



**OCCIDENTAL PERMIAN LTD.**

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**VIA FACSIMILE 505-476-3462 and REGULAR MAIL**

November 3, 2005

Mr. Mark E. Fesmire, P.E.; Director  
Oil Conservation Division  
Energy, Minerals and Natural Resources Department  
State of New Mexico  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

2005 NOV 3 PM 1 40

**Re: General Comments on New Mexico Oil Conservation Division Proposed New Rules,  
19.15.2.53 - Surface Waste Management Facilities - Case No. 13586**

Dear Mr. Fesmire,

Occidental Permian Ltd., OXY USA Inc., and OXY USA WTP LP (collectively "OXY") appreciate the opportunity to participate in the referenced New Mexico Oil Conservation Division ("OCD") rulemaking regarding revisions to the Surface Waste Management regulations. OXY has production operations in New Mexico that may be affected by the proposed new rules.

It is our understanding, as of November 2, that the OCD plans to propose additional revisions to the September 28, 2005 proposed Surface Waste Rule changes, and due to the changes, will republish the proposal. In addition, at the November 10, 2005 Oil Conservation Commission hearing, the Commission plans to hear an OCD opening statement on the additional changes to the Surface Waste Rule, as well as hold an open discussion with stakeholders. The Commission will hear testimony and take additional comment at their December 8 hearing.

OXY is concerned that we cannot adequately comment on the proposed rules until we have had time to review the amended published version. We recommend that the comment period be extended by the time allowed under the administrative procedure rules following publication in the New Mexico Register.

OXY's corporate philosophy is to be a good neighbor, a good corporate citizen, and to provide substantive and relevant comments on proposed rules, so we can completely understand and comply with the rules. OXY appreciates the opportunity to provide suggestions for improving the OCD's proposed rule comment process, and looks forward to working with the OCD in developing reasonable and practical surface waste management rules.

Respectfully submitted by:

A handwritten signature in black ink, appearing to read "Dennis L. Newman", is written over a horizontal line.

Dennis L. Newman, P.E.