

NM1 - 34

**CLOSURE
PLAN
APPROVAL**

October 2013

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

David Martin
Cabinet Secretary-Designate

Brett F. Woods, Ph.D.
Deputy Cabinet Secretary

Jami Bailey, Division Director
Oil Conservation Division



October 29, 2013

Mr. Jimmy Cooper
DD Landfarm
P.O. Box 36
Monument, New Mexico 88265

**Re: Closure and Post-Closure Care Plan Review
DD Landfarm
Permit NM1-034
Location: W/2 W/2 of Section 31, Township 21 South, Range 39 East, NMPM,
Lea County, New Mexico**

Dear Mr. Cooper:

The Oil Conservation Division (OCD) has received DD Landfarm's closure and post-closure care plan, dated October 2013 and received by OCD on October 17, 2013, for the closure of the landfarm operations at your commercial surface waste management facility. Based on the information provided in the request, the closure and post-closure care plan is hereby approved with the following understandings and conditions:

General Conditions:

1. DD Landfarm shall comply with all applicable requirements of the Oil and Gas Act (Chapter 70, Article 2 NMSA 1978), and all conditions specified in this approval and shall close the project in accordance with the October 17, 2013 closure and post-closure care plan;

Closure Conditions:

2. DD Landfarm shall continue disking and with OCD approval adding bioremediation enhancing materials until soils within the cells are remediated to the standards provided in Subsection F of 19.15.36.15 NMAC, or as otherwise approved by OCD;
3. DD Landfarm shall demonstrate by monitoring the treatment zone at least semi-annually that the contaminated soil has been treated to the standards specified in Subsection F of 19.15.36.15 NMAC. If DD Landfarm is unable to achieve the landfarm performance closure standards, then the contaminated soils shall be removed to an OCD-approved surface waste management facility upon OCD approval;

4. DD Landfarm shall demonstrate compliance with the following closure performance standards of Subsection F of 19.15.36.15 NMAC by collecting and analyzing a minimum of one composite soil sample from each landfarm cell, consisting of four discrete samples.
 - (a) Benzene, as determined by EPA SW-846 method 8021B or 8260B, shall not exceed 0.2 mg/kg.
 - (b) Total BTEX, as determined by EPA SW-846 method 8021B or 8260B, shall not exceed 50 mg/kg.
 - (c) The GRO and DRO combined fractions, as determined by EPA SW-846 method 8015M, shall not exceed 500 mg/kg. TPH, as determined by EPA method 418.1 or other EPA method approved by OCD, shall not exceed 2500 mg/kg.
 - (d) Chlorides, as determined by EPA method 300.1, shall not exceed 500 mg/kg if the landfarm is located where ground water is less than 100 feet but at least 50 feet below the lowest elevation at which the operator will place oil field waste or 1000 mg/kg if the landfarm is located where ground water is 100 feet or more below the lowest elevation at which the operator will place oil field waste.
 - (e) The concentration of constituents listed in Subsections A and B of 20.6.2.3103 NMAC shall be determined by EPA SW-846 methods 6010B or 6020 or other methods approved by OCD. If the concentration of those constituents exceed the PQL or background concentration, the operator shall either perform a site specific risk assessment using EPA approved methods and shall propose closure standards based upon individual site conditions that protect fresh water, public health, safety and the environment, which shall be subject to OCD approval or remove pursuant to Paragraph (2) of Subsection G of 19.15.36.15 NMAC;
5. DD Landfarm shall ensure that soils remediated to the standards in Subsection F of 19.15.36.15 NMAC and left in place are re-vegetated in accordance with Paragraph (6) of Subsection A of 19.15.36.18 NMAC;
6. DD Landfarm shall ensure landfarmed soils that have not been or cannot be remediated to the standards in Subsection F of 19.15.36.15 NMAC are removed to a OCD-approved surface waste management facility and the landfarm remediation area is filled in with native soil and re-vegetated in accordance with Paragraph (6) of Subsection A of 19.15.36.18 NMAC;
7. DD Landfarm shall ensure that if treated soils are removed, the cell is filled in with native soils and re-vegetated in accordance with Paragraph (6) of Subsection A of 19.15.36.18 NMAC;
8. DD Landfarm shall ensure that all berms are removed;
9. DD Landfarm shall ensure buildings, fences, roads and equipment are removed, and the site cleaned-up and tests conducted on the soils for contamination;
10. DD Landfarm shall ensure annual reports of vadose zone and treatment zone sampling are submitted to the OCD's environmental bureau until the OCD has approved the surface waste management facility's final closure;

11. Upon completion of closure, DD Landfarm shall re-vegetate the site in accordance with Paragraph (6) of Subsection A of 19.15.36.18 NMAC. Re-vegetation shall consist of establishment of a vegetative cover equal to 70 percent of the native perennial vegetative cover (un-impacted by overgrazing, fire or other intrusion damaging to native vegetation) or scientifically documented ecological description consisting of at least three native plant species, including at least one grass, but not including noxious weeds, and maintenance of that cover through two successive growing seasons.

Post-Closure Care Conditions:

12. The post-closure care period for a landfarm shall be three years if DD Landfarm has achieved clean closure;
13. DD Landfarm shall regularly inspect and maintain required re-vegetation during the post-closure care period;
14. DD Landfarm shall comply with the applicable requirements of 19.15.30 NMAC and 19.15.29 NMAC, if there has been a release to the vadose zone or to ground water; and
15. DD Landfarm shall submit a closure report which summarizes and documents the completed closure and post-closure care activities with the request to release financial assurance.

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

If there are any questions regarding this matter, please do not hesitate to Brad A. Jones of my staff at (505) 476-3487 or brad.a.jones@state.nm.us.

Sincerely,



Scott Dawson
Deputy Director

SD/baj

Cc: OCD District I Office, Hobbs

October 2013

2013 OCT 17 PM 1:45

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NMOCD Environmental
ATTN: Brad Jones
1220 S. ST. Francis Drive
Santa Fe, NM 87505

RE: DD Landfarm
Permit #NM1-0034
Landfarm Closure Plan

Mr. Jones:

Find attached Closure Plan for DD Landfarm. As noted in letter in August 2013, we have closed the facility and no longer take soils, but continue to monitor, test and disk as permit requires.

I appreciate your help and consideration in this matter.

Please let me know if you need anything further.

Sincerely,



DD Landfarm
Jimmy Cooper
Box 36
Monument, NM 88265
575-397-2860

**CLOSURE PLAN
DD LANDFARM
PERMIT #NM-01-0034**

The proposed closure plan is in accordance with approval permit and 19.15.36 NMAC.

- 1) Continue to disk and till soil at each cell until closure limits are met. Testing for TPH and Chloride in treatment zone and TPH, BTEX, Chloride and WQCC metals for vadose zone. Sampling will continue until at least two sample events in a twelve month period meet the standards for 19.15.36.15.F NMAC. There is no groundwater for this site, so minimum levels for analytical of treatment zone should be applied. The vadose zone should meet requirements to background samples.

The first sample event was September 2013, an additional testing will be done in February or March 2014. After two sampling events, will evaluate for continued closing.

- 2) After analytical meets standards set forth in 19.15.36 NMAC, and OCD approves to continue with closing, DD will allow facility to re-vegetate a subsection A of 19.15.36.18 specifies. This should take 6 to 8 months depending on rainfall, hopefully will be re-vegetated by May or June 2014.
- 3) After re-vegetation has been achieved and approved, all berms will be leveled and removed. This activity should take approximately 5 working days to complete.
- 4) There are no buildings or structures to remove.
- 5) Will file final report of all activities after all is complete.

Thanks,
DD Landfarm
575-397-2860
shrylcooper@gmail.com