HIP - __120__

GENERAL CORRESPONDENCE

YEAR(S): 2013 to Present

Jones, Brad A., EMNRD

From: Dyer Schlitzkus <dschlitzkus@bio-west.com>
Sent: Wednesday, March 06, 2013 1:08 PM
To: Jones, Brad A., EMNRD
Subject: Maljamar NOI
Attachments: NM Hydrostatic Test NOI.pdf

Mr. Jones,

I received your message. Attached is the NOI in pdf format. Please let me know if you require any additional information.

Thank you,

Dyer Schlitzkus
Senior Ecologist
BIO-WEST, Inc.
1018 Frost Street
Rosenberg, Texas 77471
Cell: 281.239.5181
Ph: 832.595.9064
Fax: 832.595.9054

BIO-WEST, Inc.
www.bio-west.com

BIO-WEST, Inc.

1018 Frost Street
Rosenberg, Texas
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www.bio-west.com

Coastal Ecology

Environmental Analysis and Permitting

Environmental Engineering

Fisheries and Aquatic Biology

Landscape Architecture

Marine Biology

Vegetation

Watershed Science

Wetlands

Wildlife

February 27, 2013

Mr. Brad Jones
Environmental Engineer
New Mexico Energy, Minerals, and Natural Resources Department
Oil Conservation Division
1220 St. Francis Drive
Santa Fe, New Mexico 87505

Re: Submittal of the Notice of Intent for the Discharge of Hydrostatic Test Water
Maljamar Pipeline Project
Lea County, New Mexico

Dear Mr. Jones:

On behalf of the Lone Star NGL Pipeline, LP (Lone Star) BIO-WEST, Inc. (BIO-WEST) is pleased to submit this Notice of Intent (NOI) to discharge hydrostatic test water.

Lone Star is requesting to discharge the hydrostatic test water on pastureland approximately 19.0 miles south-southwest of Maljamar, New Mexico. With this application, Lone Star intends to discharge the water within the new pipeline easement. Lone Star plans to conduct the test and then discharge on approximately June 1, 2013, following NMOCD approval.

BIO-WEST has included the required information for the NOI as stated in the "Guidelines for Hydrostatic Test Dewatering." Additionally, a check in the amount of $100.00 is attached to cover the filing fee. The following items include:

- Background Information;
- Hydrostatic Test Water Discharge Plan;
- Figure 1, Project Location Map;
- Figure 2, Topographic Map;
- Figure 3, Typical Discharge Structure;
- Figure 4, Surface Ownership Map;
- Appendix A, Certification of Siting Criteria;
- Appendix B, Copy of Email from the New Mexico Abandoned Mine Lands Program; and
- Appendix C, Public Notice Text.

The Public Notice will be posted in accordance with Subsections A, B, and C of NMAC 20.6.2.3108 in the Maljamar, NM Post Office and published in the local newspaper.

Should you have any questions, please feel free to contact Dyer Schlitzkus (BIO-WEST) at (832) 595-9064, or Seth Willoughby (Lone Star) at (281) 840-1482.

Respectfully submitted,
BIO-WEST, Inc.

Dyer Schlitzkus
Project Manager/Senior Ecologist

Background Information

- The Lone Star NGL Pipeline, LP (Lone Star) Maljamar Pipeline is a new natural gas pipeline that is being permitted with the Bureau of Land Management (BLM; NM-128641).

- This transportation pipeline is part of a network that conveys natural gas that is suitable for immediate consumer use.

- Based upon experience with the New Mexico Oil Conservation Department (NMOCD), Lone Star understands that the water discharged from cleaning and testing this pipeline system is generally classified as non-exempt waste by the Resource Conservation and Recovery Act (RCRA) and is subject to the Water Quality Control Commission (WQCC) Regulations.

Hydrostatic Test Water Discharge Plan

On behalf of Lone Star, BIO-WEST, Inc. is submitting this hydrostatic test water discharge plan for an Individual Discharge Permit pursuant to Section 1201 of 20.6.2 New Mexico Administrative Code (NMAC), and in accordance with NMOCD "Guidelines for Hydrostatic Test Dewatering," (revised January 11, 2007). The discharge plan includes the following items:

Item A. Name and address of the proposed discharger;

Legally Responsible Party

Lone Star NGL Pipeline, LP
800 East Sonterra Blvd, Suite 400
San Antonio, Texas 78358

Local Representative

Seth Willoughby (281) 840-1482
Lone Star NGL Pipeline, LP
9900 W I-20 Ste 103
Midland, TX 79706

Item B. Location of the discharge, including a street address, if available, and sufficient information to locate the facility with respect to surrounding landmarks;

The general location of the pipeline to be tested is shown on Figure 1. The portion of the pipeline easement that will be used as a discharge area is predominately located adjacent to and east of County Road (CR) 126A, in the vicinity of the City of Maljamar, New Mexico. As depicted on Figure 2, this area is located approximately 19.0 miles south-southwest of the city on the SW 1/4 of SW 1/4 of Section 8, Township 20 S, Range 32 E. The discharge will occur and be contained within a geo-fabric lined hay bale structure measuring 30 feet by 200 feet located within the permitted easement.

Upon completion of hydrostatic test, Lone Star will conduct a discharge (hydrostatic test water) that may be subject to regulation (RCRA non-exempt). The test water will be held within the pipeline while the sample is tested and NMAC approval is pending. Given that the project involves new pipeline and the water source (ground water) has been previously tested, Lone Star believes that the hydrostatic test water will meet the WQCC standards for ground water with contaminant concentrations not exceeding levels listed in Subsections A, B, and C of NMAC 20.6.2.31 03.

Approximately 492,500 gallons of hydrostatic test water will be discharged within the pipeline easement at the location described in Item B. Please see Figure 3 for the discharge location on the pipeline easement. Legal description of the discharge location is also listed under Item C.

Item C. Legal description of the discharge location;

The width and length of the proposed discharge area is approximately 30 feet and 200 feet, respectively. The proposed discharge will occur on the pipeline easement within the SW 1/4 of SW 1/4 of Section 8, Township 20 S, Range 32 E in Lea County, New Mexico.

Item D. Maps (site-specific and regional) indicating the location of the pipelines to be tested and the proposed discharge location;

The general location of the pipeline to be tested is shown on Figure 1. Figure 2 and 3 are site-specific maps showing topography and the proposed hydrostatic test water discharge area within the easement. Figure 4 provides a depiction of the landowners within 1/3-mile of the discharge.

Item E. A demonstration of compliance to the following siting criteria or justification for any exceptions:

- ***i. Within 200 feet of a watercourse, lakebed, sinkhole, or playa lake;***
- ***ii. Within 7,000 feet of an existing wellhead protection area or 100-year floodplain;***
- ***iii. Within, or within 500 feet of, a wetland;***
- ***iv. Within the area overlying a subsurface mine; or***
- ***v. Within 500 feet from the nearest permanent residence, school, hospital, institution or church.***

According to Lone Star, evidence of the above listed features is not present within the required radius limits of the proposed discharge. Lone Star representatives performed discharge site visits to look for the presence of watercourses, lakebeds, sinkholes, playa lakes, wells, wetlands, residences, schools, hospitals, institutions, mines and churches. According to Lone Star, these items were not observed within the specified distances listed under Item E. A Certification of Siting Criteria is attached in Appendix A.

A search for surrounding water wells was completed to satisfy a portion of this requirement. The New Mexico Water Rights Reporting System (NMWRRS) database at the New Mexico Office of the State Engineer was used for this search, which was conducted on January 2, 2013. According to the search, the nearest water well is located over three miles to the northwest of the proposed discharge location. No discharge will take place within 7,000 feet of a well or well head protection area.

Federal Emergency Management Administration (FEMA) flood insurance data was reviewed from the FEMA National Flood Insurance Program (NFIP) to search for 100-year floodplains in the proposed discharge area. No 100-year floodplain was identified along the course of the proposed easement discharge. The nearest floodplains are located over eight miles to the northwest of discharge location. No discharge will take place in a 100-year floodplain.

Mr. James R. Smith with the New Mexico Abandoned Mine Lands Program (Phone: 505-476-3422) was contacted to assess the presence of abandoned subsurface mines in the vicinity of the discharge location. According to Mr. Smith, there is no evidence of abandoned subsurface mines in this area. A copy of an email from Mr. Smith is attached in Appendix B. According to the BLM Base Map (July 2012), the discharge area is not overlaying a working mine.

No water will be discharged within the radii outlined above (Item E, i. through v.) or within 200 feet of a publicly-maintained roadway. The hydrostatic test water discharge area will be posted with signs or flagging.

In addition to the siting criteria listed above, a copy of the Public Notice in English is included in Appendix C.

Item F. A brief description of the activities that produce the discharge;

Pressure testing with water, known as hydrostatic testing, is one of the tools pipeline operators use to verify pipeline integrity. The test involves filling the pipeline with water, then pressurizing the pipeline to a pressure higher than the standard operating pressure for approximately eight hours. The purpose of hydrostatic testing in a pipeline is to determine the extent to which potential defects might threaten the, pipeline's ability to sustain maximum allowable operation pressure. If leaks or breaks occur, the pipeline is repaired or the affected areas is replaced and then re-tested. Approximately 492,500 gallons or less of water from a well of good quality that is maintained by the Frontier Plant will be used for the hydrostatic test.

Item G. The method and location for collection and retention of fluids and solids;

The approximately 492,500 gallons of water used for hydrostatic testing of the pipeline will be stored within the pipeline while the sample is tested and permission from NMOCD is pending. Solids are not anticipated to be produced from the hydrostatic testing.

Item H. A brief description of best management practices to be implemented to contain the discharge onsite and to control erosion;

After the NMOCD approves the discharge, Lone Star will discharge the water onto the Lone Star pipeline easement into a dewatering structure (Figure 2 and 3). The dewatering structure will consist of a series of straw bale containments and geotextile fabric to reduce flow velocity, prevent erosion, and prevent the water from exiting the outermost containment wall. No water will be allowed to run off the easement or cause erosion. The discharge location will be well outside of the setback distances described in Item E and signs and/or flagging will be around the discharge structure to alert Lone Star representatives to the discharge location.

Item I. A request for approval of an alternative treatment, use, and/or discharge location (other than the original discharge site), if necessary;

In the event that the hydrostatic test water is found to be unsuitable for land application, it will be treated by filtration through activated charcoal and/or other applicable media until it meets the NMOCD standards outlined in Subsections A, B, and C of NMAC 20.6.2.3103. The water will then be released to the land surface at the designated discharge area following NMOCD approval.

Item J. A proposed hydrostatic test wastewater sampling plan;

Analytical sampling for the hydrostatic test water will consist of one pre-test sample collected from the source water and one pre-discharge sample will be submitted to an EPA-approved analytical laboratory. The pre-test and pre-discharge hydrostatic test water samples will be analyzed for the constituents outlined in Subsections A, B, and C of NMAC 20.6.2.3103. Analytical results of the pre-discharge sample will be submitted to the NMOCD with a recommendation for disposal of the hydrostatic test water.

Analytical data from the pre-hydrostatic test water will be used as a baseline to determine if the water is suitable for use. Analytical data from the post-hydrostatic test water will be used to determine if the water is suitable for discharge.

Item K. A proposed method of disposal of fluids and solids after test completion, including closure of any pits, in case the water generated from test exceeds the 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);

All fluids will be tested and then discharged as described under Items I. and F. No solid waste is anticipated. In the event that the hydrostatic test water is found to be unsuitable for land application, it will be treated by filtration through activated charcoal and/or other media as appropriate until it meets the NMOCD standards outlined in Subsections A, B, and C of NMAC 20.6.2.3103. NMOCD approval for discharge will be required with or without filtration or treatment.

Item L. A brief description of the expected quality and volume of the discharge;

The discharge will be tested in accordance with the guidelines noted in Item J to assess if the constituent concentrations in the water meet, Subsections A, B, and C of NMAC 20.6.2.3103. Given that the project involves new pipeline and the water source ground water has been previously tested, the quality of the discharged water is expected to meet regulatory limits. The approximate volume of the discharge is expected to be 492,500 gallons or less.

Item M. Geological characteristics of the subsurface at the proposed discharge site;

Regional Features

The discharge location is within the Permian Basin of New Mexico, a late Proterozoic structural depression that formed on the southwestern edge of the North American craton (Keller et al. 1980). Within the Permian Basin, the discharge location is located on the northwestern shelf of the Delaware Basin, which is the second largest subbasin of the Permian Basin. The Delaware Basin contains Paleozoic through Cenozoic sediments up to 16,800 feet thick (Nicholson Jr. and Clebsch Jr. 1961). These sediments are underlain by Precambrian granite, which intruded into older igneous and metamorphic Precambrian rock (Nicholson Jr. and Clebsch Jr. 1961). The area near the discharge location is characterized by vast dune fields, salt-lined playa deposits, and ephemeral drainages (Nicholson Jr. and Clebsch Jr. 1961).

Site Geology

The discharge area is located within a half mile of a 2.5-mile diameter playa on Querecho Plains, a large sand dune field deposited by eolian processes. Querecho Plains consists of recent age Quaternary fine- to medium-grained sand deposits that are stable to semi-stable, but drift locally (Nicholson Jr. and Clebsch Jr. 1961). These sand deposits are named the "Mescalero sands", and are generally 5 to 10 feet thick, but may be up to 30 feet thick. The Mescalero sands are underlain by Pleistocene alluvium consisting of calcareous silt interbedded with unconsolidated sand and clay. These deposits are generally less than 100 feet thick, although at some locations its thickness can range from only a few inches to 400 feet (Nicholson Jr. and Clebsch Jr. 1961). The aforementioned Quaternary deposits are underlain by the Santa Rosa sandstone, which is a member of the Triassic Dockum Group. The Santa Rosa sandstone is a fine- to coarse-grained sandstone that contains minor shale layers and ranges in thickness from 140 feet to greater than 300 feet (Nicholson Jr. and Clebsch Jr. 1961).

Item N. The depth to and total dissolved solids concentration of the ground water most likely to be affected by the discharge;

Regional Hydrogeology

The discharge site location is located approximately 20 miles to the southwest of the Southern High Plains aquifer, a 174,000-square mile unconfined aquifer consisting largely of the Tertiary Ogallala Formation (Alley et al. 1999). The Southern High Plains aquifer is recharged entirely by precipitation in this area (Nicholson Jr. and Clebsch Jr. 1961). The Mescalero Ridge, which is an erosional escarpment of the Ogallala Formation, comprises the southwestern extent of the Southern High Plains aquifer. West of the Mescalero Ridge, in the Querecho Plains area, potable water is obtained from the Triassic Santa Rosa sandstone, a confined aquifer with low permeability (Nicholson Jr. and Clebsch Jr. 1961). The Santa Rosa sandstone is recharged from precipitation falling on the overlying Quaternary deposits, from outcrops of the formation, and possibly from the Southern High Plains aquifer. There does not appear to be a saturated zone in the overlying Quaternary deposits (Nicholson Jr. and Clebsch Jr. 1961).

Local Groundwater Hydrology

A review of well records revealed that an exploratory well was completed in 1959 approximately five miles west of the discharge location. The well record indicated that the Santa Rosa sandstone was penetrated at a depth of 140 feet below the ground surface, and that the formation was saturated from a depth of 140 to 175 feet below the ground surface (Gulf Interstates Company 1959). More recent depth to groundwater data from the Santa Rosa sandstone in the Querecho Plains region were not found. However, because the Quaternary deposits in the area are unsaturated, it is expected that depth to groundwater exceeds the thickness of the alluvial deposits.

Water quality of the Santa Rosa sandstone ranges from good to poor, depending on a location's proximity to outcrops of the formation (Trauger 1972). Total dissolved solids concentrations in this aquifer are variable, with the freshest water being located near outcrop locations in the northern half of New Mexico. The aquifer generally contains elevated levels of sulfate and/or fluoride in some locations (Trauger 1972). Water in the Santa Rosa sandstone contains high concentrations of sodium and moderately low concentrations of chloride (Nicholson Jr. and Clebsch Jr. 1961). Levels of total dissolved solids generally exceed that of the levels in the Ogallala Formation, which are typically less than 1,100 milligrams per liter (Nicholson Jr. and Clebsch Jr. 1961).

Item O. Identification of landowners at and adjacent to the discharge collection/retention site.

Landowners within 1/3 mile of the proposed discharge:

Carlsbad Field Office
Bureau of Land Management
620 E Greene
Carlsbad, NM 88220

East Intrepid Potash
P O Box 101
Carlsbad, NM 88220

For a depiction of these properties in reference to the discharge location, please reference Figure 4.

References

Alley, W.M., Reilley, T.E., and Franke, O.L. 1999. Sustainability of ground-water resources. U.S. Geological Survey Circular 1186.

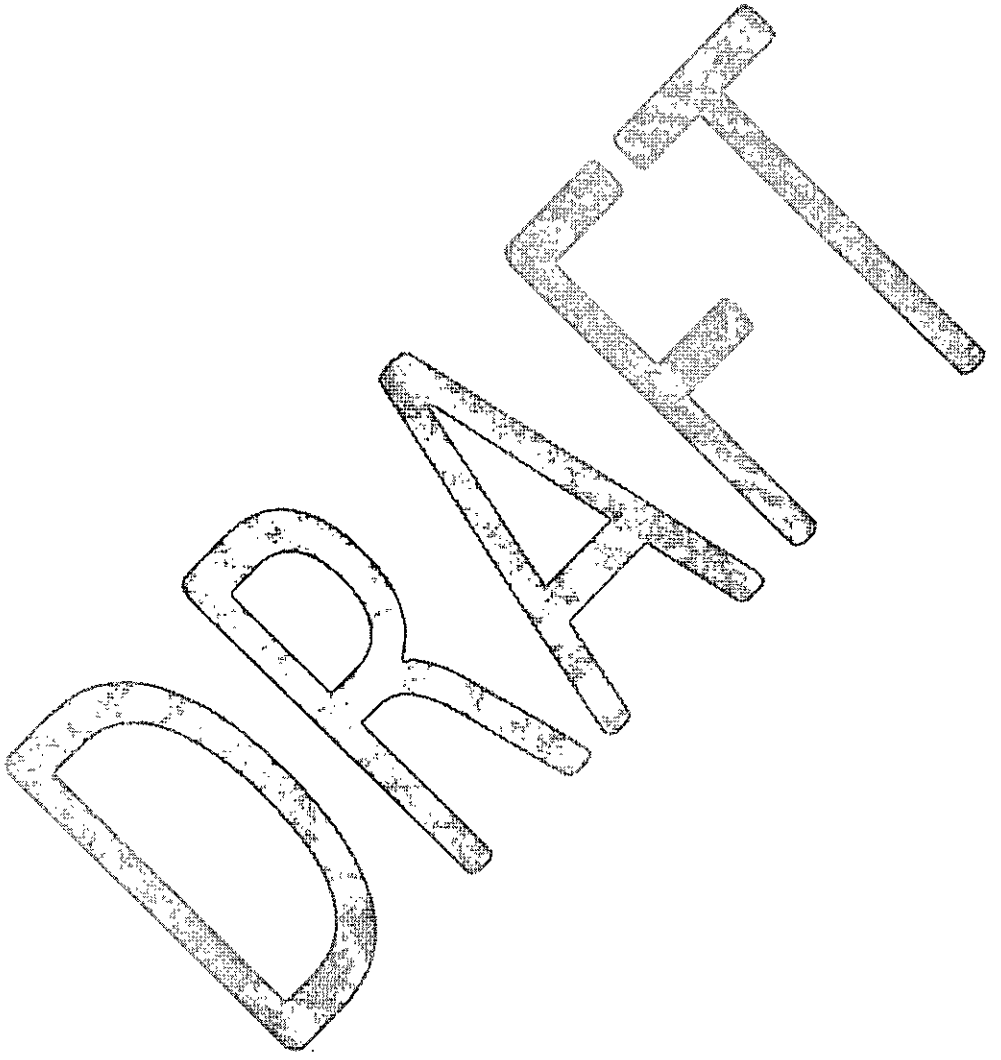
Gulf Interstates Company. 1959. Well record for unnamed well, location number 19.31.33.142222. Data accessed from New Mexico Office of the State Engineer on 1/09/2013.

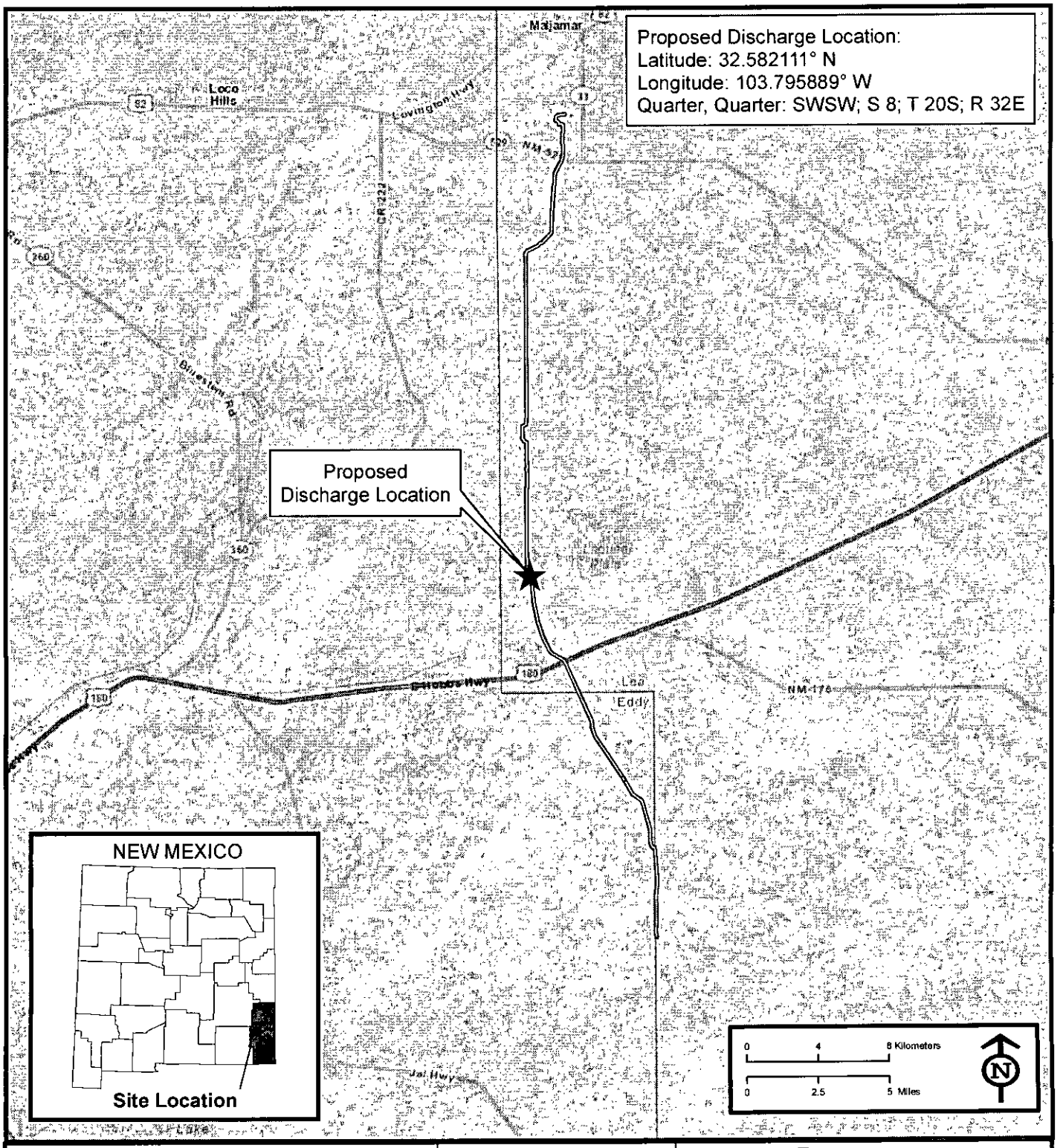
Keller, R.G., Hills, J.M., and Djeddi, R. 1980. A regional geological and geophysical study of the Delaware Basin, New Mexico and West Texas. *In:* New Mexico Geological Society Guidebook, 31st field conference, Trans-Pecos Region, p. 105-111.

Nicholson Jr., A. and Clebsch Jr., A. 1961. Geology and ground-water conditions in southern Lea County, New Mexico. U.S. Geological Survey Ground-Water Report 6.

Trauger, F.D. 1972. Ground water in east-central New Mexico. *In:* New Mexico Geological Society Guidebook, 23rd field conference, Trans-Pecos Region, p. 201-207.

Figures





★ Proposed Discharge Location

Proposed Pipeline

County

Source: ESRI World Streetmap

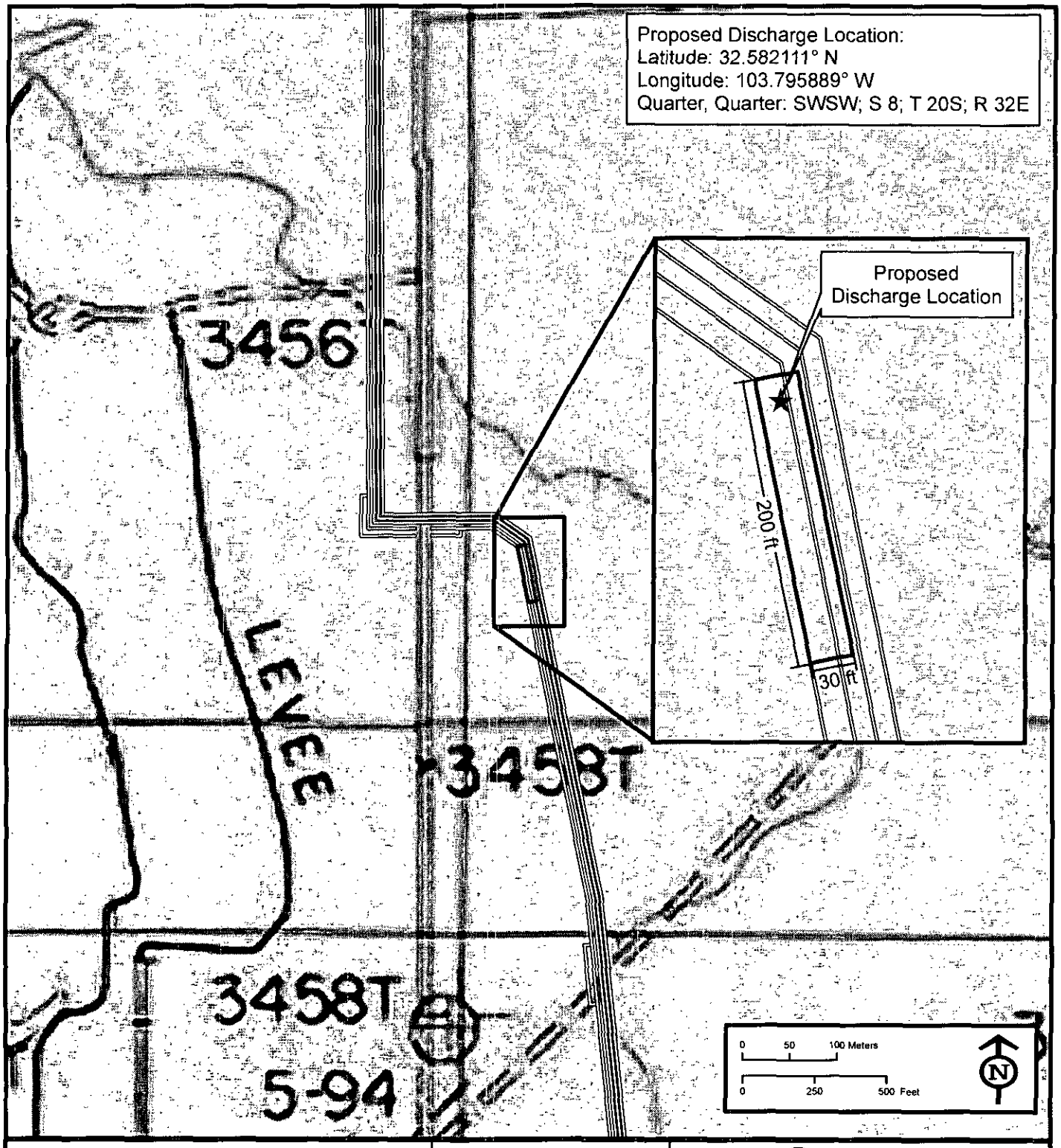
Prepared By: BIO-WEST, Inc.

Lone Star NGL

Figure 1
Project Location

Maljamar Pipeline Project
Lea County, New Mexico

Scale: 1 inch = 5 miles	Date: 2/4/2013	Drawn by: DAG	Job No.: 1481	File: Fig_1_Location.mxd



★ Proposed Discharge Location

Proposed Discharge Structure

Workspace

Source: USGS Topo Map

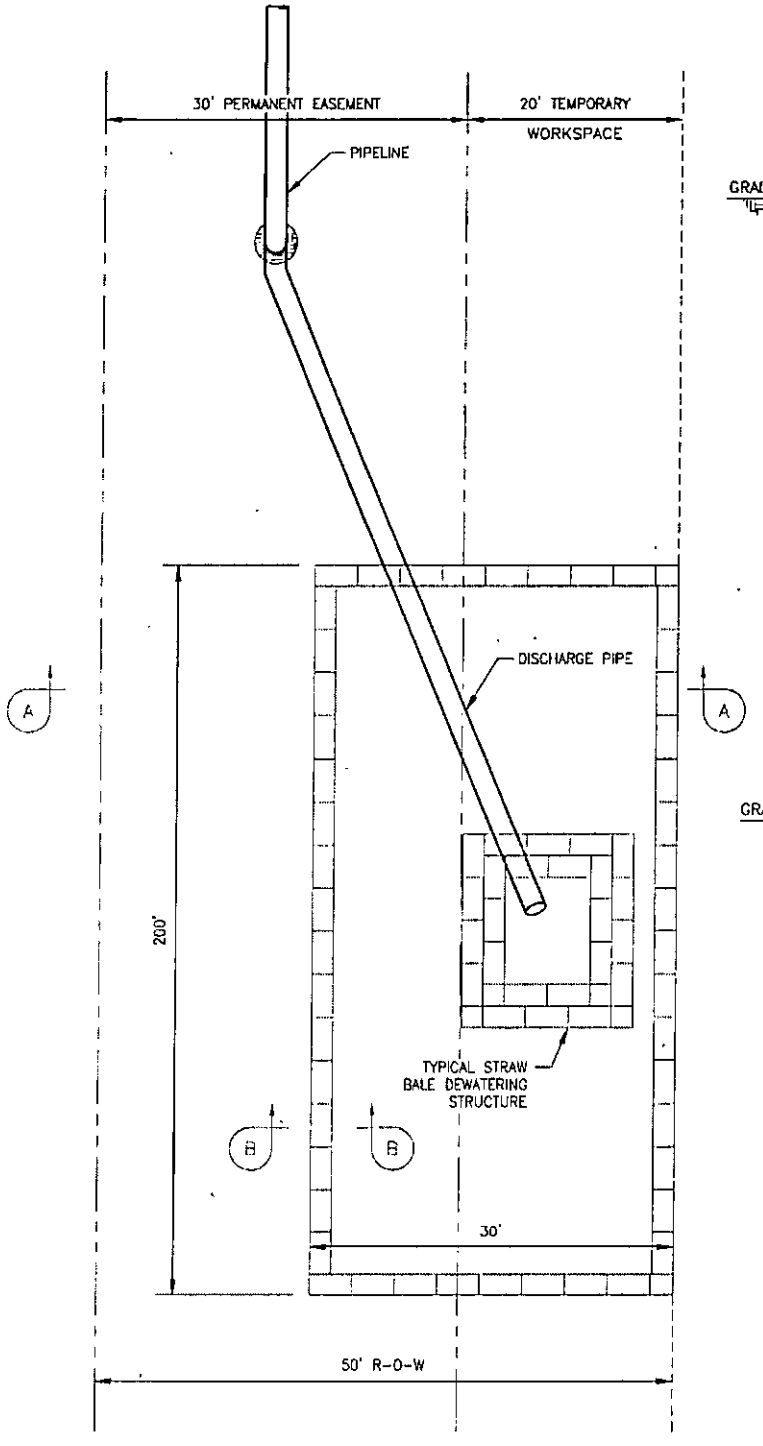
Prepared By: BIO-WEST, Inc.

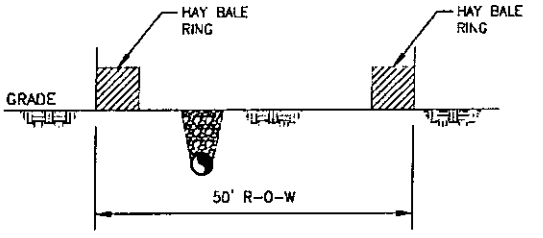
Lone Star NGL

Figure 2
Topographic Map

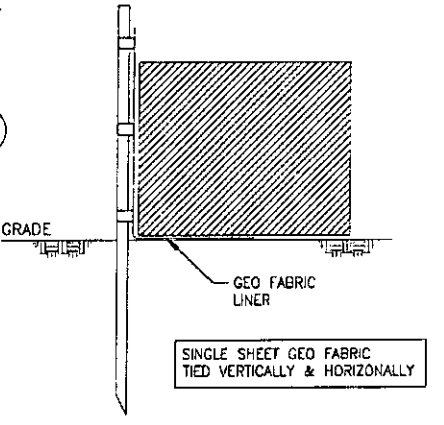
Maljamar Pipeline Project
Lea County, New Mexico

Scale: 1 inch = 500 feet	Date: 2/27/2013	Drawn by: DAG	Job No.: 1481	File: Fig_2_Topo.mxd





SECTION A–A
SCALE: NTS



SECTION B–B
SCALE: NTS

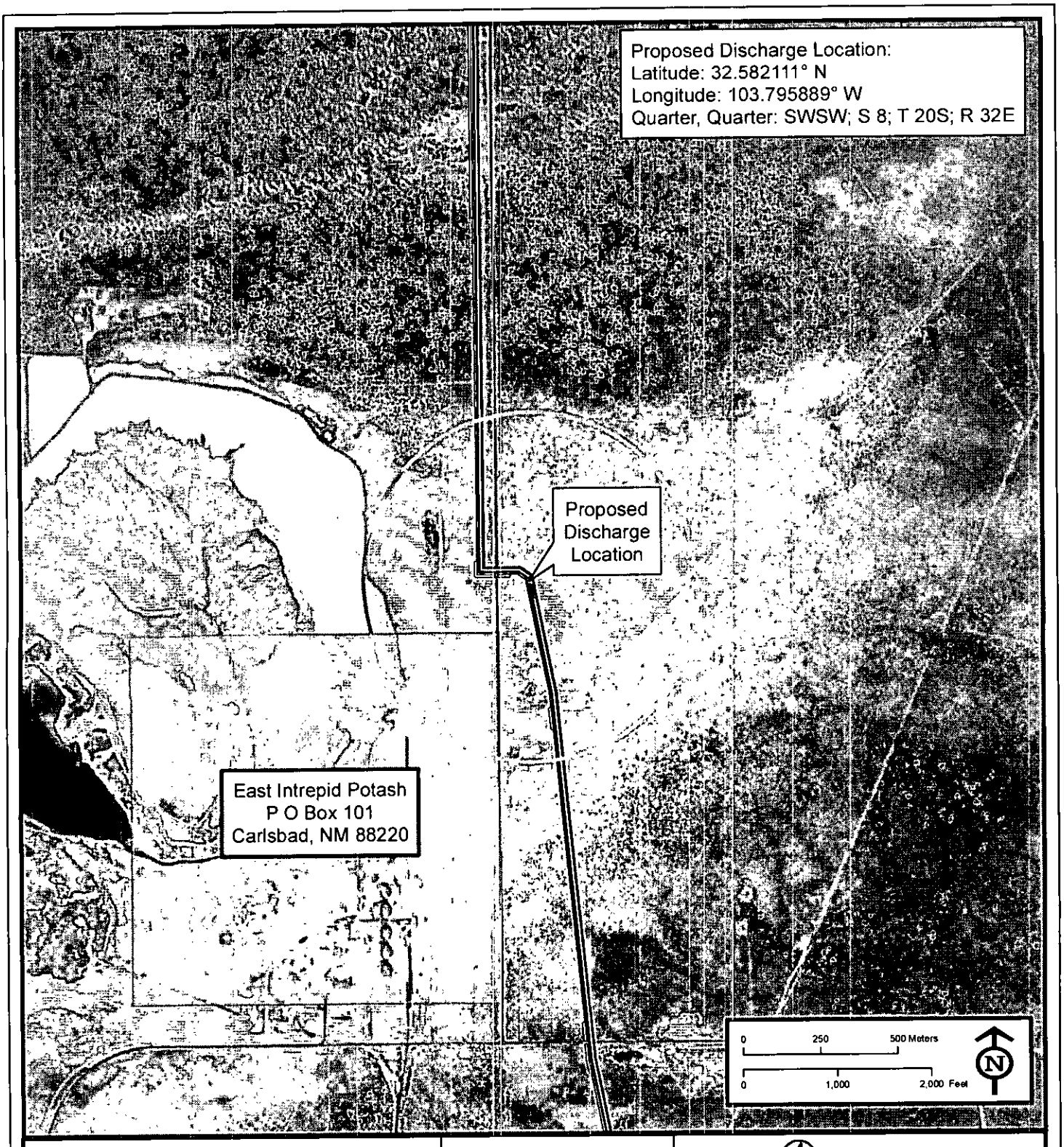
Lone Star NGL

Figure 3
Typical Discharge Structure

Prepared By: BIO-WEST, Inc.

Maljamar Pipeline Project
Lea County, New Mexico

Scale: NTS	Date: 2/4/2013	Drawn by: DAG	Job No.: 1481	File: Fig_3_Structure.mxd



Workspace

Proposed Discharge Structure

1/3-Mile Buffer

Private Land

Source: ESRI World Imagery

Prepared By: BIO-WEST, Inc.

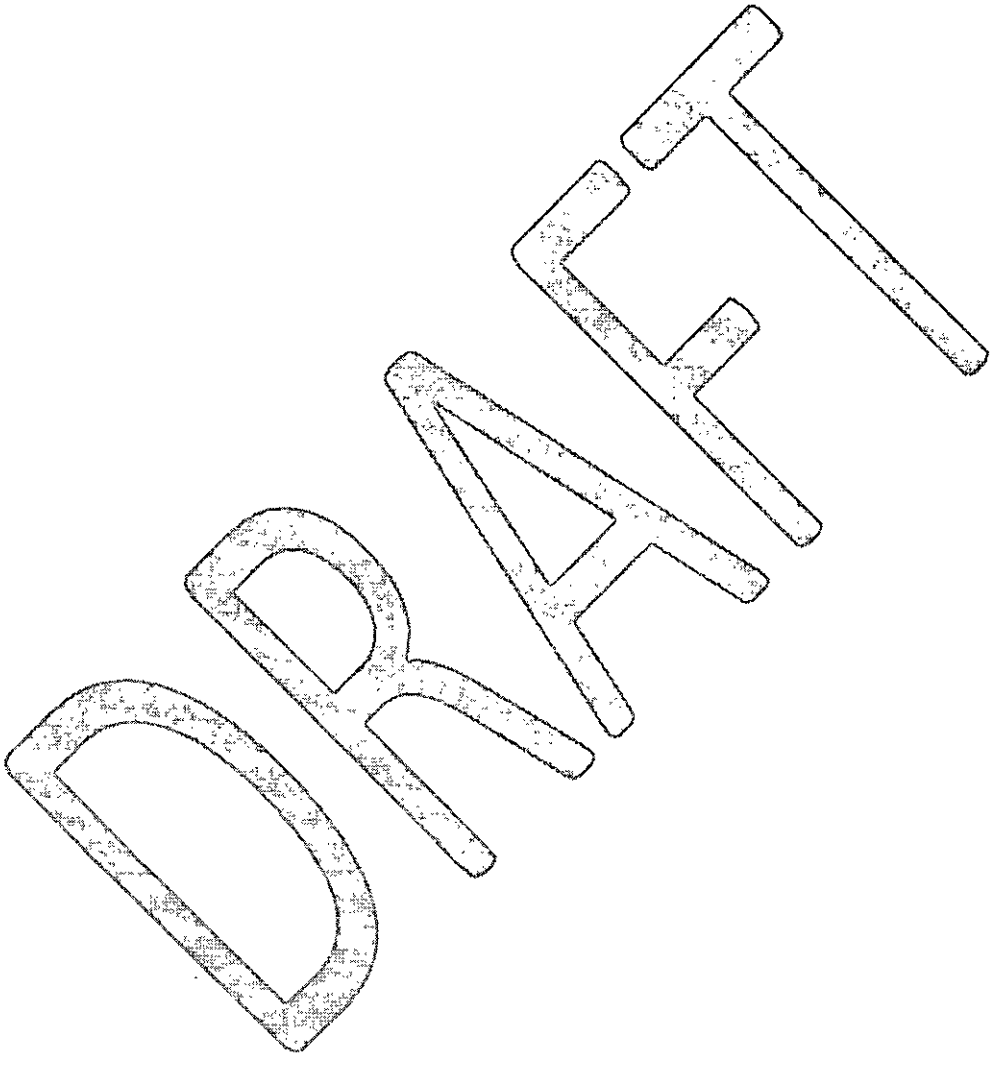
Lone Star NGL

Figure 4
Surface Ownership Map

Maljamar Pipeline Project
Lea County, New Mexico

Scale: 1 inch = 1,500 feet	Date: 2/7/2013	Drawn by: DAG	Job No.: 1481	File: Fig_4_Ownership.mxd

APPENDIX A
Certification of Siting Criteria



Certification of Siting Criteria
Hydrostatic Discharge on Pipeline Easement

I, Dyer Schlitzkus of BIO-WEST, Inc., have performed a site visit and visual inspection to look for the presence of watercourses; lakebeds, playa lakes, residences, schools, hospitals, churches, evidence of underground mines, water wells, and institutions within the specified distances (listed below) of the proposed discharge location in SW 1/4 of SW 1/4 of Section 8, Township 20 S, Range 32 E in Lea County, New Mexico.

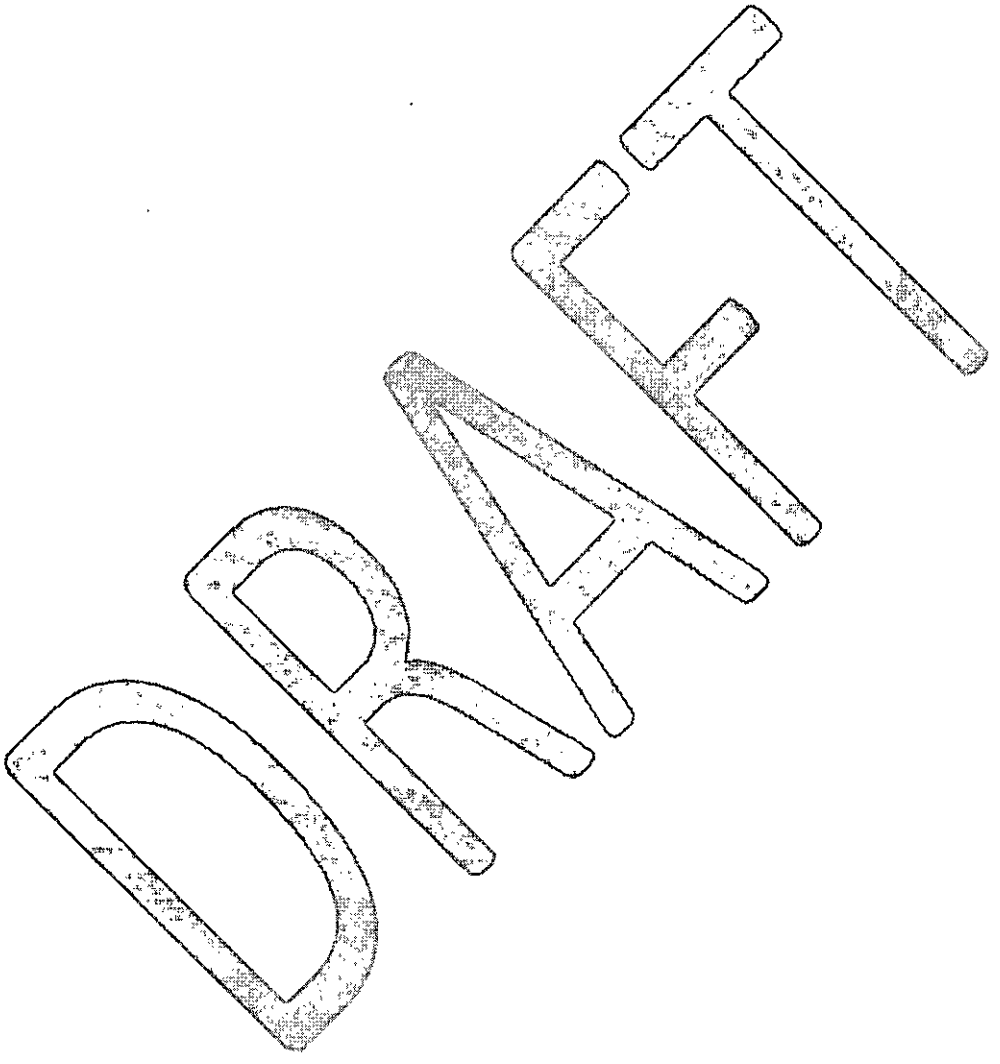
Before discharge, signs or flagging will be posted around the easement and/or discharge structure. No discharge will take place within the specified distances listed below.

Dyer Schlitzkus
Senior Ecologist/Project Manager

Feb. 27, 2013
Date

vi. Within 200 feet of a watercourse, lakebed, sinkhole, or playa lake;
vii. Within 7,000 feet of an existing wellhead protection area or 100-year floodplain;
viii. Within, or within 500 feet of, a wetland;
ix. Within the area overlying a subsurface mine; or
x. Within 500 feet from the nearest permanent residence, school, hospital, institution or church.

APPENDIX B
Copy of Emails from the New Mexico Abandoned Mine Lands Program



Dyer Schlitzkus

From: Smith, James R, EMNRD <JamesR.Smith@state.nm.us>
Sent: Thursday, January 03, 2013 10:34 AM
To: Dyer Schlitzkus
Subject: RE: Mine Information Request

Mr. Schlitzkus,

I am not currently in my office but I did a quick historical review of the sections you show below and I do not find any known abandoned mines.

Please let me know if I can be of further help,

James R. Smith, P.E.
Abandoned Mine Land Program
Ph: 505-476-3422
Cell: 505-690-8071
Abandoned Mine Land Website
JamesR.Smith@state.nm.us

From: Dyer Schlitzkus [dschlitzkus@bio-west.com]
Sent: Wednesday, January 02, 2013 2:56 PM
To: Smith, James R, EMNRD
Subject: Mine Information Request

Mr. Smith,

I received your information from Mr. Brad Jones with the New Mexico Oil Conservation Department (NMOCD) while referencing a past permit you provided some assistance on. I'm working on a discharge permit for a natural gas pipeline hydrostatic test and need to adhere to the current NMOCD regulations. The areas of discharge are approximately 28 miles NE of Carlsbad, NM.

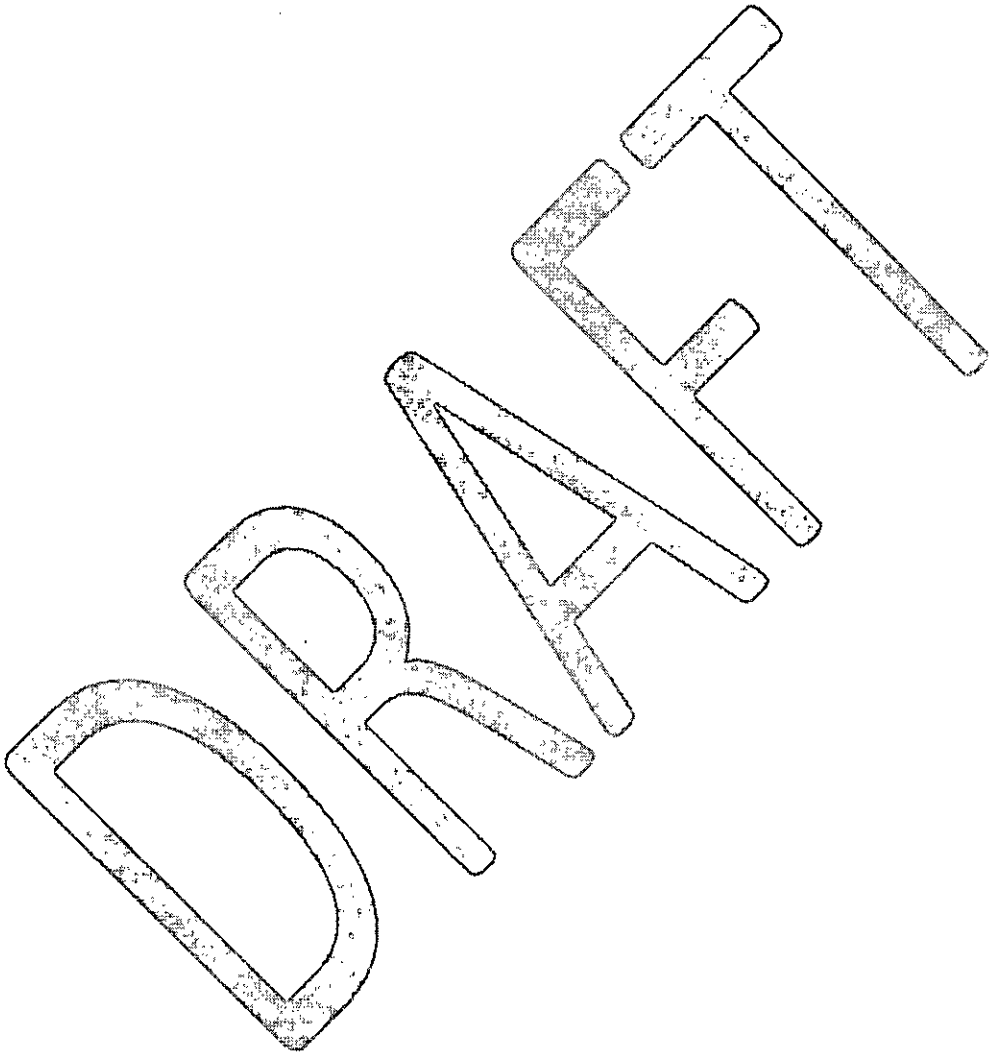
Will you please send any information on mines within:
S29 and 30, T019S, R032E
S08 and 17, T020S, R032E

Please do not hesitate to reply or call with any questions or concerns.

Thank you,

Dyer Schlitzkus
Senior Ecologist
BIO-WEST, Inc.
1018 Frost Street
Rosenberg, Texas 77471
Cell: 281.239.5181
Ph: 832.595.9064
Fax: 832.595.9054

APPENDIX C
Public Notice Text



PUBLIC NOTICE

Lone Star NGL Pipeline, LP (Lone Star) hereby gives notice that the following discharge permit application has been submitted to the New Mexico Oil Conservation Division (NMOCD) in accordance with Subsection A, B, D and F of 20.6.2.31 08 of New Mexico Administrative Code (NMAC). The local Lone Star mailing address is: Lone Star NGL Pipeline, LP, 9900 W I-20 Ste 103, Midland, TX 79706.

Lone Star has submitted an application for hydrostatic test water discharge which will occur on the Lone Star pipeline easement in Section 8, Township 20 S, Range 32 E, in Lea County, New Mexico. The location of the discharge is 19.0 miles south-southwest of the city of Maljamar, NM. To reach the discharge location from Maljamar, travel south 19.7 miles on County Road 126A to the intersection of the pipeline. From this location, the discharge point is approximately 360 feet to the east. The discharge will take place within the pipeline easement for approximately 200 feet.

The purpose of the hydrostatic test (testing with water) is to ensure pipeline integrity prior to burial and filling with product. The test involves filling the pipeline with water and then pressurizing the pipeline to a pressure higher than the standard operating pressure for a specified duration of time.

Up to 492,500 gallons of good quality water from a well that is maintained by the Frontier Plant will be used for the hydrostatic test.. Following hydrostatic testing, a pre-discharge sample will be analyzed to ensure effluent meets or exceeds the WQCC standards as per Subsections A, B, and C of NMAC 20.6.2.3103.

The shallowest groundwater likely to be affected by a leak, accidental discharge, or spill exists at a depth of approximately 140 feet below the ground surface. Total dissolved solids concentrations within this aquifer are considered variable, with the purest water being located near outcrop locations in the northern half of New Mexico. It is estimated that total dissolved solids concentrations in the vicinity of the discharge locations exceed 1,100 milligrams per liter.

The notice of intent and discharge plan outlines how produced water and waste will be properly managed, including handling, storage, and final disposition. The plan also includes procedures for the proper management of leaks, accidental discharges, and spills to protect the waters of the State of New Mexico.

For additional information, to be placed on a facility-specific mailing list for future notices, or to submit comments please contact:

Brad Jones, Environmental Engineer
New Mexico Energy, Minerals and Natural Resources Department
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505
Phone: (505) 476-3487

The NM Energy, Minerals and Natural Resources Department will accept comments and statements of interest regarding this hydrostatic test and will provide future notices for this pipeline upon request.

Jones, Brad A., EMNRD

From: Jones, Brad A., EMNRD
Sent: Thursday, March 07, 2013 10:27 AM
To: 'Dyer Schlitzkus'
Subject: RE: Maljamar NOI
Attachments: 2013 0306 OCD NM Hydrostatic Test NOI (2).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

From: Dyer Schlitzkus [mailto:dschlitzkus@bio-west.com]
Sent: Wednesday, March 06, 2013 1:08 PM
To: Jones, Brad A., EMNRD
Subject: Maljamar NOI

Mr. Jones,

I received your message. Attached is the NOI in pdf format. Please let me know if you require any additional information.

Thank you,

Dyer Schlitzkus
Senior Ecologist
BIO-WEST, Inc.
1018 Frost Street
Rosenberg, Texas 77471
Cell: 281.239.5181
Ph: 832.595.9064
Fax: 832.595.9054

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Coastal Ecology

Environmental Analysis and Permitting

Environmental Engineering

Fisheries and Aquatic Biology

Landscape Architecture

Marine Biology

Vegetation

Watershed Science

Wetlands

Wildlife

February 27, 2013

Mr. Brad Jones
Environmental Engineer
New Mexico Energy, Minerals, and Natural Resources Department
Oil Conservation Division
1220 St. Francis Drive
Santa Fe, New Mexico 87505

Re: Submittal of the Notice of Intent for the Discharge of Hydrostatic Test Water
Maljamar Pipeline Project
Lea County, New Mexico

Dear Mr. Jones:

On behalf of the Lone Star NGL Pipeline, LP (Lone Star) BIO-WEST, Inc. (BIO-WEST) is pleased to submit this Notice of Intent (NOI) to discharge hydrostatic test water.

Lone Star is requesting to discharge the hydrostatic test water on pastureland approximately 19.0 miles south-southwest of Maljamar, New Mexico. With this application, Lone Star intends to discharge the water within the new pipeline easement. Lone Star plans to conduct the test and then discharge on approximately June 1, 2013, following NMOCD approval.

BIO-WEST has included the required information for the NOI as stated in the "Guidelines for Hydrostatic Test Dewatering." Additionally, a check in the amount of $100.00 is attached to cover the filing fee. The following items include:

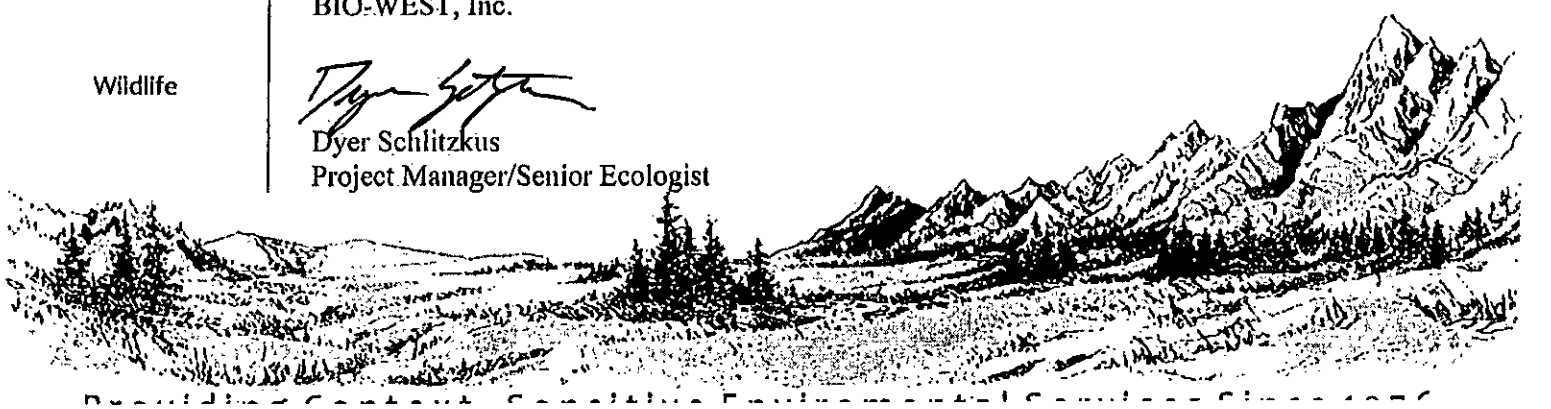
- Background Information;
- Hydrostatic Test Water Discharge Plan;
- Figure 1, Project Location Map;
- Figure 2, Topographic Map;
- Figure 3, Typical Discharge Structure;
- Figure 4, Surface Ownership Map;
- Appendix A, Certification of Siting Criteria;
- Appendix B, Copy of Email from the New Mexico Abandoned Mine Lands Program; and
- Appendix C, Public Notice Text.

The Public Notice will be posted in accordance with Subsections A, B, and C of NMAC 20.6.2.3108 in the Maljamar, NM Post Office and published in the local newspaper.[1]

Should you have any questions, please feel free to contact Dyer Schlitzkus (BIO-WEST) at (832) 595-9064, or Seth Willoughby (Lone Star) at (281) 840-1482.

Respectfully submitted,
BIO-WEST, Inc.

Dyer Schlitzkus
Project Manager/Senior Ecologist



Summary of Comments on 2013 0306 OCD NM Hydrostatic Test NOI (2).pdf

Page: 1

Number: 1 Author: bjones Subject: Sticky Note Date: 3/6/2013 4:16:42 PM -07'00'

Must identify/propose the local newspaper and the posting locations (there is not a post office in Maljamar) as part of submittal. See 20.6.2.3108.A NMAC

Background Information

- The Lone Star NGL Pipeline, LP (Lone Star) Maljamar Pipeline is a new natural gas pipeline that is being permitted with the Bureau of Land Management (BLM; NM-128641).

- This transportation pipeline is part of a network that conveys natural gas that is suitable for immediate consumer use.

- Based upon experience with the New Mexico Oil Conservation Department (NMOCD), Lone Star understands that the water discharged from cleaning and testing this pipeline system is generally classified as non-exempt waste by the Resource Conservation and Recovery Act (RCRA) and is subject to the Water Quality Control Commission (WQCC) Regulations.

Hydrostatic Test Water Discharge Plan

On behalf of Lone Star, BIO-WEST, Inc. is submitting this hydrostatic test water discharge plan for an Individual Discharge Permit pursuant to Section 1201 of 20.6.2 New Mexico Administrative Code (NMAC), and in accordance with NMOCD "Guidelines for Hydrostatic Test Dewatering," (revised January 11, 2007). The discharge plan includes the following items:

Item A. Name and address of the proposed discharger;

Legally Responsible Party

Lone Star NGL Pipeline, LP
800 East Sonterra Blvd, Suite 400
San Antonio, Texas 78358

Local Representative

Seth Willoughby (281) 840-1482
Lone Star NGL Pipeline, LP
9900 W I-20 Ste 103
Midland, TX 79706

Item B. Location of the discharge, including a street address, if available, and sufficient information to locate the facility with respect to surrounding landmarks;

The general location of the pipeline to be tested is shown on Figure 1. The portion of the pipeline easement that will be used as a discharge area is predominately located adjacent to and east of County Road (CR) 126A, in the vicinity of the City of Maljamar, New Mexico. As depicted on Figure 2, this area is located approximately 19.0 miles south-southwest of the city on the SW 1/4 SW 1/4 of Section 8, Township 20 S, Range 32 E. The discharge will occur and be contained within a geo-fabric lined hay bale structure measuring 30 feet by 200 feet located within the permitted easement.

Upon completion of hydrostatic test, Lone Star will conduct a discharge (hydrostatic test water) that may be subject to regulation (RCRA non-exempt). The test water will be held within the pipeline while the sample is tested and NMOCD approval is pending. Given that the project involves new pipeline and the water source (ground water) has been previously tested, Lone Star believes that the hydrostatic test water will meet the WQCC standards for ground water with contaminant concentrations not exceeding levels listed in Subsections A, B, and C of NMAC 20.6.2.31 03

Page: 2

Number: 1 Author: bjones Subject: Sticky Note Date: 3/6/2013 4:18:13 PM -07'00'
What is the basis of this conclusion?... where is the waste being generated?

Number: 2 Author: bjones Subject: Sticky Note Date: 3/6/2013 4:19:27 PM -07'00'
where and to whom does OCD issue the approval... please clarify

Number: 3 Author: bjones Subject: Sticky Note Date: 3/7/2013 9:15:34 AM -07'00'
Since Maljamar is not located on CR 126A..how about using a more common start point (such as Maljamar) and a Hwy 82 mile marker E or W from there.

Number: 4 Author: bjones Subject: Sticky Note Date: 3/6/2013 4:23:36 PM -07'00'
Please only provided the information requested for each Item. Legal description asked to be provided in Item 6

Number: 5 Author: bjones Subject: Sticky Note Date: 3/6/2013 4:24:58 PM -07'00'
Any water after the test is no longer "hydrostatic test water"... it is now wastewater.

Number: 6 Author: bjones Subject: Sticky Note Date: 3/6/2013 4:23:58 PM -07'00'
What is NMAC approval?

Number: 7 Author: bjones Subject: Sticky Note Date: 3/7/2013 9:16:01 AM -07'00'
How does this paragraph address the requested information for Item B? if it does not... please omit or relocate to where the information is requested.

Approximately 492,500 gallons of hydrostatic test water will be discharged within the pipeline easement at the location described in Item B. Please see Figure 3 for the discharge location on the pipeline easement. Legal description of the discharge location is also listed under Item C.

Item C. Legal description of the discharge location;

The width and length of the proposed discharge area is approximately 30 feet and 200 feet, respectively. The proposed discharge will occur on the pipeline easement within the SW 1/4 of SW 1/4 of Section 8, Township 20 S, Range 32 E in Lea County, New Mexico.

Item D. Maps (site-specific and regional) indicating the location of the pipelines to be tested and the proposed discharge location;

The general location of the pipeline to be tested is shown on Figure 1. Figure 2 and 3 are site-specific maps showing topography and the proposed hydrostatic test water discharge area within the easement. Figure 4 provides a depiction of the landowners within 1/3-mile of the discharge.

Item E. A demonstration of compliance to the following siting criteria or justification for any exceptions:

- ***i. Within 200 feet of a watercourse, lakebed, sinkhole, or playa lake;***
- ***ii. Within 7,000 feet of an existing wellhead protection area or 100-year floodplain;***
- ***iii. Within, or within 500 feet of, a wetland;***
- ***iv. Within the area overlying a subsurface mine; or***
- ***v. Within 500 feet from the nearest permanent residence, school, hospital, institution or church.***

According to Lone Star, evidence of the above listed features is not present within the required radius limits of the proposed discharge. Lone Star representatives performed discharge site visits to look for the presence of watercourses, lakebeds, sinkholes, playa lakes, wells, wetlands, residences, schools, hospitals, institutions, mines and churches. According to Lone Star, these items were not observed within the specified distances listed under Item E. A Certification of Siting Criteria is attached in Appendix A.

A search for surrounding water wells was completed to satisfy a portion of this requirement. The New Mexico Water Rights Reporting System (NMWRRS) database at the New Mexico Office of the State Engineer was used for this search, which was conducted on January 2, 2013. According to the search, the nearest water well is located over three miles to the northwest of the proposed discharge location. No discharge will take place within 7,000 feet of a well or well head protection area.

Federal Emergency Management Administration (FEMA) flood insurance data was reviewed from the FEMA National Flood Insurance Program (NFIP) to search for 100-year floodplains in the proposed discharge area. No 100-year floodplain was identified along the course of the proposed easement discharge. The nearest floodplains are located over eight miles to the northwest of discharge location. No discharge will take place in a 100-year floodplain.

Mr. James R. Smith with the New Mexico Abandoned Mine Lands Program (Phone: 505-476-3422) was contacted to assess the presence of abandoned subsurface mines in the vicinity of the discharge location. According to Mr. Smith, there is no evidence of abandoned subsurface mines in this area. A copy of an email from Mr. Smith is attached in Appendix B. According to the BLM Base Map (July 2012), the discharge area is not overlaying a working mine.

Page: 3

Number: 1 Author: bjones Subject: Sticky Note Date: 3/7/2013 9:16:25 AM -07'00'
How does this paragraph address the requested information for Item B? if it does not... please omit or relocate to where the information is requested.

Number: 2 Author: bjones Subject: Sticky Note Date: 3/6/2013 4:44:14 PM -07'00'
Figure 3 contradicts the proposal

Also seeking the area in which all proposed activities will occur...which is more than just the dewatering structure

Number: 3 Author: bjones Subject: Sticky Note Date: 3/6/2013 4:46:32 PM -07'00'
"7000 feet" is not the criteria

Number: 4 Author: bjones Subject: Sticky Note Date: 3/6/2013 4:45:39 PM -07'00'
Please provide and reference the location of a topo map for the demonstration

Number: 5 Author: bjones Subject: Sticky Note Date: 3/6/2013 4:47:12 PM -07'00'
"7000 feet" is not the criteria

Springs were not assessed

Number: 6 Author: bjones Subject: Sticky Note Date: 3/6/2013 4:48:08 PM -07'00'
Please provide the panel number and map illustrating the panel

Number: 7 Author: bjones Subject: Sticky Note Date: 3/6/2013 4:49:19 PM -07'00'
BLM map? Is it provided?

No water will be discharged within the radii outlined above (Item E, i. through v.) or within 200 feet of a publicly-maintained roadway. The hydrostatic test water discharge area will be posted with signs flagging.

In addition to the siting criteria listed above, a copy of the Public Notice in English is included in Appendix C.

Item F. A brief description of the activities that produce the discharge;

Pressure testing with water, known as hydrostatic testing, is one of the tools pipeline operators use to verify pipeline integrity. The test involves filling the pipeline with water, then pressurizing the pipeline to a pressure higher than the standard operating pressure for approximately eight hours. The purpose of hydrostatic testing in a pipeline is to determine the extent to which potential defects might threaten the pipeline's ability to sustain maximum allowable operation pressure. If leaks or breaks occur, the pipeline is repaired or the affected areas is replaced and then re-tested. Approximately 492,500 gallons or less of water from a well of good quality that is maintained by the Fro[illegible] Plant will be used for the hydrostatic test.

Item G. The method and location for collection and retention of fluids and solids;

The approximately 492,500 gallons of water used for hydrostatic testing of the pipeline will be stored within the pipeline while the sample is tested and permission from NMOCD is pending. Solids are not anticipated to be produced from the hydrostatic testing.

Item H. A brief description of best management practices to be implemented to contain the discharge onsite and to control erosion;

After the NMOCD approves the discharge, Lone Star will discharge the water onto the Lone Star pipeline easement into a dewatering structure (Figure 2 and 3). The dewatering structure will consist of a series of straw bale containments and geotextile fabric to reduce flow velocity, prevent erosion, and prevent the water from exiting the outermost containment wall. No water will be allowed to run off the easement or cause erosion. The discharge location will be well outside of the setback distances described in Item E and signs and/or flagging will be around the discharge structure to alert Lone Star representatives to the discharge location.

Item I. A request for approval of an alternative treatment, use, and/or discharge location (other than the original discharge site), if necessary;

In the event that the hydrostatic test water is found to be unsuitable for land application, it will be treated by filtration through activated charcoal and/or other applicable media until it meets the NMOCD standards outlined in Subsections A, B, and C of NMAC 20.6.2.3103. The water will then be released to the land surface at the designated discharge area following NMOCD approval.

Item J. A proposed hydrostatic test wastewater sampling plan;

Analytical sampling for the hydrostatic test water will consist of one pre-test sample collected from the source water and one pre-discharge sample will be submitted to an EPA-approved analytical laboratory. The pre-test and pre-discharge hydrostatic test water samples will be analyzed for the constituents outlined in Subsections A, B, and C of NMAC 20.6.2.3103. Analytical results of the pre-discharge sample will be submitted to the NMOCD with a recommendation for disposal of the hydrostatic test water.

Page: 4

Number: 1 Author: bjones Subject: Sticky Note Date: 3/6/2013 4:49:47 PM -07'00'
How does this address Item E?

Number: 2 Author: bjones Subject: Sticky Note Date: 3/6/2013 4:50:39 PM -07'00'
How does this address Item E?

Number: 3 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:26:57 PM -07'00'
Is this a private well? Is there any analytical results to support statement about quality? How far away is this well from the proposed discharge location?

Number: 4 Author: bjones Subject: Sticky Note Date: 3/7/2013 9:18:53 AM -07'00'
Where will the treatment unit be located? What will it be? How will treated water be stored while awaiting sampling? How will samples be obtained? Where is *the closure plan for the treatment proposal?*

Number: 5 Author: bjones Subject: Sticky Note Date: 3/7/2013 9:19:17 AM -07'00'
What is the proposed time frame to attempt to accomplish treatment, prior to hauling off site for disposal into an OCD facility?

Analytical data from the pre-hydrostatic test water will be used as a baseline to determine if the water is suitable for use. Analytical data from the post-hydrostatic test water will be used to determine if the water is suitable for discharge.

Item K. A proposed method of disposal of fluids and solids after test completion, including closure of any pits, in case the water generated from test exceeds the 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);

All fluids will be tested and then discharged as described under Items I. and F. No solid waste is anticipated. In the event that the hydrostatic test water is found to be unsuitable for land application, it will be treated by filtration through activated charcoal and/or other media as appropriate until it meets the NMOCD standards outlined in Subsections A, B, and C of NMAC 20.6.2.3103. NMOCD approval for discharge will be required with or without filtration or treatment.

Item L. A brief description of the expected quality and volume of the discharge;

The discharge will be tested in accordance with the guidelines noted in Item J to assess if the constituent concentrations in the water meet, Subsections A, B, and C of NMAC 20.6.2.3103. Given that the project involves new pipeline and the water source ground water has been previously tested, the quality of the discharged water is expected to meet regulatory limits. The approximate volume of the discharge is expected to be 492,500 gallons or less.

Item M. Geological characteristics of the subsurface at the proposed discharge site;

Regional Features

The discharge location is within the Permian Basin of New Mexico, a late Proterozoic structural depression that formed on the southwestern edge of the North American craton (Keller et al. 1980). Within the Permian Basin, the discharge location is located on the northwestern shelf of the Delaware Basin, which is the second largest subbasin of the Permian Basin. The Delaware Basin contains Paleozoic through Cenozoic sediments up to 16,800 feet thick (Nicholson Jr. and Clebsch Jr. 1961). These sediments are underlain by Precambrian granite, which intruded into older igneous and metamorphic Precambrian rock (Nicholson Jr. and Clebsch Jr. 1961). The area near the discharge location is characterized by vast dune fields, salt-lined playa deposits, and ephemeral drainages (Nicholson Jr. and Clebsch Jr. 1961).

Site Geology

The discharge area is located within a half mile of a 2.5-mile diameter playa on Querecho Plains, a large sand dune field deposited by eolian processes. Querecho Plains consists of recent age Quaternary fine- to medium-grained sand deposits that are stable to semi-stable, but drift locally (Nicholson Jr. and Clebsch Jr. 1961). These sand deposits are named the "Mescalero sands", and are generally 5 to 10 feet thick, but may be up to 30 feet thick. The Mescalero sands are underlain by Pleistocene alluvium consisting of calcareous silt interbedded with unconsolidated sand and clay. These deposits are generally less than 100 feet thick, although at some locations its thickness can range from only a few inches to 400 feet (Nicholson Jr. and Clebsch Jr. 1961). The aforementioned Quaternary deposits are underlain by the Santa Rosa sandstone, which is a member of the Triassic Dockum Group. The Santa Rosa sandstone is a fine- to coarse-grained sandstone that contains minor shale layers and ranges in thickness from 140 feet to greater than 300 feet (Nicholson Jr. and Clebsch Jr. 1961).

Page: 5

Number: 1 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:07:48 PM -07'00'
Any water after the test is no longer "hydrostatic test water"... it is now wastewater.

Number: 2 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:08:43 PM -07'00'
Treatment is proposed... treatment filters are solid waste (oil field waste)

Number: 3 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:13:10 PM -07'00'
OCD's approval is not required... but OCD's consideration of approval is.

As proposed, it sounds as if regardless the quality (treatment or not) approval will be required

Number: 4 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:15:04 PM -07'00'
First sentence does not address the "expected quality".

Please provide only the requested information.

Number: 5 Author: bjones Subject: Sticky Note Date: 3/7/2013 9:20:40 AM -07'00'
If source water has been tested, please include the analytical results to support the statement.

Item N. The depth to and total dissolved solids concentration of the ground water most likely to be affected by the discharge;

Regional Hydrogeology

The discharge site location is located approximately 20 miles to the southwest of the Southern High Plains aquifer, a 174,000-square mile unconfined aquifer consisting largely of the Tertiary Ogallala Formation (Alley et al. 1999). The Southern High Plains aquifer is recharged entirely by precipitation in this area (Nicholson Jr. and Clebsch Jr. 1961). The Mescalero Ridge, which is an erosional escarpment of the Ogallala Formation, comprises the southwestern extent of the Southern High Plains aquifer. West of the Mescalero Ridge, in the Querecho Plains area, potable water is obtained from the Triassic Santa Rosa sandstone, a confined aquifer with low permeability (Nicholson Jr. and Clebsch Jr. 1961). The Santa Rosa sandstone is recharged from precipitation falling on the overlying Quaternary deposits, from outcrops of the formation, and possibly from the Southern High Plains aquifer. There does not appear to be a saturated zone in the overlying Quaternary deposits (Nicholson Jr. and Clebsch Jr. 1961).

Local Groundwater Hydrology

A review of well records revealed that an exploratory well was completed in 1959 approximately five miles west of the discharge location. The well record indicated that the Santa Rosa sandstone was penetrated at a depth of 140 feet below the ground surface, and that the formation was saturated from a depth of 140 to 175 feet below the ground surface (Gulf Interstates Company 1959). More recent depth to groundwater data from the Santa Rosa sandstone in the Querecho Plains region were not found. However, because the Quaternary deposits in the area are unsaturated, it is expected that depth to groundwater exceeds the thickness of the alluvial deposits.

Water quality of the Santa Rosa sandstone ranges from good to poor, depending on a location's proximity to outcrops of the formation (Trauger 1972). Total dissolved solids concentrations in this aquifer are variable, with the freshest water being located near outcrop locations in the northern half of New Mexico. The aquifer generally contains elevated levels of sulfate and/or fluoride in some locations (Trauger 1972). Water in the Santa Rosa sandstone contains high concentrations of sodium and moderately low concentrations of chloride (Nicholson Jr. and Clebsch Jr. 1961). Levels of total dissolved solids generally exceed that of the levels in the Ogallala Formation, which are typically less than 1,100 milligrams per liter (Nicholson Jr. and Clebsch Jr. 1961).

Item O. Identification of landowners at and adjacent to the discharge collection/retention site.

Landowners within 1/3 mile of the proposed discharge:

Carlsbad Field Office
Bureau of Land Management
620 E Greene
Carlsbad, NM 88220

East Intrepid Potash
P O Box 101
Carlsbad, NM 88220

For a depiction of these properties in reference to the discharge location, please reference Figure 4.

References

Alley, W.M., Reilley, T.E., and Franke, O.L. 1999. Sustainability of ground-water resources. U.S. Geological Survey Circular 1186.

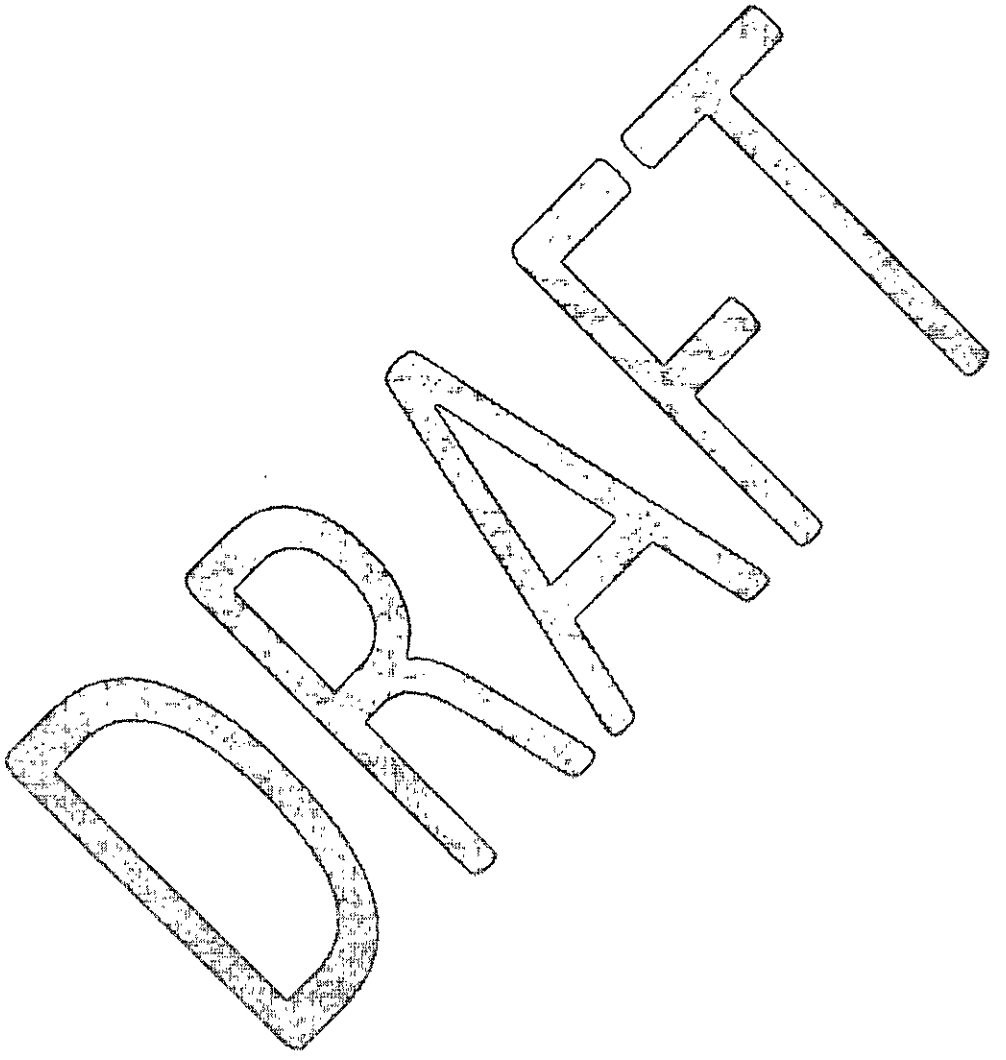
Gulf Interstates Company. 1959. Well record for unnamed well, location number 19.31.33.142222. Data accessed from New Mexico Office of the State Engineer on 1/09/2013.

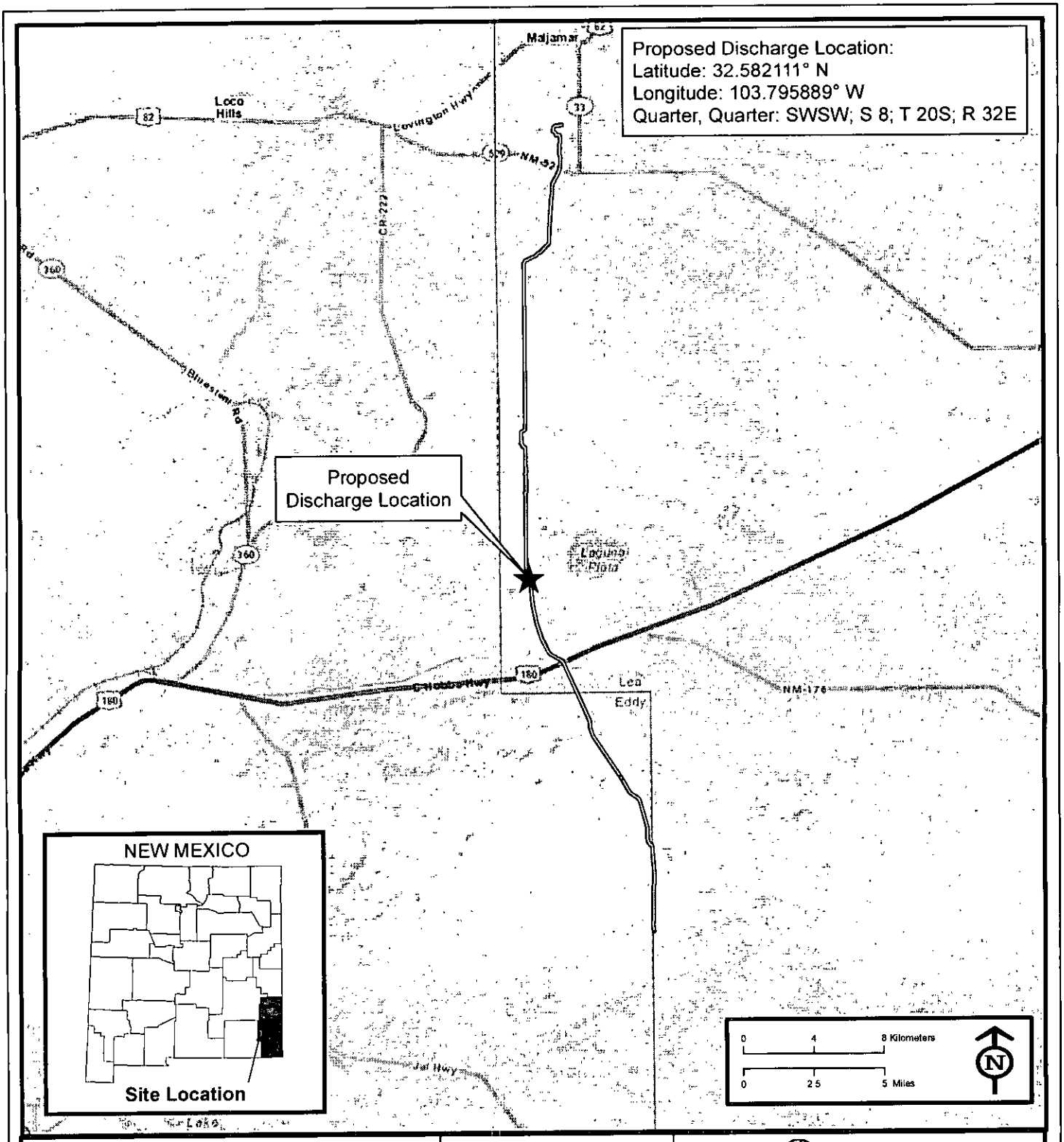
Keller, R.G., Hills, J.M., and Djeddi, R. 1980. A regional geological and geophysical study of the Delaware Basin, New Mexico and West Texas. *In:* New Mexico Geological Society Guidebook, 31st *field conference, Trans-Pecos Region, p. 105-111.*

Nicholson Jr., A. and Clebsch Jr., A. 1961. Geology and ground-water conditions in southern Lea County, New Mexico. U.S. Geological Survey Ground-Water Report 6.

Trauger, F.D. 1972. Ground water in east-central New Mexico. *In:* New Mexico Geological Society Guidebook, 23rd field conference, Trans-Pecos Region, p. 201-207.

Figures





★ Proposed Discharge Location

Proposed Pipeline

County

Source: ESRI World Streetmap

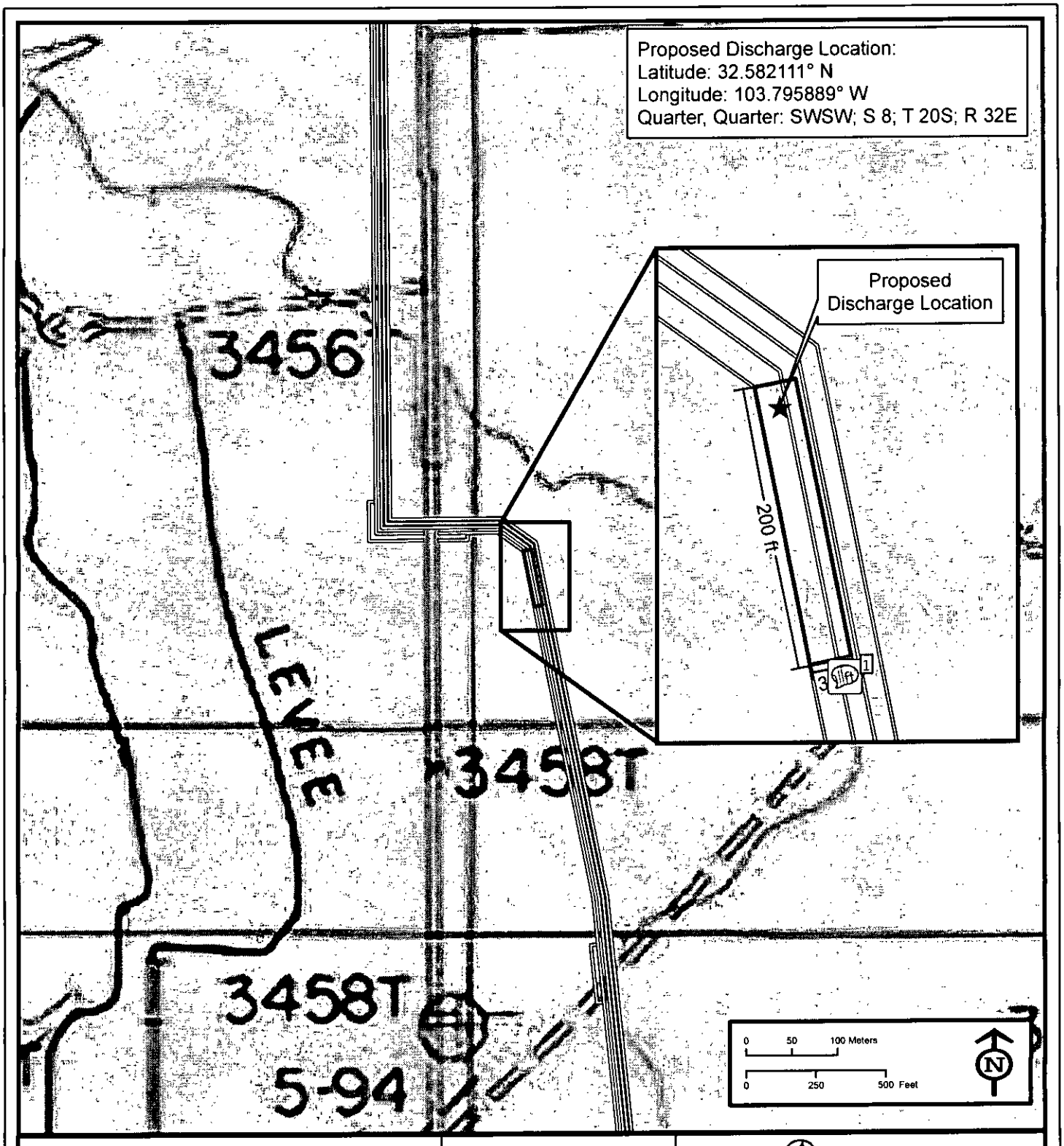
Prepared By: BIO-WEST, Inc.

Lone Star NGL

Figure 1
Project Location

Maljamar Pipeline Project
Lea County, New Mexico

Scale: 1 inch = 5 miles	Date: 2/4/2013	Drawn by: DAG	Job No.: 1481	File: Fig_1_Location.mxd



★ Proposed Discharge Location

Proposed Discharge Structure

Workspace

Source: USGS Topo Map

Prepared By: BIO-WEST, Inc.

Lone Star NGL

Figure 2
Topographic Map

Maljamar Pipeline Project
Lea County, New Mexico

Scale: 1 inch = 500 feet	Date: 2/27/2013	Drawn by: DAG	Job No.: 1481	File: Fig_2_Topo.mxd

Page: 10

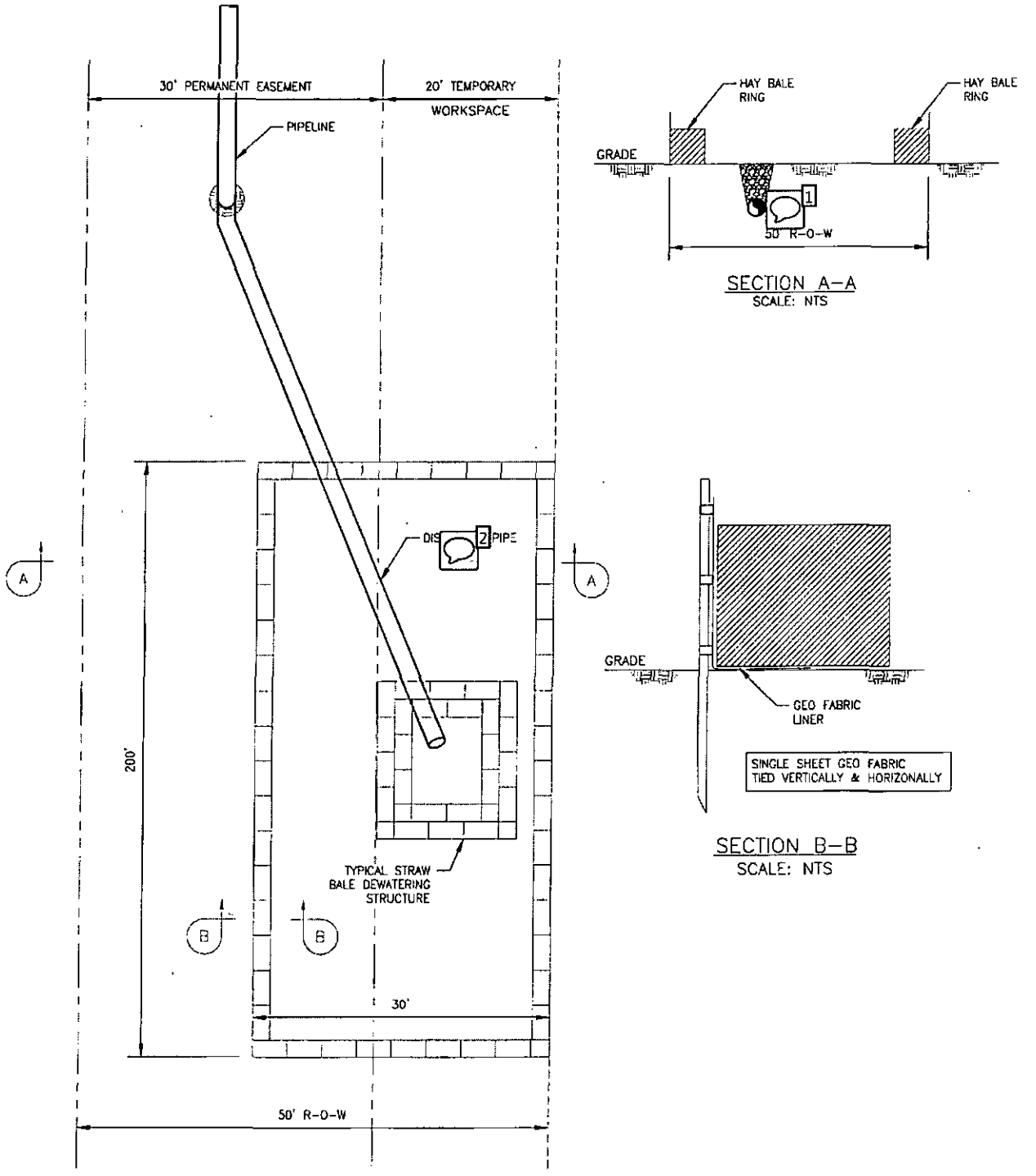
Number: 1 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:32:15 PM -07'00'

Based upon the scale provided... the proposed width is 50 feet not 30 (as identified)

Also, where is the pipeline in relationship to the proposed work area?

If this reflect the information from Fig 3, then the discharge is proposed outside of the pipeline ROW and contradicts written proposal.

Also, please identify the area in which all proposed activities will occur... not just the dewatering structure location



Lone Star NGL

Figure 3
Typical Discharge Structure

Prepared By: BIO-WEST, Inc.

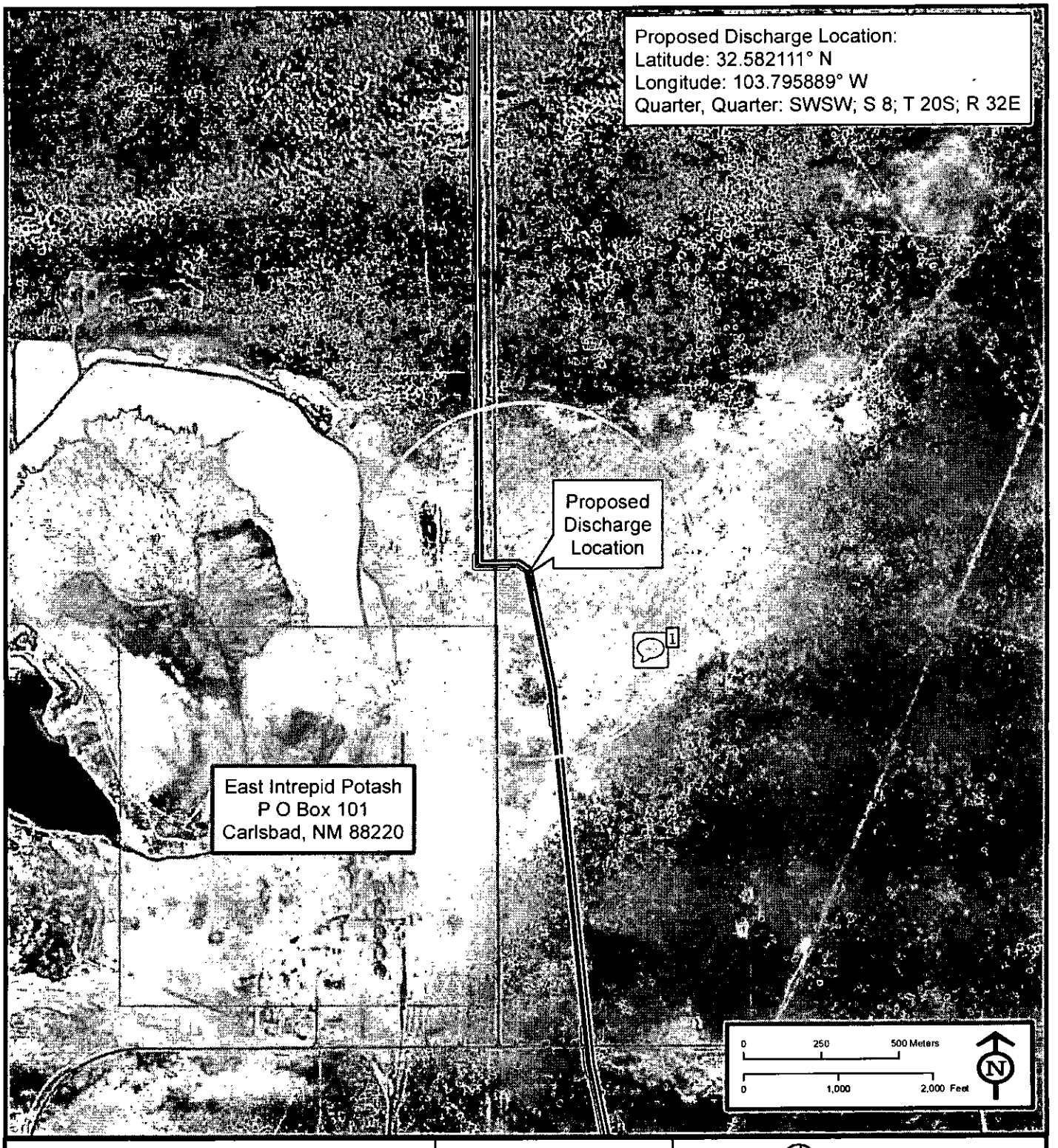
Maljamar Pipeline Project
Lea County, New Mexico

Scale: NTS	Date: 2/4/2013	Drawn by: DAG	Job No.: 1481	File: Fig_3_Structure.mxd

Page: 11

Number: 1 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:38:47 PM -07'00'
What is this sub-surface pipe feature? How long does it extend beneath the ground surface? and how will it be addressed during closure?

Number: 2 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:33:21 PM -07'00'
Discharge proposed outside of pipeline ROW and contradicts written proposal.

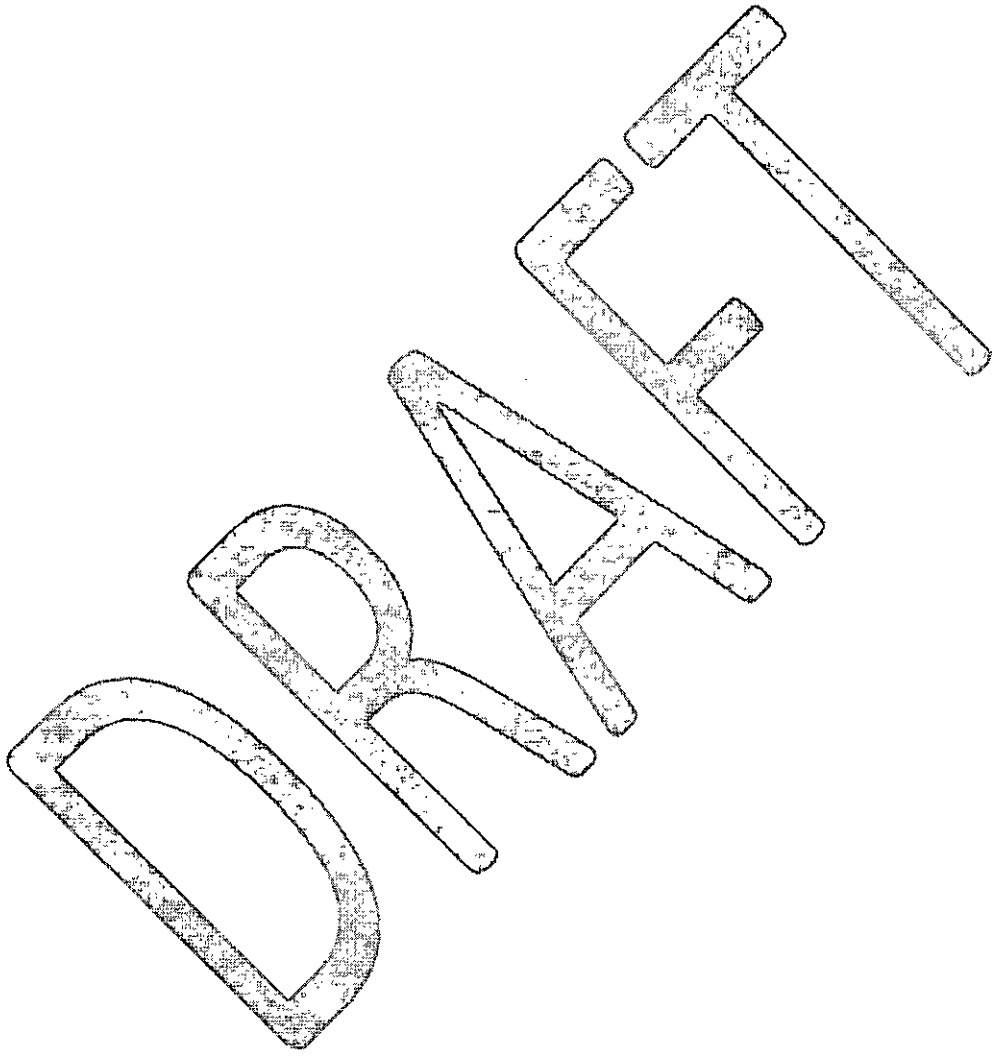

Proposed Discharge Location:
Latitude: 32.582111° N
Longitude: 103.795889° W
Quarter, Quarter: SWSW; S 8; T 20S; R 32E
Proposed Discharge Location
East Intrepid Potash
P O Box 101
Carlsbad, NM 88220
0 250 500 Meters
0 1,000 2,000 Feet
N
Workspace
Proposed Discharge Structure
1/3-Mile Buffer
Private Land
Source: ESRI World Imagery
Prepared By: BIO-WEST, Inc.
Lone Star NGL
Figure 4
Surface Ownership Map
Maljamar Pipeline Project
Lea County, New Mexico
Scale: 1 inch = 1,500 feet
Date: 2/7/2013
Drawn by: DAG
Job No.: 1481
File: Fig_4_Ownership.mxd

Page: 12

Number: 1 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:42:31 PM -07'00'
May have to be expanded based upon comments

If the proposed discharge location was circular, then a circular 1/3 radius might be appropriate. Must reestablish a boundary within the ROW and the 1/3 mile should reflect the shape of the proposed area... notice is required from the property boundary where the discharge will occur.

APPENDIX A
Certification of Siting Criteria



Certification of Siting Criteria
Hydrostatic Discharge on Pipeline Easement

I, Dyer Schlitzkus of BIO-WEST, Inc., have performed a site visit and visual inspection to look for the presence of watercourses; lakebeds, playa lakes, residences, schools, hospitals, churches, evidence of underground mines, water wells, and institutions within the specified distances (listed below) of the proposed discharge location in SW 1/4 of SW 1/4 of Section 8, Township 20 S, Range 32 E in Lea County, New Mexico.

Before discharge, signs or flagging will be posted around the easement and/or discharge structure. No discharge will take place within the specified distances listed below.

Dyer Schlitzkus
Senior Ecologist/Project Manager

Feb. 27, 2013
Date

vi. Within 200 feet of a watercourse, lakebed, sinkhole, or playa lake;
vii. Within 7[illegible] feet of an existing wellhead protection area or 100-year floodplain;
viii. Within, or within 500 feet of, a wetland;
ix. Within the area overlying a surface mine; or
x. Within 500 feet from the nearest permanent residence, school, hospital, institution or church.

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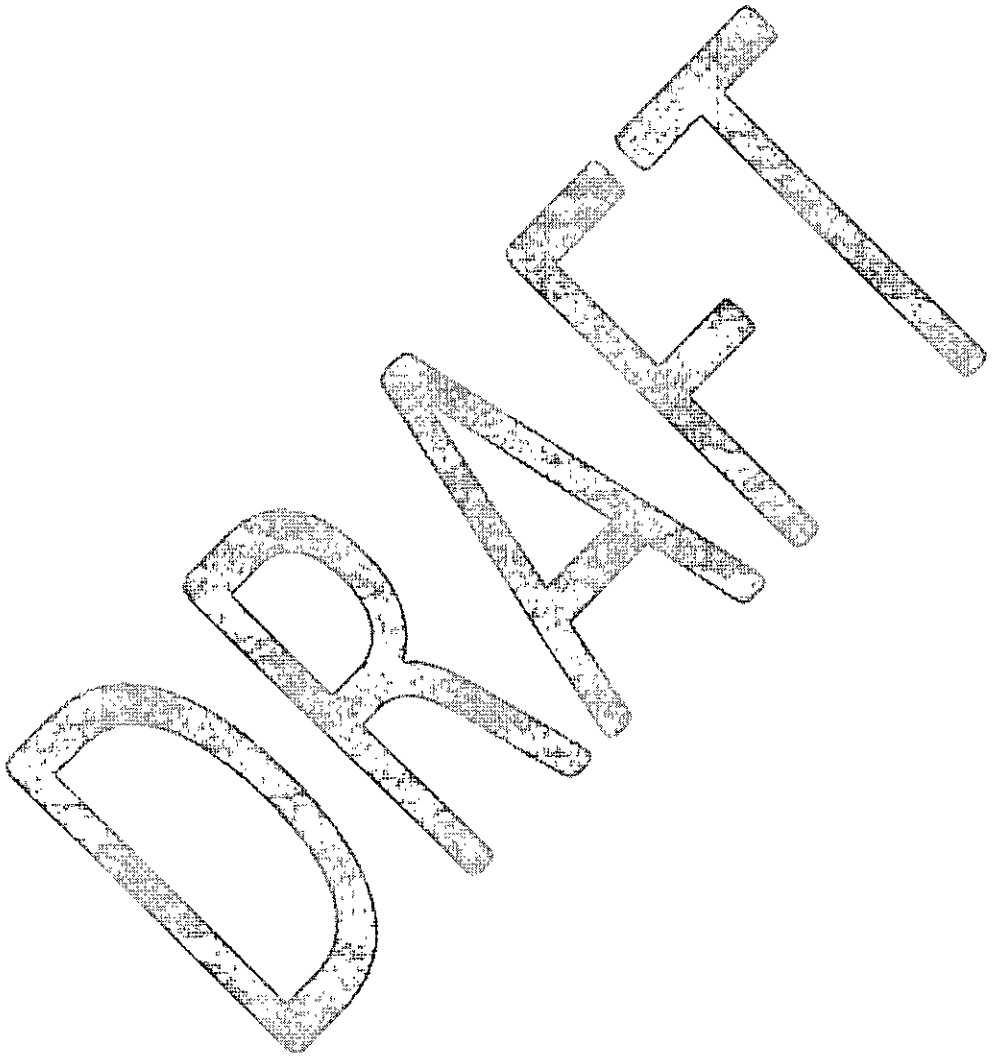
Number: 1 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:35:02 PM -07'00'
7000 feet is not the criteria

Number: 2 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:45:14 PM -07'00'
How does one visually inspect for sub-surface mines? How would one see from the surface a sub-surface mine shaft for the potash mine?

APPENDIX B
Copy of Emails from the New Mexico Abandoned Mine Lands Program



Dyer Schlitzkus

From: Smith, James R, EMNRD <JamesR.Smith@state.nm.us>
Sent: Thursday, January 03, 2013 10:34 AM
To: Dyer Schlitzkus
Subject: RE: Mine Information Request

Mr. Schlitzkus,

I am not currently in my office but I did a quick historical review of the sections you show below and I do not find any known abandoned mines.

Please let me know if I can be of further help,

James R. Smith, P.E.
Abandoned Mine Land Program
Ph: 505-476-3422
Cell: 505-690-8071
Abandoned Mine Land Website
JamesR.Smith@state.nm.us

From: Dyer Schlitzkus [dschlitzkus@bio-west.com]
Sent: Wednesday, January 02, 2013 2:56 PM
To: Smith, James R, EMNRD
Subject: Mine Information Request

Mr. Smith,

I received your information from Mr. Brad Jones with the New Mexico Oil Conservation Department (NMOCD) while referencing a past permit you provided some assistance on. I'm working on a discharge permit for a natural gas pipeline hydrostatic test and need to adhere to the current NMOCD regulations. The areas of discharge are approximately 28 miles NE of Carlsbad, NM.

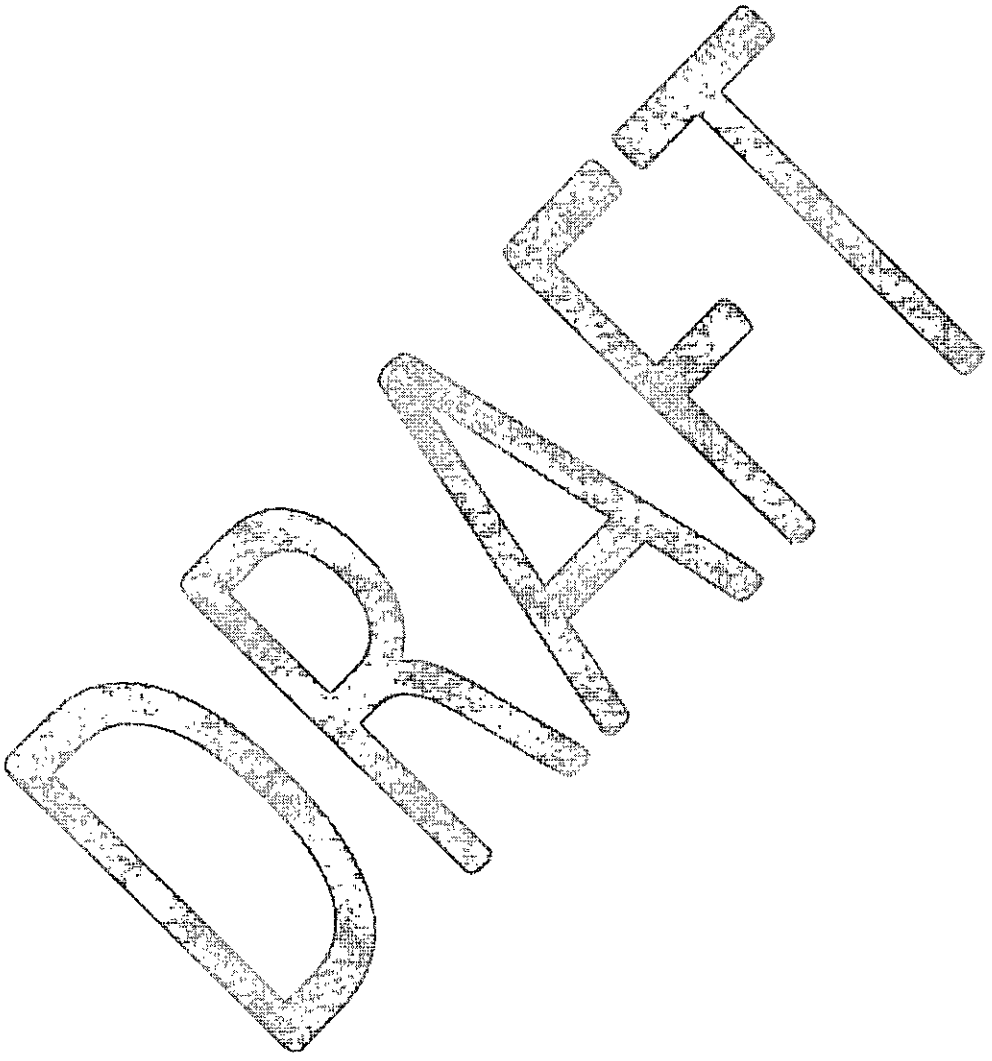
Will you please send any information on mines within:
S29 and 30, T019S, R032E
S08 and 17, T020S, R032E

Please do not hesitate to reply or call with any questions or concerns.

Thank you,

Dyer Schlitzkus
Senior Ecologist
BIO-WEST, Inc.
1018 Frost Street
Rosenberg, Texas 77471
Cell: 281.239.5181
Ph: 832.595.9064
Fax: 832.595.9054

APPENDIX C
Public Notice Text



PUBLIC NOTICE

Lone Star NGL Pipeline, LP (Lone Star) hereby gives notice that the following discharge permit application has been submitted to the New Mexico Oil Conservation Division (NMOCD) in accordance with Subsection A, B, D and F of 20.6.2.31 08 of New Mexico Administrative Code (NMAC). The local Lone Star mailing address is: Lone Star NGL Pipeline, LP, 9900 W I-20 Ste 103, Midland, TX 79706.

Lone Star has submitted an application for hydrostatic test water discharge which will occur on the Lone Star pipeline easement in Section 8, Township 20 S, Range 32 E, in Lea County, New Mexico. The location of the discharge is 19.0 miles south-southwest of the city of Maljamar, NM. To reach the discharge location from Maljamar, travel south 19.7 miles on County Road 126A to the intersection of the pipeline. From this location, the discharge point is approximately 360 feet to the east. The discharge will take place within the pipeline easement for approximately 200 feet.

The purpose of the hydrostatic test (testing with water) is to ensure pipeline integrity prior to burial and filling with product. The test involves filling the pipeline with water and then pressurizing the pipeline to a pressure higher than the standard operating pressure for a specified duration of time.

Up to 492,500 gallons of good quality water from a well that is maintained by the Frontier Plant will be used for the hydrostatic test.. Following hydrostatic testing, a pre-discharge sample will be analyzed to ensure effluent meets or exceeds the WQCC standards as per Subsections A, B, and C of NMAC 20.6.2.3103.

The shallowest groundwater likely to be affected by a leak, accidental discharge, or spill exists at a depth of approximately 140 feet below the ground surface. Total dissolved solids concentrations within this aquifer are considered variable, with the purest water being located near outcrop locations in the northern half of New Mexico. It is estimated that total dissolved solids concentrations in the vicinity of the discharge locations exceed 1,100 milligrams per liter.

The notice of intent and discharge plan outlines how produced water and waste will be properly managed, including handling, storage, and final disposition. The plan also includes procedures for the proper management of leaks, accidental discharges, and spills to protect the waters of the State of New Mexico.

For additional information, to be placed on a facility-specific mailing list for future notices, or to submit comments please contact:

Brad Jones, Environmental Engineer
New Mexico Energy, Minerals and Natural Resources Department
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505
Phone: (505) 476-3487

The NM Energy, Minerals and Natural Resources Department will accept comments and statements of interest regarding this hydrostatic test and will provide future notices for this pipeline upon request.

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Number: 1 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:46:19 PM -07'00'
OCD... not NMOCD

That can be applied the written as well

Number: 2 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:47:15 PM -07'00'
1/4 1/4 section... the discharge is not proposed over one square mile

Number: 3 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:48:57 PM -07'00'
Maljamar is located off of HWY 82... How does one get CR 126A from Maljamar

Number: 4 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:50:55 PM -07'00'
Water quality is not demonstrated in the proposal.

2 periods at end of 1st sentence

Number: 5 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:51:47 PM -07'00'
No mention of the proposed treatment

Number: 6 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:55:41 PM -07'00'
The notice is site specific... based upon the comment, the swallowest aquifer that will be impacted is an aquifer that extends across the state or at least all the way to the north... not site specific.

Number: 7 Author: bjones Subject: Sticky Note Date: 3/6/2013 5:56:32 PM -07'00'
last part does not reflect what 20.6.2.3108.F(7) NMAC states