



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

7001 1940 0004 7920 7553

March 4, 2005

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

Artesia Aeration, LLC
P.O. Box 310
Hobbs, NM 88240

Permit Number: NM-1-0030

Re: Administrative Modification of Landfarm Permits

The Oil Conservation Division (OCD) issued the landfarm permit identified above under OCD Rule 711. As explained in the public notice given prior to the issuance of the permit, the permit was for landfarming to remediate hydrocarbon-contaminated soils. The language of the permit, however, is broader, allowing the facility to accept oilfield contaminated solids which are either exempt from the Federal RCRA Subtitle C (hazardous waste) regulations or are "nonhazardous" by characteristic testing. If this language were interpreted to allow the landfarm to accept oilfield waste contaminated with salts, the salts could compromise the biodegradation capacity of the landfarm. And because salts leach more easily than hydrocarbons, the landfarm may pose a greater threat to groundwater.

According to the terms of the permit identified above, the OCD may change the permit conditions administratively for good cause shown as necessary to protect fresh water, human health and the environment. The OCD has determined that it is necessary to protect fresh water, human health and the environment to modify the permit as follows:

Effective immediately, the NMOCD permitted landfarm identified above is prohibited from accepting oilfield waste contaminated with salts.

If the landfarm identified above wishes to accept oilfield waste contaminated with salts, you will need to file an application to modify the permit pursuant to OCD Rule 711.B(1) and follow the notice requirements of OCD Rule 711.B(2). If you have already filed a complete application for permit modification with this office and complied with the notice requirements, the OCD will process the application promptly.

Landfarms that wish to accept oilfield wastes contaminated with salts while their application for permit modification is pending may apply to the Division Director for an emergency order under OCD Rule 1202. Applications for emergency orders will be considered on a case-by-case basis.

This notice is being sent to all entities operating landfarm facilities in New Mexico permitted pursuant to OCD Rule 711, as shown on the attached list.

If you have any questions, please contact Ed Martin at (505) 476-3492 or emartin@state.nm.us.

Very truly yours,

Mark E. Fesmire, P.E.

**Before the OCD
Case 13454 & 13455
OCD Ex. 5**

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$4.42

Postmark
Here

3-7-05 NM-1-030

Sent To
ARTESIA AERATION, LLC
Street, Apt. No.,
or PO Box No. **P. O. Box 310**
City, State, ZIP+4 **HOBBS, NM 88240**
PS Form 3800, January 2001 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ARTESIA AERATION LLC
P. O. Box 310
HOBBS, NM 88240

2. Article Number

(Transfer from service label)

7001-1940-0004-7920-7553

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-2509

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]* ☒ Agent ☐ Addressee

B. Received by (Printed Name) **HOBBS NM 88240**

D. Is delivery address different from item 1? ☒ Yes ☐ No
If YES, enter delivery address below:

3. Service Type

- | | |
|--|---|
| <input checked="" type="checkbox"/> Certified Mail | <input type="checkbox"/> Express Mail |
| <input type="checkbox"/> Registered | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Insured Mail | <input type="checkbox"/> C.O.D. |

4. Restricted Delivery? (Extra Fee) ☐ Yes

NM-1-030

DISTRIBUTION LIST

DD Landfarm, Inc. NM-1-0034
317 W. Blanco
Hobbs, NM 88242

C & C Landfarm, Inc. NM-1-0012
P.O. Box 55
Monument, NM 88265

Doom Landfarm NM-1-0033
Box 168
Jal, NM 88252

South Monument Waste
Management Facility, LLC NM-1-0032
P.O. Box 18
Hobbs, NM 88241

Lazy Ace Landfarm, LLC NM 1-0041
P.O. Box 160
Eunice, NM 88231

Lea Land, Inc. NM-1-0035
5644 Westheimer, #153
Houston, TX 77056

Gandy Marley, Inc. NM-1-0019
P.O. Box 1658
Roswell, NM 88202

Saunders Landfarm, LLC NM-1-0038
394 State Hwy. 206
Lovington, NM 88260

Rhino Oilfield Disposal, Inc. NM-1-0021
c/o Diamondback Disposal Services, Inc.
P.O. Box 2491
Hobbs, NM 88241

J & L Landfarm, Inc. NM-1-0023
P.O. Box 356
Hobbs, NM 88241-0356

Artesia Aeration, LLC NM-1-0030
P.O. Box 310
Hobbs, NM 88240

Sid Richardson Energy Services Co.; NM-2-0019
610 Commerce
Jal, NM 88252