

State of New Mexico
Energy, Minerals and Natural Resources Department

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NOTICE TO OPERATORS

STATUS OF PENDING UIC DISPOSAL WELL APPLICATIONS WITHIN TEN MILES OF THE COUNTY LINE SEISMIC RESPONSE AREA

November 23, 2021

The New Mexico Energy, Minerals and Natural Resources Department, Oil Conservation Division (“OCD”) has the authority to regulate Underground Injection Control (“UIC”) Class II wells under the Oil and Gas Act (Section 70-1-1 *et seq.*, NMSA 1978) and pursuant to delegated authority from the U.S. Environmental Protection Agency under the Safe Drinking Water Act (42 U.S.C. 300f *et seq.*). See 19.15.26 NMAC. The statutes and the regulations and rules promulgated thereunder authorize OCD to address all aspects of UIC well development, operation, and plugging, including developing a response to induced seismic activity related to the operation of such wells.

Between March 2021 and September 2021, the OCD received reports of seven earthquakes with magnitudes from M2.5 to M4.0 in an area designated as the County Line Seismic Response Area (“County Line SRA”) located approximately 35 miles east southeast of Malaga, NM. Of these earthquakes, four were M3.0 or greater. OCD has been actively engaged with operators with facilities located within 10 miles of the epicenter of these events, including working with operators to voluntarily suspend injection in the most proximate wells.

OCD’s analysis of the available data suggests that injection well activity in the County Line SRA is a potential cause or contributor to seismic activity in the County Line SRA. The OCD is currently working with operators and staff at the New Mexico Bureau of Geology to understand the fault situation in and around the County Line SRA to determine when and how UIC disposal activities may resume and/or continue. In addition to the existing UIC wells, the OCD also currently has 72 pending applications for disposal wells within 10 miles of the County Line SRA.

Given the dynamic nature of geologic situation in the County Line SRA and OCD’s ongoing development of a response plan, OCD has determined it would be inappropriate to approve additional injection at this time. As a result, the OCD determines that:

1. all pending permit applications within the County Line SRA require additional review prior to approval; and
2. during such review, no pending applications within 10 miles of the County Line SRA will be administratively approved.

OCD anticipates that the review period will last at least one year or until an appropriate response plan is established for the County Line SRA. For additional information, contact OCD.Engineer@state.nm.us.