

# Correspondence

Case No. 12897

March 2002

## Ross, Stephen

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**From:** Ross, Stephen  
**Sent:** Wednesday, March 20, 2002 3:34 PM  
**To:** Anderson, Roger; Price, Wayne  
**Subject:** H2S Rule - advertising requirements

Roger and Wayne,

Here are the advertising and notice requirements for enactment of the H2S rule.

1. The Division would prepare an application to adopt the new H2S rule and rescind the old rule (a one page application will be fine). The application should include the proposed rule.
2. Notice of the proposed rule (a short summary of the rule and a statement when and where the hearing will be, where people can obtain copies of the rule, where comments can be directed) needs to be prepared. I will do this.
3. The notice in the previous paragraph needs to be published in a newspaper of general circulation *in the counties affected by the proposed rule*. I will check with Florene and see what the general practice has been in this regard. The rub is that the notice has to be published AT LEAST 20 days before the hearing, or, for the April meeting, no later than April 6.
4. The notice must also be sent to the Commission docket AT LEAST 20 DAYS before the hearing.
5. The hearing will involve testimony (of Wayne and yourself?) concerning the rule. It would help if some of the industry people who participated in developing the rule would testify in favor of it.
6. Once the rule is enacted, it must be published in the New Mexico Register before it becomes effective. This usually happens in 2 to 3 weeks.

Let me know if you want to shoot for April. It's still possible but we'll have to hop right to it.

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