

Chas. Y. Lang-P.

135 Rincon Valverde
Ponderosa, NM 87044

2005 OCT 31 AM 11 12

Dear Ms Davidson,
I am extremely encouraged by the clarity and specificity of Exhibit A, "Proposed Surface Waste Management Rules", 19.15.2.51-19.15.2.53 A-I, (2), Pages 1-13, and the substance of "Notice of Hearing State of New Mexico Energy, Minerals and Natural Resources Department Oil Conservation Division Santa Fe, New Mexico, October 13, 2005, Classified Legals of the Albuquerque Journal which explained the action of repeal of OCD Rules 709, 710 and 711 of 19.15.9 NMAC, I appreciate

October 27, 2005

your timely sending of Exhibit A to
Application "Proposed Surface Waste
Management Rules" as well as Existing
Rules 19.15.9.709-19.15.9.711 E 3. What
follows are my written comments on
what is proposed concerning the current
subject rules and the proposed rules,
submitted in time to be presented to the
hearing examiner's attention for consideration,
as you should receive this before November
3, 2005.

My comment is as follows:

"Proposed Surface Waste Management
Rules, 19.15.2.51 'Transportation of
Produced Water, Drilling Fluids And
Other Liquid Oilfield Waste', A.-E.;
19.15.2.52 'Disposition of Produced
Water and Other Oilfield Wastes',
A.-C.; 19.15.2.53 'Surface Waste
Management Facilities', A.-I. 2., need to
be adopted. Existing Rules 19.15.9.709
'Removal of Produced Water From Leases
And Field Facilities', A.-D.; 19.15.9.711
'Applicable To Surface Waste Management

Stephen J. Lary, Esq.

Facilities Only; A.-E.3.; need to be repealed. However, making the amendment conditional upon the repeal instead of the repeal conditional upon the amendment is not the correct order of unfolding. If one nanosecond is allowed to pass, probably if even less time than that is allowed to pass with the technology we are dealing with these days, in which 19.15.9.709-19.15.9.711 E.3. are repealed and 19.15.2.51-19.15.2.53 A.-I.2. are not yet on the books then a window is created where activities which are not allowed in 19.15.9.709-19.15.9.711 E.3. AND 19.15.2.51-19.15.2.53 A.-I.2 will happen until 19.15.2.51-19.15.2.53 A.-I.2 go on the books. A moratorium on all activities outlawed in 19.15.2.51-19.15.2.53 A.-I.2 must begin immediately, a legal moratorium "in the books" to prevent this. Do not repeal Existing Rules until Proposed Rules take effect. Otherwise this is a grandfathering giveaway before the axe falls just like we in the Vallecito are seeing happening with BLM and

John D. Perry - Pym

October 27, 2005

gypsum mining in the Ojito near San
Isidro, New Mexico. If the proper
order is not taken here the stage
is being set for developers to suck
taxpayers dry in the aftermath of
Probo's erosion of the 1973 Environmental
Protection Act, as well as the Endangered
Species Act and resultant defining
of critical habitat. Draw the line
in the sand. The party is over.

This scenario resembles Secretary
of State Condoleezza Rice's recent
dialogue with the Koreans over the
Koreans giving up their nuclear program.
The North Koreans demand that in
exchange for giving up their nuclear
program they be provided with, light-water
nuclear reactors. Condi Rice's reply,
and the Bush Administration's platform,
is that this issue should be tackled
with the North Koreans only after
Pyongyang has verifiably dismantled
its weapons effort. New Mexico Oil
Conservation Division, in Case 13586,
needs to put the proposed rules into
effect, then repeal the existing laws."

(end of comment)

Jeffrey D. Perry - Pp.in

Domestic Return Receipt # 7005 1820 0000 0608 6241 Submitting, before 11-03-05,
public comment on putting 19.15.2.51-19.15.2.53 A.-I.(2)
into effect, backed by a moratorium on all banned in 19.15.2.51-
19.15.2.53 A.-I.(2) and not repealing Existing Rules 709, 710 and
711 until New Surface Waste Management Rules October 27, 2005
are adopted. I am only a retired educator.

I am only a retired educator, homeschooling me seven-year-old and personally building a home on an undeveloped lot which my domestic partner and I brought in domestic water, septic system, electricity and propane, as well as solar panels and a water catchment system. Many historical events are occurring in the hearings and meetings of New Mexico as global resources dwindle. I am building for my little girl's future. I plead with you to do act in her behalf. She drinks water not oil. Oil and gas are not one of the basic needs. She breathes air, too. Preserve her Earth, there's nowhere else.

Respectfully,

Thomas G. Perry - Perry

(P.S. If I have misunderstood please leave this as my final comment anyway. Please write me if I misunderstood.)