

**2RF-180 -
BURTON FLATS
RECYCLE FACILITY ID
[fVV2223635630]
C-147/Modification**

**[330129] WaterBridge
Stateline LLC
09/22/2022**

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
Department
Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-147
Revised April 3, 2017

Recycling Facility and/or Recycling Containment

Type of Facility: ☐ Recycling Facility ☒ Recycling Containment*
Type of action: ☐ Permit ☐ Registration
☒ Modification ☐ Extension
☐ Closure ☐ Other (explain) _____

* At the time C-147 is submitted to the division for a Recycling Containment, a copy shall be provided to the surface owner.

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

1.
Operator: WaterBridge Stateline, LLC (For multiple operators attach page with information) OGRID #: 330129
Address: 5555 San Felipe St. 1200 Houston, TX 77056
Facility or well name (include API# if associated with a well): Burton Flats Recycle
OCD Permit Number: 2RF-180 (For new facilities the permit number will be assigned by the district office)
U/L or Qtr/Qtr Section 27 Township 20 south Range 28 East County: Eddy County
Surface Owner: ☐ Federal ☐ State ☒ Private ☐ Tribal Trust or Indian Allotment

2.
☐ **Recycling Facility:**
Location of recycling facility (if applicable): Latitude 32.551078° Longitude -104.161029° NAD83
Proposed Use: ☐ Drilling* ☒ Completion* ☐ Production* ☐ Plugging*
**The re-use of produced water may NOT be used until fresh water zones are cased and cemented*
☐ Other, *requires permit for other uses. Describe use, process, testing, volume of produced water and ensure there will be no adverse impact on groundwater or surface water.*
☐ Fluid Storage
☐ Above ground tanks ☒ Recycling containment ☐ Activity permitted under 19.15.17 NMAC explain type _____
☐ Activity permitted under 19.15.36 NMAC explain type: _____ ☐ Other explain _____
☐ For multiple or additional recycling containments, attach design and location information of each containment
☐ **Closure Report (required within 60 days of closure completion):** ☐ Recycling Facility Closure Completion Date: _____

3.
☐ **Recycling Containment:**
☐ Annual Extension after initial 5 years (attach summary of monthly leak detection inspections for previous year)
Center of Recycling Containment (if applicable): Latitude 32.551078° Longitude -104.161029° NAD83
☐ For multiple or additional recycling containments, attach design and location information of each containment
☒ Lined ☐ Liner type: Thickness 60/40 mil ☐ LLDPE ☒ HDPE ☐ PVC ☐ Other Request to use 40mil HDPE Liner instead of 40mil LLDPE Liner as secondary liner
☐ String-Reinforced
Liner Seams: ☒ Welded ☐ Factory ☐ Other _____ Volume: 971,226 bbl Dimensions: L 720 x W 720 x D 24
☐ Recycling Containment Closure Completion Date: _____

4.

Bonding:

- ☐ Covered under bonding pursuant to 19.15.8 NMAC per 19.15.34.15(A)(2) NMAC (These containments are limited to only the wells owned or operated by the owners of the containment.)
- ☒ Bonding in accordance with 19.15.34.15(A)(1). Amount of bond \$ 1,027,079.16 (work on these facilities cannot commence until bonding amounts are approved)
- ☐ Attach closure cost estimate and documentation on how the closure cost was calculated.

5.

Fencing:

- ☐ Four foot height, four strands of barbed wire evenly spaced between one and four feet
- ☒ Alternate. Please specify 8-ft tall Game Fence

6.

Signs:

- ☒ 12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers
- ☐ Signed in compliance with 19.15.16.8 NMAC

7.

Variances:

Justifications and/or demonstrations that the proposed variance will afford reasonable protection against contamination of fresh water, human health, and the environment.

Check the below box only if a variance is requested:

- ☒ Variance(s): Requests must be submitted to the appropriate division district for consideration of approval. If a Variance is requested, include the variance information on a separate page and attach it to the C-147 as part of the application.

If a Variance is requested, it must be approved prior to implementation.

8.

Siting Criteria for Recycling Containment

Instructions: The applicant must provide attachments that demonstrate compliance for each siting criteria below as part of the application. Potential examples of the siting attachment source material are provided below under each criteria.

General siting**Ground water is less than 50 feet below the bottom of the Recycling Containment.**

NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells

☐ Yes ☒ No
☐ NA

Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended.

- Written confirmation or verification from the municipality; written approval obtained from the municipality

☐ Yes ☒ No
☐ NA

Within the area overlying a subsurface mine.

- Written confirmation or verification or map from the NM EMNRD-Mining and Minerals Division

☐ Yes ☒ No

Within an unstable area.

- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; topographic map

☐ Yes ☒ No

Within a 100-year floodplain. FEMA map

☐ Yes ☒ No

Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse, or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark).

- Topographic map; visual inspection (certification) of the proposed site

☐ Yes ☒ No

Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.

- Visual inspection (certification) of the proposed site; aerial photo; satellite image

☐ Yes ☒ No

Within 500 horizontal feet of a spring or a fresh water well used for domestic or stock watering purposes, in existence at the time of initial application.

- NM Office of the State Engineer - iWATERS database search; visual inspection (certification) of the proposed site

☐ Yes ☒ No

Within 500 feet of a wetland.

- US Fish and Wildlife Wetland Identification map; topographic map; visual inspection (certification) of the proposed site

☐ Yes ☒ No

9.

Recycling Facility and/or Containment Checklist:

Instructions: Each of the following items must be attached to the application. Indicate, by a check mark in the box, that the documents are attached.

- ☒ Design Plan - based upon the appropriate requirements.
☒ Operating and Maintenance Plan - based upon the appropriate requirements.
☒ Closure Plan - based upon the appropriate requirements.
☒ Site Specific Groundwater Data -
☒ Siting Criteria Compliance Demonstrations -
☒ Certify that notice of the C-147 (only) has been sent to the surface owner(s)

10.

Operator Application Certification:

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

Name (Print): Michael Peitz Title: EVP operations
 Signature: [Signature] Date: 09/21/22
 e-mail address: michael.peitz@okbridge.com Telephone: (43) 230-8864

11.

OCD Representative Signature: Victoria Venegas Approval Date: 09/22/2022Title: Environmental Specialist OCD Permit Number: 2RF-180

- ☒ OCD Conditions _____
☐ Additional OCD Conditions on Attachment _____



September 13, 2022

Ms. Victoria Venegas
New Mexico EMNRD
Oil conservation Division
811 S. First St.
Artesia, New Mexico 88210

Re: Request for Permit Modification to use High Density Polyethylene Liner instead of Low-Density Polyethylene Liner at an Approved C-147 Recycle Facility in Eddy County New Mexico

Ms. Venegas,

WaterBridge Stateline, LLC (OGRID #330129) is requesting permission to use a 40-mil HDPE Liner as a secondary liner at their Burton Flats Recycle Facility (2RF-180) in Eddy County. The Burton Flats facility is currently permitted to use a 40-mil LLDPE liner as a secondary liner. WaterBridge is making this request due to the availability of current liner materials, while also following best management practices in regard to the surrounding environment, since the HPDE liner is more puncture resistant than the LLDPE liner.

If this modification is granted, neither the Operation and Maintenance plan of the facility nor the closure plan will change. The cost to close the facility with the HDPE liner will be the same as the LLDPE liner.

Should you have any questions or require additional information, please contact me by phone at 580-234-8780 or by email at twilliams@envirotechconsulting.com at your convenience.

Thank you for your consideration.
Best regards,

ENVIROTECH ENGINEERING & CONSULTING, INC.

A handwritten signature in black ink, appearing to read "Tyler Williams".

Tyler Williams, P.E.
President and Principal Engineer



September 13, 2022

Ms. Victoria Venegas
New Mexico EMNRD
Oil conservation Division
811 S. First St.
Artesia, New Mexico 88210

RE: Rule 34 Variance Request –Produced Water Recycling Containment Liner

Ms. Venegas:

WaterBridge Stateline, LLC (WaterBridge) is requesting a variance to Rule 34 Part 12(A)(4) requiring secondary liners to be 30-mil string reinforced LLDPE. WaterBridge is requesting approval to use 40-mil HDPE in place of the specified material. Based on our experience, we feel that the requested material will allow us to provide greater environmental protection in our impoundments.

Due to the construction of the 30-mil reinforced LLDPE material, nondestructive QA/QC testing cannot be performed. The proposed 40-mil HDPE will be seamed in a manner that will allow nondestructive pressure testing of the seams to ensure proper sealing.

The proposed HDPE is appropriate material for the proposed use in the impoundment and is compatible with the material that will be stored. This material will provide equal or better environmental protection as the specified 30-mil reinforced LLDPE.

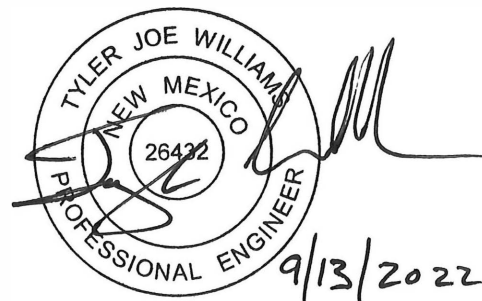
The proposed new liner system cross-section is as follows: prepare subgrade, 10 oz. geotextile, 40-mil HDPE, single sided geocomposite, 60-mil HDPE (smooth on bottom, textured on slopes). This will replace the cross-section required by the current rule and submitted with the original permit application. It should also be noted that this variance has been granted on past sites.

Should you have any questions or require additional information, please contact me by phone at 580-234-8780 or by email at twilliams@envirotechconsulting.com at your convenience.

Thank you for your consideration.
Best regards,

ENVIROTECH ENGINEERING & CONSULTING, INC.

Tyler Williams, P.E.
President and Principal Engineer



Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Thursday, September 22, 2022 9:29 AM
To: michael.reitz@h2obridge.com; Jake Ferenz; Mitchell Ratke
Cc: twilliams@envirotechconsulting.com; Jessica High
Subject: 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630]. Modification
Attachments: C-147-2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] Modification.pdf

2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630].

NMOCD has reviewed the recycling containment permit modification application and related documents, submitted by [330129] WaterBridge Stateline LLC, for 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] in Unit Letter A, Section 27, Township 20S, Range 28E, Eddy County, New Mexico.

[330129] WaterBridge Stateline LLC requested variances from 19.15.34 NMAC for 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] related to 19.15.34. NMAC

The following variance has been approved.

- The variance to 19.15.34.12.A.(4) NMAC for the installation on the containment of a 40-mil HDPE secondary liner is approved. The proposed new liner system cross-section is as follows: prepare subgrade, 10 oz. geotextile, 40-mil HDPE, single sided geocomposite, 60-mil HDPE (smooth on bottom, textured on slopes).

Please let me know if you have any additional questions.

Regards,

Victoria Venegas • Environmental Specialist

Environmental Bureau

EMNRD - Oil Conservation Division

(575) 909-0269 | Victoria.Venegas@emnrd.nm.gov

<http://www.emnrd.state.nm.us/OCD/>



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 145353

CONDITIONS

Operator: WaterBridge Stateline LLC 5555 San Felipe Houston, TX 77056	OGRID: 330129
	Action Number: 145353
	Action Type: [C-147] Water Recycle Long (C-147L)

CONDITIONS

Created By	Condition	Condition Date
vvenegas	The following variance has been approved. • The variance to 19.15.34.12.A.(4) NMAC for the installation on the containment of a 40-mil HDPE secondary liner is approved. The proposed new liner system cross-section is as follows: prepare subgrade, 10 oz. geotextile, 40-mil HDPE, single sided geocomposite, 60-mil HDPE (smooth on bottom, textured on slopes).	9/22/2022