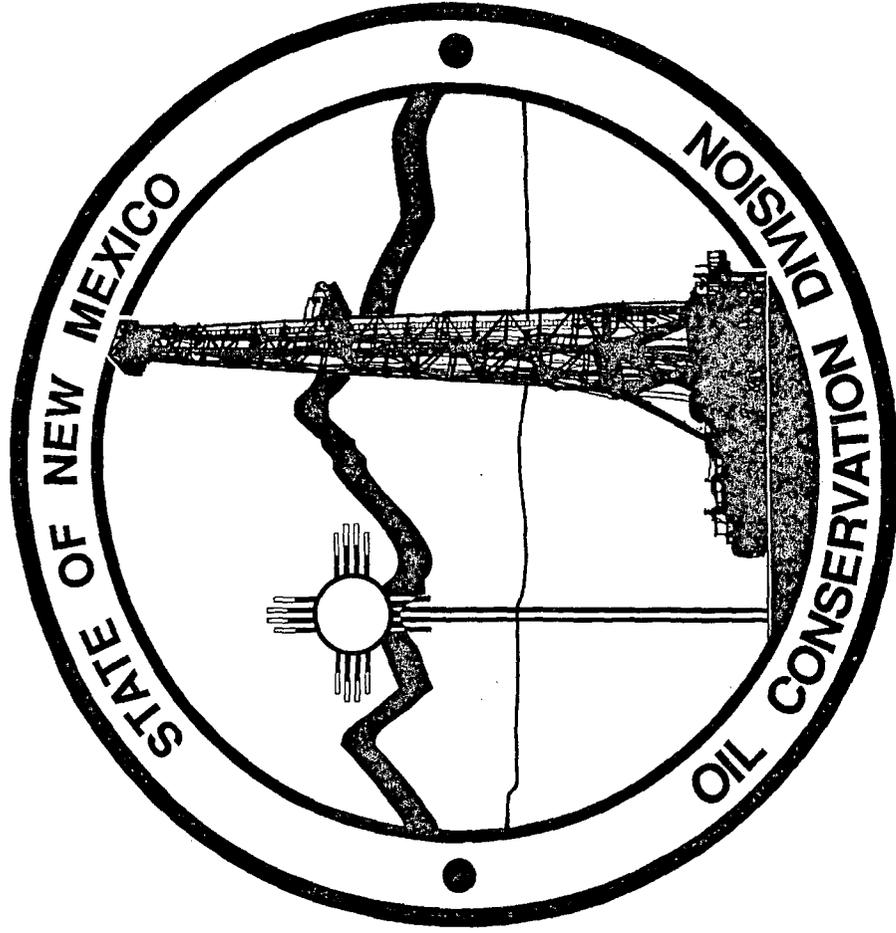


CASE NO. 14015
OCD EXHIBIT 1



Brooks, David K., EMNRD

From: Duran-Saenz, Theresa, EMNRD
Sent: Tuesday, September 11, 2007 9:51 AM
To: Ortiz, Vickie J., SRCA
Cc: Brooks, David K., EMNRD; Davidson, Florene, EMNRD; Chavez, Fran, EMNRD
Subject: Notice of Hearing
Attachments: 2007 9.11 Notice of Pit Rule Hearing - NM Reg.doc

Good morning Vickie,

The Oil Conservation Commission is planning to conduct a public hearing at 9:00 A.M. on **Monday, October 22, 2007**, concerning a proposal to repeal 19.15.17.2.50 NMAC (concerning pits and below-grade tanks) and replace it with a proposed new rule to be codified as 19.15.17 NMAC. Attached is the Notice for your review and filing on **September 28, 2007 in Volume XVIII, Issue 18**. Please let me know if you require additional information.

Thank you in advance for your assistance with this matter.

NOTICE OF RULE MAKING

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL
RESOURCES DEPARTMENT
OIL CONSERVATION COMMISSION
SANTA FE, NEW MEXICO**

The State of New Mexico, through its Oil Conservation Commission, hereby gives notice that the Commission will conduct a public hearing at 9:00 A.M. on **Monday, October 22, 2007**, in Porter Hall at 1220 South St. Francis Drive, Santa Fe, New Mexico, concerning a proposal to repeal 19.15.17.2.50 NMAC (concerning pits and below-grade tanks) and replace it with a proposed new rule to be codified as 19.15.17 NMAC. The proposed new rule will ban all unlined pits absent a special exception, adopt new requirements for the closure of pits and below-grade tanks, otherwise substantially change the Commission's existing requirements concerning the permitting, design, construction and operation of pits and below-grade tanks (and operation of sumps), used in oil and gas operations, and require the permitting of, and prescribe rules concerning design, construction, operation and closure of, closed loop systems or other alternative methods that may be proposed for use in lieu of pits or below-grade tanks. Copies of the text of the proposed rule are available from Division Administrator Florene Davidson at (505)-476-3458 or from the Division's web site at <http://www.emnrd.state.nm.us/ocd/whatsnew.htm>. Proposals for alternatives to the proposed rule must be received by the division no later than 5:00 P.M. on Friday, October 5, 2007. Written comments on the proposed new rule must be received no later than 5:00 P.M. on Monday, October 15, 2007. Persons intending to offer technical testimony at the hearing must file a Pre-hearing Statement (six copies) conforming to the requirements of 19.15.14.1204 NMAC, including six copies of all exhibits the person will offer in evidence at the hearing, no later than Monday, October 15, 2007. Proposed alternatives and written comments may be hand-delivered or mailed to Ms. Davidson at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505, or may be faxed to Ms. Davidson at (505)-476-3462. Pre-hearing statements must be hand-delivered or mailed to Ms. Davidson at the above address. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact Ms. Davidson at (505)-476-3458 or through the New Mexico Relay Network (1-800-659-1779) as soon as possible.

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 11th day of September, 2007.

**STATE OF NEW MEXICO
OIL CONSERVATION DIVISION**

**Mark E. Fesmire, P.E.
Chair, Oil Conservation Commission**