

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

IN THE MATTER OF THE HEARING CALLED BY	)	
THE OIL CONSERVATION DIVISION FOR THE	)	
PURPOSE OF CONSIDERING:	)	CASE NO. 11,604
	)	
APPLICATION OF SUNCO TRUCKING WATER	)	ORIGINAL
DISPOSAL COMPANY FOR A SHOW CAUSE	)	
HEARING AS TO WHY IT SHOULD NOT BE FINED	)	
FOR VIOLATION OF OIL CONSERVATION	)	
DIVISION RULE 711, SAN JUAN COUNTY,	)	
NEW MEXICO	)	HL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

BEFORE: MICHAEL E. STOGNER, Hearing Examiner

December 5th, 1996

Santa Fe, New Mexico

This matter came on for hearing before the New Mexico Oil Conservation Division, MICHAEL E. STOGNER, Hearing Examiner, on Thursday, December 5th, 1996, at the New Mexico Energy, Minerals and Natural Resources Department, Porter Hall, 2040 South Pacheco, Santa Fe, New Mexico, Steven T. Brenner, Certified Court Reporter No. 7 for the State of New Mexico.

\* \* \*

STEVEN T. BRENNER, CCR  
 (505) 989-9317

## I N D E X

December 5th, 1996  
Examiner Hearing  
CASE NO. 11,604

## PAGE

REPORTER'S CERTIFICATE

5

\* \* \*

## A P P E A R A N C E S

FOR THE DIVISION:

RAND L. CARROLL  
Attorney at Law  
Legal Counsel to the Division  
2040 South Pacheco  
Santa Fe, New Mexico 87505

\* \* \*

1           WHEREUPON, the following proceedings were had at  
2   10:52 a.m.:

3           EXAMINER STOGNER: I'll call Case Number 11,604,  
4   which is the Application of Sunco Trucking Water Disposal  
5   Company for a show cause hearing as to why it should not be  
6   fined for violations of Oil Conservation Division Rule 711.

7           I'll call for appearances.

8           MR. CARROLL: May it please the Examiner, my name  
9   is Rand Carroll, appearing on behalf of the Division. I'd  
10   like to make a statement in this case also.

11           I will bring it to the Examiner's attention that  
12   this caption should actually be the Application of the OCD  
13   for a show-cause hearing, because Sunco does not want to  
14   bring a hearing as to why it should not be fined.

15           EXAMINER STOGNER: Should this matter be  
16   readvertised, then, Mr. Carroll?

17           MR. CARROLL: No, I'm not asking that it be  
18   readvertised; I'm asking that it be continued to the  
19   December 19th hearing.

20           The Division has come to an agreement with Sunco  
21   Trucking wherein Sunco admits to the violations which gave  
22   rise to the \$5000 fine, but the Division has agreed with  
23   Sunco, Sunco can perform an educational program that will  
24   cost Sunco at least \$5000.

25           Sunco has agreed to the form of the order, and I

1 would just ask two weeks in order to submit an order to the  
2 Division, which is signed off by Sunco. So it's just a  
3 matter of getting their signature on the order that we  
4 request to be issued in this case.

5 EXAMINER STOGNER: Thank you, Mr. Carroll.

6 If nobody else has anything further in Case  
7 Number 11,604, then this matter will be continued to the  
8 Examiner hearing scheduled for December the 19th.

9 (Thereupon, these proceedings were concluded at  
10 10:55 a.m.)

11 \* \* \*

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Admitted by the Secretary is  
11604.  
5 December 1976  
Michael Stogner  
Oil Conservation Division

CERTIFICATE OF REPORTER

STATE OF NEW MEXICO    )  
                                   )   ss.  
 COUNTY OF SANTA FE    )

I, Steven T. Brenner, Certified Court Reporter and Notary Public, HEREBY CERTIFY that the foregoing transcript of proceedings before the Oil Conservation Division was reported by me; that I transcribed my notes; and that the foregoing is a true and accurate record of the proceedings.

I FURTHER CERTIFY that I am not a relative or employee of any of the parties or attorneys involved in this matter and that I have no personal interest in the final disposition of this matter.

WITNESS MY HAND AND SEAL December 9th, 1996.

\_\_\_\_\_  
 STEVEN T. BRENNER  
 CCR No. 7

My commission expires: October 14, 1998