

**Jones, Brad, EMNRD**

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**From:** Jones, Brad, EMNRD  
**Sent:** Wednesday, January 25, 2023 9:04 AM  
**To:** Egan, Kerry L  
**Subject:** Renewal approval for HBP-042  
**Attachments:** 2023 0125 HBP-42 Transwestern Pipeline Company LLC 120-day TP renewal approval signed.pdf

Kerry,

Please see the attached. It's a copy of your 120-day temporary permission renewal approval for HBP-042. If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Brad A. Jones

**Brad A. Jones** • Environmental Scientist Specialist - Advanced  
Environmental Bureau  
EMNRD - Oil Conservation Division  
1220 S. Saint Francis Drive | Santa Fe, New Mexico 87505  
(505) 469-7486 | [brad.a.jones@emnrd.nm.gov](mailto:brad.a.jones@emnrd.nm.gov)  
[www.emnrd.nm.gov](http://www.emnrd.nm.gov)

State of New Mexico  
Energy, Minerals and Natural Resources Department

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Michelle Lujan Grisham  
Governor

Sarah Cottrell Propst  
Cabinet Secretary

Todd E. Leahy, JD, PhD  
Deputy Secretary

Dylan Fuge  
Acting Director, Oil Conservation  
Division



**BY ELECTRONIC MAIL ONLY**

January 25, 2023

Mr. Kerry Egan  
Energy Transfer  
8501 Jefferson NE  
Albuquerque, New Mexico 87113  
[kerry.egan@energytransfer.com](mailto:kerry.egan@energytransfer.com)

**Re: Renewal of Temporary Permission to Discharge Hydrostatic Test Water  
Transwestern Pipeline Company, LLC - OGRID 329750  
Permit: HBP - 42**

Dear Mr. Egan:

The New Mexico Oil Conservation Division (OCD) has completed its review of Transwestern Pipeline Company, LLC's (Transwestern) renewal request, dated January 10, 2023, for approval of a 120-day temporary permission to discharge small quantities of hydrostatic test wastewater generated from the testing of new transmission pipelines of oil and gas or products thereof throughout the State of New Mexico, which expires on March 3, 2023. OCD acknowledges receipt of the filing fee (\$100.00) and temporary permission fee (\$50.00) provided in the separate submittal mailed to the OCD Santa Fe office and received on January 25, 2023.

Based on the information provided in the request, *temporary permission is hereby granted to Transwestern for the discharge of the hydrostatic test wastewater generated from all new pipeline hydrostatic tests* an operator may perform during the approved 120-day period with the following understandings and conditions:

1. the volume of the discharge does not exceed 25,000 gallons per hydrostatic test;
2. water from a public/municipal water supply or other OCD approved sources (upon a written request to OCD) is used for each test;
3. email or written notification must be provided to the OCD 72 hours prior to each hydrostatic discharge event. The notice shall contain the following information:

Transwestern Pipeline Company, LLC

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- a. the proposed location of hydrostatic test discharge (Section/Township/Range or GPS coordinates);
  - b. the date of the proposed discharge;
  - c. the volume of the proposed discharge; and
  - d. the source of hydrostatic test water;
4. no discharge shall enter any lake, perennial stream, river, or their respective tributaries that may be seasonal;
5. no discharge shall occur:
  - a. where ground water is less than 10 feet below ground surface.
  - b. within 200 feet of a watercourse (19.15.2.7.W(4) NMAC), lakebed, sinkhole, or playa lake (19.15.2.7.P(4) NMAC);
  - c. within an existing wellhead protection area (19.15.2.7.W(8) NMAC);
  - d. within 500 feet of a wetland (19.15.2.7.W(9) NMAC); or
  - e. within 500 feet from the nearest permanent residence, school, hospital, institution, or church;
6. no discharge shall occur to a surface water body without obtaining a National Pollution Discharge Elimination Systems (NPDES) permit from the US EPA, NMED, and OCD prior to the discharge;
7. best management practices must be implemented to contain the discharge onsite, to ensure that the discharge does not impact adjacent property, and to control erosion;
8. the discharge does not cause any fresh water supplies to be degraded or to exceed standards as set forth in Subsections A, B, and C of the 20.6.2.3103 NMAC (the Water Quality Regulations);
9. Transwestern shall report all unauthorized discharges, spills, leaks, and releases of hydrostatic test wastewater and conduct corrective action pursuant to the Water Quality Regulations of 20.6.2.1203 NMAC and release notification pursuant to OCD Rule 29 (19.15.29 NMAC);
10. the landowner(s) of each proposed discharge and/or collection/retention or alternative discharge location must be properly notified of the activities prior to each proposed hydrostatic test event; and
11. a report, summarizing each test of new pipeline with less than 25,000 gallons per hydrostatic test per discharge event performed within the approved 120-day period, shall be submitted to OCD within 45 days after the temporary permission expiration date and shall contain the following information:
  - a. the location of hydrostatic test discharge (Section/Township/Range or GPS coordinates);
  - b. the date of each discharge;
  - c. the volume of each discharge; and

Transwestern Pipeline Company, LLC  
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January 25, 2023  
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- d. the source and quality of test water (laboratory analysis, if necessary).

This temporary permission shall expire 120-days after March 3, 2023. **This temporary permission will expire on July 1, 2023.** Renewal requests for a 120-day temporary permission to discharge shall be submitted forty-five (45) days prior to the expiration date. A 120-day temporary permission may be revoked or suspended for violation of any applicable provisions and/or conditions of this approval.

Please be advised that approval of this request does not relieve Transwestern of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve Transwestern of its responsibility to comply with any other applicable governmental authority's rules and regulations.

If there are any questions, please do not hesitate to contact me at (505) 469-7486 or [brad.a.jones@state.nm.us](mailto:brad.a.jones@state.nm.us).

Respectfully,



Brad A. Jones  
Environmental Specialist

**Transwestern Pipeline Company, LLC**

January 10, 2023

Mr. Brad Jones

New Mexico Oil Conservation Division

1220 South Francis Drive

Santa Fe, New Mexico 87505

**RE: Transwestern Pipeline Company, LLC (OGRID ID #329750)**

**Renewal Request of HBP-42, 120 Day Temporary Permission to Discharge  
Hydrostatic Test Water**

Dear Mr. Jones,

Transwestern Pipeline Company LLC, (Transwestern) is submitting this request for renewal of Permit No. HBP-42 for Temporary Permission to discharge hydrostatic test water from new natural gas pipelines owned and operated by Transwestern Pipeline Company in the State of New Mexico. Discharge will occur within Transwestern's easements and rights-of-way and on private parcels that contain our facilities. Our easements and rights-of-way occur on federal, state, and private land. Discharge will be performed in a manner that controls runoff, soil erosion and discharging sediment from the sites. Methods of controlling runoff include detention basins and trenches that provide soil percolation and evaporation, water truck spraying for dust suppression, and application to excavated soils and backfill to aid in compaction.

Permit No HBP-42 was last issued by your office on September 28, 2022 for a period of 120 days and is set to expire on March 3, 2023. As outlined in the permit conditions renewal for continued coverage is required 45 days prior to expiration.

Therefore, this application, filing fee (\$100.00) and temporary permission fee (\$50.00) are being submitted for your review. The fee payment will be made with a hard copy check in the amount of \$150.00, made payable to the *Water Quality Management Fund*.

Transwestern understands that the temporary permission authorizes the discharge of hydrostatic test water throughout the State of New Mexico under the following conditions:

- 1) the volume of the discharge is less than 25,000 gallons per hydrostatic test;
- 2) water from a public/municipal water supply or other OCD approved sources, by written request and analytical results, is used for each hydrostatic test;

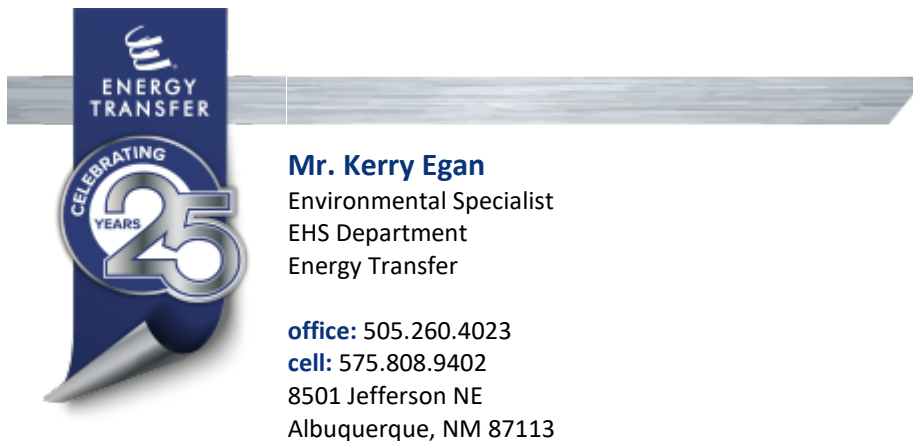
- 3) email or written notification must be provided to the OCD 72 hours prior to each hydrostatic discharge event. Each notice shall contain the following information:
  - a) the proposed location of hydrostatic test discharge (Section/Township/Range or GPS coordinates);
  - b) the date of the proposed discharge;
  - c) the volume of the proposed discharge; and
  - d) the source of hydrostatic test water;
- 4) the discharge will not enter any lake, perennial stream, river, or their respective tributaries that may be seasonal;
- 5) no discharge shall occur:
  - a) where ground water is less than 10 feet below ground surface.
  - b) within 200 feet of a watercourse (defined in 19.15.2.7.W(4) NMAC), lakebed, sinkhole, or playa lake (defined in 19.15.2.7.P(4) NMAC);
  - c) within an existing wellhead protection area (defined in 19.15.2.7.W(8) NMAC);
  - d) within 500 feet of a wetland (defined in 19.15.2.7.W(9) NMAC); or
  - e) within 500 feet from the nearest permanent residence, school, hospital, institution, or church;
- 6) best management practices must be implemented to contain the discharge onsite, to ensure the discharge does not impact adjacent property, and to control erosion;
- 7) the discharge does not cause any fresh water supplies to be degraded or to exceed standards as set forth in Subsections A, B, and C of the 20.6.2.3103 NMAC;
- 8) the landowner(s) of each proposed discharge and/or collection/retention or alternative discharge location must be properly notified of the activities prior to each proposed hydrostatic test discharge event; and
- 9) A report, summarizing all hydrostatic test wastewater discharges of less than 25,000 gallons per hydrostatic test event, will be submitted to the OCD within 45 days after the temporary permission expiration date and shall contain the following information:
  - a) the location of each hydrostatic test water discharge (Section/Township/Range or GPS coordinates);
    - i) the date of each discharge;
    - ii) the volume of each discharge; and
    - iii) the source and quality of test water (laboratory analysis, if necessary).

Please review at your earliest convenience and let me know if you have any questions, comments, or concerns regarding this submission.

Should you have any questions, please feel free to contact me at (575-808-9402); or by email at [kerry.egan@energytransfer.com](mailto:kerry.egan@energytransfer.com).

Respectfully,

*Kerry Egan*



**Mr. Kerry Egan**  
Environmental Specialist  
EHS Department  
Energy Transfer

**office:** 505.260.4023  
**cell:** 575.808.9402  
8501 Jefferson NE  
Albuquerque, NM 87113



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Received by OCD: 1/17/2023 10:15:56 AM  
Released to Imaging: 1/25/2023 9:10:14 AM

TRANSWESTERN PIPELINE CO LLC  
8111 Westchester Dr., Ste 600  
Dallas, TX 75225

Payment Date: 01/12/2023

Vendor: WATER QUALITY MGMT FUND  
Vendor ID: 1000002788

Check No.: 260502980  
Check Date: 01/12/2023

Invoice Number	Invoice Date	Document Number	Reference	Gross Amount	Discount	Net Amount
ST_49017	01/10/2023	5800014791	WATER QUALITY MANAGEMENT	150.00	0.00	150.00
Check Total.....						\$ 150.00

PLEASE DETACH BEFORE DEPOSITING CHECK. For inquiries call:214-840-5422 or email [accountspayable@energytransfer.com](mailto:accountspayable@energytransfer.com)

THIS CHECK IS VOID WITHOUT A BLUE & GREEN BACKGROUND - THIS IS WATERMARKED PAPER - HOLD TO THE LIGHT TO VERIFY WATERMARK

TRANSWESTERN PIPELINE CO LLC  
8020 Park Lane, Suite 200  
Dallas, TX 75231  
Vendor ID: 1000002788

Payable Through  
WELLS FARGO BANK, N.A.  
88-156  
531

Check No.:  
260502980

Check Date:  
01/12/2023

VOID AFTER 90 DAYS

PAY:  
\*\*\*ONE HUNDRED FIFTY -----

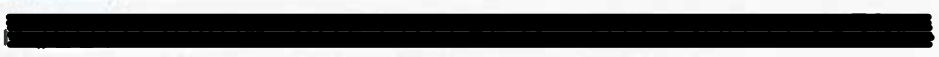
\$150.00

To The  
Order of:

WATER QUALITY MGMT FUND  
OIL CONSERVATION DIVISION  
1220 S ST FRANCE DR  
SANTA FE, NM 87505-4225

  
Authorized Signature

SIGNATURE HAS A COLORED BACKGROUND - BORDER CONTAINS MICROPRINT





ORIGIN ID:ABQA (575) 808-9402 KERRY EGAN 8501 JEFFERSON ST NE ALBUQUERQUE NM 87113 UNITED STATES US	SHIP DATE: 17 JAN23 ACTWGST: 1.00 LB CAD: 252319897/INET4580
TO <b>BRAD JONES</b> <b>NEW MEXICO OIL CONSERVATION DIVISIO</b> <b>1220 SOUTH ST. FRANCIS DRIVE</b>	
<b>SANTA FE NM 87505</b> (505) 476-3460 REF: 2605150010 INV: ENTER WBS# IF APPLICABLE PO: ENTER PO# IF APPLICABLE DEPT:	
 	
TRK# 7710 4645 4325 0201	FRI - 20 JAN 4:30P EXPRESS SAVER
<b>9A SAFA</b> NNM-US ABQ 87505	

581J2/D297/FE2D

**After printing this label:**

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

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Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on [fedex.com](http://fedex.com). FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

**District I**

1625 N. French Dr., Hobbs, NM 88240  
Phone:(575) 393-6161 Fax:(575) 393-0720

**District II**

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Phone:(575) 748-1283 Fax:(575) 748-9720

**District III**

1000 Rio Brazos Rd., Aztec, NM 87410  
Phone:(505) 334-6178 Fax:(505) 334-6170

**District IV**

1220 S. St Francis Dr., Santa Fe, NM 87505  
Phone:(505) 476-3470 Fax:(505) 476-3462

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

CONDITIONS

Action 174855

**CONDITIONS**

Operator: Transwestern Pipeline Company, LLC 8501 Jefferson NE Ave Albuquerque, NM 87113	OGRID: 329750
	Action Number: 174855
	Action Type: [UF-HP] HBP Permission (HBP)

**CONDITIONS**

Created By	Condition	Condition Date
bjones	OCD emailed the renewal approval of HBP-42 to Kerry Egan (Transwestern) on January 25, 2023. The approved email is attached to this request. If you have any questions regarding this matter, please do not hesitate to contact me.	1/25/2023