

NM1-57

**Minor
Modification**

4/20/15



New Mexico Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

David Martin
Cabinet Secretary

Brett F. Woods, Ph.D.
Deputy Cabinet Secretary

David Catanach, Director
Oil Conservation Division



April 20, 2015

Mike Little
DNCS Properties, LLC
3 Waterway Square Place, Suite 110
The Woodlands, Texas 77380

RE: Surface Waste Management Facility Permit NM1-57. South/2 of Section 31, Township 17 South, Range 33 East and North/2 of Section 6, Township 18 South, Range 33 East NMPM; Lea County, New Mexico

Mr. Little,

The Oil Conservation Division (OCD) is in receipt of your application (OCD Form C-137) with attachment dated April 10, 2015 regarding a modification to Permit NM1-57 as the ownership structure of DNCS Properties has changed. OCD considers such a change to be a minor modification as defined under 19.15.36.7 B.(10) NMAC. This modification is hereby approved. All future communication regarding this permit will be directed to the address provided by you in the application.

Respectfully,



Jim Griswold
Environmental Bureau Chief

cc: Bryce Karger





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April 10, 2015

Allison R. Marks
Office of the General Counsel
New Mexico Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, NM 87505

RE: Application for Surface Waste Management Facility
DNCS Properties, LLC

Dear Ms. Marks,

Please find enclosed New Mexico Form C-137, Application for Surface Waste Management Facility for DNCS Properties, LLC.

If you have any questions, please feel free to call Rob Cloninger at 832.442.2200.

Sincerely,

Ree Adams
Administrative Assistant
Engineering Department
832.442.2209
reea@wcnx.org

Enc/



District I
1625 N. French Dr., Hobbs, NM 88240
District II
811 S. First St., Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources
Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

For State Use Only:

Form C-137
Revised August 1, 2011

Submit 1 Copy to Santa Fe Office

APPLICATION FOR SURFACE WASTE MANAGEMENT FACILITY

A meeting should be scheduled with the Division's Santa Fe office Environmental Bureau prior to pursuing an application for a surface waste management facility in order to determine if the proposed location is capable of satisfying the siting requirements of Subsections A and B of 19.15.36.13 NMAC for consideration of an application submittal.

1. Application: New Modification Renewal
2. Type: Evaporation Injection Treating Plant Landfill Landfarm Other
3. Facility Status: Commercial Centralized
4. Operator: **DNCS PROPERTIES, LLC**
- Address: **3 Waterway Square Place, Suite 110, The Woodlands, Texas 77381**
- Contact Person: **Mike Little** Phone: **(832) 442-2200**
5. Location: **South ½ of Section 31, Township 17 South, Range 33 East and North ½ of Section 6, Township 18 South, Range 33 East NMPM**
6. Is this an existing facility? Yes No If yes, provide permit number **NM1-57**
7. Attach the names and addresses of the applicant and principal officers and owners of 25 percent or more of the applicant. Specify the office held by each officer and identify the individual(s) primary responsible for overseeing management of the facility. **Attached hereto.**
8. Attach a plat and topographic map showing the surface waste management facility's location in relation to governmental surveys (quarter-quarter section, township and range); highways or roads giving access to the surface waste management facility site; watercourses; fresh water sources, including wells and springs; and inhabited buildings within one mile of the site's perimeter. **No change from last C-137 filing.**
9. Attach the names and addresses of the surface owners of the real property on which the surface waste management facility is sited and surface owners of the real property within one mile of the site's perimeter. **No change from last C-137 filing.**
10. Attach a description of the surface waste management facility with a diagram indicating the location of fences and cattle guards, and detailed construction/installation diagrams of pits, liners, dikes, piping, sprayers, tanks, roads, fences, gates, berms, pipelines crossing the surface waste management facility, buildings and chemical storage areas. **No change from last C-137 filing.**
11. Attach engineering designs, certified by a registered professional engineer, including technical data on the design elements of each applicable treatment, remediation and disposal method and detailed designs of surface impoundments. **No change from last C-137 filing.**
12. Attach a plan for management of approved oil field wastes that complies with the applicable requirements contained in 19.15.36.13, 19.15.36.14, 19.15.36.15 and 19.15.36.17 NMAC. **No change from last C-137 filing.**
13. Attach an inspection and maintenance plan that complies with the requirements contained in Subsection L of 19.15.36.13 NMAC. **No change from last C-137 filing.**

14. Attach a hydrogen sulfide prevention and contingency plan that complies with those provisions of 19.15.3.118 NMAC that apply to surface waste management facilities. **No change from last C-137 filing.**

15. Attach a closure and post closure plan, including a responsible third party contractor's cost estimate, sufficient to close the surface waste management facility in a manner that will protect fresh water, public health, safety and the environment (the closure and post closure plan shall comply with the requirements contained in Subsection D of 19.15.36.18 NMAC). **No change from last C-137 filing.**

16. Attach a contingency plan that complies with the requirements of Subsection N of 19.15.36.13 NMAC and with NMSA 1978, Sections 12-12-1 through 12-12-30, as amended (the Emergency Management Act). **No change from last C-137 filing.**

17. Attach a plan to control run-on water onto the site and run-off water from the site that complies with the requirements of Subsection M of 19.15.36.13 NMAC. **No change from last C-137 filing.**

18. In the case of an application to permit a new or expanded landfill, attach a leachate management plan that describes the anticipated amount of leachate that will be generated and the leachate's handling, storage, treatment and disposal, including final post closure options. **No change from last C-137 filing.**

19. In the case of an application to permit a new or expanded landfill, attach a gas safety management plan that complies with the requirements of Subsection O of 19.15.36.13 NMAC. **No change from last C-137 filing.**

20. Attach a best management practice plan to ensure protection of fresh water, public health, safety and the environment. **No change from last C-137 filing.**

21. Attach a demonstration of compliance with the siting requirements of Subsections A and B of 19.15.36.13 NMAC. **No change from last C-137 filing.**

22. Attach geological/hydrological data including: **No change from last C-137 filing.**

- (a) a map showing names and location of streams, springs or other watercourses, and water wells within one mile of the site;
- (b) laboratory analyses, performed by an independent commercial laboratory, for major cations and anions; benzene, toluene, ethyl benzene and xylenes (BTEX); RCRA metals; and total dissolved solids (TDS) of ground water samples of the shallowest fresh water aquifer beneath the proposed site;
- (c) depth to, formation name, type and thickness of the shallowest fresh water aquifer;
- (d) soil types beneath the proposed surface waste management facility, including a lithologic description of soil and rock members from ground surface down to the top of the shallowest fresh water aquifer;
- (e) geologic cross-sections;
- (f) potentiometric maps for the shallowest fresh water aquifer; and
- (g) porosity, permeability, conductivity, compaction ratios and swelling characteristics for the sediments on which the contaminated soils will be placed.

23. In the case of an existing surface waste management facility applying for a minor modification, describe the proposed change and identify information that has changed from the last C-137 filing. **See attached.**

24. The division may require additional information to demonstrate that the surface waste management facility's operation will not adversely impact fresh water, public health, safety or the environment and that the surface waste management facility will comply with division rules and orders

25. CERTIFICATION

I hereby certify that the information submitted with this application is true, accurate and complete to the best of my knowledge and belief.

Name: James M Little

Title: Senior Vice President – Engineering and Disposal

Signature: 

Date: April 10, 2015

E-mail Address: jiml@wcnx.org

Attachments to Form C-137
Application for Minor Modification

7. Attach the names and addresses of the applicant and principal officers and owners of 25 percent or more of the applicant. Specify the office held by each officer and identify the individual(s) primary responsible for overseeing management of the facility.

Applicant: DNCS Properties, LLC, 3 Waterway Square Place, Suite 110, The Woodlands, Texas 77380.

Principal Officers:

| <u>Name</u> | <u>Title</u> | <u>Address</u> |
|------------------------|---|--|
| Ronald J. Mittelstaedt | Chief Executive Officer | 3 Waterway Square Place, Suite 110 The Woodlands, Texas 77380 |
| Steven F. Bouck | President | 3 Waterway Square Place, Suite 110 The Woodlands, Texas 77380 |
| Worthing F. Jackman | Executive Vice President – Chief Financial Officer | 3 Waterway Square Place, Suite 110 The Woodlands, Texas 77380 |
| Darrell Chambliss | Executive Vice President – Chief Operating Officer | 3 Waterway Square Place, Suite 110 The Woodlands, Texas 77380 |
| James M. Little | Senior Vice President – Engineering and Disposal | 3 Waterway Square Place, Suite 110 The Woodlands, Texas 77380 |
| Patrick J. Shea | Senior Vice President, General Counsel and Secretary | 3 Waterway Square Place, Suite 110 The Woodlands, Texas 77380 |
| Robert A. Nielsen III | Regional Vice President | 3 Waterway Square Place, Suite 110 The Woodlands, Texas 77380 |
| William Maak | Regional Controller | 3 Waterway Square Place, Suite 110 The Woodlands, Texas 77380 |
| Jeffrey Burrier* | Vice President – Engineering and Operations | 3 Waterway Square Place, Suite 110 The Woodlands, Texas 77380 |
| Michael Little* | Vice President – Operations | 3 Waterway Square Place, Suite 110 The Woodlands, Texas 77380 |

* Individual(s) with primary responsibility for overseeing management of the facility.

Owner of 25 percent or more of the applicant: R360 Permian Basin, LLC, a New Mexico limited liability, owns 100% of the applicant. R360 Permian Basin, LLC's address is 3 Waterway Square Place, Suite 110, The Woodlands, Texas 77380.

23. In the case of an existing surface waste management facility applying for a minor modification, describe the proposed change and identify information that has changed from the last C-137 filing.

Describe the proposed change:

1. Updating the "Address", "Contact Person" and "Phone" information in Item 4.
2. Updating the information requested in Item 7.

Identify information that has changed from the last C-137 filing:

1. Updating the "Address", "Contact Person" and "Phone" information in Item 4.
2. Updating the information requested in Item 7.