AP - 46

# GENERAL CORRESPONDENCE

YEAR(S): 2009

# RICE Operating Company

122 West Taylor • Hobbs, NM 88240 Phone: (575) 393-9174 • Fax: (575) 397-1471

2618 FEB 12 6M 11 37

# CERTIFIED MAIL RETURN RECEIPT NO. 7008 1140 0001 3072 4468

February 10, 2009

Mr. Brad Jones New Mexico Energy, Minerals, & Natural Resources Oil Conservation Division, Environmental Bureau 1220 S. St. Francis Drive Santa Fe, New Mexico 87505

RE: EN

EME Jct. K-6 (AP-46)

**PUBLIC NOTIFICATION PROOF** 

Mr. Jones:

In accordance with Part 30 (Section 19.15.30.15 NMAC) Public Notice requirements, please accept the enclosed copies of proof that the appropriate individuals and entities were notified of the Stage 2 Abatement Plan submitted by Trident Environmental for the K-6 Junction Box Site on May 6, 2008. In an e-mail dated January 7, 2009, the Oil Conservation Division (OCD) notified Rice Operating Company (ROC) that the Stage 2 Abatement Plan was conditionally administratively complete and directed ROC to proceed with public notice.

Notices were sent via certified mail to landowners within the prescribed radius and return receipts were received for landowners indicated in the attached spreadsheet. Mailings were also sent to the Lea County Commission and the list of Interested Parties found on the OCD website. Thirty-six total notifications were sent and three were returned to sender. Two individuals on the interested parties list were notified via e-mail to the address provided on the list. The notification to Mike Schultz of the International Technology Corp. (from the OCD Interested Parties list) was returned as "unable to forward". Previous mailings to this address have been refused. The notification was then sent via e-mail to the address provided on the list, but was also returned as "undeliverable".

As directed by OCD, the Stage 2 Abatement Plan notifications were published in the *Albuquerque Journal* on January 14, 2009 and the *Hobbs News-Sun* newspapers on January 11, 2009. Affidavits for these publications are enclosed.

ROC requests that OCD consider public notice complete for this abatement plan. Should you have any further questions regarding this request, do not hesitate to contact me. Thank you for your consideration.

ROC is the service provider (agent) for the Eunice Monument Eumont (EME) SWD System and has no ownership of any portion of the pipeline, well, or facility. The System is owned by a consortium of oil producers, System Partners, who provide all operating capital on a percentage ownership/usage basis.

RICE OPERATING COMPANY

Hack Conder

**Environmental Manager** 

enclosures:

summary table of notifications,

newspaper affidavits, return receipt copies,

e-mail copies

electronic version on cd

cc:

MB, Trident, file, Larry Hill, Edward Hansen (NMOCD)

## 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 Oil Conservation Division Regulations, the following Stage 2 Abatement Plan Proposal has been submitted to the Director of the Oil Conservation Division, 1220 S. St. Francis Dr., Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

Rice Operating Company, Scott Curtis, General Manager, Telephone (575) 393-9174, 122 West Taylor, Hobbs, New Mexico 88240, has submitted a Stage 2 Abatement Plan Proposal (AP-46) for the EME Jct. K-6 site, located in Section 6, Township 20 south, Range 37 east, Lea County, New Mexico, approximately 4 miles west-southwest of Monument, New Mexico. Rice Operating Company operates a saltwater disposal pipeline at the site. Soil impacts and groundwater samples at the site exhibit elevated chloride concentrations. The Stage 2 Abatement Plan proposes the following corrective actions: (1) the surrounding area will be re-seeded with a mixture of native grasses and plants that will re-vegetate the area at a natural rate, (2) continue quarterly groundwater sampling at each of the four monitoring wells, (3) a groundwater recovery system will be installed to remove an estimated chloride mass of 3,326 kilograms, and (4) at the completion of corrective actions, a final report with a request for closure will be submitted.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The Stage 2 Abatement Plan may be viewed at the above address or at the Oil Conservation Division District Office, 1625 N. French Drive, Hobbs, New Mexico 88240, Telephone (575) 393-6161 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on any proposed Stage 2 Abatement Plan, the Director of the Oil Conservation Division shall allow thirty (30) days after the date of publication of this notice during which written requests for a public hearing that includes reasons why a hearing should be held and written comments may be submitted to him.

# EME Jct. K - 6

Unit 'K', Sec. 6, T20S, R37E

# Public Notice Mailings (1/13/2009) Stage 2 Abatement Plan

		De	livery Stat	tus	
	Landowner or Interested Party	Delivered US Mail	Delivered E-mail	Not Delivered	Comments
1	Jimmie T. Cooper Star Route A, Box 55 Monument, NM 88265	X			Return Receipt Received
2	Chevron USA, Inc. 15 Smith Road Midland, TX 79705	X			Return Receipt Received
3	James Dellis Barber Estate First National Bank P.O. Box 1347 Colorado City, TX 79512	X			Return Receipt Received
4	Charleie F. Byrd P.O. Box 32 Monument, NM 88265	X			Return Receipt Received
5	James R. Byrd P.O. Box 32 Monument, TX 88265	X			Return Receipt Received
6	Jim Amos Carlsbad Field Office 620 East Greene Street Carlsbad, NM 88220	X			Return Receipt Received
7	Attorney General's Office P.O. Box 1508 Santa Fe, NM 87502 - 0115	X			Return Receipt Received
8	Bureau of Land Management State Director P.O. Box 27115 Santa Fe, NM 87502 - 0115	Χ			Return Receipt Received
9	Chief Hazardous Waste Bureau Runnels Building Santa Fe, NM 87504	Χ		:	Return Receipt Received
10	Gerald R. Zimmerman Colorado River Board of Calif. 770 Fairmont Ave, Ste. 100 Glendale, CA 91203 - 1035	X			Return Receipt Received
11	Mike Schulz International Technology Corp. 5301 Central Avenue, NE Suite 700 Albuquerque, NM 87108			X	Unable to Forward; e-mailed on 2/4/2009, e-mail undeliverable
12	Ned Kendrick Attorney at Law 325 Paseo de Peralta Santa Fe, NM 87501	X			Return Receipt Received

13	Lynn Brandvold NM Bureau of Mines & Mineral Resources NM Institute of Mining & Tech Socorro, NM 87801	X	Return Receipt Received
14	Randy Hicks 901 Rio Grande Blvd NW Suite F - 142 Albuquerque, NM 87104	X	Return Receipt Received
15	Bruce S. Garber Attorney at Law P.O. Box 0850 Santa Fe, NM 87504 - 0850	X	Return Receipt Received
16	Chief Groundwater Bureau Runnels Building Santa Fe, NM 87504	X	Return Receipt Received
17	Jack A. Barnett Colorado River Basin Ctrl. Forum 106 West 500 South, Suite 101 Bountiful, UT 84010	X	Return Receipt Received
18	Department of Game & Fish Director Villagra Building Santa Fe, NM 87503	X	Return Receipt Received
19	Public Service Company of NM Environmental Counsel ATTN: Colin Adams 414 Silver, Southwest Albuquerque, NM 87158	X	Return Receipt Received
20	Jay Lazarus P.O. Box 5727 Santa Fe, NM 87502	X	Return Receipt Received
21	Lee Wilson & Associates P.O. Box 931 Santa Fe, NM 87501	X	Return Receipt Received
22	New Mexico Environmental Department Secretary P.O. Box 26110 Santa Fe, NM 87501	X	Return Receipt Received
23	NM Oil & Gas Association P.O. Box 1864 Santa Fe, NM 87504 - 1864	X	Return Receipt Received
24	Soil & Water Conservation Bureau NM Dept of Agriculture/Ag Programs & Resources Box 30005/APR Las Cruces, NM 88003 - 8005	X	Return Receipt Received
25	Chris Shuey Southwest Research & Information Center P.O. Box 4524 Albuquerque, NM 87106	X	Return Receipt Received

26	State Historic Preservation Officer Attn: Elmo Baca 228 East Palace Avenue Villa Rivera Room 101 Santa Fe, NM 87503		X		Undeliverable mail, not able to forward; e-mailed on 2/4/2009
27	US Fish & Wildlife Service Field Supervisor 2105 Osuan Road, Northeast Albuquerque, NM 87113 - 1001	X			Return Receipt Received
28	Water Resources Division State Engineer Bataan Building Santa Fe, NM 87503	X			Return Receipt Received
29	Ron Dutton Southwestern Public Service P.O. Box 1261 Amarillo, TX 79170	X			Return Receipt Received
30	State Parks & Recreation Director 1220 S St. Francis Santa Fe, NM 87505	X			Return Receipt Received
31	Regional Forester USFS Regional Office 517 Gold Avenue SW Albuquerque, NM 87102		X		Undeliverable mail, not able to forward; e-mailed on 2/4/2009
32	William Turner NM Trustee For Natural Resources C/O American Ground Water Consultants 610 Gold St. SW, Suite 111 Albuquerque,NM 87102	X			Return Receipt Received
33	Laughlin, M.E. Est. Reeves Elise Laughlin P.O. Box 870849 Mesquite, TX 78187-0849	Χ			Return Receipt Received
34	Thaddeus Kostrubala New Mexico State Land Office P.O. Box 1148 Santa Fe, NM 87504-1148	X	·		Return Receipt Received
35	Lea Partners Kirkwood & Darby P.O. Box 870849 Mesquite, TX 75187-0849	X			Return Receipt Received
36	Lea County Administration Office Attn: Lue Ethridge 100 N. Main Street, Suite 4 Lovington, NM 88260	X			Return Receipt Received
	TOTALS	33	2	1	

NOTICE OF PUBLICATION:

State of New Mexico
Energy, Minerals and Natural
Resources Department
Oil, Conservation Division
Notice is hereby given that pursuiant to New Mexico Oil-Conservation Division-Regulations the following Stage 2- Abatement Riant Proposal has been submitted to the Director Jot the 2Director Jot Telephone (505) 476-3440: tion-Division, 1220:S.St. Francis
Dr. Santaire, New Mexico,87505,
Telephone (505) 476-3440
Rice Operating Company, Scottl
Curits, General Manager Telephone (575) 393-9174, 122 West)
Taylor, Hobbs, New Mexico,
882407 has submitted a Stage 22
Abatement Plan Proposal (AP-46)
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can be substituted and the substitute of the sub hearing that includes reasons why nearing frai finduces leasons with a hearing should be held and with ten comments may be submitted to him.

# STATE OF NEW MEXICO County of Bernalillo

Bill Tafoya, being duly sworn, declares and says that he 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 therefore 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 first publication being on the

Many 2007 and the subsequent consecutive publications on

Sworn and subscribed to before me, a Notary Public, in and

for the County of Bernalillo and State of New Mexico this Lanciery of 2007

Statement to come at end of month.

ACCOUNT NUMBER  $\mathcal{C} F 22$ 

PRICE /

OFFICIAL SEAL KRISTINA L. SMITH NOTARY PUBLIC-STATE OF NEW MEXICO

CLA-22-A (R-1/93)

**.**5

# **Affidavit of Publication**

State of New Mexico, County of Lea.

> I, KENNETH NORRIS AD MANAGER

of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, do solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period

of 3 issue(s).
Beginning with the issue dated
January 11, 2009
and ending with the issue dated
January 25, 2009

AD MANAGER

Sworn and subscribed to before me

this 26th day of January, 2009

Notary Public

My commission expires February 07, 2009 (Seal)

OFFICIAL SEAL

DORA MONTZ

HOTARY PUBLIC - STATE OF NEW MEXICO

This newspaper is duly qualified to publish legal notices or advertisments within the meaning of Section 3, Chapter 167, Laws of 1937 and payment of fees for said publication has been made.

LEGAL JANUARY 11, 17, 25, 2009 NOTICE OF PUBLICATION

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01104367 00024048 CAROLYN HAYNES RICE OPERATING COMPANY 122 WEST TAYLOR HOBBS, NM 88240

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COMPLETETHISSECTION ON DELIVERY	* Signature  * Signature  * Addressee	B. Received by (Printed Name) C. Date	D. is delivery address different from tigm 17.   West of the property of the p	SANTA	3. Service Type  Certified Mail Registered Registered Insured Mail C.O.D.	ery?	. 000.1 3070 3852	eturn Receipt 102595-02-M-154	Starting and the starting of t	COMPLETE THIS SECTION ON DELIVERY	The state of the s	D: Is delivery address guilleirent from item 1? \( \begin{array}{c} \text{Ves} \\ \text{II} \\ \text{Ves} \\ \text	OT WE	33   Service   Tyde VLS	4. Restricted Delivery? (Extra Fee)	302 ב205 פחיונ	eturn Receipt 102595-02-M-[5
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# RCE Operating Company

122 West Taylor Hobbs, NM 88240

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Regional Forester USFS Regional Office 517 Gold Avenue SW Albuquerque, NM 87102



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88240@6048

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So that we can return the card to you.

Attach this card to the back of the mailplace
or on the front if space permits.

NM Oil & Gas Association
P.O. Box 1864
Santa Fc, NM 87504-1864
Santa Fc, NM 87504-1864

2. Article Number 7008 1140 000 3038

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

☐ Express Mail ☐ Return Receipt for Merchandise

Service Type

Contified Mail
Registered

4. Restricted Delivery? (Extra Fee)

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☐ Insured Mail

# PCE Operating Company

Hobbs, NM 88240 122 West Taylor



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HUE OPERATING HOBBS, NM JAN 217009

State Historic Preservation Officer

228 East Palace Avenue Villa River Room 101 Santa Fe, NM 87503 Attn: Elmo Baca

i) 671 MHXHZ

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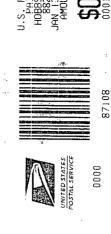
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MAILED FROM ZIP CODE 88240

Mike Schulz HOBBS, NM .IAN 222009

Mike Schulz
International Technology 5301 Central Avenue, NE Sui Albuquerque, NM 87108



From:

Katie Jones [kjones@riceswd.com]

Sent:

Wednesday, February 04, 2009 10:45 AM

To:

'katherine.slick@state.nm.us'

Subject:

Part 30 Public Notice (K-6)

Attachments: EME K-6 Stage 2 AP Public Notice.pdf

# State Historic Preservation Officer:

In accordance with the NMOCD Part 30 Public Notice requirements, please find the attached public notification document. This document was originally mailed to you on January 13, 2009, but a return receipt was not received.

**Katie Jones Environmental Engineering Assistant** Rice Operating Company

From:

Katie Jones [kjones@riceswd.com]

Sent:

Wednesday, February 04, 2009 10:46 AM

To:

'cgarcia@fs.fed.us'

Subject:

Part 30 Public Notice (K-6)

Attachments: EME K-6 Stage 2 AP Public Notice.pdf

# Regional Forester:

In accordance with the NMOCD Part 30 Public Notice requirements, please find the attached public notification document. This document was originally mailed to you on January 13, 2009, but a return receipt was not received.

**Katie Jones Environmental Engineering Assistant** Rice Operating Company

From: Sent:

Christina M Garcia [cgarcia@fs.fed.us] Monday, February 09, 2009 8:45 AM Katie Jones

To:

Subject:

Part 30 Public Notice (K-6)

# Return Receipt

Your

Part 30 Public Notice (K-6)

document:

was

cgarcia@fs.fed.us

received

by:

at:

02/09/2009 08:44:53

From:

Katie Jones [kjones@riceswd.com]

Sent:

Wednesday, February 04, 2009 10:43 AM

To:

'mschulz@theitgroup.com'

Subject:

Part 30 Public Notice (K-6)

Attachments: EME K-6 Stage 2 AP Public Notice.pdf

# Mike Schulz:

In accordance with the NMOCD Part 30 Public Notice requirements, please find the attached public notification document. This document was originally mailed to you on January 13, 2009, but a return receipt was not received.

Katie Jones Environmental Engineering Assistant Rice Operating Company

From: System Administrator [postmaster@riceswd.com]

**Sent:** Friday, February 06, 2009 10:50 AM

To: Katie Jones

Subject: Undeliverable: Part 30 Public Notice (K-6)

Attachments: details.txt; Part 30 Public Notice (K-6) (36.4 KB)

details.txt (421 B) Part 30 Public

Notice (K-6) (3... Your message

To: mschulz@theitgroup.com Subject: Part 30 Public Notice (K-6) Sent: Wed, 4 Feb 2009 10:43:15 -0700

did not reach the following recipient(s):

mschulz@theitgroup.com on Fri, 6 Feb 2009 10:07:09 -0700

The e-mail system was unable to deliver the message, but did not report a specific reason. Check the address and try again. If it still fails, contact your system administrator.