

**RULE 116 COMMITTEE
PROPOSED RULE 116**

RULE 116 - RELEASE NOTIFICATION AND CORRECTIVE ACTION

A. NOTIFICATION:

The Division shall be notified of any release occurring during the drilling, producing, storing, disposing, injecting, transporting, servicing or processing of crude oil, produced water, condensate or oil field waste, or other oil field related chemicals, contaminants or mixture thereof, in the State of New Mexico in accordance with the requirements of this rule.

B. REPORTING REQUIREMENTS:

Notification of a release as defined in Rule A.7 shall be made by the person operating or controlling either the release or the location of the release in accordance with the following requirements:

CATEGORY I RELEASE (1)		CATEGORY II RELEASE (2)		CATEGORY III RELEASE (3)	
total combined volumes	Required Notification	total combined volumes	Required Notification	total combined volumes	Required Notification
any volume	Immediate Verbal and Written within 15 days	any volume of natural gas	Immediate Verbal	less than 5 bbls.	No Reporting
N/A	N/A	N/A	N/A	5 to 25 bbls	written within 15 days
N/A	N/A	N/A	N/A	greater than 25 barrels	immediate verbal & written within 15 days

(1) A Category I Release shall be reported by giving **both** immediate verbal notice and timely written notice pursuant to Subsection C(1) and C(2) of this Rule. For purpose of this Rule, a Category I Release is a release of any volume, **excluding natural gas**, which:

- (a) results in a fire;
- (b) will reach a water course;
- (c) may with reasonable probability endanger public health; or
- (d) results in substantial damage to property or the environment.

(2) A Category II Release shall be reported by giving immediate verbal notice pursuant to Subsection C (1) of this Rule. For purpose of this Rule, a Category II Release is a release of any volume of **natural gas**, which:

- (a) results in a fire;
- (b) may with reasonable probability endanger public health; or
- (c) results in substantial damage to property or the environment,

(3) A Category III Release shall be reported by giving **both** immediate verbal notice and timely written notice pursuant to Subsection C(1) and C(2) of this Rule. For the purpose of this Rule, a Category III Release is a release of volumes, **excluding natural gas**, which are not classified as either Category I or Category II Releases

C. CONTENTS OF NOTIFICATION:

(1) **Immediate verbal notification** is required to be reported pursuant to Subsection B of Rule 116 shall be reported within twenty-four (24) hours of discovery to the District Office of the Division for the area within which this release takes place. This notification shall include the identification of the location of the release by quarter-quarter section, township and range; by distance and direction from the nearest town or landmark; the nature and estimated quantity of the loss and general conditions prevailing in the area; and any mitigation or corrective action being taken.

(2) **Timely written notification** is required to be reported pursuant to Subsection B of Rule 116 within fifteen (15) days to the District Office of the Division for the area within which this release takes place by completing and filing Division Form C-116.

D. CORRECTIVE ACTION:

The owner or operator must complete Division approved corrective action for pollution from releases. Pollution of ground water or surface water will be abated and enforcement taken in accordance with the Water Quality Control Commission Regulations which the Oil Conservation Commission adopts by reference. Remediation of soil pollution, including that in the vadose zone, in accordance with Division regulations or guidelines will be approved by the Division.