STATE OF NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES OIL CONSERVATION COMISSION

IN THE MATTER OF PROPOSED AMENDMENTS TO 19.15.2, 19.15.5, 19.15.8, 19.15.9, AND 19.15.25 NMAC

CASE NO. 24683

NEW MEXICO OIL CONSERVATION COMMISSION'S CERTIFICATE OF COMPLIANCE WITH NOTICE REQUIREMENTS

As Clerk to the New Mexico Oil Conservation Commission ("OCC"), I hereby certify that the Notice of Public Hearing for Proposed Rulemaking ("Notice") has been distributed pursuant to 19.15.3.9 NMAC, as follows.

On May 20, 2025:

- The Notice was made available in the OCD's district offices;
- The Notice was published on the Oil Conservation Commission's website [Exhibit A];
- The Notice was published on the New Mexico Sunshine Portal [Exhibit B];
- The Notice was transmitted via electronic mail to all persons who have made a
 written request for notice from the agency of announcements addressing the
 subject of the rulemaking proceeding and who have provided an electronic mail
 address to the agency [Exhibit C];
- The Notice was transmitted via electronic mail to the Small Business Regulatory
 Advisory Commission, which is administratively attached to the Economic
 Development Department [Exhibit D];
- The Notice was published in the New Mexico Register [Exhibit E];
- The Notice was published in the Albuquerque Journal, which is a newspaper of

general circulation in the State of New Mexico [Exhibit F];

On June 20, 2025, the Notice was emailed to the Legislative Counsel Services [Exhibit

G].

NEW MEXICO OIL CONSERVATION COMMISSION

/s/ Sheila Apodaca

SHEILA APODACA COMMISSION CLERK

3 of 13

Received by OCD: 08/07/2025

Proposed Rules

Case 24683: Proposed Amendments to 19.15.2, 19.15.5, 19.15.8, 19.15.9, and 19.15.25 **NMAC**

- · Notice of Public Hearing for Proposed Rulemaking
- 19.15.2 NMAC Proposed Amendment
- 19.15.5 NMAC Proposed Amendment
- 19.15.8 NMAC Proposed Amendment
- 19.15.9 NMAC Proposed Amendment
- 19.15.25 NMAC Proposed Amendment

TO VIEW ALL DOCUMENTS, INCLUDING PUBLIC COMMENTS, IN THIS MATTER, PLEASE CLICK THIS LINK: OCD Online: Imaging

TO VIEW ALL VIDEO RECORDINGS OF HEARINGS, PLEASE CLICK HERE

Exhibit A





Rule Hearing Search

		<u> </u>	
Hearing Date:	Comments	Agency:	
All 💙	Deadline Date:	Energy Minerals and Natural Resources Department	~
	All 💙		
		Search	

Return to Search Results

Proposed Rule Name:

Amendments to 19.15.2, 19.15.5, 19.15.8, 19.15.9, and 19.15.25 NMAC

Agency:

Energy Minerals and Natural Resources Department

Purpose:

The purpose of the proposed amendments is to require financial assurance from oil and gas operators that better reflects the actual costs to plug and abandon oil and gas wells in the state to better protect the State of New Mexico against the risks of wells becoming orphaned; to require that wells placed in temporary abandonment will be returned to beneficial use within a reasonable period or will be plugged and abandoned; and to set forth requirements for transfer of wells to better protect the state against transfer of wells that could become orphaned.

Summary:

The proposed amendments would add meeting the waste prevention requirements at Subsection A of 19.15.27.8 NMAC as a requirement for an operator to be in compliance at Subsection A of 19.15.5.9 NMAC and to eliminate the allowance that a certain number of wells may be out of compliance with 19.15.25.8 NMAC to be considered in compliance for purposes of Subsection A of 19.15.5.9 NMAC; modify financial assurance requirements for wells at 19.15.8 NMAC to better reflect actual well plugging and abandonment costs and risks to the state and add a new category of marginal wells for financial assurance based on their risk; modify well transfer requirements at 19.15.9 NMAC to better protect against risks to the state against wells becoming orphaned; modify requirements at 19.15.25 NMAC for presumptively determining whether wells are being used for beneficial purposes and placing wells in approved temporary abandonment status, maintaining wells in that status, and renewing that status; and modify certain definitions at 19.15.2 NMAC to reflect the other proposed amendments.

Statutes:

NMSA 1978, § 70-2-6

NMSA 1978, § 70-2-11

NMSA 1978, § 70-2-12

NMSA 1978, § 70-2-14

Administratives Codes:

NMAC 19.15.3

Rule Complete Copy :

The full text of the proposed rule changes may be obtained from the Commission Clerk, Sheila Apodaca at sheila.apodaca@emnrd.nm.gov

(mailto:sheila.apodaca@emnrd.nm.gov) or (505) 699-8358, or can be viewed on the Rules page of the OCD's website at

http://www.emnrd.state.nm.us/OCD/rules.html

(http://www.emnrd.state.nm.us/OCD/rules.html).

Corrections:

Not available

Rule Explanatory Statement:

Not available

Related New Mexico Register Publications:

Not available

For any additional information or questions concerning this rule making or posting please contact:

Sheila Apodaca

sheila.apodaca@emnrd.nm.gov

(505) 699-8358

Last Updated Date

5/16/2025 4:43 PM

How to submit Comments:

Any person may submit non-technical written or electronic comments on the proposed rule prior to the hearing and no later than 5:00 pm on the last day of the evidentiary hearing, unless extended by the Commission. by first class or electronic mail to the Commission Clerk, 3rd Floor, Wendell Chino Building, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505, or

occ.hearing@emnrd.nm.gov (mailto:occ.hearing@emnrd.nm.gov)

Any person may present non-technical testimony or make an unsworn statement at the hearing (i.e., public comment), and may offer non-technical exhibits or other written information at the hearing so long as the exhibits are relevant to the proposed rule and do not unduly repeat testimony. Any person who presents sworn, non-technical testimony will be subject to cross-examination by the Commission, the Commission's counsel, another person who has filed a Pre-Hearing Statement on the subject matter of the person's direct testimony, or at the discretion of the hearing officer or Commission, other persons at the hearing. To help facilitate this hearing, persons wishing to present non-technical testimony or make an unsworn statement or public comment at the hearing are strongly encouraged to contact the Commission Clerk Sheila Apodaca at

sheila.apodaca@emnrd.nm.gov (mailto:sheila.apodaca@emnrd.nm.gov) or (505) 699-8358, prior to the hearing so that a list of public commenters may be prepared in advance; however, at the close of oral public comment, the Commission shall open the virtual floor to any person who wishes to offer non-technical testimony or other public comment or submit non-technical information relevant to the proceedings.

When are comments due:

11/7/2025 5:00 PM

Hearing Date:

10/20/2025 9:00 AM

Public Hearing Location:

The public hearing will be held in person at the Wendell Chino Building, 1220 S. Saint Francis Drive, Pecos Hall, First Floor, Santa Fe, New Mexico. The hearing will also be held remotely via Teams Meetings at:

https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting (https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting)

Meeting ID: 257 871 029 212 2

Passcode: QD2eM2vG

Dial in by phone

+1 505-312-4308,,95109307# United States, Albuquerque

(888) 506-1357,,95109307# United States (Toll-free)

Phone conference ID: 951 093 07# $\,$ 10/20/2025 (9:00 AM -5:00 PM)

How to participate:

For information on how to participate in the hearing, please contact the Commission Clerk, Sheila Apodaca at sheila.apodaca@emnrd.nm.gov (mailto:sheila.apodaca@emnrd.nm.gov) or (505) 699-8358, or visit the

Hearings page on the OCD's website at

http://www.emnrd.state.nm.us/OCD/hearings.html (http://www.emnrd.state.nm.us/OCD/hearings.html)

File	File Name	File Type Description
View Document (https://statenm.my.salesforce.com/sfc/p/4100000137C2/a/UW000005eW1V/eKl3sEk1QMV5pdH1aMxFzt.MPtXBYSCnm14B8FxWXhk)	Notice of Rulemaking Hearing	PDF
View Document (https://statenm.my.salesforce.com/sfc/p/4100000137C2/a/UW000005eWhR/vQeApaH41XNXk6ypoYhMu9sUpmW5AM6VFcxViKEJI)	Links to Case File and Hearing Videos	PDF
View Document (https://statenm.my.salesforce.com/sfc/p/4100000137C2/a/UW0000066tb3/pY6IM45wD4vYm0Ml5qNb7I4XmtwzJN42GHnxFRSM6sM)	19.15.5 - Revised Proposed Amendments	PDF
View Document (https://statenm.my.salesforce.com/sfc/p/4100000137C2/a/UW0000066tft/BmRU8j6JOLc9iarTyCH02M_p4QSHhAc3.wIGv_PC8PI)	19.15.25 - Revised Proposed Amendment	PDF
\[View Document\] \(\((https://statenm.my.salesforce.com/sfc/p/4100000137C2/a/UW0000066pE6/njfKcuAYqhfL39yVzmWMEk5suZROlddoldwl06SDksM)\)	19.15.8 - Revised Proposed Amendment	PDF
\[View Document\] \(\(\text{(https://statenm.my.salesforce.com/sfc/p/4100000137C2/a/UW0000066teH/iPxRi81I0QtFaeo6hEs.F3gOU4NHUy9CrcfFycn6AVc)}\)	19.15.9 - Revised Proposed Amendment	PDF
View Document (https://statenm.my.salesforce.com/sfc/p/4100000137C2/a/UW0000066tZR/GdmghifuU19j6H04epggz8JrlbENCGI2AT6jOOfWJME)	19.15.2 - Revised Proposed Amendment	PDF

SUNSHINE NM.COM

From: Apodaca, Sheila, EMNRD

To: Tschantz, Freya, EMNRD; abdunn@ablairdunn-esq.com; AGRankin@hollandhart.com;

AFleming@walshwatts.com; ADenner@contango.com; amarks@nmslo.gov; angie.repka@exxonmobil.com; awilliamson@cilawnm.com; abiernoff@nmslo.gov; Arianna.Evans@dvn.com; balch@prrc.nmt.edu; Beth.Ryan@conocophillips.com; ballen@sesi-nm.com; BHajny@cilawnm.com; Powell, Brandon, EMNRD; bhall@marathonoil.com; chart@catenares.com; bdwilliams@marathonoil.com; cfrice@marathonoil.com; Chelsev.green@dvn.com; ckillion@modrall.com; Chris@ayantnr.com; ccombs@taprk.com;

Chelsey.green@dvn.com; ckillion@modrall.com; Chris@avantnr.com; ccombs@taprk.com; dhawthorne@ntglobal.com; dmcleod@petrogulf.com; dale@capstoneoil.com; dan@trinityoilfieldservices.com; dhardy@hardymclean.com; dvstrang@nmslo.gov; darin@abadieschill.com; dboneau@pvtnetworks.net; Dakota@lario.net; dave@abadieschill.com; dgallegos@nmslo.gov; McClure, Dean, EMNRD; dmb@modrall.com; debmckelvey@earthlink.net; Moellenberg, Dalva L.; djohnson@fmellc.com; acloutier@hinklelawfirm.com;

edebrine@modrall.com; elise@abadieschill.com; Liz.Hampton@thomsonreuters.com; emily.wirth@cehmm.org; PadillaLawNM@outlook.com; Crosby, Faith; fredverner@chevron.com; gbloom@nmslo.gov;

Heather.Glaze@dvn.com; htrujillo@rlbayless.com; shall@logosresourcesllc.com; jsullivan@nmslo.gov;

imclean@hardymclean.com; James Laning@oxy.com; JParrot@bwenergylaw.com; jcrodgers@marathonoil.com; jallen@modrall.com; jan.wooldridge@dvn.com; jbroussard1@marathonoil.com; Jeff.walla@dvn.com;

j.edwards@leaenergy.com; Jenny.harms@dvn.com; JGoedert@petrogulf.com; jredfern@capitalandmain.com;

jamesbruc@aol.com; Griswold, Jim, EMNRD; Winchester, Jim; jimmyc@forl.com; jmcerdi@cox.net; Joby.Rittenhouse@conocophillips.com; jrs@nmoga.org; johnU@heycoenergy.com; jwinscott@nmslo.gov;

igoldstein@edf.org; jfilbert@matadorresources.com; Jordan Kessler@eogresources.com; kjones@riceswd.com; kaitlyn.luck@outlook.com; kaiya@abadieschill.com; Katie.Nguyen@rlicorp.com; rackenergyservices@yahoo.com; lzink@fmellc.com; Lowe, Leonard, EMNRD; vfields@logosresourcesllc.com; yarithza.pena@modrall.com; Griego,

Sara, EMNRD; mrodriguez@civiresources.com; sgraham@bwenergylaw.com; msuazo@bwenergylaw.com; rketchledge@bwenergylaw.com; JCStark@hollandhart.com; Garcia, John, EMNRD;

Samantha.catalano@gknet.com; Chavez, Carl, EMNRD; Gebremichael, Million, EMNRD; Harris, Anthony, EMNRD; iennifer@bradfutelaw.com; Michael@westwindeh.com; Cameron@westwindeh.com; Moander, Chris, EMNRD;

jennifer@bradfutelaw.com; Michael@westwindeh.com; Cameron@westwindeh.com; Moander, Chris, EMNRD; Tremaine, Jesse, EMNRD; Phillip.Levasseur@coterra.com; Stephen.flaherty@coterra.com;

dl_pburegulatory@coterra.com; Yolanda_Perez@oxy.com; bill@abadieschill.com; wjones@titusoil.com; wware@matadorresources.com; Tyra.Feil@duganproduction.com; Faheem.Sabeiha@rlicorp.com; Corral, Madai,

EMNRD; Scott.Richter@coterra.com; Sandoval, Stacy, EMNRD; Mark@westwindeh.com;

 $\underline{DVillescas@hinklelawfirm.com}; \underline{Razatos, Gerasimos, EMNRD}; \underline{Heather.Fugger@energynet.com};$

tstathem@marathonoil.com; nrjurgensen@hollandhart.com; Ryanb@lario.net; Sarah Semer@eogresources.com; jonathan.franks@kuiperlawfirm.com; speterson@eagleriverea.com; jcochran@kmd.law; jcochran@kmd.law; hhill@kmd.law; clawyer@kmd.law; chays@kmd.law; Alexandra.Fleming@chevron.com; Garcia, John, EMNRD;

Rikala, Ward, EMNRD; Goetze, Phillip, EMNRD; Harris, Anthony, EMNRD; dl pburegulatory@coterra.com; tiffany@avantnr.com; tiffany_polak@oxy.com; stormycce@gmail.com; Thomas.engler@nmt.edu;

Tessa.Wuertz@bridgerphotonics.com; tpacheco@montand.com; tnix@nmslo.gov; Stewart, Sunalei; spollock@forl.com; Stephen@PBPA.info; sgarciarichard@nmslo.gov; stan.phillips@apachecorp.com; shelly@avantnr.com; smallory@blm.gov; Shayda.Omoumi@dvn.com; sshaheen@spencerfane.com;

Sarah Mitchell@eogresources.com; SByrne@concho.com; scox1@marathonoil.com; srromero@nmslo.gov; sfox@B3insight.com; sabre@abadieschill.com; sgomez@logosresourcesllc.com; mrgyllenband@marathonoil.com;

rdavis@merrion.bz; ballen@sesi-nm.com; dboneau@pvtnetworks.net; jwinscott@nmslo.gov; Lisa.Ortiz@conocophillips.com; lklein@3bearllc.com; Louis.C.Salazar@conocophillips.com; MarcoG777@yahoo.com; marcus@abadieschill.com; Maren.latimer@nmoilpatch.com;

marcos@logosresourcesllc.com; mshoats@advocate4nm.org; mjoyce@pvtn.net; feldblum2487@gmail.com;

 $\underline{mhinterlong@heycoenergy.com;}\ \underline{mjc@gallegoslawfirm.net;}\ \underline{MFeldewert@hollandhart.com;}$

mdrodriguez@taprk.com; michael@trinity-ei.com; mdennis3082q@gmail.com; mmcmillan@nmslo.gov;

<u>mkrakauskas@stratanm.com;</u> <u>morganchavez33@gmail.com;</u> <u>NSilva@earthstoneenergy.com;</u>

omundsdry@civiresources.com; rel@dfn.com; Patton.Eagle@contango.com; Paul.Able@ENRtechnical.com; Kautz, Paul, EMNRD; PMVance@hollandhart.com; Pete.Roos@bridgerphotonics.com; pthompson@merrion.bz;

Rebecca.deal@dvn.com; reid.marley@gmail.com; robbie@trinity-ei.com; rswann@catenares.com; Higgin, Roslyn,

ENV; Pat.Gray@coterra.com; Kaimi.Brownlee@coterra.com; keri.hatley@conocophillips.com;

<u>jeverhart@bwenergylaw.com</u>; <u>energy.jrs@gmail.com</u>; <u>sophia@avantnr.com</u>; <u>carl@avantnr.com</u>;

tiffany.rivera@dvn.com; Chakalian, Gregory, EMNRD; ggerholt@civiresources.com; Fordyce, Andrew, EMNRD; Karns, Nicholas, EMNRD; NLStevens3@gmail.com; rmckee@bwenergylaw.com; hthompson@nmslo.gov; fox@westernlaw.org; mbranin@hinklelawfirm.com; cgreen@hinklelawfirm.com; atripp@hinklelawfirm.com; nykiel@westernlaw.org; ogrady@westernlaw.org; tisdel@westernlaw.org; g.cox@covenantroyalties.com; tdavis@wildearthguardians.org; mariel@seedsbeneaththesnow.com; CAMulcahy@hollandhart.com;

dgoldberg@hardymclean.com; Lizzy Laufer; Gomez, Matthew, EMNRD; jonr@lario.net

Subject: Oil Conservation Commission | Notice of Rulemaking Hearing on October 20, 2025

Date: Tuesday, May 20, 2025 9:46:00 AM

Attachments: image001.jpg

Notice of Rulemaking Hearing .pdf

Good morning:

Attached please find a Notice of Public Meeting for Proposed Rulemaking Hearing beginning on October 20, 2025.

Sheila Apodaca Law Clerk EMNRD-Oil Conservation Division 1220 South St. Francis Drive, 3rd Floor Santa Fe, NM 87505 505-699-8358

sheila.apodaca@emnrd.nm.gov



 From:
 Speedy, Krystal, EDD

 To:
 Apodaca, Sheila, EMNRD

 Cc:
 Sewell, Kim, EDD

Subject: RE: Notice of Rulemaking Hearing on October 20, 2025

Date: Tuesday, May 20, 2025 3:35:03 PM

Attachments: <u>image002.png</u>

image003.jpg

Good afternoon Ms. Apodaca,

I hope this message finds you well. EDD has received the notice, and I would like to introduce you to Kim Sewell, who is the new point of contact for all SBRAC-related items moving forward.

Please don't hesitate to reach out if you need anything else. Wishing you a great day ahead!

Thank you,

Krystal Speedy

Executive Assistant to Cabinet Secretary Rob Black State of New Mexico – Economic Development Department 1100 S. St Francis Drive, Santa Fe, NM 87505

Cell: (505)500-9589

Email: krystal.speedy@edd.nm.gov
Website: https://edd.newmexico.gov/



From: Apodaca, Sheila, EMNRD <Sheila.Apodaca@emnrd.nm.gov>

Sent: Tuesday, May 20, 2025 3:30 PM

To: Speedy, Krystal, EDD < krystal.speedy@edd.nm.gov> **Subject:** Notice of Rulemaking Hearing on October 20, 2025

Dear Ms. Speedy:

Attached please find a Notice of Public Hearing for a Proposed Rulemaking before the Oil Conservation Commission, scheduled to begin on October 20, 2025.

Sheila Apodaca Law Clerk EMNRD-Oil Conservation Division 1220 South St. Francis Drive, 3 Floor Santa Fe, NM 87505 505-699-8358

sheila.apodaca@emnrd.nm.gov



COMMISSION OF PUBLIC RECORDS

Your Access to Public Information

Affidavit of Publication in New Mexico Register

I, Matthew Ortiz, certify that the agency noted on Invoice #8162 has published legal notice of rulemaking or rules in the NEW MEXICO REGISTER, VOLUME XXXVI, that payment has been assessed for said legal notice of rulemaking or rules, which appears on the publication date and in the issue number noted on Invoice #8162, and that Invoice #8162 has been sent electronically to the person(s) listed on the *Billing Information Sheet* provided by the agency.

Affiant:

Matthew Ortiz

Subscribed, sworn and acknowledged before me this 22 day of May 2025.

Notary Public:

My Commission Expires:

PAMELA ANNE LUJAN Y VIGIL
Notary Public
State of New Mexico
Comm. # 2001927
My Comm. Exp. Jan 22, 2028

INVOICE

NM Commission of Public Records 1205 Camino Carlos Rey Santa Fe, NM 87507 darlene.martinez@srca.nm.gov +5054767914 www.nmcpr.state.nm.us



Energy Minerals and Natural Resources: EMNRD - Oil Conservation Division

Bill to

EMNRD - Oil Conservation Division 1220 S. St. Francis Dr. Santa Fe, NM 87505 Ship to
EMNRD - Oil Conservation Division
1220 S. St. Francis Dr.
Santa Fe, NM 87505

Invoice details

Invoice no.: 8162 Terms: Due on receipt Invoice date: 05/21/2025 Due date: 05/21/2025 Volume: XXXVI Issue: 10

P.O. number: 52100-0000078617

#	Product or service	Description	Qty	Rate	Amount
1.	NM Register - 431902	:Notice of Public Hearing for Proposed Rulemaking, hearing dates: 10/20/2025, 10/21/2025, 10/27/2025, & 11/2/2025	40	\$3.00	\$120.00

Total \$120.00

Note to customer

Thank you for your business!



NOTICE OF PUBLIC HEARING FOR PROPOSED RULEMAKING

The New Mexico Oil Conservation Commission (Commission) hereby gives notice that the Commission will hold a public hearing to consider proposed amendments to Commission rules at 19.15.2, 19.15.5, 19.15.8, 19.15.9, and 19.15.25 NMAC. Western 19.15.2, 19.15.5, 19.15.9, and 19.15.25 NMAC. Western Environmental Law Center, Citizens Concerned for the Future, Conservation Voters New Mexico Education Fund, Diné C.A.R.E., Earthworks, Naeva, New Mexico Interfaith Power and Light, San Juan Citizens Alliance, and Sierra Club propose the amendments. The public hearing will held in-person, online, and by telephone commencing October 20, 2025 at 9:00 am and continuing each weekfau thereafter as necessary. weekday thereafter as necessary.

Purpose of Proposed Amendments.

The purpose of the proposed amendments is to require financial assurance from oil and gas operators that better reflects the actual costs to plug and abandon oil and gas wells in the state to better protect the State of New Mexico against the risks of wells becoming orphaned; to require that wells placed in temporary abandonment will be returned to beneficial use within a reasonable period or will be plugged and abandoned; and to set forth requirements for transfer of wells to better protect the state against transfer of wells that could become orphaned.

Summary of Proposed Amendments.

The proposed amendments would add meeting the waste prevention requirements at Subsection A of 19.15.27.8 NMAC as a requirement for an operator to be in compliance at Subsection A of 19.15.5.9 NMAC and to eliminate the allowance that a certain number of wells may be out of compliance with 19.15.25.8 NMAC to be considered in compliance for purposes of Subsection A of 19.15.5.9 NMAC; modify financial assurance requirements for wells at 19.15.8 NMAC to better reflect actual well plugging and abandonment costs and risks to the state and add a new category of marginal wells for financial assurance based on their risk; modify well transfer requirements at 19.15.9 NMAC to better protect against risks to the state against wells becoming orphaned; modify requirements at 19.15.25 NMAC for presumptively determining whether wells are being used for beneficial purposes and placing wells in approved temporary abandonment status, maintaining wells in that status, and renewing that status; and modify certain definitions at 19.15.2 NMAC to reflect the other proposed amendments.

Legal Authority. The proposed rule is authorized by the Oil and Gas Act, NMSA 1978, Sections 70-2-1 through 70-2-38, including Section 70-2-6 (authorizing Commission to exercise jurisdiction, authority, and control over all persons, matters, and things necessary or proper to enforce the statute), Section 70-2-11 (subscripts Commission to make rules that the statute). (authorizing Commission to make rules to prevent waste, protect correlative rights, and to do whatever may be reasonably necessary to implement the statute), Section 70-2-12 (enumerating powers of Commission and Oil Conservation Division (OCD)), and Section 70-2-14 (authorizing Commission to establish categories of financial assurance). The public hearing is governed by the Commission's rule on rulemaking proceedings at 19.15.3 NMAC.

Availability of Proposed Amendments.

The full text of the proposed amendments are available on OCD's website at

http://www.emnrd.nm.gov/OCD/rules.html or may be obtained from Commission Clerk Sheila Apodaca at occ.hearings@emnrd.nm.gov

Written Comments. Any person may submit written comments on the proposed amendments no later than 5:00 pm on the final day of the evidentiary hearing unless extended by the Commission, by mail or delivery to Shella Apodaca, Commission Clerk, Wendell Chino Building, 1220 S. St. Francis Dr., Santa Fe, NM 87505, or by email to the Commission Clerk at occ.hearings@emnrd.nm.gov.

Public Hearing. The public hearing will be held in-person, online, and by telephone commencing on October 20, 2025 at 9:00 am and continuing each weekday thereafter as necessary. The hearing will be held in Pecos Hall on the first floor in the Wendell Chino Building at the address above. To access the public hearing online via Microsoft Teams or by telephone:

online via Microsoft Teams or by telephone:
Join the meeting now
Join a Microsoft Teams Meeting by ID I Microsoft Teams The
meeting is also accessible at the following web address:
https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting
Meeting ID: 257 871 029 212 2
Passcode: QD2eM2vG

Dial in by phone +1 505-312-4308,,95109307# United States, Albuquerque (888) 506-1357,,95109307# United States (Toll-free) Phone conference ID: 951 093 07# For any questions about how to participate in the hearing, please contact the Commission Clerk

occ.hearings@emnrd.nm.gov or 505-699-8358, or visit the Hearings page on OCD's website at http://www.emnrd.nm.gov/OCD/hearings.html. Public comment will be accepted each day of the hearing beginning at 4:00 p.m. on October 20, 2025, and at 9:00 am and 4:00 pm on each subsequent day of the hearing. A Spanish language translator will be available at 4:00 p.m. on October 20, 21, 27, and November 3, 2025. The translator will only be made available until the close of the evidentiary hearing. If the evidentiary hearing closes before any of these dates, public comments will no longer be taken and a translator will not be available.

Proposed Modifications, Technical Testimony, and Cross-Examination. Any person intending to propose a modification to the proposed amendments, to present technical testimony at the the proposed amendments, to present technical testimony at the hearing, or to cross-examine witnesses must file a Pre-hearing Statement conforming to the requirements of Subsection B of 19.15.3.11 NMAC, except that instead of filing a concise statement of each witness's testimony as required by Paragraph 2 of Subsection B of 19.15.3.11NMAC, the person shall file each witness's full testimony. Full direct testimony and exhibits shall be filed no later than 5:00 pm on July 25, 2025. Full rebuttal testimony and exhibits shall be filed no later than 5:00 pm on September 5, 2025. Filing may be accomplished by mail or delivery to Shaila and exhibits shall be filed no later than 5:00 pm on September 5, 2025. Filing may be accomplished by mail or delivery to Sheila Apodaca, Commission Clerk, Wendell Chino Building, 1220 S. St. Francis Dr., Santa Fe, NM 87505, or by email to the Commission Clerk at occ.hearings@emnrd.nm.gov. Any person who presents technical testimony will be subject to cross-examination by the members of the Commission, the Commission's counsel, or another person who filed a Pre-hearing Statement.

Oral Comments. Any person who did not file a Pre-hearing Statement may present non-technical testimony or make an unsworm statement at the hearing, and may offer exhibits at the hearing so long as the exhibits are relevant to the proposed rule and do not unduly repeat testimony. Any person who presents sworn, non-technical testimony is subject to cross-examination by the Commission, the Commission's counsel, or another person who has filed a Pre-hearing

Persons with Disabilities. If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, including a summary or other accessible form of document, please contact the Commission Clerk at occ.hearings@ emnrd.nm.dov

or 505-699-8358 or through the New Mexico Relay Network at 1-800-659-1779, no later than 5:00 pm on October 1, 2025.

Technical Information. Technical information that may be provided through Pre-hearing Statements will be made publicly available on the OCD Imaging, Case File Search portal on OCD's website at

http://ocdimage.emnrd.nm.gov/imaging/CaseFileCriteria.aspx, and may be accessed by searching for Case File No.24683.

Journal: May 20, 2025

From: Apodaca, Sheila, EMNRD
To: lcs@nmlegis.gov

Subject: Notice of Rulemaking Hearing

Date: Friday, June 20, 2025 10:46:00 AM

Attachments: Notice of Rulemaking Hearing .pdf

image001.jpg

To All Concerned:

Attached please find a Notice of Public Meeting for Proposed Rulemaking for a rulemaking hearing before the Oil Conservation Commission beginning on October 20, 2025.

Sheila Apodaca Law Clerk EMNRD-Oil Conservation Division 1220 South St. Francis Drive, 3rd Floor Santa Fe, NM 87505 505-699-8358

sheila.apodaca@emnrd.nm.gov

