

State of New Mexico
Energy, Minerals and Natural Resources Department

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This document was prepared by OCD staff to assist operators in answering questions regarding the new application fees. As additional questions come up this document will be updated.

Payment and Fees:

1) Q: Where are “fee applications” (applications that require a fee) submitted?

A: The new online permit fee collection will be accessed through the [OCD E-permitting website](#):

<https://wwwapps.emnrd.state.nm.us/ocd/ocdpermitting/default.aspx>

By following the step-by-step process, you will be directed to the payment site *authorize.net*. Payments can only be made by credit card.

2) Q: What form of payment is accepted?

A: Operators pay via credit card through the payment site *authorize.net*. Checks will not be accepted.

3) Q: What are the fees for filing fee applications?

- **\$500:** Non-Federal and non-Tribal permit to drill, deepen, plug back or reenter a well, fluid injection well permit, administrative hearing, re-hearing or de novo hearing before the division or commission.
- **\$150:** Administrative approval of a non-standard location, downhole commingle, surface commingle, off-lease measurement, release notification and corrective action, change of operator, application for modification to surface waste, continuance of an administrative hearing, re-hearing or de novo hearing before the division or commission management facility, request for the creation of a new pool, proposed alternative method permit or closure plan application or authorization to move produced water.
- **\$10,000:** Permit for a commercial surface waste management facility, landfill or landfarm.

To read the legislation, click [here](#).

4) Q: If cases are set or continued by the OCD, will other parties be required to pay a fee?

A: No.

5) Q: If a submitted application is incomplete or incorrect, will the OCD refund my fee?

A: No.

6) Q: Does paying a fee guarantee approval of my application?

A: No

7) Q: Can a fee application be submitted without paying the fee?

A: No.

8) Q: Which operator is responsible for payment regarding a Change of Operator?

A: The operator that submits the application pays the fee at time of submittal.

9) Q: Can fee applications be compiled and pay one fee instead of individual payments for each application?

A: No.

10) Q: If an operator decides to withdraw an application, can they receive a refund?

A: Application fees are non-refundable.

11) Q: When do I have to pay fees for a release notification (C-141)?

A: The new fees legislation requires a \$150 filing fee to accompany each C-141 submission. This would include not only initial release notification, but also for submission of characterization reports with remediation plans, and for closure reporting.

Website Functionality:

12) Q: Will the OCD store credit card information?

A: No, all transactions occur through a third-party vendor which handles the credit card processing on a secure site. The OCD does not see or store any credit card information.

13) Q: Is my credit card payment secure?

A: Yes, *authorize.net* is a secure site. You can find out more information about the site, [here](#).

14) Q: What type of uploaded documents are accepted?

A: Only PDF files without OCR (optical character recognition) are allowed. If they are scanned documents, please use a pixel density of 300 dpi (dots per inch). The limit on document size is 50 MB (megabytes). Signed C-145s are uploaded as .tiff images only, but the OCD system will convert that image to a PDF upon approval. Please verify the Permit # on the right-hand corner of the printed document matches the permit number in E-permitting.

15) Q: What are the fee application status types in the E-permitting fees application system?

• **Pending Payment**

This is the application's starting status. If a file has been uploaded, but not paid for, the file can be viewed to verify that it is the correct document by clicking on the document's title. However, once a document has been submitted along with the fee there is no way to retract or modify that document.

• **Pending Document Delivery**

This is the status when the application has been paid for, but the operator has chosen to submit the document separately by mail or hand delivery.

• **Under OCD Review**

This is the status of applications that have been paid for and are ready to be reviewed by the appropriate OCD staff. Once an application is reviewed, it will be given one of the final two statuses below.

• **Approved by the OCD**

OCD staff has reviewed and accepted the application. An automated email from OCD will be provided if the application moves into this status.

- **Rejected by the OCD**

OCD has rejected application. This will result in an automated email.

16) Q: How will the system be set up to allow attorneys to electronically file and pay associated fees?

A: The new online permit fee collection will be accessed through a specific portal which does not require an OGRID number or an OCD account. Basic information is required to upload a document and attorneys pay via credit card through the payment site *authorize.net*.

17) Q: There are both “Pay” and “Continue” buttons on the credit card site. Why is this?

A: When paying the applications fee with a credit card clicking “Pay” will charge that account and issue a confirmation email. However, on the following screen, be sure to click “Continue”, or the fee application will not move out of “Pending Payment” status and a second email that acts as the applications receipt will not be sent.

18) Q: How do I receive credentials to become an authorized user to submit fee applications under the sign-in section of the OCD website?

A: To verify whether or not your company has an active OGRID go to the link titled “[Sign up to be an Operator Administrator](#)” and click on the drop down box. If you do not see your company listed, then go back to [home page](#) for E-Permitting. If you are a well operator, then click the “[Register contact information to obtain authorization to operate a well](#)”, if you are a midstream company, service company, transporter, pipeline company, etc. then click on the “[Register contact information to obtain authorization to operate as a transporter for oil and gas](#)”.

Once registration is completed, you will be assigned an OGRID and can then go to the “[Sign up to be an Operator Administrator](#)” to sign up to receive your user sign-in credentials.

Application Process:

19) Q: Can fee applications be emailed?

A: No, only uploaded, mailed or hand-delivered documents will be accepted. Please mail and hand-deliver all documents to the Oil Conservation Division, 1220 S. St. Francis Dr., Santa Fe, NM, 87505.

20) Q: How will hard copy applications be accepted by the OCD?

A: An automated receipt will be sent via email. Please print and include the hard copy receipt as the top page of the document being submitted. Hard copy fee applications should be submitted to Oil Conservation Division, 1220 S. St. Francis Dr., Santa Fe, NM, 87505.

PLEASE NOTE: Fee applications directly uploaded via the electronic fee system will greatly expedite the process.

21) Q: What if the hard copy fee application has proof of payment but is submitted to an OCD District Office?

A: The District office will notify the operator that future submittals should be sent directly to Santa Fe to expedite processing and the District Office will then mail the application to Santa Fe for processing. Please note this may significantly delay the processing of the operator's fee application.

22) Q. Can an applicant re-submit a corrected or amended application?

A: An applicant cannot submit an "amended" application. Materially amended applications will have to be re-submitted and will be treated as a new application. If an applicant would like to correct typographical or clerical errors, they may submit the proposed changes to OCD.Fees@state.nm.us. The OCD will determine whether they are material changes. If they are only typographical or clerical errors, the OCD will determine how the changes will be made on a case by case basis.

23) Q: If a submitted application is incomplete or incorrect, will the OCD still consider or modify the application?

A: No, incomplete or incorrect applications will be denied and will need to be resubmitted with a new fee.

24) Q: Can an application be modified once it has been submitted but not yet paid for?

A: If a file has been uploaded, but not yet paid for, the file can be viewed to verify that it is the correct document by clicking on the document's title. However, if a document has been submitted once the fee has been paid, there is no way to retract or modify that document.

25) Q: Can an application be deleted and replaced once it has been uploaded, but before fee has been paid?

A: Yes. Use the red "X" button next to the file name adjacent to the "Upload Application:" option under "Method of submission."

26) Q: How is the operator notified if a fee application is approved or denied.

A: Via an automated email from the OCD.

27) Q: How do I know if the document I submitted has been reviewed by the OCD?

A: The status of the application can be checked in the Fee Application tab. Once the application has been approved or denied the operator will receive an automated email.

28) Q: How do I request a pre-approved downhole commingling?

A: Pre-Approved Downhole Commingling (DHC) and Identically Owned Surface Pool Commingling are both allowed using OCD Form C-103, but now must be submitted through the fee application portal. Choose the Down Hole Commingling drop down and pay the \$150 application fee. Upload a completed C-103 DHC document, do not upload a C-107.

If you have questions regarding application fees, please email OCD.Fees@state.nm.us or call (505) 476-3441.