

# CURTIS & DEAN

ATTORNEYS AT LAW

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SCOTT M. CURTIS  
JOHN A. DEAN, JR.

OFF: (505) 327-6031  
FAX: (505) 327-6034

October 11 1996

Rand Carroll  
Attorney at Law  
Roger Anderson  
Environmental Bureau Chief  
2040 South Pacheco  
Santa Fe, New Mexico 87505

RE: Case 11604 Application of Sunco

Dear Rand and Roger:

Sunco Trucking Water Disposal received a Not  
1996. On behalf of Sunco, by letter dated May 2  
Violation and Civil Penalty. That hearing has been  
scheduled for October 17, 1996.

Sunco proposes to enter into an agreement with  
environmental education program. The terms of  
the division. The performance of this program v  
the notice of violation.

We foresee that the environmental program would  
industry and other sources of waste that are req  
facility. We would anticipate that this program  
their science curriculums. Sunco would want to have as part of the program a speaker from the  
Oil Conservation Division to present the regulatory and enforcement aspect of waste disposal and  
other topics as may be agreed upon. The technical assistance of the Division is also requested by  
Sunco.

The program would cover the types and sources of wastes that are regulated, the handling of the  
waste, and the proper disposal of the waste. Sunco anticipates developing a pictorial aspect of  
the program to illustrate the subject matter. A hard copy of the subject matter is another  
component that Sunco is willing to develop which attendees would be provided to use as a  
reference. This handout is where Sunco would particularly see the need for the technical  
assistance of the division. Other parts may be added as the plan for the program is fully  
developed and agreed to.

What about  
involvement of NMEL  
Specifically  
Air quality,  
Hazard waste?

Sunco would  
also have a  
hiring a consultant  
Such as Philip  
an expert in Multimedia  
experience firm to  
Facilitate and put together  
their program.

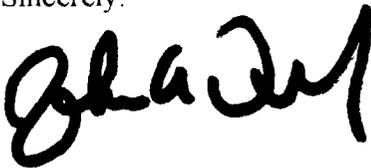
Sunco would anticipate that the effort, in terms of time, materials, and money, it will put into the presentation of such a program will exceed the proposed fine.

Sunco may also wish to put of record in this cause of action a written account of the violation from it's perspective prior to the time that an agreement incorporating the proposed environmental program is approved by the division. This written response would be a narrative of the evidence that we would present at a hearing and would serve to memorialize our position in this case.

If such a proposal is of interest to you, Sunco proposes that Case Number 11604, the notice of violation, be continued for a period of one hundred and twenty days while the program is agreed to.

I would appreciate your input on this proposal at your earliest convenience.

Sincerely:

A handwritten signature in black ink, appearing to read "John A. Dean, Jr.", written in a cursive style.

John A. Dean, Jr.

JAD\jv

xc: client



NEW MEXICO ENERGY, MINERALS  
& NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION  
2040 South Pacheco Street  
Santa Fe, New Mexico 87505  
(505) 827-7131

September 30, 1996

Post-it Fax Note 7671		Date	# of pages
To	Denny Faust	From	Rand Carroll
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

John A. Dean, Jr., Esq.  
Curtis & Dean  
P.O. Drawer 1259  
Farmington, NM 87499

RE: OCD Cases 11604 and 11518 (Sunco)

Dear Mr. Dean:

Case 11604 concerning the fine has been continued to the October 17 hearing. According to your letter, Mr. Coleman is available on that date.

Case 11518 concerning the landfarm permit is also set for that date but Roger Anderson has indicated to me that he wants to continue that case to a hearing that will be held in Farmington which will also include the Envirotech landfarm application. If you have an objection to that continuance, please let us know.

If you have any questions, please call me at 505/827-8156 or Roger at 505/827-7152.

Sincerely,

Rand Carroll  
Legal Counsel

cc: Roger Anderson, OCD

**CURTIS & DEAN**

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SCOTT M. CURTIS  
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September 25, 1996

Rand Carroll  
Attorney at Law  
2040 South Pacheco  
Santa Fe, New Mexico 87505

**VIA TELEFAX**

RE: Case 11604 Application of Sunco Trucking

11518

Dear Mr. Carroll:

Than you for continuing this matter from September 26, 1996 due to the death in Mr. Colemans family. I received you note that it would be reset for October 3, 1996.

I have a prior setting in a guardianship case entitled Paul and Anita Russell vs Diane Wilson and Johnson Russell, DM-411-1, for October 3, 1996 at 11:30. This is a review hearing that has been set just prior to the expiration of the guardianship. In addition Mr. Coleman will be out of town the following days in October. The 2nd through the 5th; the 18th through the 28th; and the 31st.

Your consideration in resetting this matter would be greatly appreciated.

I also believe that Sunco's application for a landfarm permit is also scheduled in October but I do not have a copy of the docket and do not see it on the OCD internet page.

Sincerely:



John A. Dean, Jr.

JAD\jv

xc: client