

**LEGAL NOTICE**  
and  
Preliminary Determination for an Air Quality Permit for  
Black Hills Midstream LLC

Black Hills Midstream LLC, 350 Indiana Street Suite 400, Golden, CO has submitted an air quality permit application to the New Mexico Environment Department (NMED) for an air quality permit to construct Black Hills Midstream LLC - Many Canyons CS. The application file has been assigned Permit No. 3604 and TEMPO Agency Interest ID No. 26585. The facility will be located approximately 18 miles southwest of Dulce, New Mexico, in Rio Arriba County.

The proposed construction will consist of a 15 MMSCF/D compressor station that includes: three 1340 horsepower Caterpillar G3516 compressor engines, a glycol dehydrator, two 96 horsepower electrical generator engines and several storage tanks to store condensate, glycol, waste oil and engine lubricants.

Total air pollutant emissions to the atmosphere are estimated to be approximately 92 tons per year (“tpy”) of nitrogen dioxides (“NO<sub>x</sub>”), 85 tpy of carbon monoxide (“CO”), 21 tpy of volatile organic compounds (“VOC’s”) and negligible amounts of total suspended particulates (“TSP”) and sulfur dioxides (“SO<sub>2</sub>”). These emission estimates could change slightly during the course of the Department’s review of the application.

The NMED has conducted a preliminary review of the information submitted with the permit application. The preliminary review and dispersion modeling analysis indicates that the facility’s air emissions will meet the ambient air quality standards for the above listed pollutants. A full review will evaluate the estimated emission rates and the air quality dispersion modeling analysis to determine compliance with ambient air standards.

Based on the applicant’s analysis, a preliminary determination is that this facility will comply with the requirements of Title 20, New Mexico Administrative Code (NMAC), Chapter 2, Parts 3, 61, 72, 73, and 75 Regulations and the New Mexico Air Quality Control Act. Therefore, the preliminary intent of NMED is to issue the air quality permit on or before November 29, 2007. This source is a minor source according to 20 NMAC 2.74, PSD.

To ensure compliance with state and federal air regulations, the permit is expected to include conditions that limit the emissions, and gas throughput and conditions that will require record keeping and reporting to the Department.

The permit application is currently available for review at the Air Quality Bureau Office, 2048 Galisteo Rd., Santa Fe, New Mexico. The Department contact in Santa Fe is Michael Schneider. A copy of the permit application was mailed to the NMED Farmington District Office, located at 724 West Animas Street, Farmington, New Mexico 87401 for public review.

All interested persons have thirty (30) days from the date this notice is published, to notify the Department in writing of their interest in the permit application. The written comments should refer to the company name, site name and Permit No. (or send a copy of this notice along with your comments). The written comments shall state the nature of the issues raised and how it relates to the requirements of applicable state and federal air quality regulations and the Clean Air Act. The written comments should

## Attachment A – Legal Notice

be mailed to Michael Schneider, New Mexico Environment Dept., Air Quality Bureau, Permit Section, 2048 Galisteo, Santa Fe, New Mexico 87505.

The Department will notify all persons, who have provided written comments, as to when and where the Department's analysis may be reviewed. Although all written comments will be made part of the public record, any person who does not express interest in writing prior to the end of this first thirty (30) day period will not receive such notification.

The Department's analysis will be made available for review for thirty (30) days at the NMED district or field office nearest to the source before the permit will be issued. Written comments on the analysis or permit application may be submitted to the Department during this second thirty (30) day period or at any time before the permit is issued or denied.

Questions or comments not intended to be part of the public record can be directed to the Department Michael Schneider at 505-955-8000. General information about air quality and the permitting process can be found at the Air Quality Bureau's web site. The regulation dealing with public participation in the permit review process is 20.2.72.206 NMAC. This regulation can be found in the "Permits" section of this web site.