

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

AUTHORIZATION TO MOVE PRODUCED WATER

Transporter Name: _____

Business (Physical) Address in New Mexico: _____ Contact Mailing Address (If different): _____

Business Phone: _____ Contact Phone: _____

Business Fax: _____ Contact Fax: _____

1. Attach a copy of the applicant's New Mexico Public Regulation Commission (PRC) Warrant for Transportation Services.

2. Identify the form of the applicant's business entity: (Example: corporation, limited liability company [LLC], limited partnership, limited liability partnership, partnership, sole proprietor): _____

A. If the applicant is a corporation or LLC, provide the Secretary of State corporation number: _____

B. If the applicant is a limited partnership or limited liability partnership, provide the Secretary of State file number: _____

C. If the applicant is any other form of partnership, identify all partners: _____

D. If the applicant is a sole proprietor, provide the name of the sole proprietor: _____

(Note: If the form of your business entity changes, the name of your business changes, or the business address changes, you must re-apply for authorization.)

It is the responsibility of each holder of an approved Form C-133 to comply with 19.15.34 NMAC and familiarize its personnel with that rule's requirements. Failure to move or dispose of produced water in accordance with 19.15.34 NMAC may be cause for cancellation of the Form C-133.

"I hereby certify that the information above is true and complete to the best of my knowledge and belief." (Application must be signed by person who is authorized to obligate the company applying for the permit)

Signature: _____ Date: _____

Printed Name: _____ Title: _____

E-mail Address: _____

(This space for State use)

Approved by: _____ Title: _____

Date: _____

How to apply for a C-133 (Authorization to move Produced Water in New Mexico)

Instruction as of January 2016. Names, contact numbers and specifics may change in the future. The applicant shall stay apprised to changes at all times.

Who is required to obtain an approved Form C-133?

Pursuant to 19.15.34.8.A NMAC, "A person shall not transport produced water, drilling fluids or other liquid field waste, including drilling fluids and residual liquids in oil field equipment, except for small samples removed for analysis, by motor vehicle from a lease, central tank battery or other facility without an approved form C – 133, authorization to move liquid waste. The transporter shall maintain a photocopy of the approved form C – 133 in the transporting vehicle." An approved C-133 is NOT required to haul "fresh" water in New Mexico.

C-133 Application process

1. If a corporation, limited liability Company, partnership, or limited partnership, then registers with the New Mexico secretary of state to do business in New Mexico, prior to obtaining a Warrant for Transportation Services. A Sole Proprietor applicant does not need to perform this step.
2. Obtain a **Warrant for Transportation Services** from the New Mexico Public Regulation Committee (NMPRC) office, **Transportation Division**.
 - Contact Annessa Ortiz, 505-827-5013. If she is not available call their general phone number for assistance # 505-827-4519. Once you obtain a Warrant for Transportation, and then proceed.
3. Retrieve a Form C-133 application located on the OCD website, forms page (<http://www.emnrd.state.nm.us/OCD/forms.html>). The forms are listed numerically. A PDF and WORD form are available. The PDF form is capable of entering information electronically in PDF. Enter all applicable information on the form, print, sign and submit. OCD will accept electronic, e-mail is the preferred method to submit or hardcopy faxed/mailed. Or you may choose to print out the WORD Form C-133 and hand write all information then submit. Please obtain the latest version of the Form C-133, (currently August 1, 2013) from the OCD hyperlink above. The submittal of an older version of the Form C-133 will not be processed and could be denied. The Applicant will be required to reapply with the latest revision of the Application.

How to apply for a C-133 (Authorization to move Produced Water in New Mexico)

- Fill out Application. The Transporter Name on the C-133 Form shall be identical as the Name on the Warrant for Transportation.
 - Fill out all areas of the Form C-133 pertaining to your Company (Transporter).
 - Be legible (if you're hand writing the form!) Previous illegible applications have Haulers calling a month later asking the status of their application and ask why the OCD didn't contact them on questions. The OCD could not read their hand writing for all contact information and did not know how to contact the Applicant to resolve issues/concerns. Don't be that Applicant!
 - Please provide an email, if available. OCD will email approvals to the applicant if provided. If email is not available, OCD will mail hardcopy approvals to the Contact Mailing Address provided on the form.
 - The OCD only corresponds to the Transporter and owner of the C-133. The OCD will not correspond with any Consultants in this process. Unless the Applicant states so.
 - Consultants and/or agents for the Applicant shall not provide any of their information on the Form C-133 or sign for the Applicant. By doing so, the consultant/agent becomes a legal, liable party of the approval. Only provide the Applicant's information on the Form C-133.
4. To process the C-133 the OCD only needs the C-133 Form (completed and signed) and a copy of the Warrant for Transportation to review. The entire process may take a few days or a few weeks. If and when approved, the OCD will return the signed Form C-133 to the Applicant. Along with a copy of the regulations, 19.15.34 NMAC, that specifies the conditions and limitations of the approval. 19.15.34.8.A "The transporter shall maintain a photocopy of the approved form C-133 in the transporting vehicle."
5. Submit the Form C-133 package to Brad Jones (Phone: 505-476-3487) at

E-mail: brad.a.jones@state.nm.us

Fax: 505-476-3465

Or mail, the address is located on C-133 Form, Attention to Brad Jones, OCD Environmental Bureau

Submitting a form C – 133 **DOES NOT** automatically deem the application approved.

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ADDITIONAL INFORMATION

- 1. Transporter Name Change.** The OCD tracks all Transporters by their Company Name. If and when the Transporter changes their company name they shall reapply for a new C – 133. Submit a new C-133 along with a Warrant for Transportation reflecting the new company name. If the previous approved Transporter is no longer going to be a hauler in New Mexico, they shall inform the OCD in a letter or e-mail to remove them from the approved hauler list.
- 2. Contact/address change.** If the Transporter changes their address or contact information, provide notice to the OCD Santa Fe office of these changes. Reflect these changes on a Form C-133. Attach a letter or within the e-mail, stating the reason for this submittal. The OCD will update their database to reflect the changes. Future contact from the OCD may be necessary and Transporter contact information should be kept current.
- 3. Water hauler number.** The State of New Mexico Oil Conservation Division does NOT require any approved Haulers in New Mexico to label their trucks with a WHP number. A number is given to the approved Hauler. Details of that number will be noted within the approved e-mail/letter sent to the approved Hauler at that time. "...The transporter shall maintain a photocopy of the approved form C – 133 in the transporting vehicle." 19.15.34.8.A
- 4. Permit expiration.** The C-133 application/permit does not expire. There is no renewal. However it will be nullified if the Applicant/Transporter changes their Hauler/Company name as noted on the C-133 application. If a name change happens, the applicant/transporter shall reply under the new name. There is no fee associated with obtaining an approved C-133.