

**NM1-62**

**Application Acceptance**

**10/12/2016**

State of New Mexico  
Energy, Minerals and Natural Resources Department

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**Susana Martinez**  
Governor

**Tony Delfin**  
Acting Cabinet Secretary

**David Catanach**  
Director, Oil Conservation Division



October 12, 2016

Arif Mussani  
Sundance West, Inc.  
1006 6<sup>th</sup> Street  
Eunice, New Mexico 88231

**RE: Permit Application for New Commercial Surface Waste Management Facility. South ½ of Section 30, Township 21 South, Range 38 East NMPM, Lea County, New Mexico**

Mr. Mussani,

Yesterday, October 11<sup>th</sup>, 2016, the Oil Conservation Division (OCD) received a letter submitted on behalf of Sundance West, Inc. by Gordon Environmental, Inc. and dated October 5, 2016. Enclosed with that letter was an updated Form C-137 *Application for Surface Waste Management Facility* containing the required signature of Sue A. Mussani, President of Sundance West. The application previously submitted on August 15, 2016 included a Form C-147 mistakenly signed by a representative of Gordon Environmental.

As such, the OCD will be posting a notice on our website today of your application, the proposed new facility location, the name of your firm as applicant, information as to how the application can be viewed, along with my contact information as to being placed upon a list for future notice of the OCD's proposed decision with respect to the application. The decision to approve with or without conditions, or to disapprove the application should be rendered by OCD within the next 89 days.

If you have any questions, please feel free to contact me at (505) 476-3465 or by email at [jim.griswold@state.nm.us](mailto:jim.griswold@state.nm.us). On behalf of the Oil Conservation Division, I wish to thank you and your staff for your continuing cooperation during this process.

Respectfully,

Jim Griswold  
Environmental Bureau Chief



October 5, 2016

Mr. Jim Griswold, Bureau Chief  
Environmental Bureau  
Oil Conservation Division  
New Mexico Energy, Minerals and  
Natural Resources Department  
1220 South St. Francis Drive  
Santa Fe, NM 87505

**Re: Sundance West Surface Waste Management Facility [530.06.01]  
Submittal of Updated C-137 Form**

Dear Mr. Griswold:

On behalf of our client, Sundance West, Inc. (Sundance West), Gordon Environmental, Inc. (GEI) is pleased to submit the enclosed updated "C-137 Form" to accompany the Application for Permit (the Application) for the proposed Sundance West Surface Waste Management Facility to the Oil that was submitted to the Oil Conservation Division (OCD) on 08/15/2016.

As you know, GEI submitted a C-137 Form with the Sundance West Application on 08/15/2016, which was signed by GEI on behalf of Sundance West. Based on our recent conversation, we understand that OCD requires the C-137 Form to be signed by the Applicant. Therefore, the attached updated C-137 was signed by Sue A. Mussani, President of Sundance West, Inc.

We appreciate your review of the attached documentation, and look forward to working with you to finalize OCD's approval of the Sundance West Application for Permit. Please contact GEI at 505.867.6990 or dtucholke@gordonenvironmental.com with your comments and questions.

Very truly yours,  
**Gordon Environmental, Inc.**

Charles W. Fiedler  
Sr. Project Director

Dacia R. Tucholke  
Project Manager

cc: Mr. Arif Mussani, Sundance West, Inc.  
Mr. Andrew L. Wambsganss, Esq., Brown-Pruitt

Attachment: Updated C-137 Form

District I  
1625 N. French Dr., Hobbs, NM 88240  
District II  
811 S. First St., Artesia, NM 88210  
District III  
1000 Rio Brazos Road, Aztec, NM 87410  
District IV  
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico  
Energy Minerals and Natural Resources

Oil Conservation Division  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

For State Use Only:

Form C-137  
Revised August 1, 2011

Submit 1 Copy to Santa Fe Office

## APPLICATION FOR SURFACE WASTE MANAGEMENT FACILITY

*A meeting should be scheduled with the Division's Santa Fe office Environmental Bureau prior to pursuing an application for a surface waste management facility in order to determine if the proposed location is capable of satisfying the siting requirements of Subsections A and B of 19.15.36.13 NMAC for consideration of an application submittal.*

1. Application: ☒ New ☐ Modification ☐ Renewal
2. Type: ☒ Evaporation ☐ Injection ☐ Treating Plant ☒ Landfill ☐ Landfarm ☐ Other
3. Facility Status: ☒ Commercial ☐ Centralized

4. Operator: Sundance West, Inc.

Address: 1006 6<sup>th</sup> Street, Eunice, New Mexico 88231

Contact Person: Arif Mussani Phone: 575-394-2511

5. Location: South 1/2 Section 30 Township 21 South Range 38 East

6. Is this an existing facility? ☐ Yes ☒ No If yes, provide permit number

7. Attach the names and addresses of the applicant and principal officers and owners of 25 percent or more of the applicant. Specify the office held by each officer and identify the individual(s) primary responsible for overseeing management of the facility. (SEE ATTACHED)

8. Attach a plat and topographic map showing the surface waste management facility's location in relation to governmental surveys (quarter-quarter section, township and range); highways or roads giving access to the surface waste management facility site; watercourses; fresh water sources, including wells and springs; and inhabited buildings within one mile of the site's perimeter.

9. Attach the names and addresses of the surface owners of the real property on which the surface waste management facility is sited and surface owners of the real property within one mile of the site's perimeter.

10. Attach a description of the surface waste management facility with a diagram indicating the location of fences and cattle guards, and detailed construction/installation diagrams of pits, liners, dikes, piping, sprayers, tanks, roads, fences, gates, berms, pipelines crossing the surface waste management facility, buildings and chemical storage areas.

11. Attach engineering designs, certified by a registered professional engineer, including technical data on the design elements of each applicable treatment, remediation and disposal method and detailed designs of surface impoundments.

12. Attach a plan for management of approved oil field wastes that complies with the applicable requirements contained in 19.15.36.13, 19.15.36.14, 19.15.36.15 and 19.15.36.17 NMAC.

13. Attach an inspection and maintenance plan that complies with the requirements contained in Subsection L of 19.15.36.13 NMAC.

14. Attach a hydrogen sulfide prevention and contingency plan that complies with those provisions of 19.15.3.118 NMAC that apply to surface waste management facilities.

15. Attach a closure and post closure plan, including a responsible third party contractor's cost estimate, sufficient to close the surface waste management facility in a manner that will protect fresh water, public health, safety and the environment (the closure and post closure plan shall comply with the requirements contained in Subsection D of 19.15.36.18 NMAC).

16. Attach a contingency plan that complies with the requirements of Subsection N of 19.15.36.13 NMAC and with NMSA 1978, Sections 12-12-1 through 12-12-30, as amended (the Emergency Management Act).

17. Attach a plan to control run-on water onto the site and run-off water from the site that complies with the requirements of Subsection M of 19.15.36.13 NMAC.

18. In the case of an application to permit a new or expanded landfill, attach a leachate management plan that describes the anticipated amount of leachate that will be generated and the leachate's handling, storage, treatment and disposal, including final post closure options.

19. In the case of an application to permit a new or expanded landfill, attach a gas safety management plan that complies with the requirements of Subsection O of 19.15.36.13 NMAC

20. Attach a best management practice plan to ensure protection of fresh water, public health, safety and the environment.

21. Attach a demonstration of compliance with the siting requirements of Subsections A and B of 19.15.36.13 NMAC.

22. Attach geological/hydrological data including:

- (a) a map showing names and location of streams, springs or other watercourses, and water wells within one mile of the site;
- (b) laboratory analyses, performed by an independent commercial laboratory, for major cations and anions; benzene, toluene, ethyl benzene and xylenes (BTEX); RCRA metals; and total dissolved solids (TDS) of ground water samples of the shallowest fresh water aquifer beneath the proposed site;
- (c) depth to, formation name, type and thickness of the shallowest fresh water aquifer;
- (d) soil types beneath the proposed surface waste management facility, including a lithologic description of soil and rock members from ground surface down to the top of the shallowest fresh water aquifer;
- (e) geologic cross-sections;
- (f) potentiometric maps for the shallowest fresh water aquifer; and
- (g) porosity, permeability, conductivity, compaction ratios and swelling characteristics for the sediments on which the contaminated soils will be placed.

23. In the case of an existing surface waste management facility applying for a minor modification, describe the proposed change and identify information that has changed from the last C-137 filing.

24. The division may require additional information to demonstrate that the surface waste management facility's operation will not adversely impact fresh water, public health, safety or the environment and that the surface waste management facility will comply with division rules and orders

## 25. CERTIFICATION

I hereby certify that the information submitted with this application is true, accurate and complete to the best of my knowledge and belief.

Name: Sue A. Mussani

Title: President

Signature: Sue A. Mussani

Date: September 29, 2016

E-mail Address: andy@nambogadss.com



*Attachment to Form C-137  
Sundance West, Inc.  
Surface Waste Management Facility*

**Question 7:**

- a. Names/Addresses/Positions of all Applicant, Sundance West, Inc.'s officers:

Sue Mussani, President  
14755 Preston Road, Suite 600  
Dallas, Texas 75254

Arif Mussani, COO/Vice President  
6739 Norway Rd  
Dallas, TX 75230

Tariq Mussani, CFO/Secretary/Treasurer  
5844 Meaders Lane  
Dallas, Texas 75230

- b. Names/Addresses of all owners of 25% or more of Applicant, Sundance West, Inc.:

Sue Mussani  
14755 Preston Road, Suite 600  
Dallas, Texas 75254  
Owns 100%

- c. Name of individual responsible for overseeing management of the proposed facility:

Arif Mussani, COO/Vice President