

HIP- _____128_____

**PUBLIC
NOTICE**

HP-122

STATE OF NEW MEXICO
County of Bernalillo SS

Linda MacEachen, being duly sworn, declares and says that she is Classified Advertising Manager of The Albuquerque Journal, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefor has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 times, the first publication being on the 22nd day of November, 2013, and the subsequent consecutive publications on the _____ day of _____, 20____.

NOTICE OF PUBLICATION
STATE OF NEW MEXICO
ENERGY, MINERALS AND
NATURAL RESOURCES
DEPARTMENT
OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to New Mexico Water Quality Control Commission Regulation 20.6.2 NMAC, the following discharge permit application(s) has/have been received by the Director of the Oil Conservation Division:

1. Enterprise Products Operating, LLC (Enterprise), 1031 Andrews Highway, Suite 220, Midland, Texas 79701, has submitted an application for an individual hydrostatic Test Discharge Permit to the New Mexico Energy, Minerals and Natural Resources Department.

Enterprise has a new 18-inch diameter natural gas gathering system transmission pipeline approximately 25.7 miles (135,000 feet) long, located approximately 0.75 miles north of Lovington, New Mexico. Enterprise will obtain water for the hydrostatic test from the Enterprise #11 (POC 100697) Aqueduct, 710,000 gallons of wastewater will be generated from the hydrostatic test, and tested prior to discharge or disposal. The discharge collection retention site is within Enterprise's pipeline easement, right-of-way and adjacent private property, located within the NE 1/4 of Section 23, Township 18N, Range 30E, East, NMPA.

To reach the discharge location from Lovington, New Mexico, from the intersection of US-85 and US-82, head north on US-85 for 3 miles and onto NM-204 N (Tatum Highway) and continue north for 8.8 miles, turn west on County Road 107 (Elmwood Road) for 2 miles; turn left onto County Road 103 (Pineda Road) for 1 mile; turn west onto County Road 106 (Pillbeam Road) for 2 miles; turn north on County Road 106 (Odd Road) and continue for 304 feet; and the discharge area is on the right. Due to the pipeline being new construction and the source water to be used during the testing, the discharge water is expected to meet WQCC water quality standards of 20.6.2.3103 NMAC. If WQCC water quality standards are not met, the test wastewater will be treated and temporarily stored in 55-gallon drums for sampling and testing. If after treatment the WQCC water quality standards are not met, the test wastewater will be transferred to trucks and hauled to an approved disposal facility. The underlying groundwater most likely to be affected by an accidental discharge is at a depth of approximately 35 to 40 feet below ground surface with a total dissolved solids concentration of approximately 450 mg/L. The discharge plan consists of a description of the method and location for collection, testing and retention of fluids and solids, proper handling, storage, and disposal of, including how spills, leaks, and other accidental discharges to the surface will be managed in order to protect fresh water.

OCDD has determined that the application is administratively complete and has prepared a draft permit. OCDD will accept comments and statements of interest regarding this application and will create a facility-specific mailing list for persons who wish to receive future notices. Persons interested in obtaining further information, submitting comments or requesting to be on a facility-specific mailing list for future notices may contact the Environmental Bureau Chief of the Oil Conservation Division at the address given above. The administrative completeness determination and draft permit may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday, or may also be viewed at the OCDD web site <http://www.enmr.state.nm.us/OCDD/draftpublic.htm>. Persons interested in obtaining a copy of the application and draft permit may contact the OCDD at the address given above. Prior to ruling on any proposed discharge permit or permit modification, the Director shall allow a period of at least thirty (30) days for public comment.

Linda MacEachen
Sworn and subscribed before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 22nd day of November, 2013.

OFFICIAL SEAL
Sandra B. Gutierrez
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 2-18-17
Sandra B. Gutierrez

PRICE \$122.01
Statement to come at end of month.
ACCOUNT NUMBER 1009556

Jones, Brad A., EMNRD

From: Jones, Brad A., EMNRD
Sent: Tuesday, November 19, 2013 10:13 AM
To: Lane, James, DGF; Wunder, Matthew, DGF; Allison, Arthur, DIA;
'ddapr@nmda.nmsu.edu'; 'jjuen@blm.gov'; 'psisneros@nmag.gov';
'r@rthicksconsult.com'; 'sric.chris@earthlink.net'; 'nmparks@state.nm.us'; Verhines,
Scott, OSE; 'peggy@nmbg.nmt.edu'; 'marieg@nmoga.org'; Fetner, William, NMENV;
'lazarus@glorietageo.com'; Winchester, Jim, NMENV; 'cnewman02@fs.fed.us'; 'John
Kieling'; 'bsg@garbhall.com'; Schoeppner, Jerry, NMENV; 'claudette.horn@pnm.com';
'ekendrick@montand.com'; 'staff@ipanm.org'; Gonzales, Elidio L, EMNRD; Leking,
Geoffrey R, EMNRD; Dade, Randy, EMNRD; Bratcher, Mike, EMNRD; Perrin, Charlie,
EMNRD; Kelly, Jonathan, EMNRD; Powell, Brandon, EMNRD; Martin, Ed, EMNRD
Subject: WQCC Public Notice - Individual Hydrostatic Test Discharge Permit Enterprise Products
Operating LLC HIP-128 - Western Expansion Pipeline III, Segment 7 hydrostatic test
Attachments: 2013 1119 HIP-128 Permit Notice.pdf

Brad A. Jones
Environmental Engineer
Environmental Bureau
NM Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, New Mexico 87505
E-mail: brad.a.jones@state.nm.us
Office: (505) 476-3487
Fax: (505) 476-3462

NOTICE OF PUBLICATION

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

Notice is hereby given that pursuant to New Mexico Water Quality Control Commission Regulations (20.6.2 NMAC), the following discharge permit application(s) has been submitted to the Director of the New Mexico Oil Conservation Division ("OCD"), 1220 S. Saint Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

(HIP-128) Enterprise Products Operating, LLC (Enterprise), 1031 Andrews Highway, Suite 320, Midland, Texas, 79701, has submitted an application for an Individual Hydrostatic Test Discharge Permit to the New Mexico Energy, Minerals and Natural Resources Department, Oil Conservation Division to hydrostatic test a new 16-inch diameter natural gas gathering system transmission pipeline approximately 25.7 miles (135,696 feet) long, located approximately 9.75 miles north of Lovington, New Mexico. Enterprise will obtain water for the hydrostatic test from the Powell wells #1 (POD# L00697), and/or #2 (POD# L00698). Approximately 710,000 gallons of wastewater will be generated from the hydrostatic test, and tested prior to discharge or disposal. The discharge/ collection /retention site is within Enterprise's pipeline easement right-of-way and adjacent private property, located within Unit M of Section 23, Township 14 South, Range 35 East, NMPM, Lea County, New Mexico. To reach the discharge location from Lovington, New Mexico: from the intersection of US-83 and US-82 head north on US-82 for 3 miles; exit onto NM-206 N (Tatum Highway) and continue north for 6.6 miles; turn west on County Road 107 (E. Hester Road) for 2 miles; turn north on County Road 103 (Reed Road) for 1 mile; turn west on County Road 108 (Hilburn Road) for 2 miles; turn north on County Road 109 (Kidd Road) and continue for 394 feet; and the discharge area is on the right. Due to the pipelines being new construction and the source water to be used during the testing, the discharge water is expected to meet Water Quality Control Commission (WQCC) water quality standards of 20.6.2.3103 NMAC. If WQCC water quality standards are not met, the test wastewater will be treated and temporarily stored in frac tanks for sampling and testing. If after treatment the WQCC water quality standards are not met, the test wastewater will be transferred to trucks and hauled to an approved disposal facility. The shallowest groundwater most likely to be affected by an accidental discharge is at a depth of approximately 48 to 90 feet below ground surface with a total dissolved solids concentration of approximately 450 mg/l. The discharge plan consists of a description of the method and location for collection, testing and retention of fluids and solids, how products and wastes will be properly handled, stored, and disposed of, including how spills, leaks, and other accidental discharges to the surface will be managed in order to protect fresh water.

OCD has determined that the application is administratively complete and has prepared a draft permit. OCD will accept comments and statements of interest regarding this application and will create a facility-specific mailing list for persons who wish to receive future notices. Persons interested in obtaining further information, submitting comments or requesting to be on a facility-specific mailing list for future notices may contact the Environmental Bureau Chief of the Oil Conservation Division at the address given above. The administrative completeness determination and draft permit may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday, or may also be viewed at the OCD web site <http://www.emnrd.state.nm.us/OCD/env-draftpublicetc.html>. Persons interested in obtaining a copy of the application and draft permit may contact the OCD at the address given above. Prior to ruling on any proposed discharge permit or major modification, the Director shall allow a period of at least thirty (30) days after the date of publication of this notice, during which interested persons may submit comments or request that OCD hold a public hearing. Requests for a public hearing shall set forth the reasons why a hearing should be held. A hearing will be held if the Director determines that there is significant public interest.

If no public hearing is held, the Director will approve or disapprove the proposed permit based on information available, including all comments received. If a public hearing is held, the Director will approve or disapprove the proposed permit based on information in the permit application and information submitted at the hearing.

Para obtener más información sobre esta solicitud en español, sirvase comunicarse por favor: New Mexico Energy, Minerals and Natural Resources Department (Depto. Del Energia, Minerals y Recursos Naturales de Nuevo México), Oil Conservation Division (Depto. Conservación Del Petróleo), 1220 South St. Francis Drive, Santa Fe, New México (Contacto: Laura Juarez, 575-748-1283, Ext. 100)

GIVEN under the Seal of Oil Conservation Commission at Santa Fe, New Mexico, on this 19th day of November 2013.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

S E A L

Jami Bailey, Director

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



CERTIFIED MAIL RECEIPT # 7002 3150 0004 4924 1547

November 19, 2013

Ms. Shiver Nolan
Enterprise Products Operating, LLC
P.O. Box 4324
Houston, Texas 77210

Re: Hydrostatic Test Discharge Permit
Permit: HIP-128
Enterprise Products Operating, LLC
Western Expansion Pipeline III, Segment 7
Location: Unit M of Section 23, Township 14 South, Range 35 East, NMPM,
Lea County, New Mexico

Dear Ms. Nolan:

Pursuant to the Water Quality Control Commission (WQCC) Regulations 20.6.2.3104 – 20.6.2.3114 NMAC, the Oil Conservation Division (OCD) hereby proposes to approve Enterprise Products Operating, LLC's hydrostatic test discharge permit for the above referenced event contingent upon the conditions specified in the attached draft discharge permit. Please review and provide comments to OCD on the draft discharge permit within 30 days of receipt of this letter.

If you have any questions, please do not hesitate to contact me at (505) 476-3487 or brad.a.jones@state.nm.us.

Sincerely,

Brad A. Jones
Environmental Engineer

Attachment: Draft Permit HIP-128

BAJ/baj

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



November 19, 2013

Ms. Shiver Nolan
Enterprise Products Operating LLC
PO Box 4324
Houston, Texas 77210

**Re: Hydrostatic Test Discharge Permit DRAFT
Permit: HIP-128
Enterprise Products Operating, LLC
Western Expansion Pipeline III, Segment 7
Location: Unit M of Section 23, Township 14 South, Range 35 East, NMPM,
Lea County, New Mexico**

Dear Ms. Nolan:

The Oil Conservation Division (OCD) has received Enterprise Products Operating LLC's (Enterprise) notice intent, dated October 22, 2013 and received by OCD on October 29, 2013, for authorization to discharge approximately 710,000 gallons of wastewater generated from a hydrostatic test of a new 16-inch diameter natural gas gathering system transmission pipeline approximately 25.7 miles (135,696 feet) long, located approximately 9.75 miles north of Lovington, New Mexico. The proposed discharge/collection /retention location is within Enterprise's pipeline easement right-of-way and adjacent private property, located within Unit M of Section 23, Township 14 South, Range 35 East, NMPM, Lea County, New Mexico. OCD acknowledges the receipt of the filing fee (\$100.00) and the permit fee (\$600.00) for the permit from a submittal dated October 22, 2013.

Based on the information provided in the request, the hydrostatic test water discharge is hereby approved with the following understandings and conditions:

1. Enterprise shall comply with all applicable requirements of the New Mexico Water Quality Control Commission Regulations (20.6.2 NMAC), the Oil and Gas Act (Chapter 70, Article 2 NMSA 1978), and all conditions specified in this approval and shall operate and close the project in accordance with the October 22, 2013 request;
2. Enterprise will be testing a new 16-inch diameter natural gas gathering system transmission pipeline approximately 25.7 miles (135,696 feet) long, located approximately 9.75 miles north of Lovington, New Mexico;

3. Enterprise will acquire the hydrostatic test water from the Powell wells #1 (POD# L 00697) and #2 (POD# L 00698)
4. Enterprise will generate approximately 710,000 gallons of hydrostatic test wastewater from the test event. The hydrostatic wastewater will remain in the pipeline while being sampled and awaiting test results from a certified laboratory;
5. Enterprise shall analyze all samples of wastewater generated from the hydrostatic test to demonstrate the results do not exceed the standards as set forth in Subsections A, B, and C of the 20.6.2.3103 NMAC or background, whichever is greater, except for Combined Radium 226 & Radium 228 due to pre-test results;
6. Enterprise shall submit the test results via email or fax to the OCD for review and subsequent approval or disapproval for the test wastewater to be discharged;
7. If the final discharge of the wastewater is approved by the OCD, Enterprise will discharge the wastewater into a dewatering structure, constructed of non-woven geotextile and hay bales, to control erosion and contain the discharge is within Enterprise's pipeline easement right-of-way and adjacent private property, located within Unit M of Section 23, Township 14 South, Range 35 East, NMPM, Lea County, New Mexico;
8. If final discharge of the wastewater is approved, no hydrostatic wastewater generated will be discharged to groundwater;
9. If final discharge of the wastewater is approved, no discharge shall occur:
 - a. within 200 feet of a watercourse, lakebed, sinkhole or playa lake;
 - b. within an existing wellhead protection area;
 - c. within, or within 500 feet of a wetland;
 - d. within an area overlaying a subsurface mine; or
 - e. within 500 feet from the nearest permanent residence, school, hospital, institution or church;
10. If the wastewater exceeds one the standards as set forth in Subsections A, B, and C of the 20.6.2.3103 NMAC or background, whichever is greater, Enterprise will use an electro-coagulation cleaning process and a separate filtration system to treat the wastewater, in accordance with Appendix G of the October 22, 2013 request.
11. Enterprise will slowly discharge the wastewater after treatment, via a system of flexible hoses and temporary piping, into forty-three (43) 16,800 gallon frac tanks for temporary storage within Enterprise's pipeline easement right-of-way, in order to obtain samples and await test results from a certified laboratory;
12. Enterprise shall ensure that the temporary storage tanks shall have impermeable secondary containment (e.g., liners - geomembrane and berms – hay bales or a secondary containment tank), which will contain a volume of at least one-third greater than the total volume of the largest tank or one-third greater than the total volume of all tanks that are inter-connected, whichever is greater;

13. If the final discharge of the wastewater is not approved by the OCD after treatment, Enterprise will transfer the wastewater, via a system of flexible hoses and pump, from the pipeline into water trucks and hauled by Dawn Trucking, Co. (C-133-31), M&R Trucking, Inc. (C-133-399), Three Rivers Trucking, Inc. (C-133-335), or Triple S Trucking, Co. (C-133-372) for injection and disposal at Basin Disposal, Inc.'s Class II injection well (API 30-045-26862/IPI-149-0), Agua Moss LLC's Non-Hazardous Class I injection well (UICI-005), or disposal at Gandy Marley Inc. (NM1-019);
14. Enterprise will ensure the transfer any spent filters and/or solids generated from the treatment of the hydrostatic test wastewater via an OCD approved C-133 water hauler to Gandy Marley Inc. (NM1-019), Lea Land Inc. (NM1-024), or R360 Permian Basin, LLC (NM1-006/Order R-9166) for disposal.
15. Enterprise will have personnel on-site to oversee and control the transfer and utilize collection pans placed below the collection points to prevent an unauthorized release;
16. Enterprise will not be analyzing the hydrostatic test wastewater prior to off-site disposal because of the following: the wastewater has been demonstrated to be RCRA exempt waste and the proposal is to transfer the wastewater to Basin Disposal, Inc.'s Class II injection well (API 30-045-26862/IPI-149-0) or Agua Moss LLC's Non-Hazardous Class I injection well (UICI-005) for injection and disposal, or disposal at Gandy Marley Inc. (NM1-019);
17. Enterprise will ensure the transfer the hydrostatic test wastewater via an OCD approved C-133 water hauler to Basin Disposal, Inc.'s Class II injection well (API 30-045-26862/IPI-149-0) or Agua Moss LLC's Non-Hazardous Class I injection well (UICI-005) for injection and disposal, or disposal at Gandy Marley Inc. (NM1-019);
18. Enterprise shall ensure that all waste (solids and/or liquids) are properly manifested and that a copy of the completed Form C-138 manifest accompanies the hauler and is provided to the OCD approved disposal facility operator upon delivery;
19. Enterprise shall remove all hydrostatic test wastewater from the collection/retention location within ten (10) calendar days of the completion of the hydrostatic test or treatment;
20. Enterprise shall restore any surface area impacted or disturb from the approved activities;
21. Enterprise shall implement best management practices to prevent unauthorized releases during the transfer/collection activities;
22. Enterprise shall ensure that the discharge/transfer/collection activities do 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 New Mexico Water Quality Control Commission Regulations);

23. Enterprise must properly notify the landowner(s) of the proposed discharge/collection location of the approved activities prior to the hydrostatic test event; and
24. Enterprise shall report all unauthorized discharges, spills, leaks and releases of hydrostatic test water and conduct corrective action pursuant to OCD Rule 29 (19.15.29 NMAC).

It is understood that the hydrostatic test will begin approximately December 3, 2013. This permit will expire within 120 calendar days of its issue date. This permit may be revoked or suspended for violation of any applicable provisions and/or conditions.

Please be advised that approval of this request does not relieve Enterprise of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve Enterprise 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 contact me at (505) 476-3487 or brad.a.jones@state.nm.us.

Sincerely,

Brad A. Jones
Environmental Engineer

BAJ/baj

Cc: OCD District I Office, Hobbs
Mr. Jim Heap, Enterprise Products Operating, LLC, Midland, TX 79701