in the best interests of conservation.

IT IS THEREPORE ORDERED:

(1) That the applicant, B. & W. Oil Reclaiming, is hereby authorized to install and operate a chemical and heattreatment type oil treating plant in the NE/4 NE/4 NE/4 of Section 34, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico, for the purpose of treating and reclaiming sediment oil to be obtained from tank bottoms and waste pits;

PROVIDED HOWEVER, that the continuation of the authorization granted by this order shall be conditioned upon compliance with the laws of the State of New Mexico and the rules and regulations of the New Mexico Oil Conservation Division;

PROVIDED FURTHER, that prior to commencing operation of said plant, the applicant shall file with the Division a performance bond in the amount of \$10,000.00 conditioned upon substantial compliance with applicable statutes of the State of New Mexico and all rules, regulations and orders of the Oil Conservation Division.

(2) That the operator of the above-described oil treating plant shall clear and maintain in a condition clear of all debris and vegetation a fireline at least 15 feet in width and encircling the site upon which the plant is located.

(3) That dikes, dams and/or emergency pits shall be constructed around the plant capable of holding the entire capacity of all tanks and vessels at the plant location and capable of preventing the escape of any sediment oil, reclaimed oil, or waste oil from the immediate vicinity of said plant.

(4) That the disposal of waste water accumulated in conjunction with the operation of the above-described plant on the surface of the ground, or in any pit, pond, lake, depression, draw, streambed, or arroyo, or in any watercourse, or in any other place or in any manner which will constitute a hazard to any fresh water supplies is hereby prohibited.

(5) That jurisdiction of this cause is retained for the entry of such further orders as the Division may deem necessary.

-3-Case No. 6660 Order No. R-6144

SEAL

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DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.

STATE OF NEW MEXICO OIL CONSERVATION DIVISION JOE D. RAMEY



STATE OF NEW MEXICO ENERGY AND MINERALS DEPARTMENT OIL CONSERVATION DIVISION

BRUCE KING LARRY KEHOE SECRETARY

October 18, 1979

POST OFFICE BOX 2008 STATE LAND OFFICE BUILDING SANTA FE, NEVY MEXICO 67501 (505) 827-2434

Mr. Fred A. Watson Watson & Watson Attorneys at Law P. O. Drawer E Artesia, New Mexico 88210

Re:	CASE NO.	6660		
	ORDER NO.	R-6144		

Applicant:

B. & W. Reclaiming

Dear Sir:

Enclosed herewith are two copies of the above-referenced Division order recently entered in the subject case.

Pours very truly, 1 JOE D. RAMEY Director

JDR/fd

Copy of order also sent to:

Hobbs OCD	X
Artesia OCD	X
Aztec OCD	

Other

1 STATE OF NEW MEXICO ENERGY AND MINERALS DEPARTMENT 2 Oil Conservation Division State Land Office Bldg. Santa Fe, New Mexico 3 2 October 1979 EXAMINER HEARING 5 6 IN THE MATTER OF: 7 Application of B. & W. Oil Reclaim-) CASE ing for an oil treating plant permit,) 8 6660 Eddy County, New Mexico. -) 9 ì 10 BEFORE: Richard L. Stamets 11 SALLY WALTON 12 TRANSCRIPT OF HEARING 13 14 APPEARANCES 15 16 Ernest L. Padilla, Esq. For the Oil Conservation 17 Division: Legal Counsel for the Division State Land Office Bldg. 18 Santa Fe, New Mexico 87503 19 20 For the Applicant: Fred Watson, Esq. 'Artesia, New Mexico 21 22 23 24 25

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FRANK BOYCE

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MR. STAMETS: Call next Case Number 6660.
MR. PADILLA: Application of B. & W. Oil
Reclaiming for an oil treating plant permit, Eddy County,
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MR. WATSON: Mr. Examiner, Fred Watson
frcm Artesia, attorney for the applicant in this case. I
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(Witnesses sworn.)

FRANK BOYCE

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DIRECT EXAMINATION

BY MR. WATSON:

A.

Q. For the record, will you state your name, please, sir?

Frank Boyce,

Q. You are one of the applicants and a member

of the company called B. & W. Oil Reclaiming?

LY WALTON BOYD The shorthaub neronter and Black (191) 111-2101 8

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1 A. Yes. 2 Q. With reference to the permit sought here 3 in this case? Yes. Α. 5 Q. I'll hand you what's been marked on the 6 back as Applicant's Exhibit Number One. I'll ask you to 7 describe that. Is that just a plat or an area map of the 8 area? 9 Yes, it is. A. 10 Q. And your land is located in Section 34, 11 Township 18 South, Range 26 East? 12 Yes, that's right. <u>A</u> 13 In Eddy County. How far is the -- and Q. 14 the plant site is colored in red. It's ten acres down in 15 the northeast corner, is that correct? 16 Yes, sir, A. 17 And that's where your reclaiming plant 0. 18 will be located if the permit is approved. 19 A. That's correct. 20 And you're a considerable distance from Q. 21 Artesia. Have you calculated that? 22 A. It's 13 miles. 23 8 south and 2 or 3 east, in other words. 0. 24 Yes. A. Approximately 13 miles from the City of <u>Q</u>.

Fage

				Page5
••••		1	Artesia. Are t	here any other heavily inhabited areas in
		2	where this plan	t will be located?
		3	А.	Well, just the little town of Atoka, which
		4	is 8 miles, app	roximate.
		5	Q.	Is there how far are the nearest resi-
		6	dential propert:	ies from this plant site?
		7	λ.	The closest residential area would be
		8	approximately 2	miles.
an an an <u>An</u> arana.		9	Q.	Okay, and that's sparse settlement, is
· · · ·	OYD PONTER 11-111	10	that right?	
	ON BY	11	А.	Yes, there's just two persons down in that
	NAL T	12	area.	
		13	Q	And the land where your plant will locate,
	S E E	14	that is fee land	d, it would be fee located, it's fee land
		15	owned by you, is	s that correct?
		16	А.	Yes, that's correct.
		17	· Q.	What kind of land is it?
		18	A.	It's just pasture land.
	*	19	Q	Unimproved pasture land?
		20	A	Unimproved pasture land.
		21	Q	Now I'll hand you what's been marked on
		22	the back as App	licant's Exhibit Number Two and ask you if
		23	that shows the 1	lands that you own in this area? Roughly?
		24	A.	Yes.
		25	Q.	In other words, you own the entire northeas

an an the state of the second s

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		Page6
	1	quarter of Section 34, Township 18 South, Range 26 East.
	2	A. Yes.
	3	0 You also own land north of the road, which
	4	is at the north to that section.
	5	A. Yes, that's right.
	6	Q. You own the east half of the southwest
	7	corner quarter, the west half of the southeast quarter,
	8	the southeast quarter of the southeast quarter, and those
	9	other small 10-acre tracts?
DYD MATER MATER	10	A. Yes, that's right.
N BC	11	Q. In other words, you'll not be in locating
	12	your plant you'll not be abutting it against the land of any
LLY V NYKO SI Marko Si Marko Si	13	other person.
SS See	14	A. No, that's correct. It will be just on
	15	quite a distance from anyone's property anyone else's
	16	property.
· · · · · · · · · · · · · · · · · · ·	17	Q. Have you calculated where this will be
	18	located in the northeast quarter? For instance, approximately
	19	how far is it from from the north 660?
	20	A. From the north?
	21	Q. Yeah.
	22	A. No.
	23	Q. Is it about
	24	A. One quarter.
	25	Q. Is it about 330 from the north line?

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			Page
	1	A.	330 from the north line.
WE REPORTER 665) 471-2462 66400 37501	2	·	And about what, 600 feet?
	3	А.	About 600 feet from the other line.
	4	Q.	From the east line of Section 34?
	5	А.	Right.
	6	Q	Okay.
	7		MR. WATSON: That was the main purpose of
	8	having this witne	ess and the process will be described by
	9	Mr. Willbank.	
	10		MR. STAMETS: Okay. Any questions of Mr.
	11	Boyce? He may be	excused.
	12		
centreu a 3626 Maza B Santa 7º,	13	-	ROLAND WILLBANKS
	14	being called as a	witness and having been duly sworn upon
	15	his oath, testifi	ed as follows, to-wit:
	16		
	17		DTRECT ΕΧΑΜΙΝΆΤΙΟΝ
	18	BY MR. WILLBANKS:	
	19	Q	Now, let me hand you what's been marked as
	20	Applicant's Exhib	it wait, first, you're Roland L. Will-
	21	banks?	
	22	A.	Yes, sìr.
	23	Q	And you're one of the applicants for this
	24	oil sediment trea	ting plant?
	25	А.	Yes, I am.

SALLY WALTON BOYD CERTIFIED SHORTHAND REPORTER 1125122 BLDDOL (011) 111-2112

 You'll be one of the partners in the B. & W. Reclaiming, A. Yes. Q the operators of this plant? A. Uh-huh. Q. What is your experience in the oil business Mr. Willbanks? B. A. Well, I've I've been involved in hot
 3 A. Yes. 4 Q the operators of this plant? 5 A. Uh-huh. 6 Q. What is your experience in the oil business 7 Mr. Willbanks?
 4 Q the operators of this plant? 5 A Uh-huh. 6 Q What is your experience in the oil business 7 Mr. Willbanks?
 5 A. Uh-huh. 6 Q. What is your experience in the oil business 7 Mr. Willbanks?
 6 Q. What is your experience in the oil business 7 Mr. Willbanks?
7 Mr. Willbanks?
8 A. Well, I've I've been involved in hot
9 oil work since '74. In fact I operated a treating plant for
Tank Service for about two years and I've been in the hot oil
¹¹ business for four years, and I've been involved in production
12 with Amoco Production.
2 How long were you with Amoco?
A. About five years.
15 Q. And you presently operate your own business
16 known as Willbanks Hot Oil Service?
17 A. Yes.
18 Q. Headquartered?
19 A. In Artesia.
20 Q. In Artesia? In Riverside, New Mexico, near
21 Artesia.
22 A. Uh-huh.
23 Q. You have not oil units, in other words.
24 A. Yes, sir.
25 Q. That would be available. Okay, Mr. Will-

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banks, I'll ask you what's -- I'll hand you what's been marked as Applicant's Exhibit Number Three and ask you to describe that for the Examiner, please.

A. Okay. What we have is one 400-barrel storage tank, which we'll use to bring this sediment oil into store, and then we have on the south end here, we have two 210-barrel sales tanks, which we'll use to transfer the oil out of the storage tanks into these sales tanks and treat it out in the sales tanks. And then what waste we have we'll bleed it off into this 250-barrel waste tank, which will be a fibreglass tank, which all of this waste will be trucked out. We'll truck to Lea County Disposal to dispose of it. And of course we'll also have a firewall, which will be a 3-foot dike, 120 feet by 120 feet, which will enclose the process area.

And as far as the treating process itself, we intend to do this with my hot oil units, which is just a truck-mounted heater.

MR. STAMETS: Will you be moving the fluid to the area in this hot oil truck?

A. No, we we use a vacuum truck. I've got
 vacuum trucks that we intend to incorporate into this B. &
 W. business.

Q. Now will you please describe for the Examiner what's been marked Exhibit Four?

LLY WALTON BOYD TIPED SHOATHAND REPORTER FAILE IIIADEI (606) 471-3463 2

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That's simply a statement as to the type of equipment, is it not?

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A. Okay, the one tank will be a fibreglass water and waste tank, which will be equipped with -- all tanks except the fibreglass water tank will be equipped with vapor-proof positive-seal thief hatches, and of course the fibreglass tank will be an open top tank, and this will be strictly for holding the waste that we bleed off the processed oil.

No portion of the treating system from storage tank through treating process and into the sales tank will permit of or involve any emissions into the atmosphere. The storage tank, sales tank, treating lines, drain lines, and pipeline will be metal. The proposed water and waste tank will be an open top 250-barrel fibreglass tank, and the firewall approximately 120 feet square will be constructed as an earth dike three feet high.

Q. Basically, then, that, with the hot oil units, will be your equipment --

A. Yes, sir.
Q. -- for the operation of the plant?
A. Yes, sir.
Q. Finally I'll hand you what's been marked
as Applicant's Exhibit Number Five, which described the
treating process. I believe you've been through part of

that but if you'll just review that as guickly as possible for the --

11.

3 Sediment oil from tank bottoms and pits on A. various leases located within a radius of about 50 miles 4 - 5 from the plant will be trucked by vacuum truck to the treating 6 plant and put into the 400-barrel storage tank.

The sediment oil will be treated with hot 8 oil units of Willbanks Hot Oil Service, Incorporated. Suction will be pulled off from a storage tank and discharged into bottom of sales tanks after pumping through heater on hot oil unit. Chemicals will be added and oil will be heated to 135 degrees Fahrenheit.

Oil in sales tanks will be allowed to sit for 24 hours to allow water and heavy sediment to settle to bottom of tank. Water from sales tanks will be bled to 250 barrels water and waste tank to be trucked off for proper disposal at later times as required.

Further, the heavy sediment, which will be mostly paraffin, will be bled to the water and waste tank and trucked to a permitted disposal facility from time to time as necessary.

In other words, that describes your pro-Q. cess and the waste material, we've amended the application. There will be no pit burning or anything.

No.

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1 The waste material will be removed from Q. 2 the site and taken to the Lea County Disposal, 3 Yes, sir. **X** By truck. Q. 5 A. Yes, sir. ß And it will be a closed system, then, in Q. 7 that there will be no emissions into the atmosphere during 8 the process. Yes, sir, that's true. A. 10 Now you're fully familiar with these ex-0. 11 hibits that have been testified to and they were prepared 12 from your notes and at your direction, is that correct? 13 Yes, sìr. A. 14 Mr. Willbanks, are you and Mr. Boyce aware Q. 15 that you must post a bond, a \$10,000 performance bond, with 16 the Division prior to commencing operations? 17 A. Yes, sir, we are. 18 And you've taken the preliminaries to ob-0. 19 tain that bond. 20 Yes, we have. A. 21 And will post it before beginning operations Q. 22 if this permit is granted. 23 A. Yes, sir, we will. 24 Will this process treat and reclaim as 0. 25 useable crude oil sediment oil which would otherwise be

13 wasted? A. Yes, sir, this is true. This is all the 2 oil that's just disposed of. 3 In other words it's considered wasted and Q. 4 disposed of and it's just picked up and treated. 5 Yes, sir, it's just wasted oil on tank 6 A. bottoms that normally are disposed of or else oil that had 7 been bled to pits. 8 0. What's your capacity on this plant? 9 It would be about 180 barrels a day, would 10 A. 11 be maximum capacity. 12 And of that would a portion be waste or Q 13 would that be the recovered oil? 14 Well, that would be the recovered 180 a A. 15 day, would be a maximum recovery, which normally, of the 16 waste, it's about 65 percent recovery and about 35 percent 17 waste. 18 MR. WATSON: The applicant's move the in-19 troduction of their Exhibits One, Two, Three, Four, and Five. 20 MR. STAMETS: These exhibits will be ad-21 mitted. 22 MR. WATSON: The applicants rest. 23 24 CROSS EXAMINATION BY MR. STAMETS:

Mr. Willbanks, I presume you will have no

2 pits at this site.

Q.

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A. No, sir, there will be no pits at all. And if you should ever have a spill you've Q. got the equipment to clean it up at the site.

> Yes, we've got it already. A.

7 And I presume you intend to file all the 0. 8 reports that are required.

9 A. Yes, sir, I'm pretty familiar with these 10 reports and everything because I have -- I operated a treating 11 plant for about two years and then Yates Petroleum as a re-12 claiming permit themselves and I've been in the process of 13 reclaiming their oil for them in which I've had to handle the proper paper work for transferring the oil.

15 MR. STAMETS: Any other questions of the 16 witness? He may be excused.

Anything further in this case?

The case will be taken under advisement.

(Hearing concluded.)

REPORTER'S CERTIFICATE

I, SALLY W. BOYD, a court reporter, DO HEREBY CERTIFY that the foregoing and attached Transcript of Hearing before the Oil Conservation Division was reported by me; that the said transcript is a full, true, and correct record of the hearing, prepared by me to the best of my ability from my notes taken at the time of the hearing.

Sally W. Boyd C.S.R. Sally W. Boyd, C.S.R.

15

I do hereby certify that the foregoing is a complete record of the proceedings in the Examiner hearing of Case No. 6660. 19.75 heard by me on 10-7 Examiner 1 Man Kicharl Δ. Oil Conservation Division

SALLY WALTON BOYD SATLY WALTON BOYD SATTRED SHORTHAND REPORTED STORE 2 MANNER (101) 11 2410 SECTA P., NOT MINDO 07101 1

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Application of Frank Boyce and Ronald L. Wilbanks d/b/a B. & W. Oil Reclaiming for a Sediment Oil Treating Plant Permit (to be located in NE/4NE/4NE/4 of Section 34, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico).

Plat showing lands owned by applicant Boyce in vicinity of plant site.



Application of Frank Boyce and Ronald L. Wilbanks d/b/a B. & W. Oil Reclaiming for a Sediment Oil Treating Plant Permit (to be located in NE/4NE/4NE/4 of Section 34, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico).

Narrative Description of Treating Process

Sediment oil from tank bottoms and pits on various leases, located within a radius of about 50 miles from the plant, will be trucked by vacuum truck to the treating plant and put into the 400 bbl. storage tank.

The sediment oil will be treated with hot oil units of Wilbanks Hot Oil Service, Inc. Suction will be pulled off front of storage tank and discharged into bottom of sales tanks, after pumping through heater on hot oil unit. Chemicals (to knock out water) will be added and oil will be heated to 135° fahreheit. Oil in sales tanks will be allowed to sit for 24 hours, to allow water and heavy sediment to settle to bottom of tank. Water from sales tanks will be bled to 250 bbl. water and waste tank, to be trucked off for proper disposal at later times and as required. Further, the heavy sediment, which will be mostly paraffin, will be bled to the water and waste tank, and trucked to a permitted disposal facility from time to time as necessary.

BEFORE EXAMINER STAMETS OIL CONSERVATION DIVISION Apple EXHIBIT NO. 5 CASE NO. 6660 Submitted by Applicant Hearing Date 10/2/29

EXHIBIT NO. 5

Application of Frank Boyce and Ronald L. Wilbanks d/b/a B. & W. Oil Reclaiming for a Sediment Oil Treating Plant Permit (to be located in NE/4NE/4NE/4 of Section 34, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico).

Statement as to Equipment

All tanks, except for the fiberglass water and waste tank, will be equipped with vapor-proof positive seal thief hatches.

No portion of the treating system, from storage tank through treating process and into the sales tanks, will permit of or involve any emissions into the atmosphere. The storage tank, sales tanks, treating lines, drain lines, and pipeline will be metal.

The proposed water and waste tank will be an open top 250 bbl. fiberglass tank.

The firewall, approximately 120 feet square, will be constructed as an earth dike three feet high.

BEFORE EXAMINER STAMETS
OIL CONSERVATION DIVISION
Appara, EXHIBIT NO. 4
CASE NO. 6660
Submilled by Applicant
Subtrimes of the literation
Hearing Date 10/2/79

EXHIBIT NO. 4

Application of Frank Boyce and Ronald L. Wilbanks d/b/a B. & W. Oil Reclaiming for a Sediment Oil Treating Plant Permit (to be located in NE/4NE/4NE/4 of Section 34, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico).



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Application of Frank Boyce and Ronald L. Wilbanks d/b/a B. & W. Oil Reclaiming for a Sediment Oil Treating Plant Permit (to be located in NE/4NE/4NE/4 of Section 34, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico).

Plat showing lands owned by applicant Boyce in vicinity of plant site.

Boyce Lands -

FULL INTEREST



EXHIBIT NO. 2

Township 18 South

Application of Frank Boyce and Ronald L. Wilbanks d/b/a B. & W. Oil Reclaiming for a Sediment Oil Treating Plant Permit (to be located in NE/4NE/4NE/4 of Section 34, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico).



Application of Frank Boyce and Ronald L. Wilbanks d/b/a B. & W. Oil Reclaiming for a Sediment Oil Treating Plant Permit (to be located in NE/4NE/4NE/4 of Section 34, Township 18 South. Range 26 East. N.M.P.M., Eddy County, New Mexico).

Statement as to Equipment

All tanks, except for the fiberglass water and waste tank, will be equipped with vapor-proof positive seal thief hatches.

No portion of the treating system, from storage tank through treating process and into the sales tanks, will permit of or involve any emissions into the atmosphere. The storage tank, sales tanks, treating lines, drain lines, and pipeline will be metal.

The proposed water and waste tank will be an open cop 250 bbl. fiberglass tank.

The firewall, approximately 120 feet square, will be constructed as an earth dike three feet high.

BEFORE EXAMINER STAMETS OIL CONSERVATION DIVISION Apple EXHIBIT NO. 4 CASE NO. 6660 Submitted by Applicants Hearing Date 10/2/79

EXHIBIT NO. 4

Application of Frank Boyce and Ronald L. Wilbanks d/b/a B. & W. Oil Reclaiming for a Sediment Oil Treating Plant Permit (to be located in NE/4NE/4NE/4 of Section 34, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico).

Narrative Description of Treating Process

Sediment oil from tank bottoms and pits on various leases, located within a radius of about 50 miles from the plant, will be trucked by vacuum truck to the treating plant and put into the 400 bbl. storage tank.

The sediment oil will be treated with hot oil units of Wilbanks Hot Oil Service, Inc. Suction will be pulled off front of storage tank and discharged into bottom of sales tanks. after pullying through heater on hot oil unit. Chemicals (to knock out water) will be added and oil will be heated to 135° fahreheit. Oil in sales tanks will be allowed to sit for 24 hours, to allow water and heavy sediment to settle to bottom of tank. Water from sales tanks will be bled to 250 bbl. water and waste tank, to be trucked off for proper disposal at later times and as required. Further, the heavy sediment, which will be mostly paraffin, will be bled to the water and waste tank, and trucked to a permitted disposal facility from time to time as necessary.

BEFORE ENA UNER STAMETS CIL CONSE WATE AN DIVISION Apoln. an isa Mo. 5 CASENO. 6660 Submitted by Applicants Hearing Date 10/2/79

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EXHIBIT NO. 5

Page 2 of 4 Examiner Hearing - Tuesday - October 2, 1979

Docket No. 38-79

CASE 6644: (Continued from September 19, 1979, Examiner Hearing)

Application of Tenneco Oil Corporation for downhole commingling, San Juan County, New Mexico. Applicant, in the above-styled cause, seeks approval for the downhole commingling of Fruitland and Pictured Cliffs production in the wellbores of its State K Com Well No. 12 located in Unit B of Section 16, Township 30 North, Range 9 West, and its Florence Well No. 60R in Unit L of Section 1, Township 29 North, Range 9 West.

Application of Gifford, Mitchell & Wisenbaker for a unit agreement, Les County, New Mexico. Applicant, in the above-styled cause. seeks approval for the Paumee Unit Area, complising 3,040 acres, more or less, of State and federal lands in Township 26 South, Range 36 East. CASE 6675:

CASE 6671: (Continued from September 19, 1979, Examiner Hearing)

Application of Chapman and Schneider for salt water disposal, Lea County, New Mexico. Applicant, in the above-styled cause, seeks authority to dispose of produced salt water in the Seven Rivers Reef formation in the open-hole interval from 3422 feet to 3504 feet in its I. B. Ogg "A" Well No. 3 located in Unit E of Section 35, Township 24 South, Range 36 East, Jalmat Pool.

CASE 6676: Application of Doyle Hartman for an unorthodox well location and a non-standard proration unit, Lea County, New Mexico. Applicant, in the above-styled cause, seeks approval of an 80-acre non-standard gas proration unit comprising the SW/4 NE/4 and SE/4 NW/4 of Section 36, Township 24 South, Range 36 East, Jalmat Gas Pool, to be dedicated to a well to be drilled at an unorthodox location 2310 feet from the North line and 1650 feet from the East line of said Section 36.

Application of Texas Pacific Oil Company, Inc. for downhole commingling, Lea County, New Mexico. Applicant, in the above-styled cause, seeks approval for the downhole commingling of Arrowhead-Grayburg and Eumont production in the wellbore of its Elliott B-6 Well No. 1 located in Unit M of CASE 6677: Section 6, Township 22 South, Range 37 East.

CASE 6678: Application of Texas Pacific 011 Company, Inc. for downhole commingling and a special casinghead gas allowable, Lea County, New Mexico. Applicant, in the above-styled cause, seeks approval for the downhole commingling of Blincbry and Tubb production in the wellbore of its Eva Owens Well No. 1 located in Unit H of Section 25, Township 21 South, Range 37 East. Applicant further seeks an

CASE 6660: (Continued from September 19, 1979, Examiner Hearing)

> Application of B. & W. Oil Reclaiming for an oil treating plant permit, Eddy County, New Mexico. Applicant, in the above-styled cause, seeks authority for the construction and operation of an oil treating plant for the purpose of treating and reclaiming sediment oil at a site in the NE/4 NE/4 NE/4 of Section 34, Township 18 South, Range 26 East.

CASE 6679: Application of El Paso Natural Gas Company for a gas storage unit agreement, Eddy County, New Mexico. Applicant, in the above-styled cause, seeks approval of the Washington Ranch Morrow Unit Area comprising the Morrow formation and the first 100 feet immediately above and below said formation underlying all or parts of Sections 21 thru 23, 26 thru 29, and 32 thru 36, Township 25 South, Range 2 East, Sections 1 thrust and 9 thrust 12, 726 Couth, Range 24 East, and Sections 0, 7, and 18, Township 26 South, Range 25 East, Washington Ranch-Morrow Gas Pool, Eddy County, New Mexico. Said unit area would be for the purpose of conducting a gas storage project and would

comprise 12,158 acres, more or less, of State, federal and fee lands.

CASE 6630: (Continued from August 22, 1979, Examiner Hearing)

Application of El Paso Natural Gas Company for downhole commingling, Rio Arriba County. New Mexico. Applicant, in the above-styled cause, seeks approval for the downhole commingling of Basin-Dakota and BS Mesa-Gallup production in the wellbore of its San Juan 27-4 Unit Well No. 37 located in Unit N of Section 33, Township 27 North, Range 4 Host.

Application of Robert C. Anderson for surface commingling, San Juan County, New Mexico. Applicant, in the above-styled cause, seeks approval for the surface commingling of all production from his Ute Mountain Ute Lease, Wells Nos. 1, 3 and 4, located in Section 14, Township 31 North, CASE 6580: Range 16 West.

CASE 6681: Application of Yates Petroleum Corporation for an unorthodox gas well location, Eddy County, New Mexico. Applicant, in the above-styled cause, seeks approval for the unorthodox location of a Wolfcamp-Mississippian test well to be located 660 feet from the South line and 1100 feet from the West line of Section 31, Township 18 South, Range 26 East, the S/2 of said Section 31 to be dedicated to the well.



NEIL B. WATSON FRED A. WATSON JOHN W. FISK LAW OFFICES WATSON & WATSON AMERICAN HOME BUILDING P.O. DRAWER E ARTESIA, NEW MEXICO 68210

AREA CODE 505 746-4151 · 746-2201

September 20, 1979
Mr. Daniel L. Nutter
Mr. Daniel L. Nutter
Chief Engineer
Oil Conservation Division
State of New Mexico
Energy and Minerals Department
P.O. Box 2088
Santa Fe New Mexico 87501
SEP 2 1 1979
Dear Mr. Nutter.
OIL CONSERVATION DIVISION
Re: Case No. 6660 before the Oil Conservation
Division Application of Frank Boyce and
Ronald L. Wilbanks, d/b/a B. & W. Oil Re-
claiming for an oil treating plant permit
for plant in NE/4NE/4NE/4 of Section 34:
Township 18 South, Range 26 East, N.M.P.M,
Eddy County.

we nerewith enclose in triplicate an Amendment to Application with reference to the Application described in the caption.

I am sending the enclosed Amendment to Application direct to you because I called you a few days ago and had the hearing postponed from September 19 to October 2.

The enclosed Amendment to Application does not change the location of the plant or the processing procedure or the applicants. It is simply made to reflect that instead of open burning of a waste pit, the waste material, both water and heavy sediment will be collected in a 400 barrel fiberglass tank and trucked off the plant site to a permitted disposal facility from time to time as necessary. We have determined that this is the best way to dispose of waste matter and that there would be no way to qualify the project for periodic open burning of the pit. I furnish this explanation because I do not believe that the Amendment to Application will require a further publication of notice. Page No. 2

Unless we hear from the Division to the contrary, we will appear for hearing at 9:00 A.M. on October 2, 1979.

Thank you very much for your consideration, and please place the enclosed Amendment to Application in the case file.

Very truly yours,

Fred A. Watson

FAW/dal

Enclosures

cc: Environmental Improvement Division State of New Mexico P.O. Box 968 Santa Fe, New Mexico 87503

Attention Mr. Paul Martinez

cc: B. & W. Oil Reclaiming P.O. Box 957

Artesia, New Mexico 88210

BEFORE THE OIL CONSERVATION DIVISION

ENERGY AND MINERALS DEPARTMENT

STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION OF FRANK BOYCE AND RONALD L. WILBANKS d/b/a B. & W. OIL RECLAIMING FOR A SEDIMENT OIL TREATING PLANT PERMIT

ECERV SEpa OIL CONSERVATION DIVISION SANTA FE

Case No. 6660

AMENDMENT TO APPLICATION

Reference is hereby made to the Application heretofore filed and now pending before the Oil Conservation Division under the above Case Number. Applicants, Frank Boyce and Ronald L. Wilbanks, d/b/a B. & W. Oil Reclaiming, P.O. Box 957, Artesia, New Mexico 88210, hereby make and file this amendment to said Application.

Reference is particularly made to paragraph 3 in the Application heretofore filed, and paragraph 3 in the original Application is deleted and there is hereby substituted the following paragraph 3 to wit:

"3. Applicants propose to truck sediment oil, consisting of pit oil and tank bottom oil, from various leases to said sediment oil treating plant. Oil will be treated for reclamation by hot oil unit truck, using chemicals to knock out water. The proposed plant will consist of one (1) 400 barrel metal holding tank, two (2) 210 barrel treating tanks, and one (1) 250 barrel fiberglass tank for waste water and heavy sediment waste material. Oil will be heated to 135° fahrenheit. Suction will be pulled off front of storage tank and discharged into bottom of sales tanks, after pumping through heater on hot oil unit. Water and heavy sediment will be bled to 250 barrel fiberglass tank and the water and heavy sediment will be trucked from the plant site, from time to time and as necessary, to a permitted disposal system. All tanks will be equipped with vapor-proof positive seal thief hatches and no portion of the treating system, from storage tank through treating process and into the sales tanks, will involve any emissions

Page No. 2

into the atmosphere. Estimated capacity of the proposed plant is 230 barrels per day, of which the volume refined will be approximately 180 barrels, and the volume of waste will be approximately 50 barrels."

Except for the amendment of paragraph 3 hereinabove, all other statements made in the original Application are affirmed.

B. & W. OIL RECLAIMING

Sour C.

WATSON & WATSON

Wat red A.

Attorneys for Applicants P.O. Drawer E Artesia, New Mexico 88210

CERTIFICATE OF MAILING

I, Fred A. Watson, one of the attorneys for the applicants, hereby certify that on this date, I mailed true and correct copies of the foregoing Amendment to Application to the following:

> New Mexico Oil Conservation Division District II Office P.O. Drawer DD Artesia, New Mexico 88210

Attention: W.A. Gressett, Supervisor

Environmental Improvement Division State of New Mexico P.O. Box 968 Santa Fe, New Mexico 87503

Attention: Mr. Paul Martinez

Dated this 2018 day of September, 1979.

BEFORE THE OIL CONSERVATION DIASSION ENERGY AND MINERALS DEPARTMENT STATE OF NEW MEXICO OIL CONSERVATION JUST

IN THE MATTER OF THE APPLICATION OF FRANK BOYCE AND RONALD L. WILBANKS d/b/a B. & W. OIL RECLAIMING FOR A SEDIMENT OIL TREATING PLANT PERMIT

XYATION DIVISION ANTA FE Case No. 6660

AMENDMENT TO APPLICATION

Reference is hereby made to the Application heretofore filed and now pending before the Oil Conservation Division under the above Case Number. Applicants, Frank Boyce and Ronald L. Wilbanks, d/b/a B. & W. Oil Reclaiming, P.O. Box 957, Artesia, New Mexico 88210, hereby make and file this amendment to said Application.

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into the atmosphere. Estimated capacity of the proposed plant is 230 barrels per day, of which the volume refined will be approximately 180 barrels, and the volume of waste will be approximately 50 barrels."

Except for the amendment of paragraph 3 hereinabove, all other statements made in the original Application are affirmed.

B. & W. OIL RECLAIMING Frank Boyce Wilhan

WATSON & WATSON

Nota

Attorneys for Applicants P.O. Drawer E Artesia, New Mexico 88210

CERTIFICATE OF MAILING

I, Fred A. Watson, one of the attorneys for the applicants, hereby certify that on this date, I mailed true and correct copies of the foregoing Amendment to Application to the following:

New Mexico Oil Conservation Division District II Office P.O. Drawer DD Artesia, New Mexico 88210

Attention: W.A. Gressett, Supervisor

Environmental Improvement Division State of New Mexico P.O. Box 968 Santa Fe, New Mexico 87503

Attention: Mr. Paul Martinez

Dated this 2014 day of September, 1979. <u>Englaw</u>, 1979. <u>Fred A. Watson</u>

BEFORE THE OIL CONSERVATION DIVISION

ENERGY AND MINERALS DEPARTMENT

STATE OF NEW MEXICO OII CONSECUTION DIVISION

IN THE MATTER OF THE APPLICATION OF FRANK BOYCE AND RONALD L. WILBANKS d/b/a B. & W. OIL RECLAIMING FOR A SEDIMENT OIL TREATING PLANT PERMIT

Case No. 6660

AMENDMENT TO APPLICATION

Reference is hereby made to the Application heretofore filed and now pending before the Oil Conservation Division under the above Case Number. Applicants, Frank Boyce and Ronald L. Wilbanks, d/b/a B. & W. Oil Reclaiming, P.O. Box 957, Artesia, New Mexico 88210, hereby make and file this amendment to said Application.

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B. & W. OIL RECLAIMING

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WATSON & WATSON

Vati A

Attorneys for Applicants P.O. Drawer E Artesia, New Mexico 88210

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New Mexico Oil Conservation Division District II Office P.O. Drawer DD Artesia, New Mexico 88210

Attention: W.A. Gressett, Supervisor

Environmental Improvement Division State of New Mexico P.O. Box 968 Santa Fe, New Mexico 87503

Attention: Mr. Paul Martinez

Dated this 201 day of September, 1979. <u>Freed A. Watson</u>

BEFORE THE OIL CONSERVATION DIVISION ENERGY AND MINERALS DEPARTMENT STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION OF FRANK BOYCE AND RONALD L. WILBANKS d/b/a B. & W. OIL RECLAIMING FOR A SEDIMENT OIL TREATING PLANT PERMIT

ECER OIL CONSERVATION DIVISION SANTA FE

Case No. 6660

AMENDMENT TO APPLICATION

Reference is hereby made to the Application heretofore filed and now pending before the Oil Conservation Division under the above Case Number. Applicants, Frank Boyce and Ronald L. Wilbanks, d/b/a B. & W. Oil Reclaiming, P.O. Box 957, Artesia, New Mexico 88210, hereby make and file this amendment to said Application.

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Page No. 2

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B. & W. OIL RECLAIMING Bovce

Ronald

WATSON & WATSON

Vate

Attorneys for Applicants P.O. Drawer E Artesia, New Mexico 88210

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New Mexico Oil Conservation Division District II Office P.O. Drawer DD Artesia, New Mexico 88210

Attention: W.A. Gressett, Supervisor

Environmental Improvement Division State of New Mexico P.O. Box 968 Santa Fe, New Mexico 87503

Attention: Mr. Paul Martinez

Dated this 20th day of September, 1979. <u>Les A. Watson</u> Fred A. Watson

	Page 2	•		
	-	aring - Wednesday - September 19, 1979	•	Docket No. 36-79
· · · · · · · · · · · · · · · · · · ·	<u>CASE_6658</u> :	Application of Texas Pacific Oil Company, Inc. for a proration unit, Lea County, New Mexico. Applicant, 160-acre non-standard gas proration unit comprising ship 24 South, Range 36 East, Jalmat Gas Pool, to be an unorthodox location 2010 feet from the North line Section 14.	in the above-styled cause, see the S/2 NE/4 and N/2 SE/4 of 3 e dedicated to its J. W. Cooper	eks approval of a Section 14, Town- r Well No. 8 at
*	<u>CASE 6659</u> :	Application of Amoco Production Company for an except Applicant, in the above-styled cause, seeks an except produced bring in several unlined surface pits locat Range 31 East.	otion to Order No. R-3221 to pe	ermit disposal of
	<u>CASE 6660</u> :	Application of B. & W. Oil Reclaiming for an oil tre Applicant, in the above anyled cause, seeks authorit treating plant for the purpose of treating and recla of Section 34, Township 18 South, Range 26 East.	ty for the construction and ope	eration of an oil
	<u>CASE 6661</u> :	Application of LaRue and Muncy for an exception to R the above-styled cause, seeks an exception to the ca well to be drilled in Unit C of Section 22, Township to be cased by setting surface casing at the top of and omitting the intermediate casing required by R-1 apply to all of Sections 15 and 22 of said township same manner.	asing-cementing rules of Order 18 South, Range 30 East, Leo the salt, circulating cement of 111-A; applicant further reques	R-111-A to permit a Queen-Grayburg Pool, on the oil string, sts special rules to
	<u>CASE 6662</u> :	Application of Supron Energy Corporation for a dual County, New Mexico. Applicant, in the above-styled of its Jicarilla "A" Well No. 22Y located in Unit K to produce gas from the Blanco Mesaverde Pool throug Wildhorse Gallup and Basin-Dakota zones through a pa	cause, seeks approval for the of Section 24, Township 26 Nor h tubing and to commingle and	dual completion rth, Range 4 West,
	<u>CASE 6663</u> :	Application of Doyle Hartman for an unorthodox well County, New Mexico. Applicant, in the above-styled requirements and a finding that the drilling of a we South line and 2310 feet from the West line of Secti Gas Pool, is necessary to effectively and efficient unit which cannot be so grained by the existing well	cause, seeks a waiver of exist 11 at an unorthodox location 3 on 36. Township 23 South, Rang y drain that portion of the ex	ting well spacing 330 feet from the 36 East, Jalmat
	<u>CASE 6664</u> :	Application of Doyle <u>Hartman</u> for an unorthodox well approval of infill drilling, Lea County, New Mexico. approval of a 40-acre non-standard proration unit co ship 25 South, Range 37 East, Jalmat Pool, to be ded Well No. 1, and also a 120-acre unit comprising the be dedicated to a well to be drilled at an unorthodo of the section; spplicant further seeks a waiver of that the drilling of said well is necessary to effec existing provation unit which cannot be so drained b	Applicant, in the above-styl mprising the NW/4 SW/4 of Sect licated to El Paso Natural Gas E/2 SW/4 and SW/4 SW/4 of said x location 330 feet from the S existing well spacing requirem tively and efficiently drain t	led cause, seeks fion 27, Town- Company's Harrison Section 27 to South and West lines ments and a finding
	CASE 0647:	(Continued from September 5, 1979, Examiner Hearing)	and a second	
	 -	Application of O. H. Berry for an unorthodox gas well in the above-styled cause, seeks approval for the un- located 1650 feet from the North line and 330 feet fr South, Range 36 East, Jalmat Gas Pool, the NE/4 of se	orthodox location of a Seven R rom the East line of Section 1	ivers well to be 5, Township 24
	<u>CASE 6665</u> :	Application of Amax Chemical Corporation for the ame Mexico. Applicant, in the above-styled cause, seeks the boundaries of the Potash-Oil Area by the inclusion ship 19 South, Range 29 East, and Section 19, Townshi	the amendment of Order No. R- on of certain lands in Section	111-A to extend
	<u>CASE 6666</u> ;	Application of Exxon Corporation for a non-standard f in the above-styled cause, seeks approval of a 377.5 Lots 1, 2, 3, and 4 and the N/2 N/2 of Section 36, To 4 and the N/2 NW/4 of Section 31, Township 26 South, well to be located in Unit A of said Section 36.	7-acre non-standard gas prorat ownship 26 South, Range 25 Eas	ion unit comprising t, and Lots 3 and
	<u>CASE 6667</u> :	Application of Exxon Corporation for a non-standard p simultaneous dedication, Lea County, New Mexico. App approval of a 320-acre non-standard gas proration un South, Range 36 East, Eumont Pool, to be simultaneous located in Unit L, and to its Well No. 2, at an unor lines of said Section 10.	plicant, in the above-styled c it comprising the W/2 of Sections sly dedicated to its A. J. Adk	ause, seeks the on 10, Township 21 ins Com Well No. 1
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NEIL B.WATSON JOHN W. FISK

ARTESIA, NEW MEXICO 88210

LAW OFFICES WATSON & WATSON OIL CONSERVATION AMERICAN HOME BUILDING AMERICAN HOME BUILDING SANTA FE 805 2201

September 18, 1979

Oil Conservation Division State of New Mexico - Energy and Minerals Department P.O. Box 2088 Santa Fe, New Mexico 87501

Attention Mr. Daniel S. Nutter

Dear Mr. Nutter:

Re: Case No. 6660 before the Oil Conservation Division, Application of B. & W. Oil Reclaiming for an oil treating plant permit in NE/4NE/4NE/4 of Section 34, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico.

This letter will confirm my telephone request as attorney for the applicants in the above case that the hearing scheduled for September 19, 1979, be vacated and that the case be placed on the docket for hearing on October 2, 1979.

We thank you very much for post-poning the hearing on this matter.

Very truly yours, Fred A: Watson

FAW/dal

cc: B. & W. Oil Reclaiming P.O. Box 957 Artesia, New Mexico 88210

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Application of Frank Boyce and Ronald L. Wilbanks d/b/a B. & W. Oil Reclaiming for a Sediment Oil Treating Plant Permit (to be located in NE/4NE/4NE/4 of Section 34, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico).

Plat showing lands owned by applicant Boyce in vicinity of plant site.



Application of Frank Boyce and Ronald L. Wilbanks d/b/a B. & W. Oil Reclaiming for a Sediment Oil Treating Plant Permit (to be located in NE/4NE/4NE/4 of Section 34, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico).



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Statement as to Equipment

All tanks, except for the fiberglass water and waste tank, will be equipped with vapor-proof positive seal thief hatches. No portion of the treating system, from storage tank through treating process and into the sales tanks, will permit of or involve any emissions into the atmosphere. The storage tank, sales tanks, treating lines, drain lines, and pipeline will be metal.

The proposed water and waste tank will be an open top 250 bbl. fiberglass tank.

The firewall, approximately 120 feet square, will be constructed as an earth dike three feet high.

BEFORE EXAMINER STAMETS OIL CONSE VATION DIVISION Apple, EXHIBIT NO. 4 CASENO. 6660 Submitted by Applicanto Hearing Date 10/2/79

EXHIBIT NO. 4

Application of Frank Boyce and Ronald L. Wilbanks d/b/a B. & W. Oil Reclaiming for a Sediment Oil Treating Plant Permit (to be located in NE/4NE/4 Of Section 34, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico).

Narrative Description of Treating Process

Sediment oil from tank bottoms and pits on various leases, located within a radius of about 50 miles from the plant, will be trucked by vacuum truck to the treating plant and put into the 400 bbl. storage tank.

The sediment oil will be treated with hot oil units of Wilbanks Hot Oil Service, Inc. Suction will be pulled off front of storage tank and discharged into bottom of sales tanks, after pumping through heater on hot oil unit. Chemicals (to knock out water) will be added and oil will be heated to 135° fahreheit. Oil in sales tanks will be allowed to sit for 24 hours, to allow water and heavy sediment to settle to bottom of tank. Water from sales tanks will be bled to 250 bbl. water and waste tank, to be trucked off for proper disposal at later times and as required. Further, the heavy sediment, which will be mostly paraffin, will be bled to the water and waste tank, and trucked to a permitted disposal facility from time to time as necessary.

BEFORE EXA' ANER STAMETS OIL CONSCRIVATION DIVISION ADDM. EXHIBIT NO. 5 CASE NO. 6660 Submitted by Applicante. Hearing Date 10/2/79

EXHIBIT NO. 5

BEFORE THE OIL CONSERVATION DIVISION ENERGY AND MINERALS DEPARTMENT

IN THE MATTER OF THE APPLICATION OF FRANK BOYCE AND RONALD L. WILBANKS d/b/a B. & W. OIL PECLAIMING FOR A SEDIMENT OIL TREATING PLANT PERMIT

Case No. 6660

OIL CONSERVATION DIVISION SANTA FE

APPLICATION

Applicants, Frank Boyce and Ronald L. Wilbanks, d/b/a B. & W. Oil Reclaiming, P.O. Box 957, Artesia, New Mexico 88210, hereby apply for a sediment oil treating plant permit, and applicants state:

1. This application for a sediment oil treating plant is filed pursuant to Rule 312 of the Rules of the Oil Conservation Division.

2. The proposed location of the sediment oil treating plant is in NE/4NE/4NE/4 of Section 34, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico. Said land is deeded pasture land belonging to one of the applicants. The nearest residences to said proposed plant location are 1-1/2 miles SW therefrom, 1-1/2 miles SE therefrom, 1-1/2 miles W therefrom, and 2 miles N therefrom.

3. Applicants propose to truck sediment oil, consisting of pit oil and tank bottom oil, from various leases to said sediment oil treating plant. Oil will be treated for reclamation by hot oil unit truck, using chemicals as necessary. The proposed plant will consist of one (1) 400 barrel holding tank, two (2) 210 barrel treating tanks, and one (1) pit for bleeding water. The pit will be large enough to safely hold 200 barrels and will be constructed and maintained in compliance with Environmental Improvement Agency regulations. It is anticipated Page No. 2

that it will be necessary to burn the pit at approximately three month intervals, and necessary permits therefore will be obtainea. The estimated capacity of the proposed plant is 230 barrels per day, of which the volume refined will be approximately 180 barrels and the volume of waste will be approximately 50 barrels.

4. If this application is approved, before beginning actual operations, applicants will file with the Division a performance bond in the amount of \$10,000.00, conditioned upon substantial compliance with applicable statutes of the State of New Mexico and all rules, regulations, and orders of the Oil Conservation Division.

5. Applicants will comply with all requirements and regulations of the Environmental Improvement Agency, and a copy of this application is being forwarded to said Agency.

6. That the proposed plant and method of processing will efficiently process, treat, and reclaim sediment oil, thereby salvaging oil which would otherwise by wasted.

WHEREFORE, applicants request orders of the Oil Conservation Division as follows:

A. That this matter be set for hearing before an examiner duly appointed by the Oil Conservation Division and that due notice thereof be given as required by law; and

B. That after hearing, an order be entered granting applicants a sediment oil treating plant permit pursuant to Rule 312 of the Oil Conservation Division, Energy and Minerals Department, State of New Mexico.

B. & W. OIL RECLAIMING

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WATSON & WATSON

ornevs

I.O. Drawer E. Artesia, New Mexico 88210

Page No. 3

CERTIFICATE OF MAILING

I, Fred A. Watson; one of the attorneys for the applicants, hereby certify that on this date, I mailed true and correct copies of the foregoing application to the following:

> New Mexico Oil Conservation Division District II Office P.O. Drawer DD Artesia, New Mexico 88210

Attention: W. A. Gressett, Supervisor

Environmental Improvement Agency 200 E. Fifth Street Roswell, New Mexico 88201 Attention: Mr. John Gwen

Dated this 23rd day of August, 1979.

A. Watson

NEIL B.WATSON FRED A.WATSON JOHN W. FISK LAW OFFICES WATSON & WATSON AMERICAN HOME BUILDING P. O. DR.; WER E ARTESIA, NEW MEXICO 88210

AREA CODE 505 746-4151 - 746-2201

August 23, 1979 Oil Conservation Division New Mexico Energy and Minerals Department P.O. Box 2088 OIL CONSERVATION DIVISION Santa Fe, New Mexico 87501 SANTA FE /

Gentlemen:

Re: Application of Frank Boyce and Ronald L. Wilbanks d/b/a B. & W. Oil Reclaiming, for a sediment oil treating plant permit, to be located in NE/4NE/4NE/4 of Section 34, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico.

We herewith enclose the above application in triplicate.

Please-set such application for hearing and notify this office of the date of such hearing.

If the Division requires additional written information prior to the hearing, please let this office know and we will proceed to furnish same.

Very truly yours,

red A. Wation

FAW/dal

cc: B. & W. Oil Reclaiming

Enclosures

BEFORE THE OIL CONSERVATION DIVISION

ENERGY AND MINERALS DEPARTMENT

STATE OF NEW MUXICO

IN THE MATTER OF THE APPLICATION OF FRANK BOYCE AND RONALD L. WILBANKS d/b/a B. & W. OIL PECLAIMING FOR A SEDIMENT OIL TREATING PLANT PERMIT

Case No. 6660

APPLICATION

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 This application for a sediment oil treating plant is filed pursuant to Rule 312 of the Rules of the Oil Conservation Division.

2. The proposed location of the sediment oil treating plant is in NE/4NE/4NE/4 of Section 34, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico. Said land • is deeded pasture land belonging to one of the applicants. The nearest residences to said proposed plant location are 1-1/2 miles SW therefrom, 1-1/2 miles SE therefrom, 1-1/2 miles W therefrom, and 2 miles N therefrom.

3. Applicants propose to truck sediment oil, consisting of pit oil and tank bottom oil, from various leases to said sediment oil treating plant. Oil will be treated for reclamation by hot oil unit truck, using chemicals as necessary. The proposed plant will consist of one (1) 400 barrel holding tank, two (2) 210 barrel treating tanks, and one (1) pit for bleeding water. The pit will be large enough to safely hold 200 barrels and will be constructed and maintained in compliance with Environmental Improvement Agency regulations. It is anticipated

Page No. 2

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4. If this application is approved, before beginning actual operations, applicants will file with the Division a performance bond in the amount of \$10,000.00, conditioned upon substantial compliance with applicable statutes of the State of New Mexico and all rules, regulations, and orders of the Oil Conservation Division.

5. Applicants will comply with all requirements and regulations of the Environmental Improvement Agency, and a copy of this application is being forwarded to said Agency.

6. That the proposed plant and method of processing
 will efficiently process, treat, and reclaim sediment oil, .
 thereby salvaging oil which would otherwise by wasted.

WHEREFORE, applicants request orders of the Oil Conservation Division as follows:

A. That this matter be set for hearing before an examiner duly appointed by the Oil Conservation Division and that due notice thereof be given as required by law; and

B. That after hearing, an order be entered granting applicants a sediment oil treating plant permit pursuant to Rule 312 of the Oil Conservation Division, Energy and Minerals Department, State of New Mexico.

B. & W. OIL RECLAIMING

WATSON & WATSON

P.O. Drawer E. Artesia, New Mexico 88210

CERTIFICATE OF MAILING

I, Fred A. Watson, one of the attorneys for the applicants, hereby certify that on this date, I mailed true and correct copies of the foregoing application to the following:

> New Mexico Oil Conservation Division District II Office P.O. Drawer DD Artesia, New Mexico 88210

Attention: W. A. Gressett, Supervisor

Environmental Improvement Agency 200 E. Fifth Street Roswell, New Mexico 88201

Attention: Mr. John Gwen

Dated this 23.4 day of August, 1979.

a A. Watson

ROUGH STATE OF NEW MEXICO ENERGY AND MINERALS DEPARTMENT OIL CONSERVATION DIVISION dr/ IN THE MATTER OF THE HEARING CALLED BY THE OIL CONSERVATION DIVISION FOR THE PURPOSE OF CONSIDERING: CASE NO. 6660 Order No. <u><u><u>R</u>-614</u></u> APPLICATION OF B. & W. OIL Reclaiming for an oil treating PLANT PERMIT, EDDY COUNTY, NEW MEXICO. ORDER OF THE DIVISION BY THE DIVISION: This cause came on for hearing at 9 a.m. on October 2 19 79, at Santa Fe, New Mexico, before Examiner Richard L. Stamets. NOW, on this _____ day of October , 19<u>79</u>, the Division Director, having considered the testimony, the record, and the recommendations of the Examiner, and being fully advised in the premises, FINDS: (1) That due public notice having been given as required by law, the Division has jurisdiction of this cause and the subject matter thereof. (2) That the applicant, B. & W. Oil Reclaiming, seeks authority to construct and operate a chemical and heat-treatment type oil treating plant in the NE/4 NE/4 NE/4 of Section 34, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico, for the reclamation of up to approximately 180 barrels of sediment oil per day to be obtained from tank bottoms, disposal water, and waste pits.

(3) That dikes, dams and/or emergency pits should be constructed around the plant capable of holding the entire capacity of all tanks and vessels at the plant location in order that sediment oil, reclaimed oil, or waste oil cannot escape from the immediate vicinity of such plant.

(4) That the proposed plant and method of processing will efficiently process, treat, and reclaim the aforementioned waste oil, thereby salvaging oil which would otherwise be wasted.

(5) That the subject application should be approved as being in the best interests of conservation.

IT IS THEREFORE ORDERED:

(1) That the applicant, B. & W. Oil Reclaiming, is hereby authorized to install and operate a chemical and heattreatment type oil treating plant in the NE/4 NE/4 NE/4 of Section 34, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico, for the purpose of treating and reclaiming sediment oil to be obtained from tank bottoms and waste pits;

PROVIDED HOWEVER, that the continuation of the authorization granted by this order shall be conditioned upon compliance with the laws of the State of New Mexico and the rules and regulations of the New Mexico Oil Conservation Division;

PROVIDED FURTHER, that prior to commencing operation of said plant, the applicant shall file with the Division a performance bond in the amount of \$10,000.00 conditioned upon substantial compliance with applicable statutes of the State of New Mexico and all rules, regulations and orders of the Oil Conservation Division.

(2) That the operator of the above-described oil treating plant shall clear and maintain in a condition clear of all debris and vegetation a fireline at least 15 feet in width and encircling the site upon which the plant is located.

(3) That dikes, dams and/or emergency pits shall be constructed around the plant capable of holding the entire capacity of all tanks and vessels at the plant location and capable of preventing the escape of any sediment oil, reclaimed oil, or waste oil from the immediate vicinity of said plant.

(4) That the disposal of waste water accumulated in conjunction with the operation of the above-described plant on the surface of the ground, or in any pit, pond, lake, depression, draw, streambed, or arroyo, or in any watercourse, or in any other place or in any manner which will constitute a hazard to any fresh water supplies is hereby prohibited.

(5) That jurisdiction of this cause is retained for the entry of such further orders as the Division may deem necessary.

DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.