STATE OF NEW MEXICO
ENERGY, MINERALS AND NATGURAL RESOURCES DEPARTMENT
OIL CONSERVATION COMMISSION

APPLICATION OF THE NEW MEXICO OIL AND GAS ASSOCIATION AND APPLICATION OF THE INDEPENDENT PETROLEUM ASSOCIATION FOR THE AMENMENT OF CERTAIN PROVISIONS OF TITLE 19, CHAPTER 15 OF THE NEW MEXICO ADMINISTRATIVE CODE CONCERNING PITS, CLOSED-LOOP SYSTEMS, BELOW GRADE TANKS, AND SUMPS AND OTHER ALTERNATIVE METHODS RELATED TO THE FOREGOING MATTERS, STATEWIDE.

CASE NO: 14784

NOTICE OF INTENT TO PRESENT REBUTTAL TESTIMONY

The New Mexico Citizens for Clean Air & Water (NMCCA&W) hereby offers notice of

intent to present rebuttal testimony in response to the testimony of Mr. Thomas E. Mullins. Dr.

Donald A. Neeper will present the rebuttal testimony. Copies of the exhibit, titled "NMCCA&W

Exhibit R2," are attached. The presentation will take approximately 15 minutes.

Respectfully Submitted,

Donald A. Neeper

Donald A. Neeper
authorized representative

CERTIFICATE OF SERVICE

I certify that on this 21st day of June, 2012, I served an electronic or paper copy of the foregoing Notice eof Intent to Present Rebuttal Testimony to the following persons, parties or their counsel.

Florene Davidson, EMNRD
florene.davidson@state.nm.us

New Mexico Oil and Gas Association
Holland and Hart, attorneys.
Fax 505-983-6043
wcarr@hollandhart.com

New Mexico Independent Producers Association
Karin Foster, Esq.; Chatham Partners Inc.
fosterassociates2005@yahoo.com
New Mexico Oil & Gas Accountability Project
Eric Jantz, esq. New Mexico Environmental Law Center
ejantz@nmelc.org

Oil Conservation Division
New Mexico Department of Energy, Minerals, and Natural Resources
Gabrielle Gerholt, Esq.
gabrielle.gerholt@state.nm.us

New Mexico Wilderness Alliance
Judith Calman, Esq.
judy@nmwild.org

Nearburg Producing Company
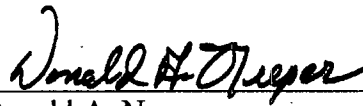James G. Bruce, Esq.
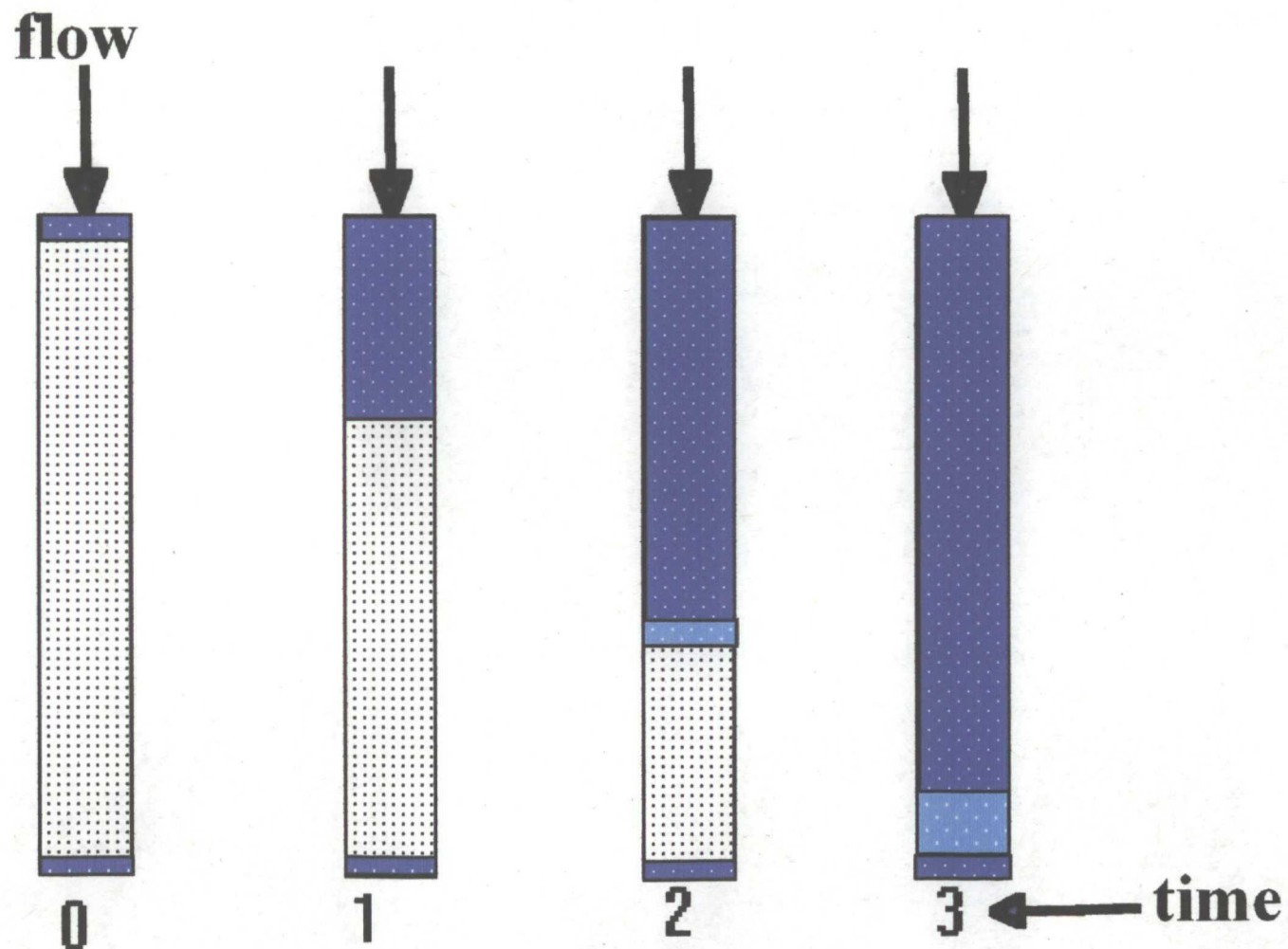jamesbruce@aol.com
PO Box 1056
Santa Fe, NM 87504   505-982-2043

New Mexico State Land Office
Katherine M. Moss, Esq.
Fax 505-827-5766

Donald A. Neeper

THE SITUATION (as represented by MULTIMED)

flow

0   1   2   3 ← **time**

1

SPEED OF ADVANCE OF FRONT

EXAMPLE

$$\text{volume flow rate (mm/yr)} = \text{porosity} \times \text{saturation} \times \text{speed}$$

$$1 \text{ mm/yr} = 0.5 \times \boxed{0.3} \times \text{speed}$$
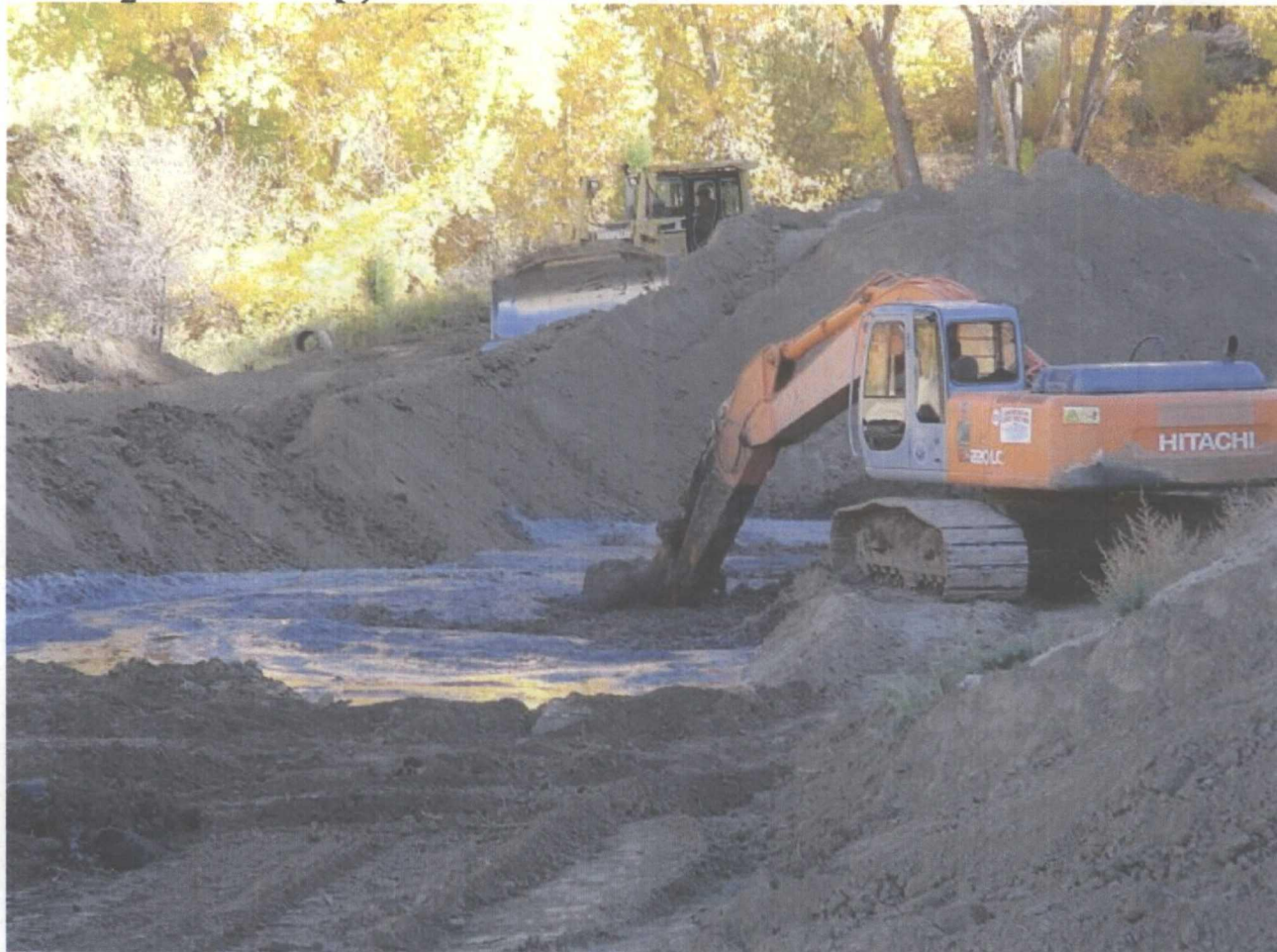
$$\textbf{speed} = 6.66 \text{ mm/yr}$$

time to travel 100 ft (30.5 m) is 4576 yr

25 ft (7.6 m) is 1144 yr

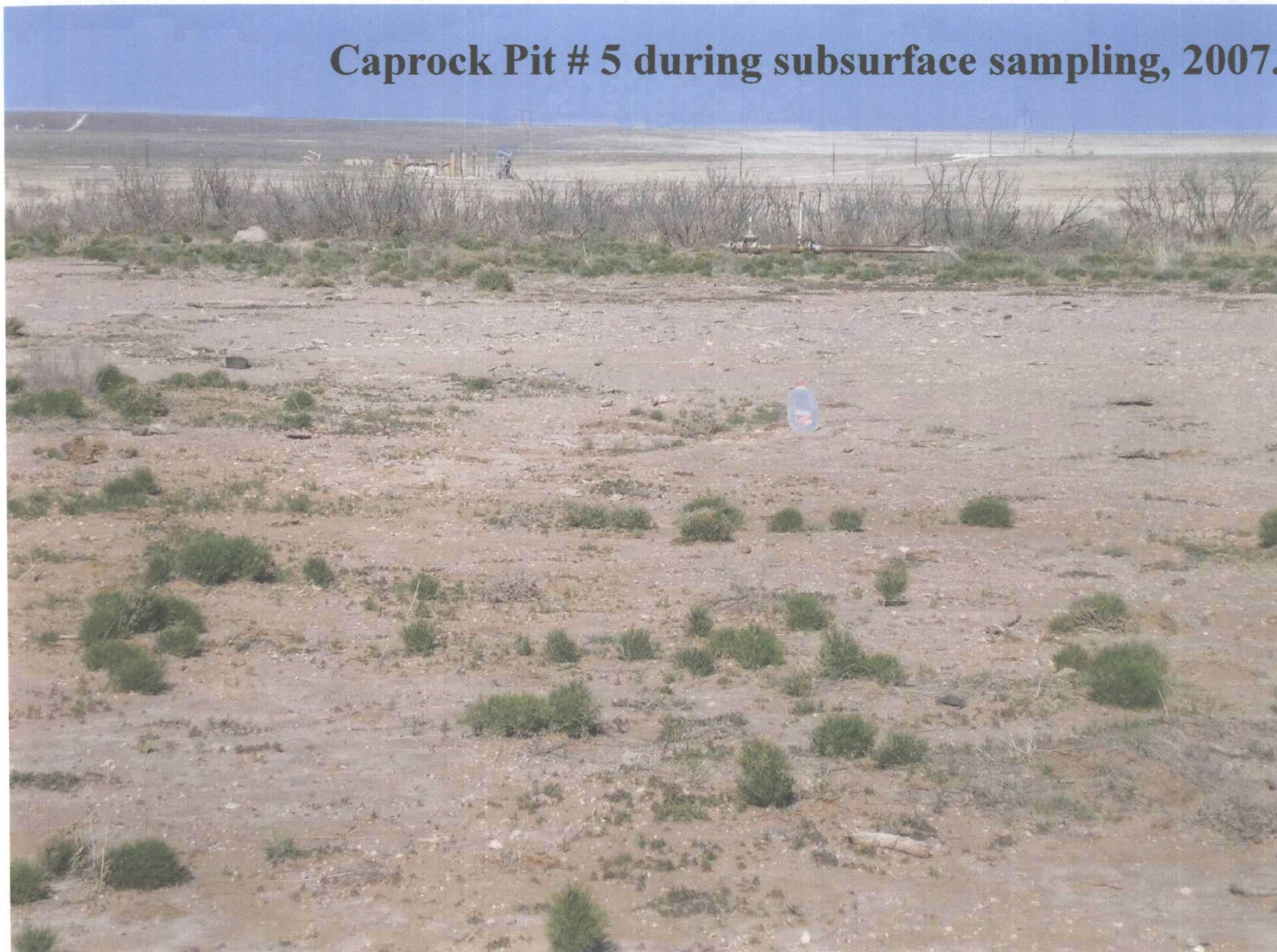|	
If infiltration is 1"/year	time to travel 25 ft is 46 yr

The protection inferred by the HELP model depends in part on the liner. Stabilization of a pit during in-place burial may damage the liner.

Caprock Pit # 5 during subsurface sampling, 2007.

NEW DRAINAGE INTO PIT!