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Volume:  Issue:  Publication date:  Number of pages:  (ALD Use Only) Sequence No.  c

Issuing agency name and address:

Agency DFA code:

Contact person's name:

Phone number:

E-mail address:

Type of rule action:

(ALD Use) Recent filing date:

New ☐ Amendment ☒ Repeal ☐ Emergency ☐ Renumber ☐

Title number:

Title name:

Chapter number:

Chapter name:

Part number:

Part name:

Amendment description (If filing an amendment):

Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference?

Please list attachments or Internet sites if applicable.

Yes ☐ No ☒

If materials are attached, has copyright permission been received?

Yes ☐

No ☐

Public domain ☐

**Specific statutory or other authority authorizing rulemaking:**

Notice date(s):

Hearing date(s):

Rule adoption date:

Rule effective date:



# Concise Explanatory Statement For Rulemaking Adoption:

## Findings required for rulemaking adoption:

### Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

Please see attached document entitled PFAS Rule Making Order and Reasons for the Action Taken (18 pages total).

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Issuing authority (If delegated, authority letter must be on file with ALD):

Name:

Albert C.S. Chang

Check if authority has been delegated

☐

Title:

Oil Conservation Commission Chair

Signature: (BLACK ink only OR Digital Signature)

Digitally signed by

Albert Chang

Date: 2025.07.15

13:09:08 -06'00'

Date signed:

07/15/2025



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**STATE OF NEW MEXICO  
DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES  
OIL CONSERVATION COMMISSION**

**IN THE MATTER OF PROPOSED AMENDMENTS  
TO THE COMMISSION'S RULES TO ADDRESS  
CHEMICAL DISCLOSURE AND THE USE OF  
PERFLUOROALKYL AND POLYFLUOROALKYL  
SUBSTANCES AND IN OIL AND GAS EXTRACTION,  
19.15.2, 19.15.7, 19.15.14, 19.15.16 AND 19.15.25 NMAC**

**Case No. 23580  
Order No. R-23824**

**WILDEARTH GUARDIANS,**

**PETITIONER**

**PFAS RULE MAKING ORDER  
and REASONS FOR THE ACTION TAKEN**

This matter comes before the New Mexico Oil Conservation Commission ("Commission" or "OCC") upon a Petition filed on May 25, 2023, and an Amended Petition filed on August 23, 2024, by WildEarth Guardians ("Petitioner") for changes to 19.15.2, 19.15.7, 19.15.14, 19.15.16 and 19.15.25 NMAC. Public hearings were held November 12 through November 15, 2024. Petitioner provided a final set of proposed rules in its Proposed Statement of Reasons on February 19, 2025. Public deliberations were held on March 11, 2025. The Commission, having reviewed the submittals, testimony, evidence, the Hearing Officer's Report and the Proposed Findings of Fact and Conclusions of Law hereby issues, as provided for in 19.15.3.12 NMAC and 19.15.3.13.C NMAC, the following ORDER and REASONS FOR THE ACTION TAKEN. The Commission has the authority to adopt, refuse to adopt or adopt the proposed rule change in part pursuant to 19.15.3.13C NMAC. The Commission's actions are the following:



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This is an amendment to 19.15.25 NMAC, Section 14, effective 07/29/2025.

**19.15.25.14 DEMONSTRATING MECHANICAL INTEGRITY:**

A. An operator may use the following methods of demonstrating internal casing integrity for casing repairs and wells to be placed in approved temporary abandonment.

(1) the operator may set a cast iron bridge plug within 100 feet of uppermost perforations or production casing shoe, load the casing with inert fluid and pressure test to 500 psi surface pressure with a pressure drop of not more than ten percent over a 30 minute period;

(2) the operator may run a retrievable bridge plug or packer to within 100 feet of uppermost perforations or production casing shoe, and test the well to 500 psi surface pressure for 30 minutes with a pressure drop of not greater than ten percent over a 30 minute period; or

(3) the operator may demonstrate that the well has been completed for less than five years and has not been connected to a pipeline.

B. During the testing described in Paragraphs (1) and (2) of Subsection A of 19.15.25.14 NMAC the operator shall:

(1) open all casing valves during the internal pressure tests and report a flow or pressure change occurring immediately before, during or immediately after the 30 minute pressure test;

(2) top off the casing with inert fluid prior to leaving the location;

(3) report flow during the test in Paragraph (2) of Subsection A of 19.15.25.14 NMAC to the appropriate division district office prior to completion of the temporary abandonment operations; the division may require remediation of the flow prior to approving the well's temporary abandonment.

C. An operator may use any method approved by the EPA in 40 C.F.R. section 146.8(c) to demonstrate external casing and cement integrity for wells to be placed in approved temporary abandonment.

D. The division shall not accept mechanical integrity tests or logs conducted more than 12 months prior to submittal.

E. The operator shall record mechanical integrity tests on a chart recorder with a maximum two hour clock and maximum 1000 pound spring, which has been calibrated within the six months prior to conducting the test. Witnesses to the test shall sign the chart. The operator shall submit the chart with form C-103 requesting approved temporary abandonment.

F. The division may approve other testing methods the operator proposes if the operator demonstrates that the test satisfies the requirements of Subsection B of 19.15.25.13 NMAC.

[19.15.25.14 NMAC - Rp, 19.15.4.203 NMAC, 12/1/2008; A, 7/29/2025]