

Notice of Public Meeting and Public Hearing

The State of New Mexico through its Oil Conservation Commission (Commission) hereby gives notice of the following meeting and public hearing to be held commencing at 9:00 a.m. on October 11, 2018, in Porter Hall, 1st floor, Wendell Chino Building, 1220 South St. Francis Drive, Santa Fe, New Mexico, before the Oil Conservation Commission. A preliminary agenda for the meeting will be available to the public no later than two weeks prior to the meeting. A final agenda will be available no later than 72 hours preceding the meeting.

Case No. 16377: APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION TO AMEND RULES OF THE COMMISSION FOR PERMITTING OF WELLS FOR UNDERGROUND INJECTION BY AMENDING CERTAIN SECTIONS OF RULE 19.15.26 NMAC; STATEWIDE.

The New Mexico Oil Conservation Division (OCD) proposes to amend Section 26 of 19.15.16 NMAC to clarify the scope of the rule, the notice provisions, and the type of fluids that may be injected into Class II wells pursuant to the federal Underground Injection Control program regulations.

Purpose of Proposed Rule. The amendments are proposed to clarify the scope of the rule, the notice provisions, and the type of fluids that may be injected into Class II wells pursuant to the federal Underground Injection Control program regulations.

Legal Authority. These amendments are authorized by the Oil and Gas Act, NMSA 1978, Sections 70-2-1 through 70-2-38, NMSA 1978, as amended, specifically Sections 70-2-12(B)(13) (which authorizes rules to regulate subsurface storage of oil or natural gas or products of either), (14) (which authorizes rules to permit injection of natural gas or other substances for repressuring, cycling, pressure maintenance, or secondary or other enhanced recovery operations), (15) (which authorizes rules to regulate the disposition of water produced or used in connection with drilling for oil or gas and to direct subsurface disposal of water), and (21) (which authorizes rules to regulate the disposition of nondomestic wastes resulting from exploration, development, production, or storage of crude oil or natural gas). The rulemaking proceeding will be governed by the Commission's rule on rulemaking, 19.15.3 NMAC.

The full text of the proposed rule amendments is available from Commission Clerk, Florene Davidson at (505) 476-3458 or can be viewed on the Rules page of the Oil Conservation Division's website at <http://www.emnrd.state.nm.us/ocd>, or at Oil Conservation Division offices in Santa Fe, Hobbs, Artesia, or Aztec.

Public Hearing and Comment. The Commission will hold a public hearing on the proposed rules at the Commission meeting which will commence at 9:00 A.M. on October 11, 2018, in Porter Hall, 1st Floor, Wendell Chino Building, 1220 South St. Francis Drive, Santa Fe, New Mexico. The hearing may be continued to following days if not completed.

Written or electronic comments on the proposed rule may be hand delivered or mailed to the Commission Clerk, Florene Davidson, 3rd floor, 1220 South St. Francis Drive, Santa Fe, NM

87505, or e-mailed to florene.davidson@state.nm.us. All written or electronic comments must be received by the Commission Clerk no later than 9:00 A.M. on October 11, 2018, unless the Commission or the Commission Chair extends this deadline.

Persons intending to submit proposed modifications to the proposed rule amendments, to present technical testimony at the hearing, or to cross-examine witnesses must file six copies of a Pre-hearing Statement conforming to the requirements of Subsection B of 19.15.3.11 NMAC, no later than 5:00 P.M. on September 26, 2018. Pre-hearing Statements must be hand-delivered, mailed, or e-mailed to the Commission Clerk at the above address.

Any person who has not submitted a pre-hearing statement may present non-technical testimony or make an unsworn statement at the hearing. A person may also offer exhibits with the testimony so long as the exhibits are relevant to the proposed rule changes and do not unduly repeat the testimony. Any person who wishes to present non-technical testimony should indicate his or her intent on a sign-in sheet at the hearing. A person who testifies at the hearing is subject to cross-examination by the commissioners, commission counsel, or a party on the subject matter of the person's direct testimony.

If you are an individual with a disability who needs 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 at 1-800-659-1779 by September 26, 2018. Public documents can be provided in various accessible forms. Please contact Ms. Davidson if a summary or other type of accessible form is needed. A party who plans to use projection equipment at a hearing must contact Ms. Davidson seven business days prior to the hearing requesting the use of the projection equipment. Wireless internet is available; however, the person requesting to use the wireless connection must provide a laptop computer.

There is no technical information that served as a basis for the proposed amendments.