WHAT IS EXEMPT

(Oil and natural gas exploration and production materials and wastes exempted by EPA from consideration as "Hazardous Wastes")

- Produced water;
- Drilling fluids & cuttings;
- Rigwash;
- Geothermal production fluids;
- Hydrogen sulfide abatement wastes;
- Well completion and workover wastes;
- BS&W and other tank bottoms facilities that hold exempt waste;
- Accumulated materials from production impoundments;
- Pit sludges and contaminated bottoms from treatment, storage or disposal of exempt wastes;
- Gas plant dehydration wastes;
- Gas plant sweetening wastes;
- Cooling tower blowdown;
- Spent filters, filter media, and backwash (assuming the filter itself is not hazardous and the residue in it is from an exempt waste steam);
- Packing fluids;
- Produced sand;
- Deposits removed from piping and equipment prior to transportation;
- Hydrocarbon-bearing soil contaminated from exempt streams;
- Pigging wastes from gathering lines;
- Wastes from subsurface gas storage and retrieval;
- Constituents removed from produced water;
- Liquid hydrocarbons & gases removed from the production stream but not from oil refining;
- Waste crude oil from primary field operations;
- Light organics volatilized from exempt wastes;
- Liquid and solid wastes generated by crude oil and crude tank bottom reclaimers;
- Stormwater runoff contaminated by exempt materials;
- Mixtures of exempt and non exempt wastes pursuant to OCD mixture policy (see reverse)

WHAT IS NOT EXEMPT

(Materials and wastes not exempted and may be a "hazardous waste" if tests or EPA listing define as "hazardous")

- Unused fracturing fluids or acids;
- Cooling tower cleaning wastes;
- Painting wastes;
- Oil and gas service company wastes;
- Vacuum truck and drum rinsate from trucks and drums transporting or containing non-exempt waste;
- Refinery wastes;
- Used lubrication oils;
- Waste compressor oil and filters;
- Used hydraulic fluids;
- Waste solvents;
- Transportation Waste;
- Caustic or acid cleaners;
- Boiler cleaning wastes;
- Incinerator ash;
- Laboratory wastes;
- Pesticide wastes;
- Radioactive tracer wastes;
- Drums, insulation, and miscellaneous solids;
- Industrial wastes from activities other than oil & gas exploration & production;
- Manufacturing wastes;
- Contamination from refined products.

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NOTES:

1. As of September 1997 The OCD has adopted the following mixture policy:

A mixtures of exempt and nonexempt waste will be considered exempt **ONLY** if it meets all of the following conditions:

A. The nonexempt portion of the waste is nonhazardous through testing,
2. The total nonexempt portion of the waste constitutes no more than five (5) percent by volume of the final mixture unless an exception is granted by the director,
3. The mixture is the result of an incidental and unavoidable part of an OCD approved process,
4. Both the exempt and nonexempt portion of the waste are generated as a result of exploration and production of oil and gas, processing of gas or the transportation of natural gas prior to processing.

If a waste which is classified as hazardous by testing or listing is mixed with any other waste, the entire resultant volume will be considered hazardous.

2. The following OCD regulated facilities may be subject to hazardous waste rules for disposal of wastes and contaminated soils containing benzene:

   -- Oil and gas service companies having wastes such as vacuum truck, tank, and drum rinsate from trucks, tanks and drums transporting or containing non-exempt waste.
   -- Transportation pipelines and mainline compressor stations generating waste, including waste deposited in transportation pipeline-related pits.


3. In April, 1991, EPA clarified the status of oil and tank bottom reclamation facilities:

   A. Those wastes that are derived from the processing by reclaimers of only exempt wastes from primary oil and gas field operations are also exempt from the hazardous waste requirements. For example, wastes generated from the process of recovering crude oil from tank bottoms are exempt because the crude storage tanks are exempt.

   B. Those reclaimer wastes derived from non-exempt wastes (e.g. reclamation of used motor oil, refined product tank bottoms), or that otherwise contain material which are not uniquely associated with or intrinsic to primary exploration and production field operations would not be exempt. An example of such non-exempt wastes would be waste solvent generated from the solvent cleaning of tank trucks that are used to transport oil field tank bottoms. The use of solvent is neither unique nor intrinsic to the production of crude oil.