

## Jones, Brad, EMNRD

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**From:** Jones, Brad, EMNRD  
**Sent:** Thursday, December 28, 2023 1:53 PM  
**To:** Anderson, Kasey R.  
**Subject:** HBP-22 New Mexico Gas Company Inc.'s 120-day temporary permission renewal approval  
**Attachments:** 2023 1228 HBP-22 New Mexico Gas Company Inc 120-day TP renewal approval signed.pdf

Kasey,

Please see the attached. It a copy of your 120-day temporary permission renewal approval for HBP-022. If you have any questions regarding this matter, please do not hesitate to contact me.

Brad

**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

Dylan M. Fuge  
Deputy Secretary

Dylan M. Fuge Division Director (Acting)  
Oil Conservation Division



**BY ELECTRONIC MAIL ONLY**

December 28, 2023

Mr. Kasey Anderson  
New Mexico Gas Company, Inc.  
P.O. Box 97500  
Albuquerque, New Mexico 87199-7500  
[Kasey.Anderson@nmgco.com](mailto:Kasey.Anderson@nmgco.com)

**Re: Request for Temporary Permission to Discharge Hydrostatic Test Water  
New Mexico Gas Company, Inc. - OGRID 277930  
Permit: HBP – 22**

Dear Mr. Anderson:

The New Mexico Oil Conservation Division (OCD) has completed its review of New Mexico Gas Company, Inc.'s (NMGC) renewal request, dated December 12, 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 February 7, 2024. OCD acknowledges receipt of the filing fee (\$100.00) and temporary permission fee (\$50.00) within a separately mailed submittal received by OCD on December 28, 2023.

Based on the information provided in the request, *temporary permission is hereby granted to NMGC 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 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. The notice shall contain the following information:

New Mexico Gas Company, Inc.

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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. NMGC 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
  - d. the source and quality of test water (laboratory analysis, if necessary).

New Mexico Gas Company, Inc.  
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This temporary permission shall expire 120-days after October 10, 2023. **This temporary permission will expire on June 6, 2024.** 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 NMGC of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve NMGC 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@emnrd.nm.gov](mailto:brad.a.jones@emnrd.nm.gov).

Respectfully,

A handwritten signature in blue ink, appearing to read 'Brad A. Jones', with a stylized flourish at the end.

Brad A. Jones  
Environmental Specialist



CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

December 12, 2023

Brad Jones  
New Mexico Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, NM 87505

Subject: New Mexico Gas Company, Inc Request for Renewal of 120-day Temporary  
Permission (HBP-22) to Discharge Hydrostatic Test Water

Dear Mr. Jones,

The New Mexico Gas Company, Inc (NMGC) is requesting a 120-day Temporary Permission (HBP-22) to discharge hydrostatic test water from new natural gas pipelines. The current permit expires February 7, 2024 and renewal request is due December 24, 2023. Discharges will occur within NMGC's right-of-way and will be done in a manner to control erosion and prevent sediment discharging from the site. Methods of controlling sediment include: filter bags, detention basins, utilizing a water truck to spray test waters for dust suppression on the right-of-way, working the test water into the trench spoils to aid with compaction, or placing water in the trench and allowing it to soak or evaporate.

The 120-day temporary permission authorizes NMGC to discharge hydrostatic test waters throughout the state of New Mexico under the following conditions:

- a) The volume does not exceed 25,000 gallons per hydrostatic test;
- b) Only water from a public/municipal water supply or other OCD approved sources, by written request and analytical results, is be used for each hydrostatic test;
- c) NMGC will provide email or written notification to the OCD 72 hours prior to each hydrostatic discharge event. Each notice shall contain the following information:
  - i. The proposed location of hydrostatic test discharge (Section/Township/range or GPS coordinates)
  - ii. The date of the proposed discharge
  - iii. The volume of the proposed discharge; and
  - iv. The source of hydrostatic test water
- d) Test water will not enter any lake, perennial stream, river or their respective tributaries that may be seasonal;
- e) No discharge shall occur:
  - i. where ground water is less than 10 feet below ground surface.
  - ii. 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);
  - iii. within an existing wellhead protection area (defined in 19.15.2.7.W(8) NMAC);

- iv. within, or within 500 feet of a wetland (defined in 19.15.2.7.W(9) NMAC); or
- v. within 500 feet from the nearest permanent residence, school, hospital, institution or church;
- f) Best management practices will be implemented to contain the discharge onsite to ensure it does not impact adjacent property, and to control erosion;
- g) The discharge will 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;
- h) The landowner(s) of each proposed discharge and/or collection/retention or alternative discharge location will be properly notified of the activities prior to each proposed hydrostatic test event; and
- i) NMGC will submit a report, summarizing all hydrostatic test wastewater discharges with less than 25,000 gallons per hydrostatic test event, to the OCD within 45 days after the temporary permission expiration date. The report shall contain the following information:
  - i. location of each hydrostatic test (Section, Township and Range or GPS coordinates);
  - ii. date of each discharge;
  - iii. volume of each discharge; and
  - iv. source and quality of test water (laboratory analysis, if necessary).

A report was submitted on November 8, 2023 for the previous permit. Attached is a check for \$150 to cover the filing and temporary permission fees. Please feel free to call me at (505) 895-2549 if you have any questions. I appreciate your timely review of this application.

Sincerely,



Kasey Anderson  
Environmental Scientist  
NMGC

New Mexico Gas Company, Inc  
7120 Wyoming Blvd NE, Suite 20  
Albuquerque, NM 87109

Check Date 12/18/2023  
Check Number 000067875  
Check Amount \$ \*\*150.00\*\*  
Vendor Number 10041927  
Our Account

WATER QUALITY MANAGEMENT FUND  
1220 S ST FRANCIS DR  
SANTA FE, NM 87505

Invoice Date	Invoice Number	Document No	Description	Gross Amount	Discount	Net Amount
12/12/2023	NMED OIL	1900003978		150.00	0.00	150.00

THE BACK OF THIS CHECK CONTAINS A SECURITY MARK® - DO NOT ACCEPT WITHOUT HOLDING AT AN ANGLE TO VERIFY SECURITY MARK®

New Mexico Gas Company, Inc  
7120 Wyoming Blvd NE, Suite 20  
Albuquerque, NM 87109

JPMorgan Chase Bank, NA  
Syracuse, NY

50-937/213 12/18/2023  
000067875

\*\*\* ONE HUNDRED FIFTY USD\*\*\*


Check Amount

PAY TO THE ORDER OF

\$ \*\*150.00\*\*

WATER QUALITY MANAGEMENT FUND  
1220 S ST FRANCIS DR  
SANTA FE, NM 87505

NOT VALID AFTER 180 DAYS



**District I**  
1625 N. French Dr., Hobbs, NM 88240  
Phone:(575) 393-6161 Fax:(575) 393-0720  
**District II**  
811 S. First St., Artesia, NM 88210  
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 296881

CONDITIONS

Operator: NEW MEXICO GAS COMPANY, INC. P.O. Box 97500 Albuquerque, NM 87199	OGRID: 277930
	Action Number: 296881
	Action Type: [UF-HP] HBP Permission (HBP)

CONDITIONS

Created By	Condition	Condition Date
bjones	OCD emailed the renewal approval of HBP-22 to Kasey Anderson (NMGC) on December 28, 2023. The emailed approval is attached to this request.	12/28/2023