

State of New Mexico
ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT
Santa Fe, New Mexico 87505



January 27, 1995

CERTIFIED MAIL
RETURN RECEIPT NO. P-176-012-098

Mr. Larry Gandy
Gandy Marley, Inc.
P.O. Box 827
Tatum, New Mexico 88267

RE: Commercial Landfarm Permit (NM-711-1-0020)
Gandy Marley, Inc.
Chavez County, New Mexico

Dear Mr. Gandy:

The permit application for the Gandy Marley, Inc. (Gandy Marley) Landfarm located in the SW/4 of Section 4, SE/4 of Section 5, NE/4 of Section 8 and the NW/4 of Section 9, Township 11 South, Range 31 East, NMPM, Chaves County, New Mexico, is hereby approved in accordance with the Oil Conservation Division (OCD) Rule 711 under the conditions contained in the enclosed attachment. The application consists of the original application dated October 11, 1994.

The operation, monitoring and reporting shall be as specified in the enclosed attachment. All modifications and alternatives to the approved landfarming methods must receive prior OCD approval. You are required to notify the Director of any facility expansion or process modification and to file the appropriate materials with the Division.

Please be advised approval of this facility does not relieve you of liability should your operation result in actual pollution of surface waters, ground water or the environment actionable under other laws and/or regulations. In addition, the OCD approval does not relieve you of liability for compliance with other laws and /or regulations.

Please be advised that all tanks exceeding 16 feet in diameter and exposed pits, ponds or lagoons must be screened, netted or otherwise rendered nonhazardous to migratory birds. In addition, OCD Rule 310 prohibits oil from being stored or retained in earthen reservoir, or in open receptacles.

VILLAGRA BUILDING - 406 Gallateo
Forestry and Resources Conservation Division
P.O. Box 1948 87504-1948
827-5830
Park and Recreation Division
P.O. Box 1147 87504-1147
827-7465

2040 South Pacheco
Office of the Secretary
827-5950
Administrative Services
827-5925
Energy Conservation & Management
827-5900
Mining and Minerals
827-5970
Oil Conservation
827-7131

ATTACHMENT TO OCD PERMIT APPROVAL
GANDY MARLEY, INC.
COMMERCIAL LANDFARM (NM-711-1-0020)
(January 27, 1995)

LANDFARM OPERATION

1. Disposal will occur only when an attendant is present.
2. The facility will be entirely fenced and separated from any future facility and have a sign at the entrance. The sign will be legible from at least 50 feet and will contain the following information: a) name of the facility, b) permit number, c) location by section, township and range, and d) emergency phone number.
3. An adequate berm will be constructed and maintained to prevent runoff and runon for that portion of the facility containing contaminated soils.
4. All contaminated soils received at the facility will be spread and disked within 72 hours of receipt.
5. Soils will be spread in six inch lifts or less.
6. Soils will be disked a minimum of once every two weeks to enhance biodegradation of the contaminants.
7. Successive lifts of contaminated soils will not be spread until a laboratory measurement of Total Petroleum Hydrocarbons (TPH) in the previous lift is less than 100 parts per million (ppm), and the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and the benzene concentration is less than 10 ppm. Comprehensive records of laboratory analysis and the sampling locations will be maintained at the facility. Authorization from the OCD will be obtained prior to the spreading of successive lifts and/or removal of the remediated soils.
8. Only oilfield wastes regulated by the OCD which are exempt from RCRA Subtitle C regulations or non-hazardous by characteristic testing will be accepted at the facility. Solids from operations not currently exempt under RCRA Subtitle C or mixed exempt/non-exempt solids will be tested for the appropriate hazardous constituents. Test results must be submitted to the OCD along with a request to receive the non-exempt solids, and written OCD approval (case specific) must be obtained prior to disposal. Comprehensive records of all laboratory analyses and sample locations will be maintained by the operator.
9. Moisture will be added as necessary to enhance biodegradation and to control blowing dust. There will be no ponding, pooling or runoff allowed. Any ponding of precipitation will be removed within seventy-two (72) hours of discovery.

10. Enhanced bio-remediation through the application of microbes (bugs) and/or fertilizers will only be permitted after prior approval from the OCD. Request for the application of microbes must include the location of the area designated for the bioremediation program, composition of additives, and the method, amount and frequency of application.
11. No free liquids or soils with free liquids will be accepted at the facility.
12. Comprehensive records of all materials received at the facility will be maintained at the facility. The records for each load will include: a) the origin, b) date received, c) quantity, d) exempt or non-exempt status and analyses for hazardous constituents if required, e) transporter, and f) exact cell location and any addition of microbes, moisture, fertilizers, etc.

TREATMENT ZONE MONITORING

1. One (1) background sample will be taken from the center portion of the landfarm two (2) feet below the native ground surface. The sample will be analyzed for total petroleum hydrocarbons (TPH), general chemistry, and heavy metals using EPA approved methods.
2. A treatment zone not to exceed three (3) feet beneath the landfarm will be monitored. A minimum of one random soil sample will be taken from each cell, with no cell being larger than five acres, six (6) months after the first contaminated soils are received in the cell and then quarterly thereafter. The sample will be taken at two (2) to three (3) feet below the native ground surface.
3. The soil samples will be analyzed using approved EPA methods for TPH and BTEX quarterly, and general chemistry and heavy metals annually.
4. After obtaining the soil samples the bore holes will be filled with an impermeable material such as bentonite cement.

REPORTING

1. Analytical results from the treatment zone monitoring will be submitted to the OCD Santa Fe Office within thirty (30) days of receipt from the laboratory.
2. The OCD will notified of any break, spill, fire or any other circumstance that could constitute a hazard or contamination in accordance with OCD Rule 116.

BOND

Pursuant to OCD Rule 711.10.(A) closure bonding requirements will be based upon Gandy Marley Inc. submitting an estimate for the closure of the facility to include the following:

- a. Remediation of the contaminated soils to the OCD standards in affect at the time of closure.
- b. Removal of all piping, liners, surface equipment and all other equipment.
- c. Recontouring and revegetation of the property to its original condition.

CLOSURE

The operator will notify the OCD of cessation of operations. Upon cessation of landfarming operations for six (6) consecutive months, the operator will complete cleanup of constructed facilities and restoration of the facility site within the following six (6) months, unless an extension is granted by the Director of the OCD. When the facility is to be closed no new material will be accepted. Existing soils will be remediated until they meet the OCD standards in effect at the time of closure. The area will then be reseeded with indigenous grasses and allowed to return to its natural state. Closure will be pursuant to all OCD requirements in affect at the time of closure, and any other applicable state or federal regulations.



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION

2040 S. PACHECO
SANTA FE, NEW MEXICO 87505
(505) 827-7131

March 14, 1995

GandyMarley Inc.
PO Box 1658
Roswell, NM 88201

Attention: Bill Marley

Re: \$25,000 Cash Commercial Disposal Facility Bond
GandyMarley, Inc., Operator
Secs. 8 and 9, T-11-S, R-31-E, Chaves County
Bond No. OCD-523

Dear Mr. Marley:

The Oil Conservation Division hereby approves the above-referenced bond effective March 13, 1995.

Sincerely,

A handwritten signature in black ink, appearing to read "William J. Lemay".

WILLIAM J. LEMAY,
Director

dr/

cc: Oil Conservation Division
Hobbs, New Mexico