

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

2017 1-9

CASE NO 15617

APPLICATION OF CK DISPOSAL, LLC
FOR A PERMIT TO OPERATE A COMMERCIAL
SURFACE WASTE MANAGEMENT FACILITY,
LEA COUNTY, NEW MEXICO

NOTICE OF REQUEST TO SECRETARY FOR PUBLIC HEARING

Louisiana Energy Services LLC d/b/a URENCO USA (LES) hereby provides notice that pursuant to NMSA 1978, § 70 2-26 (1987) it submitted the attached request to the Secretary of the Energy, Minerals and Natural Resources Department ("Secretary) The request asks the Secretary to hold a de novo hearing to determine whether Oil Conservation Commission Order R-14254 B in Case No 15617 contravenes the public interest LES submitted the request on May 9, 2017

Respectfully submitted,

RODEY DICKASON, SLOAN, AKIN & ROBB, P A

By



Scott D Gordon
Cynthia A Loehr

Post Office Box 1888
Albuquerque, New Mexico 87103 1888
Telephone (505) 765 5900
sgordon@rodey.com
CLoehr@rodey.com
*Attorneys for Louisiana Energy Services LLC d/b/a
URENCO USA*

and-

URENCO USA

By Approved by e mail on May 9, 2017

Perry D Robinson

External General Counsel, URENCO USA

13 Hunting Court

Bluffton SC 29910

Telephone (575) 691 9662

Attorney for Louisiana Energy Services LLC

d/b/a URENCO USA

CERTIFICATE OF SERVICE

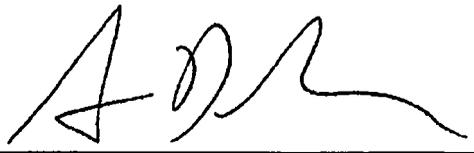
We hereby certify that a copy of the foregoing pleading was e mailed on May 9, 2017, to the following

Michael L Woodward
Wes McGuffey
Hance Scarborough LLP
400 W 5th Street, Suite 950
Austin, Texas 78701
Telephone (512) 479 8888
mwoodward@hslawmail.com
wmcguffey@hslawmail.com
Attorneys for CK Disposal LLC

David K Brooks
Oil Conservation Division
1220 South St Francis Dr
Santa Fe, NM 87505
Telephone (505)476 3440
DavidK.Brooks@state.nm.us
Attorney for Oil Conservation Division

RODEY DICKASON SLOAN AKIN & ROBB P A

By



Scott D Gordon

RODEY DICKASON SLOAN AKIN & ROBB P A

ATTORNEYS AT LAW

201 THIRD STREET NW SUITE 2200
ALBUQUERQUE NEW MEXICO 87102

P O BOX 1888
ALBUQUERQUE NEW MEXICO 87103

WWW.RODEY.COM

TELEPHONE (505) 765 5900

FACSIMILE (505) 768 7395

May 9, 2017

BRUCE HALL
JOHN P SALAZAR
JOHN P BURTON
CATHERINE T GOLDBERG
EDWARD RIGCO
W MARK MOWERY
ELLEN T SKRAK
CHARLES K PURCELL
ANDREW G SCHULTZ
SCOTT D GORDON
NELSON FRANSE
THERESA W PARRISH
PAUL R KOLLER
CHARLES J VIGIL
THOMAS L STAHL
DAVID W BUNTING
LESLIE MCCARTHY APODACA
JEFFREY M CROASDELL
SUNNY J NIXON
JEFFREY L LOWRY
R TRACY SPROULS
DONALD B MONNHEIMER
ALAN HALL
SETH L SPARKS
LISA CHAVEZ ORTEGA
JOCELYN C DRENNAN
MICHAEL J BRESCIA

AARON C VIETS
KURT B GILBERT
RICK BEITLER
JUSTIN A HORWITZ
SANDRA L BEERLE
VALERIE REIGHARD DENTON
BRENDA M SAIZ
BRIAN P BRACK
TODD E RINNER
CHARLES R HUGHSON
JOSE R BLANTON
MICHAEL E KAEMPER
MARGOT A HEFLICK
KRYSTLE A THOMAS
GLENN A BEARD
DENISE M CHANEZ
PERRY E BENDICKSEN III
DAVID P BUCHHOLTZ
CRISTINA ADAMS
TYLER M CUFF
SHANNON M SHERRELL
MELANIE B STANBAUGH
JESSICA R TERRAZAS
STEPHANIE L LATIMER
LUIS G CARRASCO
JUAN M MARQUEZ
TAYLOR C ZANGARA

OF COUNSEL
ROBERT M ST JOHN
MARK K ADAMS
RICHARD C MINZNER
JO SAXTON BRAYER
DEWITT M MORGAN
PATRICK M SHAY
CHARLES A SEIBERT III
CYNTHIA A LOEHR
JOHN N PATTERSON
DEBORA E RAMIREZ

BERNARD S RODEY (1856 1927)
PEARCE C RODEY (1889 1958)
DON L DICKASON (1908-1968)
WILLIAM A SLOAN (1910 1993)
JACKSON G AKIN (1919-2010)
JOHN D ROBB (1924 2014)

SANTA FE OFFICE
119 EAST MARCY STREET SUITE 200
SANTA FE NEW MEXICO 87501 2046
P O BOX 1357
SANTA FE NEW MEXICO 87504 1357
TELEPHONE (505) 954 3900
FACSIMILE (505) 954 3942

WRITER S DIRECT NUMBER
(505) 788 7284

SGORDON@RODEY.COM

VIA HAND-DELIVERY

Ken McQueen Secretary
Energy, Minerals and Natural Resources Department
Office of the Secretary
1220 South St Francis Dr
Santa Fe, New Mexico 87505

Re Oil Conservation Commission Order No R 14254 B Granting Application of CK Disposal LLC For A Permit to Operate A Commercial Surface Waste Management Facility Lea County, New Mexico in Case No 15617

Dear Secretary McQueen

Under NMSA 1978 § 70 2 26 (1987), the Secretary of the Energy, Minerals and Natural Resources Department may hold a de novo hearing to determine whether an order of the Oil Conservation Commission (OCC') contravenes the public interest Louisiana Energy Services, LLC d/b/a URENCO USA (LES'') hereby requests that you hold such a hearing

The background of the request is as follows On April 4, 2017, following a public hearing and a 3 day technical hearing, the OCC entered Order No R 14254 B granting CK Disposal LLC's application to construct and operate a commercial surface waste management facility in Lea County New Mexico Following issuance of the order pursuant to NMSA 1978, § 70-2 25 and 19 15 4 25 NMAC, LES filed an application for rehearing, which the OCC refused LES remains of the view that both the OCC s decision to grant the application and the terms of the order itself show that the OCC did not give due consideration to the serious public health, public safety, and environmental concerns that were raised by LES and concerned members of the public regarding CK Disposal LLC's application

LES's hearing request requires prompt action Under § 70 2 26, the hearing must be held within twenty (20) days after entry of the OCC s refusal of an application for rehearing See also id (explaining other procedural aspects of a § 70 2 26 hearing, including the requirement that

RODEY DICKASON SLOAN AKIN & ROBB P A

Ken McQueen, Secretary
May 9 2017
Page 2

the Secretary enter an order or decision as may be required under the circumstances)
Accordingly LES requests that you promptly notify it and those copied on this letter regarding
your decision on its hearing request

Respectfully,

RODEY DICKASON, SLOAN AKIN & ROBB P A ,

By 

Scott D Gordon
Cynthia A Loehr
Counsel for LES

and -

Approved by email on 5/9/17

Perry Robinson
External General Counsel URECO USA

cc David Brooks counsel for Oil Conservation Division
Mike Woodward, counsel for CK Disposal, LLC
Wes McGuffey counsel for CK Disposal LLC