

DOCKET: EXAMINER HEARING - FRIDAY - MARCH 25, 2005

**8:15 A.M. - 1220 South St. Francis
Santa Fe, New Mexico**

Docket Nos. 11-05 and 12-05 are tentatively set for April 7, 2005 and April 21, 2005. Applications for hearing must be filed at least 23 days in advance of hearing date. OCD Rule 1208.B requires parties who intend to present evidence at an adjudicatory hearing to file a pre-hearing statement no later than the Friday before the hearing, and serve a copy on opposing counsel of record. If the OCD does not receive a pre-hearing statement from the applicant by the close of business on the Friday before the hearing, the hearing may be continued or dismissed by order of the examiner. If a protesting party fails to submit a timely pre-hearing statement, the hearing may be continued at the applicant's request. The following cases will be heard by an Examiner.

CASE 13454: Application of the Oil Conservation Division to extend the effective duration of an emergency order to operate issued to Gandy Marley, Inc. The Oil Conservation Division seeks an order extending Emergency Order To Operate Number R-12306 allowing Gandy Marley, Inc.'s landfarm located in Sections 4,5,8, and 9 of Township 11 South, Range 31 East, in Chaves County, New Mexico to accept salt-contaminated oilfield waste until a determination is made by the Hearing Examiner on Gandy Marley, Inc.'s application to amend its current landfarm permit. On March 10, 2005, Gandy Marley, Inc. applied for an emergency order allowing it to accept salt-contaminated oilfield waste and provided support for its request. The Oil Conservation Division granted this request. Oil Conservation Division staff has determined that conditions at the site of the landfarm are such that the landfarm may accept salt-contaminated oilfield wastes without posing a hazard to groundwater and has confirmed that the operator will keep salt-contaminated oilfield waste separate from hydrocarbon-contaminated oilfield waste.

CASE 13455: Application of the Oil Conservation Division to extend the effective duration of an emergency order to operate issued to Artesia Aeration, LLC. The Oil Conservation Division seeks an order extending Emergency Order To Operate Number R-12307 allowing Artesia Aeration, LLC's landfarm located in the N/2 of Section 7, Township 17 South, Range 32 East, in Lea County, New Mexico, to accept salt-contaminated oilfield waste until a determination is made by the Hearing Examiner on Artesia Aeration, LLC's application to amend its current landfarm permit. On March 11, 2005, Artesia Aeration, LLC applied for an emergency order allowing it to accept salt-contaminated oilfield waste and provided support for its request. The Oil Conservation Division granted this request. Oil Conservation Division staff has determined that conditions at the site of the landfarm are such that the landfarm may accept salt-contaminated oilfield wastes without posing a hazard to groundwater and has confirmed that the operator will keep salt-contaminated oilfield waste separate from hydrocarbon-contaminated oilfield waste.

Sept 2004 letter

Evidence is scant on water/waterways/
DIVISION TOOK word of application

1994 → 2005 G.M. Groundwater Solubility increase

MR DOMENICE → Ed Madden

Could have changed Permit administration

RCRA Permit for G.M. exists
What does it say?

ADMIN NOTICE of Rulemaking
1202

Domenice

Larry Gandy

M. Feldman = Mr Marsh

Kent Marsh

R-9166 (in 1990) non Hazardous
(9 months)

Sub Data Hobbs - Emma
Leadland
CRI) Hobbs - Goldwood