STATE OF NEW MEXICO BEFORE THE SECRETARY OF ENVIRONMENT

| IN THE MATTER OF THE APPLICATIONS OF | |
|--|-----------|
| DLK BLACK RIVER MIDSTREAM, LLC | AQB 22-25 |
| FOR AN AIR QUALITY PERMIT NO. 6567-M8 | |
| FOR THE BLACK RIVER GAS PROCESSING PLANT | |
| CHEVRON USA INC. | |
| FOR AN AIR QUALITY PERMIT NO. 6109-M8 | AQB 22-26 |
| FOR THE SALADO DRAW 19 CENTRAL | |
| TANK BATTERY AND COMPRESSOR STATION | |
| CHEVRON USA INC. | |
| FOR AN AIR QUALITY PERMIT NO. 6832-M8 | AQB 22-27 |
| FOR THE SALADO DRAW 23 COMPRESSOR | |
| STATION AND TANK BATTERY | |
| | |

THE AIR QUALITY BUREAU'S STATEMENT OF INTENT TO PRESENT DIRECT TECHNICAL TESTIMONY

Pursuant to 20.1.4.300(B)(1) NMAC and the Scheduling Order in this matter filed July 12, 2022, the Air Quality Bureau ("Bureau") of the Environmental Protection Division ("Division") of the New Mexico Environment Department ("Department") submits this Statement of Intent to Present Direct Technical Testimony in support of the three applications in the above captioned matters. The public hearing in this matter is currently scheduled for October 3, 2022, and continuing, if necessary, for additional dates. The Bureau submits to the Secretary the following:

1. Person filing this Statement of Intent.

The Air Quality Bureau within the Environmental Protection Division of the Department.

2. Division's recommendation on the Application.

The Bureau, on behalf of the Division, recommends the approval of the above three applications and issuance of the related air quality permits provided that each Applicant comply

with the conditions of their respective permits. The Bureau reserves the right to recommend additional conditions for each permit. The Bureau also reserves the right to modify its position based on any comment or testimony presented at the hearing or based on any written comments submitted in connection with the applications.

3. Witnesses testifying on behalf of the Bureau.

The Bureau will call the following witnesses at the hearing to present direct technical testimony:

A. Julia Kuhn.

Title V Permit Specialist of the Major Sources Permitting Section of the Air Quality Bureau, 525 Camino de los Marquez, Suite 1, Santa Fe, NM 87505. Ms. Kuhn's direct testimony is attached as Bureau Exhibit 1 and a copy of her resume is attached as Bureau Exhibit 2. Ms. Kuhn's testimony is estimated to last approximately fifteen minutes and will address the following topics: her education and professional qualifications; a summary of Application 6567-M8 (Black River Gas Processing Plant, AQB 22-25); her administrative and technical review of the Black River Gas Processing Plant Application, the Bureau's public outreach efforts throughout various stages of this permitting action, the bases for conditions in the Draft Permit, and the Bureau's responses to comments received about this Application.

B. <u>Todd Sherrill.</u>

Minor Source Permit Specialist of the Minor Source Permitting Unit of the Air Quality Bureau, 525 Camino de los Marquez, Suite 1, Santa Fe, NM 87505. Mr. Sherrill's direct testimony is attached as Bureau Exhibit 3 and a copy of his resume is attached as Bureau Exhibit 4. Mr. Sherrill's testimony is estimated to last approximately fifteen minutes and will address the following topics: his education and professional qualifications; a summary of Application 6109-

M8 (Chevron Salado Draw 19 Central Tank Battery and Compressor Station, AQB 22-26); his Bureau Stmt of Intent to Present Direct Technical Testimony Page 2 of 7 administrative and technical review of this Application, the Bureau's public outreach efforts throughout various stages of this permitting action, the bases for conditions in the Draft Permit, and the Bureau's responses to comments received about this Application.

C. Joseph Mashburn.

Minor Source Permit Specialist of the Minor Source Permitting Unit of the Air Quality Bureau, 525 Camino de los Marquez, Suite 1, Santa Fe, NM 87505. Mr. Mashburn's direct testimony is attached as Bureau Exhibit 5 and a copy of his resume is attached as Bureau Exhibit 6. Mr. Mashburn's testimony is estimated to last approximately fifteen minutes and will address the following topics: his education and professional qualifications; a summary of Application 6832-M8 (Chevron Salado Draw 23 Compressor Station and Tank Battery, AQB 22-27); his administrative and technical review of this Application, the Bureau's public outreach efforts throughout various stages of this permitting action, the bases for conditions in the Draft Permit, and the Bureau's responses to comments received about this Application.

D. Angela Raso.

Air Dispersion Modeler for the Bureau, 525 Camino de los Marquez, Suite 1, Santa Fe, NM 87505. Ms. Raso's direct testimony is attached as Bureau Exhibit 7 and a copy of Ms. Raso's resume is attached as Bureau Exhibit 8. Ms. Raso's testimony is estimated to last approximately fifteen minutes and will address the following topics: her education and professional qualifications, her review of the air dispersion modeling submitted by the Applicant, DLK Black River Midstream, LLC, for Application 6567-M8 (Black River Gas Processing Plant, AQB 22-25), her verification that the Applicant followed appropriate modeling practices, the standards applicable to such modeling practices, and why no air quality modeling was done for either of the applications submitted by Chevron USA, Inc. (AQB 22-26 and AQB 22-27).

4. List of Exhibits and Indices.

A list of exhibits the Bureau intends to offer into evidence in these matters is attached to this Statement. Also attached are the indices to the Administrative Record for each respective application. The Bureau reserves the right to file a rebuttal statement of intent, if appropriate, based on the direct testimony statements of intent which may be filed by any other party in these matters as authorized by the Scheduling Order. The Bureau also reserves the right to introduce and move for admission of any other exhibit in support of rebuttal or additional direct testimony at the hearing which may be necessitated by matters that arise for the first time during the hearing.

| Bureau Exhibit 1 | Julia Kuhn Direct Testimony (AQB 22-25) |
|-------------------|---|
| Bureau Exhibit 2 | Julia Kuhn Resume (AQB 22-25) |
| Bureau Exhibit 3 | Todd Sherrill Direct Testimony (AQB 22-26) |
| Bureau Exhibit 4 | Todd Sherrill Resume (AQB 22-26) |
| Bureau Exhibit 5 | Joseph Mashburn Direct Testimony (AQB 22-27) |
| Bureau Exhibit 6 | Joseph Mashburn Resume (AQB 22-27) |
| Bureau Exhibit 7 | Angela Raso Direct Testimony (AQB 22-25, 22-26, and 22-27) |
| Bureau Exhibit 8 | Angela Raso Resume (AQB 22-25, 22-26, and 22-27) |
| Bureau Exhibit 9 | Administrative Record Index for AQB 22-25 (as of Aug. 26, 2022) |
| Bureau Exhibit 10 | Administrative Record Index for AQB 22-26 (as of Aug. 25, 2022) |

Bureau Exhibit 11 Administrative Record Index for AQB 22-27 (as of Aug. 26, 2022)

<u>/s/ Carol M. Parker</u> Outside Legal Counsel for New Mexico Environment Department 2 Calle Ponderosa Placitas, NM 87043 Phone: (505) 259-1827 Email: <u>parkerenvirolaw@gmail.com</u>

CERTIFICATE OF SERVICE

I hereby certify that on August 29, 2022, a true and correct copy of the foregoing The Air Quality Bureau's Statement of Intent to Present Direct Technical Testimony was served by email to:

Madai Corral Hearing Clerk P.O. Box 5469 Santa Fe, New Mexico 87502 <u>Madai.corral@state.nm.us</u> <u>Pamela.jones@state.nm.us</u>

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Jill H. Van Noord Holland & Hart LLP 1800 Broadway, Suite 300 Boulder, CO 80302 (303) 473-4817 (o) (303) 416-8719 (f) *jhvannoord@hollandhart.com* Counsel for Black River Midstream LLC J. Scott Janoe Harrison Reback Baker Botts LLP 910 Louisiana Street Houston, Texas 77002 (713) 229-1421 (o) (713) 229-7721 (f) *scott.janoe@bakerbotts.com harrison.reback@bakerbotts.com* Counsel for Applicant Chevron USA Inc.

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> <u>/s/ Carol M. Parker</u> Carol M. Parker

BUREAU EXHIBIT 1

| 1 2 | STATE OF NEW MEXICO BEFORE THE SECRETARY OF ENVIRONMENT |
|---|---|
| 3 4 5 6 7 | IN THE MATTER OF THE APPLICATIONS OF DLK BLACK RIVER MIDSTREAM, LLC AQB 22-25 FOR AN AIR QUALITY PERMIT NO. 6567-M8 FOR THE BLACK RIVER GAS PROCESSING PLANT |
| 7 8 9 10 11 12 13 14 15 16 17 | CHEVRON USA INC.AQB 22-26FOR AN AIR QUALITY PERMIT NO. 6109-M8AQB 22-26FOR THE SALADO DRAW 19 CENTRAL TANK BATTERY AND COMPRESSOR STATIONAQB 22-26CHEVRON USA INC.CHEVRON USA INC.FOR AN AIR QUALITY PERMIT NO. 6832-M8AQB 22-27FOR THE SALADO DRAW 23 COMPRESSOR STATION AND TANK BATTERYAQB 22-27 |
| 18 19 20 21 | TECHNICAL TESTIMONY OF JULIA KUHN IN SUPPORT OF THE APPROVAL OF THE APPLICATION OF DLK BLACK RIVER MIDSTREAM, LLC FOR AN AIR QUALITY PERMIT NO. 6567-M8 FOR THE BLACK RIVER GAS PROCESSING PLANT, AQB 22-25 |
| 22 | I. INTRODUCTION |
| 23 | My name is Julia Kuhn. I am a Permit Specialist in the Major Sources Permitting Section |
| 24 | of the Air Quality Bureau ("AQB" or "Bureau") of the New Mexico Environment Department |
| 25 | ("NMED" or "Department"). |
| 26 | I present this written testimony on behalf of the Bureau for the public hearing on the New |
| 27 | Source Review (NSR) construction permit application submitted by DLK Black River Midstream, |
| 28 | LLC ("Black River") for a modification of its Black River Gas Processing Plant ("Original |
| 29 | Application" and "Revised Application," and collectively, the "Application"). [AR No. 1 and 4, |
| 30 | Bates 001-291 and Bates 294-565]. |
| 31 | My testimony will address the following topics: my qualifications, a summary of |
| 32 | Application 6567M8, administrative review of Application 6567M8, technical review of |
| 33 | Application 6567M8, AQB's public outreach efforts throughout various stages of this permitting |
| | Bureau Statement of Intent |

Exhibit 1

action, the bases for conditions in the January 21, 2022, version of Draft Permit 6567M8 for the
 proposed Black River facility modification and responses to comments received during the
 permitting process. [AR No. 20, Bates 922-978].

4 **II.**

QUALIFICATIONS

5 I have been an employee of the Bureau for over four years working as a Permit Specialist, 6 initially with the Permitting Technical Services section for one year, and later in the Major Source 7 section for over three years. As a Permit Specialist, I perform technical and regulatory review of 8 complex AOB permit applications within regulatory deadlines. I verify emissions calculations; 9 determine applicable state regulations and federal regulations; coordinate with various 10 stakeholders including the public, industry, consultants, and AQB staff; write legally enforceable 11 air permits and technical supporting documents for the administrative record; enter data into the 12 AQB database; and complete various special projects to achieve AQB goals. I have worked on more than twenty-five (25) New Source Review ("NSR") and Title V ("TV") permits for the 13 14 Bureau, in addition to dozens of other types of permits including General Construction Permits for 15 Oil and Gas, Aggregate Facilities, Asphalt Plants, and Concrete Batch Plants.

16 My full background and qualifications are set forth in my resume. [Bureau Exhibit 2].

17 III. SUMMARY OF APPLICATION 6567M8

The Black River Gas Processing Plant is located at 581750 m UTME, 3570090 m UTMN,
Datum WGS 83, approximately 2.1 miles southwest of Loving, New Mexico in Eddy County.
With this Application, Black River proposes the following: increasing engine operating hours from
2,190 hours per year to 8,760 hours per year; revising engine emissions based on manufacturer's

data; adding a process heater; and adding Startup, Shutdown, Maintenance, and Malfunction
 emissions.

The facility is currently permitted under a General Construction Permit, NSR GCP-O&G 6567M7, issued on August 28, 2020. The proposed permit will add additional conditions and requirements for monitoring, testing, recordkeeping, and reporting.

6

IV. ADMINISTRATIVE REVIEW

Application 6567M8 was received by the New Mexico Environment Department on May
5, 2021. Pursuant to 20.2.72.207(A) NMAC, the Department had 30 days to review the Application
and determine whether it was administratively complete.

10 The administrative review of an application is not a technical review, but a review of the 11 presence of the required parts of the application, including the applicant's modeling analysis, the 12 applicant's proof of public notice, and a notarized certification stating that the information and 13 data submitted in the application is true and accurate. All required contents of an application are 14 listed in 20.2.72.203 NMAC. Upon receipt of Application 6567M8, the applicant's modeling files 15 were submitted to the AQB Modeling Manager, Mr. Sufi Mustafa, for assignment to an AQB 16 dispersion modeler. On May 13, 2021, I sent a "notification to modeler" via email to inform Mr. 17 Mustafa of Application 6567M8 and modeling files. The modeling for this project was assigned 18 to Angela Raso. [AR No. 25, Bates 990-992].

Based on fee units in 20.2.75 NMAC and applicable regulations, the Bureau calculated the permit fee for Black River's Application 6567M8, and administrative staff generated the corresponding invoice. [AR No. 2, Bates 292]. On May 25, 2021, the Bureau ruled Application 6567M8 administratively complete. [AR No. 6, Bates 568-573]. The Bureau sent the completion

1 2 determination letter, which includes a copy of the Department's Legal Notice, and the invoice for the permit fee to Black River on May 25, 2021. [AR No. 34, Bates 1010].

3

V. TECHNICAL REVIEW AND PROCESSING OF THE APPLICATION

After the Application was determined to be administratively complete, technical review of
Black River's Application 6567M8 began. The technical review requires verification of emissions
calculations and a determination of applicable federal regulations and state regulations.

Emissions calculations are verified by confirming the correct emission factors and formulas used to calculate emissions for all sources. If methods are unclear in the Application, the consultant must provide explanations or updates, as necessary. The emissions totals from the calculations must be in agreement with the emissions totals reported in Section 2 of the Application.

11 In general, I requested updates and/or clarifications of discrepancies in the Application if 12 they became apparent while writing Draft Permit 6567M8. I received an updated version of the 13 Application on September 15, 2021; the Bureau posted the updated version on the NMED website 14 on September 21, 2021. The Bureau has reviewed the emission calculations submitted in the 15 Application for all regulated equipment and the emission factors relied upon in those 16 calculations. The facility emissions were calculated using Excel spreadsheets and manufacturer's 17 data sheet emission factors, Texas Commission on Environmental Quality ("TCEQ") emission 18 factors, or US EPA's AP-42 Compilation of Air Emission Factors, as well as oil and gas industry 19 software.

The emission factors used in the calculations are appropriate for this source type and are approved by the Bureau. The approved calculated emission rates were used as inputs into the Bureau's air dispersion modeling analysis. The air dispersion model predicts concentrations of the

National Ambient Air Quality Standards (NAAQS) based upon the approved emission rates. (See
 Testimony of Angela Raso for more detail.)

I summarized my review of the Application in the Statement of Basis. **[AR No. 15, Bates 765-778; AR No. 18, Bates 851-864].** The Statement of Basis is a permitting record that includes a description and history of the facility, public response received by the Department, a regulatory compliance discussion, and unique conditions in the permit.

7

VI. PUBLIC OUTREACH AND PUBLIC NOTICE

8 Public outreach and public notice activities occur at multiple steps after the Application is 9 ruled complete and the Bureau has published its legal notice. These activities happen in parallel 10 with the technical review of the Application and involve notice to certain government entities as 11 well as to the public.

The Bureau identified the State of Texas as an Affected Party and sent a legal notice
notification on May 25, 2021, as required under 20.2.72.206(A)(7) NMAC. [AR No. 7, Bates 574;
AR No. 29, Bates 999]. The Bureau sent a legal notice notification to EPA Region 6 on May 25,
2021. [AR No. 28, Bates 998].

16 Once the Bureau's legal notice was published, interested persons were allowed thirty (30) 17 days to express an interest in writing regarding the permit application per 20.2.72.206(A)(5)18 NMAC. The Bureau posted the Legal Notice on the AQB website on May 25, 2021 [AR No. 27, 19 Bates 996-997], which was published in the Carlsbad Current Argus on May 27, 2021. [AR No. 20 9, Bates 577-579]. WildEarth Guardians ("WEG") submitted its first round of comments on June 21 24, 2021. [AR No. 21, Bates 979-982]. The Bureau sent its initial citizen letter to WEG June 24, 22 2021. [AR No. 22, Bates 983-985]. On September 8, 2021, the Bureau posted the Application, 23 public notice, draft permit, and draft analysis on the AQB website for Permit Applications with **Bureau Stmt of Intent Ex. 1**

Test. of Julia Kuhn Black River, AQB 22-25

1 Public Interest, Public Meetings, or Public Hearing. [AR No. 31, Bates 1005]. On September 8, 2 2021, the Bureau emailed copies of the draft permit and analysis to WEG, [AR No. 15 and 16, 3 Bates 765-778 and 779-835] along with the Bureau's second citizen letter. [AR No. 23 and 45, 4 Bates 986 and 1079]. On October 8, 2021, WEG submitted a second round of comments on the draft permit and analysis. [AR No. 24, Bates 987-989]. On February 2, 2022, the Bureau posted 5 6 the revised Application, draft permit, and Statement of Basis on the AQB website. [AR No. 33, 7 Bates 1007-1009]. On February 10, 2022, the Bureau sent the revised draft permit and analysis of 8 the Application to WEG. [AR No. 48, Bates 1083-1088].

9 On August 6, 2021, the Air Quality Bureau received an approval on the Request for Public 10 Hearing Determination from Rebecca Roose (on behalf of Cabinet Secretary NMED, James 11 Kenney), for the Black River Gas Processing Plant permit application based upon WEG's request 12 for a hearing. [AR No. 30, Bates 1000-1004].

On August 16, 2022, the Bureau sent public service announcement (PSA) requests with PSAs in English and in Spanish to radio stations in Hobbs and Carlsbad and submitted an online form requesting information about the public hearing on October 3 be read on the public radio station in southeastern New Mexico. [AR No. 54, 55, 56, 71, and 72, Bates 1099-1100, 1101-1102, 1103-1105, 1147-1148, and 1149-1150].

18 VII. BASES FOR PERMIT CONDITIONS

Part 72, Section 210 authorizes the Department to include conditions in an Air Quality permit 20.2.72.210 NMAC. When a permit is issued, it includes enforceable, detailed information describing the equipment authorized to be installed and operated, limits on emissions of air pollutants, and requirements about how to operate the equipment. It establishes methods for determining compliance on a regular basis and imposes monitoring, recordkeeping, and reporting

1 requirements to ensure compliance and allow the Bureau to verify compliance with the terms of 2 the permit.

A permit has three parts, A, B and C. Conditions in Part A of the permit are Facility 3 4 Specific Requirements. They are site-specific and based on information provided in the 5 Application. Conditions in Part B of the permit are General Conditions and standard language 6 which generally apply to all sources. Part C is also standard language about supporting online 7 documents, definitions, and acronyms which apply to all sources.

8 A draft permit is a dynamic working document which may be updated throughout the 9 review process. Draft Permit 6567M8 started with standardized language in an AQB permit 10 template and standardized AQB monitoring protocols added as appropriate for the sources of 11 emissions and control devices at a proposed facility. Unique permitting conditions for site specific 12 operations and equipment, based on information provided in the Application were added to 13 customize the permit, as appropriate.

14 Permit conditions establish ongoing testing and monitoring requirements for processes and 15 pieces of equipment to ensure the equipment will operate in compliance with the permitted 16 emission limits.

17 VIII. RESPONSES TO COMMENTS RECEIVED ON THE APPLICATION

18 The Air Quality Bureau received public comments from WEG on this Application on June 19 24, 2021, during the 30-day comment period following publication of the Bureau's newspaper 20 legal notice on May 27, 2021. [AR No. 9, Bates 577-579]. On September 8, 2021, the Bureau 21 started the 30-day analysis period on the draft permit and sent the draft permit and draft Statement 22 of Basis to WEG. [AR No. 45, Bates 1079]. On October 8, 2021, AQB received a second set of 23 comments from WEG. [AR No. 46, Bates 1080-1081; AR No. 24, Bates 987-989]. Finally, on **Bureau Stmt of Intent Ex. 1** Test. of Julia Kuhn Black River, AQB 22-25

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1 July 19, 2022, WEGs submitted a Statement of Issues in accordance with the Hearing Officer's

2 July 12, 2022, Scheduling Order. [AR No. 49, Bates 1088-1092]. No public comment was

3 received from anyone other than WEG throughout the process described in my testimony.

4 On August 26, 2022, the Bureau received communication from Jason Conway, Matador

5 Resources Company on behalf of DLK Black River Midstream, LLC. in response to WEG's

6 comments. [AR No. 75, Bates 1185-1194].

7 The following section presents the Bureau's responses to all comments submitted by WEG

8 regarding this Application in the format of the indented quoted WEG comment, followed by the

9 Bureau's response. The comments are presented in the order WEG submitted them. However,

10 analyses of the modeling concerns raised by WEG are in the written testimony of Angela Raso for

11 the Bureau's modeling section.

12

A. June 24, 2021, p. 2 comment about the Applicant's Public Notice

13 The public notices for the proposed permit that the applicant published in different forms of media did not notify the public that, in response to the 14 COVID-19 Pandemic, NMED is accepting comment electronically, instead 15 16 of only in hardcopy writing mailed to NMED's offices. The Application for 17 this proposed permit includes copies and pictures of the public notice for 18 this proposed permit that Black River published locally, which incorrectly 19 informed the public that comments must be submitted in writing. 20 Information limiting public comment on this permit proposal to hardcopy 21 mailing is not only incorrect it is problematic because due to the COVID-22 19 pandemic and New Mexico's public health emergency order, some 23 members of the public may have health risk factors that preclude them from 24 obtaining postage and submitting comments to the Department at the 25 address provided in the public notice. The applicant's omission of 26 instructions for how the public can submit comments electronically and an 27 explanation that the Department would accept comments in this format may 28 have prevented or dissuaded some members of the public with health risks 29 from commenting and informing the Department's review of this permit 30 Application. 31 We request the Department direct the applicant to post the public notice for 32 this proposed permit with the correct instructions for how the public may

33 submit comment, both electronically and in writing, and provide another
 34 30-day public review period associated with a new public comment
 Bureau Stmt of Intent Ex. 1

Test. of Julia Kuhn Black River, AQB 22-25

| 1 2 3 4 | deadline. A sufficient legal notice is critical for ensuring NMED effectively informs and engages the public, provides a meaningful opportunity for the public to weigh in, and meets its environmental justice objectives under Executive Order 2005-056. |
|----------------------------------|---|
| 5 | Bureau Response: The Applicant's public notice met all regulatory requirements in |
| 6 | 20.2.72.203(C) NMAC and the requirements in the AQB Public Notice Guidelines. Applicant |
| 7 | public notices are conducted prior to submission of the Application to the Bureau. At that time, a |
| 8 | permit writer has not been assigned and therefore the email address cannot be included in an |
| 9 | applicant's notice. While the standard text for the applicant's notice states that comments should |
| 10 | be submitted in writing, it also provides a toll-free phone number that would allow any interested |
| 11 | party to reach the Bureau with questions. That provides an opportunity to register an objection or |
| 12 | concern to mailing comments and to request an alternative submission method. No phone calls |
| 13 | from WEG or any other person making such a request were received on this Application. |
| 14 | B. June 24, 2021, p. 3 question about environmental justice impacts |
| 15 16 17 18 19 20 | Finally, we also ask that the Department release its full analysis and review of the proposed permit modification because the application alone fails to explain or ensure: how the proposed permit modification and associated increase in air pollution will not disproportionately impact low-income communities and communities of color, pursuant to New Mexico Executive Order 2005-056. |
| 21 | Bureau Response: The Department provided WEG its full analysis or statement of basis |
| 22 | draft (SOB) and the proposed permit modification draft on September 8, 2021. [AR No. 45, Bates |
| 23 | 1079]. In addition, the department provided WEG the revised statement of basis and proposed |
| 24 | permit modification drafts on February 10, 2022. [AR No. 48, Bates 1083-1088]. NMED policy |
| 25 | 07-13, Public Participation delineates the approach used by NMED to address the concerns raised |
| 26 | by WEG. For each permitting action, NMED uses the EPA EJSCREEN tool to evaluate |

27 demographic information for an area around the facility; the area evaluated is 4-miles around the facility except within urbanized areas where the radius may be smaller. Data from EPA EJSCREEN is evaluated by the permit writer and the manager to evaluate if any additional outreach needs to be done beyond the regulatory requirements. This assessment includes factors such as number of households, per capita income, percent of Linguistically Isolated Households, and percent minority population. Past involvement by the public in air permitting for the facility is also reviewed.

7

C. June 24, 2021, p. 3, question about toxic pollutants

8 How the proposed permit modification will comply with toxic air pollutant 9 permitting requirements at 20.2.72.400-499 NMAC, despite the likelihood 10 that toxic air pollutants including cyclohexane, hexene, nonane, 11 trimethylbenzene may be emitted as part of the applicant's VOC emission 12 stream.

13 Bureau Response: Black River extracts natural gas liquids ("NGLs"). Black River is 14 subject to TAPs permitting because it is a natural gas processing plant which does not meet the 15 exemption for oil and gas production facilities [202.72.402.C(5) and 20.2.72.401(F) NMAC]. 16 TAPs permitting is required for TAPs emitted at rates exceeding the emissions in pounds 17 per hour shown in 20.2.72.502 NMAC Tables A and B including any stack height correction 18 factors from Table C. 20.2.72.402(B) NMAC. NMED only requires reporting of TAPs in the 19 application that exceed the emission rates that make those compounds subject to TAP permitting 20 in accordance with 20.2.72.403(A)(1) NMAC. The language in 20.2.72.402(B) NMAC states that 21 total potential emissions of a toxic air pollutant into the ambient air is the amount used for 22 comparison to the threshold, so emissions that are controlled (by a thermal oxidizer or a tank flare) 23 are not included. At Black River the amine, dehydrator, and tank emissions are controlled 98% by

24 thermal oxidizers and flares. The gas analyses for this facility includes cyclohexane (mole%

25 0.003), hexane (mole% 0.014), hexene is not present, nonane (mole% 0.00), and trimethylbenzene

| 1 | (mole% 0.002). Cyclohexane is present in the gas analyzed for Black River inlet in a mole fraction |
|--|---|
| 2 | of 0.003% and a weight percent of 0.012%. The estimated emissions of cyclohexane from the |
| 3 | facility provided by Black River are 1.031 lb/hr. The threshold screening level of cyclohexane in |
| 4 | 20.2.72.502 NMAC is 70 lb/hr. Hexene/Hexane are not listed in 20.2.72.502 NMAC as a toxic air |
| 5 | pollutant. The threshold screening level of nonane is 70 lbs/hr, however, nonane is not detected in |
| 6 | the gas analysis. Trimethylbenzene is present in the gas analyzed for Black River inlet in a mole |
| 7 | fraction of 0.002% and a weight percent of 0.015%. The estimated emissions of trimethylbenzene |
| 8 | from the facility provided by Black River are 0.687 lb/hr. The threshold screening level of |
| 9 | trimethylbenzene in 20.2.72.502 NMAC is 8.33 lb/hr. The estimated emissions of cyclohexane |
| 10 | and trimethylbenzene are below the threshold requiring a TAP permit under 20.2.72.402(B) |
| 11 | NMAC. TAPs at emission rates less than the thresholds screening levels are not required to be |
| 12 | reported in NSR applications. 20.2.72.203(A)(3) NMAC. |
| 13 | D. June 24, 2021, p. 3, question about the comprehensiveness of the permit. |
| 14 15 16 17 18 19 20 21 | Whether the proposed permit properly encompasses all point sources of pollution that are a part of the single source subject to permitting. We are concerned that the permit does not address a number of other pollutant- emitting activities that are part of the Black River Gas Processing Plant, including: Compressor engine blowdowns and/or maintenance activities; Pigging operations; Liquid loadout operations. [Gas actuated pneumatic controllers and emissions from oil and gas wells that feed the facility addressed in comments below]. |
| 22 | Bureau Response: Routine and predictable maintenance VOC venting activities, such as |
| 23 | compressor engine blowdown and pigging, are subject to emission limits in Table 107A with |
| 24 | criteria to demonstrate compliance with those limits in Condition A107C. Condensate loadout |
| 25 | operations are subject to emission limits in Table A106.A, with criteria to demonstrate compliance |
| | |

| 1 | Е. | June 24, 2021, p. 4 comment about gas actuated pneumatic controllers |
|----------------------------------|-----------------|--|
| 2 3 4 | | We are concerned that the permit does not address a number of other pollutant-emitting activities that are part of the Black River Gas Processing Plant, including: Gas-actuated pneumatic controllers. |
| 5 | Burea | u Response: The applicant verified to AQB that all pneumatic controllers at their |
| 6 | facility are ru | in on "instrument air" [AR No. 41, Bates 1072-1073]. This means the pneumatic |
| 7 | controller use | s compressed air to activate and does not release any natural gas when it activates. |
| 8 | Instrument air | r powered controllers are therefore not sources of regulated pollutants and there is no |
| 9 | requirement to | o report them in an application for an air quality permit. |
| 10 | F. | June 24, 2021, p. 4 comment about oil and gas wells that feed the facility |
| 11 12 13 14 | | We are concerned that the permit does not address a number of other pollutant-emitting activities that are part of the Black River Gas Processing Plant, including: Emissions from oil and gas well that feed the facility and are adjacent for new source review permitting purposes. |
| 15 | Burea | u Response: The AQB uses the same criteria for defining a source under 20.2.72 |
| 16 | NMAC, 20.2 | .70, and 20.2.74 NMAC. The Black River facility is a major source under Title V. |
| 17 | The source de | finition criteria are included in the definition of a major source under 20.2.70 NMAC |
| 18 | appears at 20. | 2.70.7(R) NMAC which includes: |
| 19 20 21 22 23 24 | | Major source" means any stationary source (or any group of stationary sources that are located on one or more contiguous or adjacent properties, and are under common control of the same person(s)) in which all of the pollutant emitting activities at such source belong to the same major group (i.e., all have the same two-digit code), as described in the standard industrial classification manual, 1987 |
| 25 | These | major source criteria are listed in 40 C.F.R. § 71.2. All the criteria must be met for |
| 26 | a source or gr | roup of sources to be considered a part of the same stationary source. AQB's review |
| 27 | of the applica | ation Section 11 indicates that the adjacent facility (Rustler Breaks OGS) operates |
| 28 | under a separ | ate SIC code and should not be aggregated with Black River Gas Processing Plant. |

1 AQB's review confirms all facilities listed in the application as part of the Black River Gas 2 Processing Plant meet all three criteria to be part of a single source. This comment does not 3 mention other specific facilities WEG asserts should be combined with Black River Gas 4 Processing Plant and the AQB is not aware of any additional facilities that should have been 5 aggregated in this application.

6

G. Oct. 8, 2021, p. 2 question about Part 70 permit compliance

7 Guardians requests the Environment Department analyze and determine 8 whether or not this Gas Plant is violating New Mexico air quality 9 regulations that require facilities obtain operating permits within 12 months of commencing operation as a Part 70 source. We're unable to tell from the 10 Department's Statement of Basis, but given the length of time this facility 11 has been in operation and the facility's annual emissions rate, the Gas Plant 12 13 may be overdue for an operating permit. As you know, the Department must 14 deny any application for a permit that would not meet applicable regulations 15 adopted pursuant to the Air Quality Control Act (AQCA) or that would violate any provision of the AQCA. 16

- 17 **Bureau Response:** Title V applications are due 12 months after a facility begins operating
- 18 as a major source, not 12 months after it is permitted as a major source. Applicants must submit
- 19 the initial TV application within 12 months after the source commences operation as a Part 70
- 20 Source. The regulatory citation for timeliness, 20.2.70.300 NMAC, provides,
- 21 Duty to apply. For each Part 70 source, the owner or operator shall A. 22 submit a timely and complete permit application in accordance with this 23 part. 24 Timely application. A timely application for a source applying for B. 25 a permit under this part is: (1) for first time applications, one that is 26 submitted within twelve (12) months after the source commences operation as a Part 70 source; ... 27 28 After an NSR Construction Permit is issued, it may take months or years before all
- 29 necessary equipment is constructed, installed, and ready to operate at the Part 70 emissions level.
- 30 A Major Source is defined, in part as, "A major stationary source of air pollutants that directly

emits or has the potential to emit, 100 or more tons per year of any air pollutant subject to Bureau Stmt of Intent Ex. 1
 Test. of Julia Kuhn
 Black River, AQB 22-25
 Page 13 of 20

| 1 | regulation | " 20.2.70.7(R) NMAC. This language is the same as used in the federal operating |
|--|--|--|
| 2 | permit progra | am at 40 CFR 71.2 in Section 302 of the Clean Air Act. |
| 3 | To as | sure that the Bureau receives notice when the source begins to operate at the Part 70 |
| 4 | emissions le | vel, there are conditions in the NSR permit for this facility which include (1) |
| 5 | requirements | to notify AQB when units are commencing operation; (2) when each piece of |
| 6 | equipment starts up [NSR General Condition B110.B(1) and (3)]; (3) when initial compliance tests | |
| 7 | occur (within 60-180 days of startup) [NSR General Condition B111.A.2]. In addition, AQB also | |
| 8 | conducts periodic inspections of the facilities. In sum, the Applicant is not yet required to submit | |
| 9 | a Title V app | lication and conditions in the proposed permit will assure that the Bureau knows when |
| 10 | the source be | egins to operate as a major source. |
| 11 | Н. | Oct. 8, 20221, p. 2, request for Part 70 operational plan |
| 12 13 14 15 16 17 18 | | Guardians requests the Environment Department explain the basis for its decision not to request that the applicant produce and include in its permit application an operational plan defining the measures to be taken to mitigate source emissions during startups, shutdown and emergencies, pursuant to $20.2.70.300.D.(5)(g)$. The Department's Statement of Basis indicates the Department did not make this request of the applicant but without explaining the basis for that decision. |
| 19 | Bure | au Response: The facility is not yet permitted under part 70, therefore, the facility is |
| 20 | not required | to submit an operational plan under 20.2.70.300.D(5)(g) at this time. |
| 21 | I. | Oct. 8, 2021, p. 2, comment about the lack of hourly emission limits |
| 22 23 24 25 26 27 28 29 30 | | Guardians reviewed the proposed SSM/M emission limits at Section A107, and while it is good to see the Department begin to add duration limits for some units, we are still very concerned that there are not enough duration and quantity requirements to ensure the enforceability of these emission limits. For example, the Department has not proposed any hourly VOC limits for non-flaring SSM/M events. This is a significant departure from prior permits issued by the Department, given how critical hourly SSM/M VOC limits are to protecting ambient air quality standards and ensuring public health during SSM/M events. We are similarly concerned by the lack |
| | | |

1 of hourly limits on pigging blowdown SSM events. Lastly, the absence of 2 any limits on the number or duration of flaring events remains a concern. 3 Guardians requests the Department propose additional requirements to 4 ensure the enforceability of the proposed SSM/M emission limits. 5 Alternatively, if the Department declines this request, we further request 6 that the Department explain the basis on which it has determined the 7 proposed SSM/M emissions limits are both practically enforceable and 8 proper.

9

10

Bureau Response: For clarity, the acronym SSM/M stands for Startup, Shutdown, and Maintenance and malfunctions.

The Black River permit does not contain any consolidated SSM/M allowable emission limits. There are separate emission limits in Table A107 for Startup, Shutdown, and Maintenance ("SSM") and malfunctions ("M" or "Malfunction"). The SSM activities without hourly VOC emission limits in the Black River permit are pigging activities and tank emissions during downtime of tank emission control by a vapor combustion unit (VCU).

16 The uncontrolled maximum emissions of VOCs from pigging are 66.43 lb/hr and 12.12 17 tpy. The maximum emissions of VOCs from tanks occur only when the Vapor Combustion Unit 18 (VCU) control is not operating, which is less than 1% of the time, and, when that occurs, the 19 emissions are 405.54 lb/hr and 13.85 tpy.

20 NMED does not require pound per hour VOC emission limits for activities such as pigging 21 and tanks for several reasons. First, tanks and pigging are not steady state processes and do not have a steady state hourly emission rate. Instead, these are episodic emissions. Thus, an hourly 22 23 limit is not appropriate. These releases are short term, intermittent activities for which emissions 24 are determined by the event (pig launching and receiving and tank emissions when the VCU is not 25 operating, respectively, etc.). Since these emissions do not happen most of the time, the emissions 26 are not subject to hourly limits. Hourly emission limits on these types of releases are not necessary to meet the criteria of meeting the requirements of the Air Quality Control Act and the federal act 27 **Bureau Stmt of Intent Ex. 1** Test. of Julia Kuhn

[20.2.72.210(B)(1)(a) and (B)(2) NMAC]. The emissions from pigging and tanks do have annual
 emission limits in Table 107.A (unit VCU-1 SSM for tank control downtime and unit SSM for
 pigging).

The enforceability of these limits in Condition 107.C relies on the monitoring and recordkeeping specified in the conditions. For pigging SSM activities, the VOC releases are determined based on the gas composition, the volume of gas released during the activity, and the number of pigging events. Pigging equipment blowdowns are based on the amount of gas pushed out of the end of the line as the pig travels through a segment of gas line. The amount of gas is determined from the volume within the line being serviced and the gas composition.

10 The emissions from tanks are calculated using ProMax software which uses tank size, tank 11 type, and composition of material stored. A similar approach is used for other miscellaneous SSM 12 activities. Because SSM represents various activities, SSM does not have a single volume or 13 capacity. The volumes used in the calculations are based on engineering knowledge of the 14 individual equipment undergoing the startup, shutdown, or maintenance.

15 In response to the comment on the number and duration of flaring events, condition 16 A107.D requires that the flare be operated in accordance with conditions A206.A and A206.B. 17 Condition A206B monitoring requires that a flowmeter be installed to measure and record the 18 volume of gas going to the flare. Condition A206.A requires that the flare operates with no visible 19 emissions, which ensures the flare meets its 98% destruction efficiency. The recordkeeping section 20 of condition A206.F requires calculation of hourly and annual emissions using the gas analysis, 21 volume of gas sent to the flare, and destruction efficiency of the flare. This recordkeeping section 22 requires keeping a spreadsheet of the emissions and maintaining "monthly rolling 12-month

1 totals." These monthly rolling totals ensure that the annual limits are not exceeded during any

- 2 12 month period so compliance is demonstrated with annual emission limits.
- 3

4

J. Jul. 19, 2022, p. 1 comment about enforceability of malfunction venting emissions

5 With regards to the DLK Black River Midstream proposed permit 6 modification for the Black River Processing Plant, Guardians is concerned 7 over the practical enforceability of the Malfunction Venting annual emission limit for volatile organic compounds (VOCs) set forth in Table 8 9 107.A as part of draft permit condition A107.A. The draft permit limits 10 Malfunction Venting emissions to no more than four tons per year. However, the draft permit does not appear to set forth any actual monitoring 11 12 requirements that would ensure Malfunction Venting emissions are properly tracked, accounted for, and recorded to ensure compliance with the 13 14 annual limit. Our concerns are heightened by the fact that malfunctions are sudden and unpredictable, such that it is not clear how it could even be 15 possible to monitor, calculate, or otherwise account for vented VOC 16 emissions during malfunctions. Without sufficient monitoring, the emission 17 18 limit could be unenforceable as a practical matter and not serve to ensure 19 that VOC emissions vented during malfunctions remain limited below four 20 tons per year as required by the permit.

Bureau Response It is department policy to authorize a maximum of 10.0 tpy of malfunction emissions to reduce the reporting of small malfunction releases. This allows Bureau staff to focus on investigating malfunctions that result in large releases which may have commensurate impacts on air quality. Importantly, while small malfunctions do not have to be reported to the Bureau, all malfunctions must be tracked by the Permittee, analyzed, and quantified. Records of all malfunctions must be retained for at least five years and the Bureau may inspect those records when it does inspections.

- 28 The NSR permit 6567M8, Table A107A authorizes Black River Gas Processing Plant to
- 29 have up to 4.0 tpy for Malfunction Venting. Table A103A of the permit indicates the facility is
- 30 subject to 20.2.7 NMAC Excess Emissions. Any malfunction emissions above the authorized
- 31 limits (Table A107A), are subject to this regulation. Pursuant to 20.2.7.109 NMAC, "excess

emission is a violation of the air quality regulation or permit condition and may be subject to an
enforcement action." Section 20.2.7.110 NMAC requires that "The owner or operator of a source
having an excess emission shall report the following information to the department." This exact
language is stated in item 2 of the footnote in table A107A, which refers the applicant to condition
B110F of the permit for Excess Emissions Reporting.

6 In addition, the permit includes Condition A107E which is specific to Malfunction 7 Emissions from venting. This condition requires that the permittee perform facility inlet gas 8 analysis once every year; and keep records of the volume of total gas vented in MMscf resulting 9 from venting to depressurize the portion of the facility experiencing a malfunction. Tracking of 10 the VOC emissions based on the inlet gas analysis (% VOC) and the volume of gas released during 11 the malfunction event is used to calculate VOC emissions, and whether the emissions resulting 12 from the event will be used toward the permitted malfunction emission limit, or whether the event 13 is reported as excess emissions, under 20.2.7 NMAC.

14 Condition A107E also requires the permittee to identify the equipment or activity that has 15 malfunctioned and to provide a description of the event. The permit condition does not state the 16 number of venting events, because the number of malfunctions may vary from year to year. In 17 addition, the same malfunction activity may release different volumes of gas when the activity 18 occurs in different parts of the facility. The permittee must monitor the occurrence of all 19 malfunction events and keep records of that monitoring. Monitoring and recordkeeping require 20 monthly tracking of the rolling 12-month total of VOC emissions due to malfunction events to 21 ensure compliance with the annual emission limits in the permit. The Department has the authority 22 to inspect records. Records must be kept for at least five (5) years as specified in Condition B109.B

23 of the permit.

1 Condition A107E refers the applicant to Condition B109 for General Recordkeeping 2 Requirements which states that "the permittee shall keep the following records for malfunction 3 emissions" and that "If the facility has allowable malfunction emission limits in this permit, the 4 permittee shall record all malfunction events to be applied against these limits. The permittee shall 5 also include the date, the start time, the end time, and a description of the event."

NSR permit 6567M8 indicates how Malfunction Venting emissions are tracked, accounted for,
and recorded to ensure compliance with the malfunctions annual limit in the following manner:

8 1) Requirement for facility to perform inlet gas analysis annually, and the monitoring 9 of all malfunction events that result in VOC emissions, including identification of the equipment 10 or activity that is the source of emissions;

11 2) Recordkeeping requirements to include the percent VOC of the gas based on gas 12 analysis, and the volume of total gas vented/released in MMscf used to calculate the VOC 13 emissions;

Recordkeeping of the cumulative total of VOC emissions due to malfunction events
during the first 12 months and, thereafter of the monthly rolling 12-month total VOC emissions
due to malfunction events;

17 4) Recordkeeping of emissions reported as excess emissions under 20.2.7 NMAC,

18 5) Recordkeeping to demonstrate compliance in accordance with Condition B109, to 19 record the start and end times of malfunction events that do not apply to the venting of known 20 quantities of VOC.

21

6) Reporting in accordance with Section B110 and 20.2.7 NMAC.

1 IX. CONCLUSION

2 The Bureau has completed its technical review of this Application. The facility, as 3 represented in the Application, demonstrates compliance with all federal and state regulations. The 4 facility's operations, as represented in the Application, will not cause or significantly contribute to 5 any exceedances of applicable air quality standards. These results are based on the modeling 6 analysis and emissions calculations for Carbon Monoxide (CO), Nitrogen Dioxide (NO2), 7 Particulate Matter 10 micrometers or less in aerodynamic diameter (PM10), Particulate Matter (2.5 8 microns or less) (PM2.5), and Sulfur Dioxide (SO2). (See Direct Testimony of Angela Raso for 9 more information.) The comments received by the Bureau on this permit have been responded to 10 in this testimony. The responses demonstrate that the comments do not raise any substantive issues 11 that indicate this permit should not be issued. The permit complies with all air quality regulations 12 and contains demonstrations of compliance for all conditions and emission limits to ensure 13 compliance with ambient air quality standards. The Air Quality Bureau recommends that the 14 Secretary approve issuance of this Permit.

BUREAU EXHIBIT 2

Julia Kuhn, New Mexico Environmental Department, Air Quality Bureau –525 Camino de los Marques, Suite 1, Santa Fe, NM 87505, (505) 269-2893, julia.kuhn@state.nm.us

Summary: Experienced, goal oriented, professional with over 17 years in the biotechnology industry, public health, and environmental sciences.

Education:

Master of Science, Biology w/concentration in Biotechnology-University of California, Irvine-2005

Bachelor of Science, Biology-University of California, Irvine-2003

Experience:

New Mexico Environment Department-Air Quality Bureau: 2018-present

Technical and regulatory review of air quality permit applications within regulatory deadlines, complex emissions calculations/verifications, application of state and federal regulations, issuance of legally enforceable air quality permits, use of standardized templates and protocols to process air quality applications, various stakeholder coordination during application review process, and special assignments to establish policy and procedures in order to achieve the goals of the Air Quality Bureau. Attended and prepared official documents for public hearings subject to rules and instructions of the hearing officer and legal counsel and provided testimony as a technical witness. Attended and obtained certifications on various training such as Effective Permit Writing; Air Pollution Control; Hazardous Air Pollutants; H2S Safety Training; NMED Civil Rights Training. Multiple site visits to a range of industrial sources of air pollution.

Cereon Biotechnology: 2014-2018

<u>Overview:</u> Cereon seeks to identify promising botanicals of the boreal forest and arctic tundra in order to generate novel proprietary derivative compounds, as well as functional foods to blunt inflammatory and oxidative stress prevalent in the aging brain and diseased central nervous system, with the goal to protect and repair, or salvage cognitive abilities. <u>Technical Skills:</u> variety of cell-based assays with SH-SY5Y neuroblastoma cells including ROS production measurements upon stressor and compound treatments, lipid peroxidation using TBAR assay, viability/cytotoxicity assessment after compound treatments, antioxidant capacity of botanical extracted compounds, protein complex assembly/functionality assessment, and actin rod formation using dissociated hippocampal neurons. Accurate notebook keeping and documentation, data analysis, reporting experiments usually in Excel format, creating detailed SOP's and Power Point presentations.

University Fairbanks, Alaska: 2015-2018

<u>Overview:</u> Nanodics technology can be used in a cell free system to integrate the membrane protein, NADPH Oxidase (NOX2). Nanodics consist of the scaffold protein MSP1E3D and various lipids. Lipids ratios can be changed to manipulate the lipid bilayer in order to determine how membrane architecture affects NOX2 activity.

<u>Technical Skills</u>: molecular biology techniques including plasmid preparation, transformations, DNA extraction, agarose gel electrophoresis, Western Blot, SDS-PAGE. Protein biochemistry techniques such as protein expression and purification by size exclusion chromatography and his-tagged. Cell culture techniques and cell-based assays. Accurate note-keeping and documentation, data analysis and experiment report usually in Excel format, creating detailed SOP's and Power Point presentations.

Fairbanks North Star Borough-Air Quality Division: 2014-2015

<u>Overview:</u> The EPA designated parts of the Fairbanks North Star Borough, as areas of non-attainment for the 24-hour PM2.5 air quality standard. Fairbanks sits in a valley surrounded by hills, and it is susceptible to temperature inversions, in which layers of cold air and pollutants are trapped close to the ground. This type of temperature inversions can last for days or even weeks at a time, leading to periods of poor air quality.

Technical Skills: operation of DataRAM4000 air monitor integrated with GPS and temperature probes for PM2.5 data

Bureau Statement of Intent Exhibit 2

collection and data analysis utilizing GIS. Additionally, I provide technical and administrative support within the Division such as air quality studies, programs (specifically, Wood Stove Change Out Program, the Oil to Gas Conversion Program, and the Bounty Program for properties located in the <u>PM2.5 Nonattainment Area</u>), public education, complaints, and assistance with implementation of the State Air Quality Improvement Program. Revising and formatting old SOPs as well as writing and establishing new SOPs. ArcGIS I and ArcGIS II certified.

<u>Gevo, Inc.: 2011-2014</u>

<u>Overview</u>: Gevo aims to convert renewable raw materials into isobutanol utilizing molecular engineering and biotechnology.

<u>Technical Skill:</u> Characterization of enzyme activity in metabolic pathways by kinetics and endpoint assays utilizing spectrophotometric or HPLC readout, analysis of cell pellets from fermentations for protein levels and activity of relevant enzymes, protein purification, organizing the execution of in-house customer sample submissions, measurements and interpretation of kinetics data, assay development, optimization, establishing, updating and publishing SOPs and formal reports, proper recording and documentation, reviewing/reporting experiments and resulting data, basic microbiology and molecular biology techniques, accurate preparation of reagents.

Alaska State Virology Lab (ASVL): 2009-2011

<u>Overview:</u> The ASVL utilizes molecular biology, virology, and immunology techniques to test for infectious viral diseases. The ASVL is a high complexity CLIA accredited facility and uses sophisticated equipment and specialized confirmatory testing. Some of the many viruses handled at the facility are HIV, hepatitis, rabies, herpes, adenovirus and enterovirus, norovirus, influenza and many other respiratory viruses.

<u>Technical skills</u>: robotics immunoassays and automated molecular platforms for high testing volume, as well as nonautomated ELISAs for diagnoistic antibody/antigen detection, viral RNA extractions, RT-PCR antigen detection, amplicor qualitated hybridization assay (HCV). IFA/DFA and other viral isolation utilizing cell culture infections, microscopic analysis and other virology standard techniques. Proficient in BSL-2 and BSL-3 practices. Reviewed records and released sensitive documentation to providers in addition to direct communication with public health agencies and professionals. <u>Other Responsibilities</u>: ASVL safety officer.

MannKind Corporation: 2007-2009

Technology Overview: Discovery in development of therapeutic drugs in the field of metabolic disorders and oncology.

<u>Technical Skills</u>: Cell-based assay development in drug discovery. All aspects of molecular biology, biochemistry, and cell biology includes RNA studies, protein expression/signaling studies, cell proliferation, apoptosis and cytotoxicity assays. RNA isolation/purification from cell lysis, RT-PCR and Real Time PCR. Also, High-throughput screening of small molecules library (Beckman Coulter Biomek FX robot) and IC⁵⁰ assays of thio and non-thio kinases. <u>Other Responsibilities</u>: cell-line maintenance, protein lysis/quantification by BCA, SDS-PAGE, Western Blotting, RNA isolation, RT-PCR, DNA electrophoresis, ELISA assays, data analysis, ongoing research presentations (PowerPoint format), purchasing, solution preparation, and general lab duties.

Xencor, Inc: 2006-2007

<u>Technology Overview:</u> Structural and functional optimization of monoclonal antibodies by Fc domain engineering to improve binding affinity and potency of antibodies against tumor cells.

<u>Technical Skills</u>: All aspects of molecular cloning: primer design, quickchange mutagenesis, cut-paste ligation, PCR ligation, DNA extraction/purification, gel quantification, DNA electrophoresis, DNA preps and sequencing, TempliPhi-PCR, sequence clean-up, sequence analysis (Sequencher, Vector NTI), Protein A purification of antibody and receptor purification of GST-fusion and His-tagged proteins. SDS-PAGE,Western Blotting, protein concentration by centrifugation, dialysis, and protein quantification by BCA.

ViaCyte (formerly Novocell, Inc.) 2005-2006

<u>Technology Overview:</u> The coating of islets (insulin-producing cells) with Polyethylene glycol (PEG) technology enables implanted cells to survive subcutaneously. Release of insulin through the porous PEG coating regulates glucose levels in Type 1 diabetic patients and eliminates the need for immunosuppressant drugs upon implantation.

<u>Technical Skills:</u> Human pancreatic islets isolation/encapsulation for cGMP human clinical trials. Tissue/cell maintenance for clinical and research projects. Aseptic gowning/technique and processes in clean room environment (ISO 5, ISO 6, and ISO 7). Prepare/revise SOP's and batch records for Phase I/II Clinical Trials. Familiar with cGMP, GLP and GTP compliance guidelines.

University of California, Irvine-2000-2005

Department of Medicine/Biological Chemistry-Bogi Andersen MD.

Student Researcher: Functional Biology of LMO4 in Breast Cancer.

Project Description: Knockdown of LMO4 expression using short hairpin siRNA constructs transfected into T47D breast cancer cells inhibits cells proliferation. Technical Skills: cloning, transformations, DNA-preps, Western blotting, cell culture, transfections, RNA extraction, RT-PCR, colony formation assays, and soft-agar colony formation assays. Other Technical Skills: luciferase assays, DNA-extractions, genotyping, PCR, histology/staining, light microscopy.

Molecular Biology and Biochemistry Department-Alex McPherson PhD.

Student Researcher: Structural Analysis of TY3.

Project Description: To crystallize the major structural proteins, capsid, nucleocapsid, as well as reverse transcriptase and protease of the TY3 virus by cloning their corresponding encoding genes into expression vectors for protein expression and purification in order to solve their crystal structure at high resolution level using standard x-ray diffraction crystallography. Technical Skills: cloning into cloning vectors, cut/paste into expression vectors, site-directed mutagenesis, DNA-preps, DNA electrophoresis, protein expression using E. coli systems, OD monitoring using spectrophotometer, cells lysis with the use of French-press or sonicator, SDS-PAGE, FPLC (ATKA) operation (affinity chromatography and ion exchange), and dialysis. Other Technical Skills: some exposure to isoelectric focusing combined with SDS-PAGE, capillary electrophoresis, x-ray diffraction and data collection utilizing a synchrotron light source (ALS, Berkeley, CA).

Molecular Biology and Biochemistry Department-Hartmut Luecke PhD.

Student Researcher: Functional Analysis of Calretinin.

Project Description: Expression and purification of Calretinin with the purpose to screen for protein crystallization. Crystals can then be tested using standard methods in x-ray crystallography to solve the structure of Calretinin at high resolution level. Technical Skills: competent cells preparation, transformations, protein expression using E. coli systems, monitoring OD using spectrophotometer, cells lysis with the use of French-press, SDS-PAGE, FPLC (AKTA) (affinity chromatography and size exclusion), dialysis, and crystal growth screening. Other Technical Skills: some exposure to DLS, HPLC, and mass spectrometry.

Teaching Assistant, UCI Molecular Biology & Biochemistry Department

Assignment: General Microbiology Lab: growing a population of organisms and purifying a single organism utilizing media manipulation and biochemistry techniques to identify the isolated organism.

Evaluated lab reports, exams and course work. Assisted students to understand microbiology concepts and experiments, experimental techniques, data analysis, literature searching, reading, scientific writing and presentations.

Coursework:

Protein Struct. & Function Recombinant DNA tech. Struct. Biosyn. Nuc. Acids Adv. Immunology lab Cancer Development & Clinical cancer Molecular Bio. & Biochem. Dev. & Cell Bio. Eukaryotic genes Microbio/Pathogen

Other Skills:

Proficient in Microsoft Word, Word Perfect, PowerPoint, Excel, Imaging programs, and Internet navigation Bilingual: English/Spanish

BUREAU EXHIBIT 3

| 1 2 | STATE OF NEW MEXICO BEFORE THE SECRETARY OF ENVIRONMENT |
|----------------------------------|--|
| 3 4 5 6 | IN THE MATTER OF THE APPLICATIONS OF DLK BLACK RIVER MIDSTREAM, LLC AQB 22-25 FOR AN AIR QUALITY PERMIT NO. 6567-M8 FOR THE BLACK RIVER GAS PROCESSING PLANT |
| 7 8 9 10 11 | CHEVRON USA INC.AQB 22-26FOR AN AIR QUALITY PERMIT NO. 6109-M8AQB 22-26FOR THE SALADO DRAW 19 CENTRALTANK BATTERY AND COMPRESSOR STATION |
| 12 13 14 15 16 17 | CHEVRON USA INC. FOR AN AIR QUALITY PERMIT NO. 6832-M8 AQB 22-27 FOR THE SALADO DRAW 23 COMPRESSOR STATION AND TANK BATTERY |
| 18 19 20 21 22 | TECHNICAL TESTIMONY OF TODD SHERRILL IN SUPPORT OF THE APPROVAL OF THE APPLICATION OF CHEVRON USA INC. FOR AN AIR QUALITY PERMIT NO. 6109-M8 FOR THE CHEVRON SALADO DRAW 19 CENTRAL TANK BATTERY AND COMPRESSOR STATION, AQB-22-26 |
| 23 | I. INTRODUCTION |
| 24 | My name is Todd Sherrill. I am a Permit Specialist in the Minor Source Permitting Unit of |
| 25 | the New Mexico Environment Department ("NMED" or "Department"), Air Quality Bureau |
| 26 | ("AQB" or "Bureau"). I present this written testimony on behalf of the Bureau for the public |
| 27 | hearing on the permit application submitted by Chevron U.S.A. Inc. for Air Quality Permit No. |
| 28 | 6109M8 for the Chevron Salado Draw 19 Central Tank Battery ("CTB") and Compressor Station |
| 29 | "CS"). The initial application was received by the Bureau on December 6, 2021 [AR No. 1, Bates |
| 30 | 0001-0322]. |
| 31 | My testimony will address the following topics: my qualifications, a summary of |
| 32 | Application 6109M8, the administrative and technical review of Application 6109M8, AQB's |
| 33 | public outreach efforts throughout various stages of this permitting action, the basis for conditions |

Bureau Statement of Intent Exhibit 3

1 in the proposed Draft Permit dated August 4, 2022 [AR No. 22, Bates 1516-1567], and responses 2 to comments received by the Bureau concerning this permitting action.

3 II.

OUALIFICATIONS

4 I received a Bachelor's degree in Biology and a Minor in Psychology from the University 5 of New Mexico in 2002. From 2004-2018, I held various positions as a scientific analyst. I joined 6 the Air Ouality Bureau in June 2018 as a Permit Specialist.

7 As a Permit Specialist, I review complex Air Quality Bureau permit applications within 8 regulatory deadlines. This includes administrative and technical reviews. I verify emissions 9 calculations; determine applicable state and federal regulations; coordinate with various 10 stakeholders including the public, industry, consultants, AQB staff and other regulatory agencies 11 to provide quality customer service and aid in the permitting process; write legally enforceable air 12 permits and technical support documents for the administrative record; enter data into the AQB 13 database; and complete various special projects to achieve the Air Quality Bureau's goals. I have 14 worked on over 318 permitting actions for the Bureau and trained new staff on application review 15 requirements and procedures for various permitting action types, regulations, and Bureau policies. 16 My full background and qualifications are set forth in my resume. [Bureau Exhibit 4].

17 Throughout the permitting process, if parts of the application are incomplete or inaccurate, 18 it is my responsibility to contact the applicant and request clarifications or corrections, as 19 necessary. Updates to the original application are often required, and it is my responsibility to 20 review all updates for completeness and accuracy. I write technical support documents and a 21 legally enforceable air permit, initially based on standardized AQB template language and 22 monitoring protocols. The template language and monitoring protocols are consistent for similar 23 types of facilities. Unique permitting conditions or modifications to standard template language

Bureau Stmt of Intent Ex. 3 Test. of Todd Sherrill Chevron 19, AQB 22-26
are typically required for site specific operations and equipment, based on information provided in the application. I customize the permit to the specifics of the application with site specific conditions and the recommendations of the air dispersion modeling staff, when modeling is required, to ensure the facility will operate as represented in the company's application and comply with all applicable state and federal regulations and ambient air quality standards.

6

III. SUMMARY OF APPLICATION 6109M8

7 Chevron's Salado Draw 19 CTB and CS facility is in Lea County, 25.3 miles southwest of 8 Jal, New Mexico. Chevron applied to modify its existing air quality permit, 6109M7, for this 9 facility. The emissions from a tank battery and compressor station will be determined by the (1) 10 quantity and (2) quality of the gas arriving at the facility to be processed, (3) specific details of the 11 equipment at the facility and (4) how it is operated. Gas composition can change over extended 12 periods of time, as the productivity of a formation decreases. For that reason, Chevron was 13 required by its existing permit, to analyze its gas annually to evaluate whether its composition had 14 changed.

15 With this application, Chevron did not change any of the equipment that was already 16 operating at this facility. The application provided updated gas analyses, requested a limited 17 authorization for malfunction emissions, updated the working and standing emissions calculations 18 and, due to the updated gas analyses, the glycol dehydrator emissions and the ProMax simulation 19 were rerun with the updated values. Overall, these changes led to some slight decreases of 20 emissions and increases of 10.73 tpy of volatile organic compounds (VOCs) and 0.0041 tpy 21 hydrogen sulfide (H2S). Overall, the changes Chevron proposed, if authorized, would result in 22 the following changes in emissions:

23

1 Existing Limits (6109M7)

Table 102.A: Total Potential Emission Rate (PER) from Entire Facility

| Pollutant | Emissions (tons per year) | |
|---|---------------------------|--|
| Nitrogen Oxides (NOx) | 64.1 | |
| Carbon Monoxide (CO) | 40.6 | |
| Volatile Organic Compounds (VOC) | 99.7 | |
| Sulfur Dioxide (SO ₂) | 21.7 | |
| Particulate Matter 10 microns or less (PM ₁₀) | 3.5 | |
| Particulate Matter 2.5 microns or less (PM _{2.5}) | 3.5 | |
| Hydrogen Sulfide (H ₂ S) | 0.0009 | |

²

3 Permit Draft (6109M8)

Table 102.A: Total Potential Emission Rate (PER) from Entire Facility Pollutant **Emissions (tons per year)** Nitrogen Oxides (NOx) 64.1 Carbon Monoxide (CO) 40.5 Volatile Organic Compounds (VOC) 110.4 Sulfur Dioxide (SO₂) 20.4 Particulate Matter 10 microns or less (PM₁₀) 3.5 Particulate Matter 2.5 microns or less (PM_{2.5}) 3.5 Hydrogen Sulfide (H₂S) 0.005

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5 The existing and proposed facility consists of 6 engines, 3 heater treaters, 3 heated 6 production separators, 1 dehydration unit and associated condenser, reboiler, and glow plug when 7 the reboiler cycles off, 4 condensate storage tanks, 5 water storage tanks, a flash gas compressor, 8 1 slop tank, water/slop loading, a flare, a VRU system with redundant capacity at the tank battery, 9 and a single VRU at the compressor station for the slop tank. Fugitive emissions for this equipment 10 also occur at this site and were estimated in the application. The new permit would replace the 11 existing NSR permit for this facility. This permit revision did not require air dispersion modeling 12 according to 20.2.70.7(E)(11), 20.2.72.203(A)(4), 20.2.74.303, 20.2.79.109(D) NMAC, and in 13 accordance with the Air Quality Bureau's Modeling Guidelines -10.26.2020 [AR 17, Bates 1357-

1440]. The explanation why modeling was not required is in Angela Raso's testimony. [Bureau
 Exhibit 7].

3 IV

IV. ADMINISTRATIVE REVIEW

The administrative review of an application is not a technical review, but a review to
evaluate whether all of the required parts of the application are present, as listed in 20.2.72.203
NMAC.

A hard copy of Application 6109M8 was received by the New Mexico Environment
Department on December 6, 2021 [AR No. 1, Bates 0001-0322]. Pursuant to 20.2.72.207(A)
NMAC, the Department had 30 days to review the application and determine whether it was
administratively complete.

11 On December 16, 2021. I sent an e-mail to Chevron's consultant, Justin Mechell, and 12 Chevron's Environmental Specialist and air permit contact, Keaton Byars. requesting an electronic 13 copy of the application and all supporting documents [AR No. 28, Bates 1598]. Mr. Mechell 14 responded on December 17, 2021 with the requested application packet. [AR Nos. 29, Bates 1599-15 **1600**]. After my review, I determined that all of the required submittals were in the packet and I 16 could rule the Salado Draw 19 CTB and CS application administratively complete. I drafted the 17 Legal Notice using the Department approved public notice template. Based on the information in 18 the application, I evaluated which affected parties were entitled to notice. Affected parties are 19 government organizations, Class 1 areas, and tribes that are within a 50 km (31 mile) radius of the 20 facility. I identified that the state of Texas was within the 50 km radius area of the facility and was 21 the only affected party. [AR No. 11, Bates 1340] I drafted the completion letter using the 22 department approved completion letter template and calculated the permit fee for Chevron's 23 Application 6109M8 in accordance with 20.2.75 NMAC. AQB's administrative staff generated a

1 fee invoice [AR No. 2, Bates 323-324]. On January 5, 2022, I sent the completion letter and the 2 fee invoice [AR No. 30, Bates 1601-1606] to Keaton Byars of Chevron and Chevron's consultant 3 Justin Mechell informing them that the application for the Salado Draw 19 CTB and CS had been 4 ruled administratively complete. I sent the affected parties' letter and Legal Notice to the TCEQ 5 (Texas Commission on Environmental Quality) [AR No. 11, Bates 1339-1342] and sent the legal 6 notice to Erica LeDoux (EPA) and the region 6 EPA office [AR No. 12, Bates 1343-1345]. Staff 7 posted the application and Legal Notice on the Department's website [AR No. 76, Bates 1964, 8 email and posting AR No. 82, Bates 1975], and arranged to have the Public Notice published in 9 the Albuquerque Journal [AR No. 75, Bates 1963]. I finished my completeness determination and 10 notice requirements on January 5, 2022.

11 **V.**

TECHNICAL REVIEW

12 The Technical review of Chevron's – Salado Draw 19 CTB and CS (permit # 6109M8) application began on January 5, 2022. The technical review requires verification of emissions 13 14 calculations and a determination of applicable state and federal regulations. I verified emissions 15 calculations by confirming Department accepted emission factors and formulas were used in 16 calculating emissions for all sources [AR No. 9, Bates 1325-1332]. If methods were unclear, I 17 asked the consultant for further explanation or updates, as necessary. I also verified that the 18 emissions totals from the calculations matched the emissions totals in Section 2 of the application. 19 Per my inquiries and requests for clarification, Justin Mechell, the consultant for Chevron, 20 as well as Keaton Byars of Chevron, submitted several updates to the original Salado Draw 19 21 CTB and CS Application 6109M8, as listed below:

| 1 2 | 2/15/2022 | Chevron sent modeling waiver and "Operational Plan to Mitigate Source Emissions During Malfunction Startup or Shutdown" [AR No. 38 Bates 1613-1631] |
|---------------|-----------------|--|
| $\frac{2}{3}$ | 2/14/2022 | Chevron clarified: Glycol pump rate. fuel sulfur content. inclusion of SSM units in |
| 4 | 2,11,2022 | Table 2-A clarification on past and present equipment [AR No. 39. Bates 1632- |
| 5 | | 1635] |
| 6 | 2/17/2022 | Chevron represented flare's pilot emissions separately from SSM flaring emissions. |
| 7 | | [AR No. 42, Bates 1638-1645] |
| 8 | 2/23/2022 | Chevron updated Table 2-A with engine serial numbers, flare rated |
| 9 | | capacity/permitted capacity, and incorporated the flare spec sheet into the |
| 10 | | application, and a request for the separator's pressures. [AR No. 46, Bates 1651- |
| 11 | | 1737] |
| 12 | 3/2/2022 | Chevron included the Flash Gas Compressor in the application [AR No. 51, Bates |
| 13 | | 1744-1745] |
| 14 | 3/2/2022 | Chevron provided the manufacture date for the Flash Gas Compressor [AR No. 4, |
| 15 | | Bates 524-722] |
| 16 | 3/22/2022 | Chevron provided clarification on VOC totals in Table 2-E, clarification of the |
| 17 | | heating values for the heaters and separators in Table 2-J, clarification of fuel usage |
| 18 | | of the Reboiler. [AR No. 57, Bates 1760] |
| 19 | 3/22/2022 | Chevron explained that the VOC totals in Table 2-E include Formaldehyde and |
| 20 | | clarified the basis for the temperatures used to calculate the reboiler emissions. [AR |
| 21 | | No. 59, Bates 1765-1766] |
| 22 | 6/16/2022 | Chevron confirmed the correct permit number [AR No. 68, Bates 1936] |
| 23 | 6/16/2022 | Chevron confirmed the facility's proximity to the state of Texas (Section 1-D line |
| 24 | | 8) [AR No. 69, Bates 1937-1938] |
| 25 | 6/16/2022 | Chevron updated the application to acknowledge that the facility is a source of |
| 26 | 5/20/2022 | HAPs (Section 1-F, line 4) [AR No. 70, Bates 1939-1940] |
| 27 | 7/20/2022 | Chevron incorporated all changes and updates into a complete pdf application. |
| 28 | | (Chevron added Malfunction emissions to the $7/20/2022$ version of the application) |
| 29 | | [AR No. 74, Bates 1950-1962] |
| 30 21 | T1 D | en en transmitte en de la consiste de la consiste de la construction de la construction de la construction de l |
| 31 | The D | epartment has reviewed the emission calculations submitted in the latest version of |
| 32 | the application | on for all regulated equipment and the emission factors relied upon in those |
| 33 | calculations. | See, Excel spreadsheets [AR No. 1, Bates 238-322] containing manufacturer's |
| 34 | specification | sheet emission factors, GRI-GLYCalc simulation, Promax US EPA's AP-421 |

¹ AP-42 is the EPA's compilation of emission factors for various industries. Emission factors are representative values that relate the quantity of a pollutant released to the ambient air with an activity associated with the release of that pollutant. (https://www.epa.gov/air-emissionsfactors-and-quantification/ap-42-compilation-air-emissions-factors [August 18, 2022, 2:28 PM]. These factors are usually expressed as the weight of pollutant divided by a unit weight, volume, **Bureau Stmt of Intent Ex. 3 Test. of Todd Sherrill** Page 7 of 22 **Chevron 19, AQB 22-26**

Compilation of Air Emissions Factors, or Texas Commission on Environmental Quality (TCEQ)
 Air Emissions Factors.

A summary of my review of the application is in the Statement of Basis. **[AR No. 19, Bates 1453-1458]**. The Statement of Basis is a permitting record that includes a description and history of the facility, public response received by the Department, a regulatory compliance discussion, and unique conditions in the permit.

7 On March 25, 2022, I sent Draft Permit Part A (version 3.3.2022) [AR No. 61, Bates 1781-8 **1810** to Chevron for review and the opportunity to make comment and requested a response from 9 Chevron on or before Thursday April 1, 2022. On March 31, 2022 Chevron responded with 10 comments to the Draft Permit A version 3.3.2022 [AR No. 63, Bates 1901-1902]. Since the 11 comments that Chevron provided were reasonable and within the guidelines of what is acceptable 12 for permit language, I incorporated these changes into the permit draft. Since the March 3, 2022 13 version, the permit has undergone several revisions and updates. On July 20, 2022 Chevron 14 submitted an updated application (version 7/20/2022) [AR No. 7, Bates 1120-1317], the main 15 change in the application involved changing the characterization of 10 tpy VOC Startup, Shutdown and Maintenance ("SSM") emissions to 10 tpy VOC Malfunction emissions ("MALF"). The 16 17 change involved no increase in overall emissions for the facility. I incorporated this change into

distance, or duration of the activity emitting the pollutant. The factors are expressed in units such as pounds per ton of material processed and pounds per hour. Such factors facilitate estimation of emissions from various sources of air pollution. In most cases, these factors are averages of all available data of acceptable quality and are generally assumed to be representative of long-term averages. The emission factors used in the calculations are appropriate for this source type and are, thus, approved by the Department.

the permit draft and, as of the time this testimony is written, the current permit version is dated
 August 4, 2022 [AR No. 22, Bates 1516-1567].

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VI. PUBLIC OUTREACH AND PUBLIC NOTICE

Once the Legal Notice was published in the *Albuquerque Journal* and posted on the AQB
public notice webpage, [AR Nos. 76, Bates 1964], interested persons were allowed thirty (30)
days to express an interest in writing on the permit application per 20.2.72.206(A)(5) NMAC.
Because the public notice was published in the newspaper on January 8, 2022, the end of the 30day comment period was February 7, 2022.

9 On February 1, 2022, I received an initial email and attachment from WildEarth Guardians
10 ("WEG") expressing timely interest in Chevron's application for the Salado Draw 19 CTB & CS
11 [AR No. 23, Bates 1568-1569]. The Department responded to WEG. [AR Nos. 24, Bates 157012 1574].

On March 3, 2022, the Department sent a Second Citizen letter to WEG. [AR Nos. 25, Bates 1575-1576]. The Second Citizen letter notifies citizens that the Department's analysis is available for review. The letter had a link to the Department's analysis, including the Statement of Basis, Legal Notice and the Draft Permit, which were posted on the Department's webpage under: Public Notices, Lea County, Chevron – Salado Draw 19 CTB and CS. Per 20.2.72.206.B(2) NMAC, the proposed permit could not be issued until at least 30 days after the Department's analysis was made available for review.

On April 1, 2022, WEG sent a follow-up email with attachments objecting to the proposed Salado Draw 19 CTB &CS permit [AR No. 26, Bates 1577-1592]. WEG's letter stated that they had "identified several issues with the proposed permit that warrant further attention," the letter

also stated that there was significant public interest and requested that the Secretary of the
 Environment Department grant a public hearing for this matter.

On May 20, 2022, the Air Quality Bureau submitted a Request for Public Hearing Determination to the office of the Cabinet Secretary NMED, James Kenney, for Chevron's permit application based upon WEG's request as stated in the April 1, 2022 email and attached comments. On June 26, 2022, Cabinet Secretary Kenney approved and signed the Hearing Determination [AR No. 88, Bates 1987-1990].

8 On August 16, 2022, the Bureau sent public service announcement (PSA) requests with 9 PSAs in English and in Spanish to radio stations in Hobbs and Carlsbad and submitted an online 10 form requesting information about the public hearing on October 3 be read on the public radio 11 station in southeastern New Mexico. [AR Nos. 90-94, Bates 2003-2027].

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VII. RATIONALE FOR PERMIT CONDITIONS

Section 210 of Part 72 authorizes the Department to include conditions in an Air Quality New Source Review (NSR) permit. If a permit is issued, it will contain conditions that specify what equipment is authorized to be installed and operated, will impose limits on air pollutant emissions and how equipment may be operated. A permit is an enforceable legal document and will include methods for determining compliance on a regular basis and monitoring, recordkeeping, and reporting requirements to ensure and verify compliance with the permit.

A permit contains three parts, A, B and C. Conditions in Part A of the permit are facility
specific requirements. They are site-specific and based on information provided in the application.
Conditions in Part B of the permit are General Conditions and standard language which generally
apply to all sources. Part C is also standard language about supporting on-line documents,
definitions, and acronyms which apply to all sources. Conditions in Part A often reference Parts B

& C for specifics about the appropriate methods and requirements for monitoring, recordkeeping,
 reporting and testing. Parts B & C also include information on commonly abbreviated terms,
 definitions, reporting requirements for testing and monitoring results and annual fees, among other
 things.

A draft permit is a dynamic working document subject to updates throughout the review process. Since this facility was already operating under permit number 6109M7 and the equipment had not changed, many of the permit conditions in 6109M7 were transferred over to (6109M8). I wrote unique permitting conditions for site specific operations and equipment based on information provided in the application. As stated in the draft Statement of Basis, some permit conditions were utilized from previously issued permits that contained Department approved language.

Permit conditions also establish ongoing testing and monitoring requirements for processes and pieces of equipment to ensure the equipment is operating in accordance with the permitted emission limits.

15 VIII. RESPONSES TO COMMENTS RECEIVED ON THE APPLICATION

As stated previously, the Air Quality Bureau received one letter from WEG with comments about the application. [AR Nos. 26, Bates 1577-1592]. In addition, WEG submitted a Statement of Issues in this proceeding which included one issue regarding the draft permit for Salado Draw 19 CTB and CS. [AR Nos.27, Bates 1593-1597]. The following section presents WEG's comments (indented) followed by AQB's response to each comment. An explanation why modeling was either not required or waived for this application is in the written testimony presented by Angela Raso. [Bureau Exhibit 7].

The proposed permit conditions for the Salado 19 facility's SITE-SSM and SSM units are not enforceable as a practical matter because the proposed permit does not clearly specify a method of compliance (including monitoring, recordkeeping, and reporting requirements) that is

7 sufficient to enable regulators and citizens to determine whether the 8 operator is in compliance with the permit conditions and, if not, to take 9 appropriate enforcement action. For example, the proposed permit at 10 A107.C. does not specify a method for calculating the volume of total gas 11 vented during SSM events, nor does it specify what information these calculations would be based on. Guardians requests the proposed permit be 12 13 denied or revised to ensure these emissions limits are enforceable as a 14 practical matter.

- 15 Moreover, the monitoring requirements at A107.C. of the proposed permit 16 simply direct the operator to monitor the permitted routine and predictable 17 startups and shutdowns and scheduled maintenance events without providing a citation to a law, regulation, or permit requirement, according 18 19 to which the monitoring must be done. SSM permit conditions for 20 recordkeeping and reporting generally require these compliance activities 21 be done in accordance with permit conditions in Part B of the applicable 22 NSR permit or in accordance with regulations in the New Mexico 23 Administrative Code. For example, A107.C. of the proposed permit states 24 that the permittee shall report in accordance with Section B110. However, the reporting requirements of Section B110 do not actually specify any 25 26 method of monitoring or set forth any actual emission monitoring requirements. Guardians requests the Department specify the law, 27 regulation, or permit requirement according to which Chevron must conduct 28 29 actual monitoring of VOC emissions in relation to the SITE-SSM and SSM 30 units. [AR No. 26, Bates 1582].
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32 **Response:** Unit SSM was removed from the draft permit per Chevron's request. *See* Draft

33 Permit August 4, 2022 [AR 22, Bates 1516-1567] therefore, it will not be discussed further.

34 Regarding SITE-SSM, the facility may need to depressurize portions of the facility by

35 venting gas for planned maintenance events. The methodology used to determine SSM emissions

36 is based on engineering design of the equipment being depressurized. The volume of gas is

37 calculated based on the volumes contained within the equipment being depressurized. For the

38 SITE-SSM activities, the releases are determined based on the gas composition, the volume of gas

1 released during an activity and the number of activities. The amount of gas is determined from the 2 volume within the line being depressurized and the gas composition. The same approach is used 3 for other miscellaneous SSM activities. Because SSM represents various activities, SSM does not 4 have a single volume or capacity. The volumes used in the calculations are based on engineering 5 knowledge of the individual equipment undergoing the startup, shutdown, or maintenance. The 6 SSM VOC Condition A107.C in the draft permit requires tracking and calculating the total VOC 7 emissions based on the inlet gas analyses (meaning the % VOC content of the gas), the volume of 8 gas vented, and the number of venting events per year. This methodology is provided in Section 6 9 of the application with demonstrating calculations. Permit Condition B109 lists all recordkeeping 10 requirements for the facility with specific monitoring requirements for SSM at Condition 11 B109.C(1) and Condition B109.C (2). Specifically, the Permit Condition B109.C(1) requires that 12 the facility establish and implement a plan to minimize emissions during routine or predictable 13 startup, shutdown, and scheduled maintenance through work practice standards and good air 14 pollution control practices. In addition, the Permit Condition B109.C(2) requires that the permittee 15 record all SSM events, including the date, the start time, the end time, description of the event, and 16 the description and cause of the event. The Permit Condition also requires that supporting 17 documentation be kept of records to demonstrate that the maintenance is in fact required and 18 scheduled in accordance with manufacturer specifications for specific units. The requirements, 19 monitoring, and recordkeeping in the draft permit are sufficient for the applicant to determine SSM 20 emissions and are enforceable. Conditions in all Sections (Part A, B, and C) of the permit apply 21 regardless of citations within Part A.

Comment: 2. Duration and Number of SSM Events

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14 15 We request the Department explain why the proposed permit does not limit the duration and number of SSM events at section A107.C. of the permit, according to the information provided in the permit application. By definition, SSM events are routine and predictable, and the permit application reflects this by identifying the number of SSM events per unit, per year and the duration of each event. With no limits on the duration of frequency of SSM events, it is unclear how Chevron will ensure it operates the facility in accordance with its application and requested emission limits. Accordingly, we request the proposed permit specifically limit the duration and number of SSM events according to the unit-specific information provided by Chevron in its permit application. If the Department declines this request, we further request that the Department explain the basis for its decision. **[AR No. 26, Bates 1583]**.

- 16 17 **Response**: Chevron calculated planned SITE-SSM events in Section 6 of the application 18 [AR Nos. 7 Bates 1208], therefore emission limits were established in Condition A107.A based 19 on specific types of SSM events with calculated emission limits per event, and emission limits are 20 enforceable in an air quality permit. The Bureau establishes annual emission limits to ensure 21 compliance with long-term air permitting limits. Compliance with the annual limits established in 22 Table 107.A are demonstrated by operating in accordance with the requirements in Conditions 23 A206.C and A206.D and completing monitoring and recordkeeping in Conditions A107.C and 24 A107.D. Records of monthly rolling 12-month total emissions demonstrate compliance with 25 annual limits. If Chevron has more SSM events than it forecasted in its application, it may exceed 26 emission limits and, if so, be subject to enforcement action. Thus, the permit is enforceable with 27 regard to SSM activities. 28 **Comment:** 3. Monitoring Frequency of Inlet Gas Analysis
- 29It is not clear from the Department's Statement of Basis or the permit30application why annual inlet gas analysis for the SSM VOC emissions limit31is sufficient to ensure compliance. We request the Department explain why32quarterly or monthly analysis would not be more appropriate. The33composition of gas emitted during different SSM activities and fromBureau Stmt of Intent Ex. 3Test. of Todd SherrillChevron 19, AQB 22-26Page 14 of 22

| 1 | different facility units can vary significantly, and the data provided in the |
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| 2 | permit application reflects the gas composition on just one day, July 20, |
| 3 | 2021. It is not clear from the permit application whether the gas composition |
| 4 | recorded on this date is representative of the composition of gas emitted at |
| 5 | all times of the year. We request the Department amend the proposed permit |
| 6 | to require monthly gas inlet analysis from the SSM VOC emissions. [AR |
| 7 | No. 26, Bates 1583]. |
| 8 | Response: It is the Department's standard practice to require an annual gas analysis. In |
| 9 | instances where the gas is highly variable the Department will implement requirements for more |
| 10 | frequent inlet gas analyses. If it becomes evident that the VOC content fluctuates significantly the |
| 11 | Department may require more frequent gas analyses. In this case, comparison of the most recent |
| 12 | analyses do not demonstrate that the VOC content fluctuates significantly enough to require more |
| 13 | frequent analyses. |
| 14 15 | Comment: 4. The Permit Fails to Ensure the Flare Continuously Meets a 98% Control Efficiency |

- 16 17 We are concerned that the draft permit lacks provisions to ensure 18 performance testing of the FLARE unit. While the permit requires Chevron 19 to maintain and operate the flare in accordance with manufacturer's 20 specifications, there are no testing requirements to ensure that adherence to 21 the manufacturer's specifications alone will ensure the flare meets the 98% 22 VOC control efficiency assumed by Chevron. Further, while there are 23 visible emission monitoring requirements for the FLARE unit, a lack of 24 visible emissions does not necessarily mean the flare is achieving a 98% 25 control efficiency. We are particularly concerned that operation and 26 maintenance standards do not account for flares operating outdoors, in 27 variable weather conditions, or in the presence of other conditions that could 28 affect short and long-term performance. If the flare operates at any less than 29 98% control efficiency, significant VOC emissions could result. To ensure 30 this level of control is continuously met, we request the Department require 31 performance testing at least annually, if not more frequently. [AR No. 26, 32 Bates 1583].
- 33 **Response:** The visible emissions condition at A206.A demonstrates compliance with
- 34 20.2.61 NMAC, which regulates opacity of emissions. This condition is not designed to be the
- 35 sole demonstration that the flare meets the 98% destruction efficiency, though it contributes to

1 assuring that the flare is combusting properly. Destruction efficiency depends on temperature, 2 mixing, and residence time in the combustion zone. Heat content of the fuel and maximum tip 3 velocity in the flare are the primary factors affecting those parameters, which is why values for 4 those parameters are specified in 40 CFR 60.18 and 40 CFR 63.11 for flares used as controls for 5 NSPSs and NESHAPs. Flares are designed by the manufacturer so that when they are operated 6 properly the parameters mentioned above to assure the destruction efficiency will be met. The 7 development of the 98% destruction efficiency was supported by studies of flare emissions 8 for US EPA (see references at end of AP-42 section 13.5 conducted at 9 https://www.epa.gov/sites/production/files/2020-10/documents/13.5 industrial flares.pdf 10 (August 25. 2022, 3:02pm) and associated background documents at https://www.epa.gov/sites/default/files/2020-10/b13s05_02-05-18.zip (August 25, 2022, 3:06 11 12 pm). These links are also under the chapter 13.5 Industrial Flares section of this 13 webpage:https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-fifth-edition-(August 25, 2022, 3:07 pm). Direct measurement 14 volume-i-chapter-13-miscellaneous-0 15 performance tests are not conducted routinely on flares for logistical and safety reasons and

16 because the design of the flare ensures the destruction efficiency will be met.

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Comment: 5. Truck Loading Emissions

18 The proposed permit limits truck loading VOC emissions, unit "LOAD," to 19 no more than 4.1 tons/year. Unfortunately, it's not clear how the permit 20 assures that Chevron will comply with this limit at all times. To address 21 LOAD emissions, Condition A203.F of the permit limits throughput to no 22 more than 1,533,000 gallons of slop water/year, or 36,500 barrels/year. This 23 appears inconsistent with Chevron's permit application. In its application, 24 Chevron calculated maximum VOC emissions assuming an average 25 throughput of 5 barrels/day, or 1,825 barrels/year. Based on this throughput rate, Chevron calculated maximum VOC emissions of 4.1 tons/year and 26 27 accordingly requested that this be the limit. By authorizing up to 36,500 28 barrels/year of throughput, the proposed permit would allow Chevron to

1 greatly exceed the 4.1 tons/year limit. Based on Chevron's application, 2 emissions would average around 4.5 pounds of VOCs/barrel of throughput. 3 Based on the proposed permit limit of 36,500 barrels/year, this could lead 4 to VOC emissions of more than 82 tons/year. To assure compliance, the 5 permit must be written to limit throughput to no more than 1,825 6 barrels/year. We are further concerned that the permit does not include 7 hourly VOC emission limits for truck loading. In its application, Chevron 8 explicitly requested that the permit limit hourly VOC emissions to no more 9 than 65.39 pounds per hour. Accordingly, the permit must include the 10 hourly limit requested. The permit must further require sufficient monitoring to assure compliance with the hourly limit. In its application, 11 Chevron indicates the hourly limit is based on filling one 200-barrel truck 12 13 in one hour. See Application at Section 6, Page 2. To assure compliance with the hourly limit, the permit must therefore limit loading activities to no 14 15 more than one truck per hour. The permit must further require that Chevron 16 record loading operations and document loadout activities on an hourly 17 basis to ensure that no more than one truck is filled or filling in one hour. 18 [AR No. 26, Bates 1584]. 19 **Response**: Loading is based on an annual loadout of 1,533,000 gal/yr (36,500 bbl/yr) used 20 in Chevron's calculations [AR No. 7, Bates 1192]. Putting limits on this loadout volume, ensures 21 that the emission limits stated in the permit are not exceeded. The facility will be required to keep 22 records of the loadout volume on a monthly and cumulative (12 month) basis. The facility will be 23 required to report these records to the department in accordance with Section B110. WEG makes reference to an average throughput of 5 bbl/day which they then calculate to 1825 bbl/y. Though 24

25 Chevron refers to 5 bbl/day in Section 6 of the application [AR No. 7, Bates 1153], all calculations

26 and the resulting emission rates are based on an annual throughput of 1,533,000 gal/yr (36,500

27 bbl/yr). Condition A203.F of permit 6109M8 ensures Chevron will comply with these limits by

28 not allowing them to exceed the prescribed 1,533,000 gal/y throughput limit.

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Comment: 6. SSM VOC Emissions for the SSM Unit is Improper

30 The proposed permit includes two separate SSM VOC emission limits – one 31 limit specific to the "SITE-SSM" unit, which limits SSM VOC emissions 32 from blowdowns at DHY-1, VRU1 through 6, and ENG-1 through 6 and 33 another limit specific to the "SSM" unit that appears to limit SSM VOC 34 emissions vented at all sources associated with the Salado 19 facility. The **Bureau Stmt of Intent Ex. 3 Test. of Todd Sherrill** Chevron 19, AQB 22-26

- 1 proposed permit does not explain what particular units or features of the 2 Salado 19 facility must comply with the SSM unit limit or whether the units 3 covered by the SITE-SSM emission limit fall under the SSM unit emission 4 limit as well. To ensure practical enforceability, emission limits must be 5 technically accurate and specify the portions of the source subject to the 6 limitation. 7 Guardians requests the Department strike the emission limit for Unit No. 8 SSM, or revise the emission limit such that it is practicably enforceable. 9 This would include but not be limited to specifying the portions of the 10 source subject to the emission limit. In addition, we request the Department explain how authorizing an 11 additional 10 tpy VOC SSM buffer complies with the Department's SSM 12 13 Guidance. The Department's SSM Guidance requires that SSM emissions be routine and predictable, but the permit application for the Salado 19 14 15 facility does not explain what routine and predictable events warrant an 16 additional 10 tpy SSM emission limit.7 The Department's SSM Guidance 17 states that a permittee may apply to consolidate the SSM and upset/malfunction emission limit, with a total limit of 10 tpy per pollutant, 18 but that does not appear to be what is proposed in this permit. Moreover, 19 20 Chevron states at page 37 of its permit application that the maximum potential to emit for its SSM unit is 10 tpy, but Guardians was unable to 21 22 identify any discussion or explanation in the application or supporting 23 materials justifying that 10 tpy was the maximum potential to emit for this 24 unit. Guardians requests the Department provide the information that forms the basis of that maximum potential to emit estimate. [AR No. 26, Bates 25 26 15841.
- 27 **Response**: The Bureau responded to the SITE-SSM emissions above at WEG Comment 1,
- 28 therefore emissions for that unit will not be further discussed. With regard to Unit SSM, that has
- 29 been removed from the application and draft permit per Chevron's request.
- 30 **Comment**: 7. Excess Emissions and Compliance Issues
- 31 Both the permit application and the Department's Statement of Basis for the 32 Salado 19 facility indicate that there are no compliance issues related to this 33 facility despite the fact that the permittee reported at least four excess 34 emission events since April 2020. Based on Chevron's and the 35 Department's written statements, Guardians can only assume that the Department has not considered or evaluated whether emissions from the 36 37 Salado 19 facility, factoring in its record of excess emissions, will meet the 38 applicable air quality standards and the requirements in state and federal 39 law.
- 40 Malfunctions at the Salado 19 facility in the last year caused over 1,000 lbs.
 41 of VOCs to be emitted into the air of southeast New Mexico. The Bureau Stmt of Intent Ex. 3

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12 13 did not conduct new modeling (nor did the Department require it) to evaluate whether emissions from the Salado 19 facility, including its record of excess emissions, would comply with the relevant air quality standard as understood in the context of current air quality in southeast New Mexico that already exceeds the ozone NAAQS.
We request the Department explain how it addressed excess emissions reported by Salado 19 facility in evaluating whether emissions from the facility will comply with the applicable air quality standards and update Chevron's potential to emit, permit limitations, and all relevant aspects of the proposed permit accordingly. [AR No. 26, Bates 1585].

Department must evaluate the Salado 19 facility's potential to emit and

whether or not emissions from the facility will comply with the relevant air

quality standards according to the most representative data available,

including the facility's history of excess emissions. In this case, Chevron

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16 **Response:** The Compliance and Enforcement Section (C&E) of the AQB requires 17 Inspectors and Compliance Reports specialists to review excess emissions reports (EERs) when 18 inspecting or reviewing semi-annual reports or Annual Compliance Certifications. Within our 19 statute of limitations, when excess emissions reports indicate that exceedances of allowable limits 20 have occurred, the Compliance specialist includes each of these in their notification of potential 21 violations. These violations are then referred to Enforcement specialists to develop enforcement 22 cases. Compliance specialists review excess emissions reports monthly and begin this process for 23 the most concerning companies, based on the number of EERs.

EER cases will be developed for these reported excess emissions. There are several factors that are considered throughout the development of the case such as permitted malfunction emissions and affirmative defense demonstrations (ADDs). The C&E Section handles these reports and cases in accordance with Department policy and procedure.

Related to permitting and modeling, Chevron requested 10 tpy VOC of Malfunction emissions to include future malfunction events at the facility. VOC are not modeled, therefore modeling was not required to permit these emissions. If Chevron reports emissions as malfunction

1 emissions but the Bureau's C&E section finds that they did not qualify as malfunction emissions,

2 they may have to be reported as excess emissions and Chevron may be subject to enforcement

3 action.

4 5 **Comment in Statement of Issues:**

6 With regards to the Chevron USA Inc. proposed permit modification for the 7 Salado Draw 19 Central Tank Battery and Compressor Station, Guardians is concerned that the draft permit does not include emission limits that 8 9 Chevron requested be included in the permit. Table 106.A in Condition A106.A sets forth proposed emission limits for the facility. Within this 10 Table are proposed emission limits for truck loading activities, identified as 11 12 "LOAD." The draft permit limits annual VOC emissions for truck loading 13 to 4.1 tons per year, but for hourly VOC emissions, the draft permit includes 14 only an asterisk and an explanation that "hourly emission limits are not appropriate for this situation." Draft Permit No. 6109-M8 at A10. However, 15 in its permit application, Chevron explicitly requested the permit 16 17 modification include a 65.39 pounds per hour limit on VOC emissions during truck loading. See Salado Draw 19 Central Tank Battery and 18 19 Compressor Station Permit Application at Table 2-E. It is not clear how an 20 hourly limit on VOC emissions during truck loading activities is not 21 appropriate when the applicant itself requested the permit include an hourly emission limit. 22

23 **Response:** The Department establishes allowable emission limits on a case-by-case basis 24 [20.2.72.210.B.(1) NMAC]. Emissions limits may be derived from state regulation, federal 25 regulation, statute, ambient air quality standard, a voluntarily requested enforceable emission limit 26 to avoid major source permit applicability, and for other reasons. However, it is within the 27 Department's regulatory discretion to determine de minimis thresholds not requiring an emission 28 limit for very small sources of emissions. The Department has consistently applied its regulatory 29 discretion in its permits, as established in the form of footnotes to Table 106.A. The footnotes 30 detail why a specific emission limit has not been established in the permit. The footnote states: "*" 31 indicates hourly emission limits are not appropriate for this operating situation.

1 The Bureau does not require pound per hour VOC emission limits for activities such as 2 truck loading for several reasons. Loading is not a steady state process and does not have a steady 3 state hourly emission rate. Thus, an hourly limit is not appropriate. These releases are short term, 4 intermittent activities for which emissions are determined by the loading event rather than the time 5 period over which the event occurs. Hourly emission limits on these types of releases are not 6 necessary to meet the criteria of meeting the requirements of the Air Quality Control Act and the 7 federal act [20.2.72.210.B.(1)(a) and B.(2) NMAC]. The maximum uncontrolled annual emissions 8 from Loading does have an annual emission limit in Table 106.A. The enforceability of this limit 9 in Condition A203.B for loading relies on the monitoring and recordkeeping specified in the 10 condition.

The text at 20.2.72.210(A) NMAC states "The contents of the application specifically identified by the Department shall become terms and conditions of the permit or permit revision." This provision allows the Department to incorporate information from the application such as specific calculation methods for emissions into the permit by reference. The provision does not imply that all information in an application becomes a condition of the permit. The Department determines the appropriate emission limits for a permit as part of its review of the application and development of the construction (NSR) permit as described under 20.2.72.210.B.(1) NMAC.

18 IX. CON

CONCLUSION

The Bureau has completed a technical review of this application. The facility, as represented in the application, demonstrates it can operate in compliance with all relevant federal and state air quality regulations. The facility's operations, as represented in this application, do not cause or significantly contribute to any exceedances of applicable air quality standards. These results are based on the previous modeling analysis and emissions calculations in 6109M7 for

1 Carbon Monoxide (CO), Nitrogen Dioxide (NO2), Particulate Matter 10 micrometers or less in 2 aerodynamic diameter (PM10), Particulate Matter (2.5 microns or less) (PM2.5), and Sulfur 3 Dioxide (SO2). The comments received by the Bureau on this permit have been responded to in 4 this testimony. The responses demonstrate that the comments do not raise any substantive issues 5 that indicate this permit should not be issued. The permit includes all state and federal air quality 6 regulations applicable to the facility's operations and contains emission limits and monitoring, 7 recordkeeping, or reporting requirements to ensure Ambient Air Quality Standards are met. The 8 Air Quality Bureau recommends that the Secretary approve issuance of this Permit.

BUREAU EXHIBIT 4

Todd Sherrill

525 Camino de Los Marquez, Santa Fe, NM 87505 (505) 629-3125 <u>todd.sherrill2@state.nm.us</u>

EXPERIENCE

June 2018- present

Permit Specialist -Minor Source Permitting, New Mexico Environment Department, Air Quality Bureau

- Experience reviewing, writing, and issuing air quality applications and permits including: Notice of intent, General Construction Permits for Oil and Gas, General Construction Permit-6 for storage vessels, NSR permits
- Experience with using and interpreting data from the Air Quality Bureau's Air Emission Calculation Tool (AECT)
- Experience using various software applications including: TEMPO, Microsoft Excel, Word and Outlook

July 2007—June 2018

Analyst-Volatile Organic Chemistry, New Mexico Department of Health, Scientific Laboratory Division

- Proficient with gas chromatograph/mass spectrometer (GC/MS) and gas chromatograph/electron capture detector (GC/ECD).
- Proficient in the analysis of EPA Methods: 8260B, 8260 Appendix IX, 624, 524.2, 504.1 using a Varian Saturn 2000 series Gas Chromatograph/Mass Spectrometer, Agilent Technologies 7890A GC/ECD.
- Responsible for analyzing and interpreting data regarding samples of water/soil/air from across the state of New Mexico.
- Skilled in performing purge and trap and solvent extraction methods on environmental samples.
- Execution of instrument troubleshooting and calibrations, with the performance of annual minimum detection limit studies (MDLs) on laboratory instruments.
- Developed methods and standard operating procedures (SOPs).
- Cross-trained other analysts in new methods and instrumentation.
- Miscellaneous lab duties include purchasing laboratory equipment and consumables, ensuring an adequate supply of sampling kits to clients, participation in EPA audits, and ensuring appropriate laboratory safety protocols.

December 2006—July 2007

Analyst—Water Chemistry, New Mexico Department of Health, Scientific Laboratory Division

- Responsible for analyzing, interpreting data regarding samples of water from across the state of New Mexico.
- Experience in performing several inorganic chemical analyses, with ability to compile and interpret analytical data.
- Tests performed include Total Phosphorous, Total Suspended Solids, Total Khaldahl Nitrogen, Biochemical Oxygen Demand, and Chemical Oxygen Demand.

May 2004 – December 2006

Analyst – Volatile Organic Compounds, Assaigai Analytical Laboratory, Albuquerque, NM.

- Responsible for analysis of Volatile Organic Compounds that include water, soil and waste samples.
- Analyzed samples through a Hewlett Packard 5971A and Agilent Technologies 5973, Mass Spectrometer/Gas Chromatograph.
- Reviewed, edited and made appropriate assessment of compounds.
- Transferred data to a Laboratory Information Management System (LIMS).
- Performed Quality Assurance/Quality Control checks as per federal regulations and standards.

August 2001 – June 2003

Server, Scalo Northern Italian Grill, Albuquerque, NM.

- Provided food service to patrons in a friendly and inviting manner.
- Mediated customer comments and complaints and directed to appropriate management for resolution.
- Participated in daily meetings regarding customer service.
- Performed miscellaneous food handling and housekeeping duties.

EDUCATION

December 2002

Bachelor's Degree, University of New Mexico, Albuquerque, New Mexico

• Major: Biology; Minor: Psychology

REFERENCES

• Available upon request

BUREAU EXHIBIT 5

| 1 | STATE OF NEW MEXICO BEFORE THE SECRETARY OF ENVIRONMENT | |
|----|--|---------------------------------|
| 2 | BEFORE THE SECKETART OF ENV | |
| 3 | IN THE MATTER OF THE APPLICATIONS OF | |
| 4 | DLK BLACK RIVER MIDSTREAM, LLC | AQB 22-25 |
| 5 | FOR AN AIR QUALITY PERMIT NO. 6567-M8 | |
| 6 | FOR THE BLACK RIVER GAS PROCESSING PLANT | |
| 7 | | |
| 8 | CHEVRON USA INC. | |
| 9 | FOR AN AIR QUALITY PERMIT NO. 6109-M8 | AQB 22-26 |
| 10 | FOR THE SALADO DRAW 19 CENTRAL | |
| 11 | TANK BATTERY AND COMPRESSOR STATION | |
| 12 | | |
| 13 | CHEVRON USA INC. | |
| 14 | FOR AN AIR QUALITY PERMIT NO. 6832-M8 | AQB 22-27 |
| 15 | FOR THE SALADO DRAW 23 COMPRESSOR | |
| 16 | STATION AND TANK BATTERY | |
| 17 | | |
| 18 | TECHNICAL TESTIMONY OF JOSEPH MASHB | URN IN SUPPORT OF THE |
| 19 | APPROVAL OF THE APPLICATION OF CHEVRON | U.S.A, INC. FOR AN AIR |
| 20 | QUALITY PERMIT NO. 6832-M8 FOR THE SALADO | DRAW 23 COMPRESSOR |
| 21 | STATION AND TANK BATTER | RY |
| 22 | | |
| 23 | I. INTRODUCTION | |
| 24 | My name is Joseph Mashburn. I am a Permit Specialist | in the Minor Source Unit of the |
| 25 | Permitting Section of the Air Quality Bureau ("AQB" or " | Bureau") of the New Mexico |

26 Environment Department ("NMED" or "Department"). I present this written testimony on behalf

27 of the Bureau for the public hearing on the permit application submitted by Chevron USA, Inc.

28 ("Chevron") for Air Quality Permit No. 6832M8 to Chevron USA, Inc. for the Salado Draw 23

29 Compressor Station ("CS") and Tank Battery ("TB") in Lea County, New Mexico. Chevron's air

permit application 6832M8 ("Application 6832M8") for its Salado Draw 23 CS and TB was 30

31 received by the New Mexico Environment Department on December 3, 2021. [AR No. 1, Bates

32 1].

1

II. QUALIFICATIONS

I have a B.S. in Biology from the University of Central Oklahoma and an M.B.A. from University of Oklahoma. I have worked in industry as an air quality environmental compliance specialist and for the Oklahoma Department of Environmental Quality Air Quality Division. I joined the New Mexico Environment Department Air Quality Bureau in 2016 and I have been employed with the Bureau since then (approximately five years and 10 months) as a Permit Specialist. Together, I have twenty-two years working primarily in air quality technical areas. My full background and qualifications are set forth in my resume. [Bureau Exhibit 6].

9 As a Bureau Permit Specialist, I review complex Air Quality Bureau permit applications 10 within regulatory deadlines. This includes administrative and technical reviews. I verify emissions 11 calculations; determine applicable state regulations and federal regulations; coordinate with 12 various stakeholders including the public, industry, consultants, and AQB staff and other 13 regulatory agencies to provide quality customer service and aid in the permitting process; write 14 legally enforceable air permits and technical support documents for the administrative record; 15 enter data into the AQB database; and complete various special projects to achieve AQB goals. I 16 have processed over 376 permitting actions for the Bureau and trained new staff on application 17 review requirements and procedures for various permitting action types, regulations, and Bureau 18 policies.

19 Throughout the permitting process, if parts of the application are incomplete or inaccurate, 20 it is my responsibility to contact the applicant and request clarifications or corrections, as 21 necessary. Updates to the original application are often required, and it is my responsibility to 22 review all updates for completeness and accuracy. I write technical support documents and a 23 legally enforceable air permit, initially based on standardized AQB template language and

monitoring protocols. The template language and monitoring protocols are consistent for similar types of facilities. Unique permitting conditions or modifications to standard template language are typically required for site specific operations and equipment, based on information provided in the application. I customize the permit to the specifics of the application with site specific conditions and the recommendations of the air dispersion modeling staff, when modeling is required, to ensure the facility will operate as represented in the company's application and comply with all applicable state and federal regulations and ambient air quality standards.

8

III. SUMMARY OF APPLICATION 6832M8

9 Chevron's Salado Draw 23 Compressor Station and Tank Battery is located approximately
10 27.1 miles southwest of Jal in Lea County, New Mexico.

The emissions from a compressor station and tank battery will be determined by the (1) quantity and (2) quality of the gas arriving at the facility to be processed, (3) specific details of the equipment at the facility, and (4) how it is operated. Gas composition can change over extended periods of time. For that reason, Chevron was required by its existing permit to analyze its gas quality annually to evaluate whether its composition had changed.

16 With this significant revision application, (Revised Application, Feb. 21, 2022) [AR No. 17 3, Bates 201-396], Chevron proposed to remove one piece of previously authorized equipment (a 18 dehydrator, DHY-2), provided updated gas analyses, updated its tank working and standing 19 emissions calculations and the glycol dehydrator emissions estimation, and reran the ProMax 20 simulation with the updated values. With the most recent revision to the application, the 10 tons 21 per year (tpy) volatile organic compounds (VOC) SSM (startup, shutdown, maintenance) was 22 replaced by 10 tpy VOC MALF (malfunctions). (Revised Application Jul. 14, 2022) [AR No. 4, 23 Bates 397-588]. The proposed facility consists of 4 compressor engines, 6 heaters, 1 dehydration

unit and associated condenser, reboiler, and glowplug, 3 condensate tanks, 4 water tanks, 2 slop
tanks (one produced water, one condensate), 1 flash gas compressor, water truck loading, a flare,
a VRU system with redundant capacity at the tank battery, and a single VRU for the condensate
slop tank. Fugitive emissions for this equipment also occur at this site and were estimated in the
application.

6 Salado Draw 23 CS and TB currently operates under NSR (New Source Review) Permit 7 6832M7. NSR Permit 6832M8 would replace the existing NSR permit for this facility. The facility 8 is a Minor Source of air pollutants (not a Major Source per 20.2.70.7(R) NMAC), before and after 9 the proposed revisions. This permit revision did not require air dispersion modeling according to 10 20.2.70.7(E)(11), 20.2.72.203(A)(4), 20.2.74.303, 20.2.79.109(D) NMAC, and in accordance with 11 the Air Quality Bureau's Modeling Guidelines -10.26.2020 [AR No. 12, Bates 606-688]. A further 12 explanation why modeling was not required is in Angela Raso's testimony [Bureau Exhibit 7]. 13 Overall, these changes in the revision led to some slight decreases of emissions and an increase of 14 11.6 tpy of volatile organic compounds (VOCs). Overall, the changes Chevron proposed, if 15 authorized, would result in the following changes in emissions:

16 Existing Limits (6832-M7)

17

Table 102 A. Total Potential Emission Rate (PER) from Entire Facility

| Tuble 102.11. Total Fotential Emission Rate (FER) nom Entire Facility | | |
|---|---------------------------|--|
| Pollutant | Emissions (tons per year) | |
| Nitrogen Oxides (NOx) | 50.2 | |
| Carbon Monoxide (CO) | 33.6 | |
| Volatile Organic Compounds (VOC) | 97.0 | |
| Sulfur Dioxide (SO ₂) | 15.7 | |
| Particulate Matter 10 microns or less (PM ₁₀) | 3.2 | |
| Particulate Matter 2.5 microns or less (PM _{2.5}) | 3.2 | |
| Hydrogen Sulfide (H ₂ S) | <1 | |

¹⁸

1 **Proposed Permit Draft (6832-M8)**

| Pollutant | Emissions (tons per year) |
|---|----------------------------------|
| Nitrogen Oxides (NOx) | 50.2 |
| Carbon Monoxide (CO) | 32.3 |
| Volatile Organic Compounds (VOC) | 108.6 |
| Sulfur Dioxide (SO ₂) | 13.5 |
| Particulate Matter 10 microns or less (PM ₁₀) | 3.2 |
| Particulate Matter 2.5 microns or less (PM _{2.5}) | 3.2 |
| Hydrogen Sulfide (H ₂ S) | 0.001 |

Table 102.A: Total Potential Emission Rate (PER) from Entire Facility

IV. 3 **ADMINISTRATIVE REVIEW**

4 The administrative review of an application is not a technical review, but a review to 5 evaluate whether all of the required parts of the application are present, as listed in 20.2.72.203 6 NMAC.

7 A hard copy of Application 6832M8 was received by the New Mexico Environment 8 Department on December 3, 2021. [AR No. 1, Bates 1 - 197]. Pursuant to 20.2.72.207(A) NMAC, 9 the Department had 30 days to review the application and determine whether it was 10 administratively complete. On December 10, 2021, I sent an e-mail to Chevron's consultant, Justin 11 Mechell, and to Chevron's Health, Safety, & Environmental (HSE) Specialist and Air Permit Contact, Keaton Byars, requesting electronic files for the application and all supporting 12 13 documents. [AR No. 29, Bates 843]. Mr. Mechell responded on December 14, 2021, with the 14 requested application packet. [AR No. 30, Bates 844]. I did a quick check of required sections of 15 the application and sent a follow-up email the same day, asking Mr. Mechell for the UA2 excel 16 file (Universal Application Section 2); some necessary documents for the Public Notice including 17 a copy of the classified and legal advertising display from the newspaper, and an affidavit of 18 publication; and asking for confirmation of the basis for a no modeling required designation, in 19 Section 16 Air Dispersion Modeling of the application. [AR No. 31, Bates 845]. Mr. Mechell Bureau Stmt of Intent Ex. 5 **Test. of Joseph Mashburn Chevron 23, AQB 22-27**

²

1 responded on December 16, 2021, with the additional requested files. [AR No. 32, Bates 846 -2 848]. Mr. Mechell also confirmed in the same email that the application does not require modeling 3 according to 20.2.70.7(E)(11), 20.2.72.203(A)(4), 20.2.74.303, 20.2.79.109(D) NMAC, and in 4 accordance with the Air Quality Bureau's Modeling Guidelines. [AR No. 32, Bates 846 - 848]. After my review of the supplied application materials, I determined that all the required submittals 5 6 had been satisfied and I could move forward with ruling Application 6832M8 administratively 7 complete. Eric Peters, an Air Dispersion Modeler with the Bureau, confirmed by email, January 8 10, 2022, that modeling is not required when there are no new emission sources and no increases 9 in emissions other than VOCs. [AR No. 11, Bates 605].

10 In addition to ensuring that the required documents accompany the application submittal, 11 there are several tasks I perform in the process of ruling an application administratively complete. 12 I verified the Facility Location Information given in Section 1-D of the Universal Application Section 1 (UA1). [AR No. 5, Bates 589 - 592]. In the process, I confirmed that the State of Texas 13 14 was within 50 km of the facility and would have to be notified as an affected party. I drafted the 15 affected party letter to the State of Texas. After I calculated the permit fee for Application 6832M8, 16 using the Bureau's Fee Calculator, based on fee units in 20.2.75 NMAC and applicable regulations, 17 AQB's administrative staff generated an invoice for the permit fee. [AR No. 2, Bates 198 - 200]. I drafted the Ruled Complete letter, which also including the Legal Notice. On December 30, 2021, 18 19 I ruled Application 6832M8 administratively complete, and emailed the Completion Letter, Legal 20 Notice, and permit fee invoice to Keaton Byars and Justin Mechell [AR No. 6, Bates 593 - 598]. 21 I emailed the Affected Parties Letter and Legal Notice to the State of Texas and emailed the legal 22 notice to Erica LeDoux (EPA) and the Region 6 EPA office. [AR Nos. 24-25, Bates 830 - 835]. I 23 requested that the AQB's administrative staff send the Department's Legal Notice to Hobbs-News

Sun for publication. [AR No. 23, Bates 826 - 829]. It was published in that newspaper on January 5, 2022. [AR No. 9, Bates 602 - 603]. The Department's Legal Notice and Original Application 6832M8 was posted December 30, 2021 on the AQB website Public Notices page, under Lea County. [AR No. 26, Bates 836 - 837]. With conclusion of the Administrative Review and ruling the application complete on December 30, 2021, and identifying and notifying affected entities, the ninety-day technical review period began.

7

V.

TECHNICAL REVIEW

8 The technical review requires verification of emissions calculations and a determination of 9 applicable state and federal regulations. I verified emissions calculations by confirming that 10 Department accepted emission factors and formulas were used in calculating emissions for all 11 sources. If methods were unclear, I asked the consultant for further explanation or updates, as 12 necessary. I also verified that the emissions totals from the calculations matched the emissions 13 totals in Section 2 of the application. **[AR No. 72, Bates 1000 - 1033]**.

Per my inquiries and requests for clarification, Justin Mechell, the consultant for Chevron,
as well as Keaton Byars of Chevron, submitted several updates to the original Application
6832M8.

17 Below is a list of dates of application updates and clarifications:

2/09/2022 - In response to email request 2/4/2022, several items were clarified (31 pages):
Clarification on Gas thruput to the DHY-1, DHY-2; DHY-2 is removed; recalculated the GRIGLYCalc.; provided serial numbers for ENG-1 and ENG-2; ENG-3 and ENG-4 not installed;
clarified lower heating value (LHV) of fuels; clarified the sulfur content of fuels being different
for engines vs. heaters; added SSM and SITE-SSM as regulated sources to Table 2-A; clarified
that unit FLARE emissions reflect SSM Flaring, pilot and sweep gas; specified what SSM 10 tpy

| 1 | VOC is intended to cover; updated in the applicability tables that FUG emission unit falls under |
|----|--|
| 2 | OOOOa; clarified units TK-FUG1 and TK-FUG 2, and individual tanks represented. |
| 3 | 2/14/2022 - Provided the requested Chevron operational plan to mitigate SSM emissions; |
| 4 | updated Section 14 of the UA3; clarified that unit FGC-1 is included in Compressor Blowdown |
| 5 | counts. |
| 6 | 2/21/2022 - Responding to 2/17/2022 request-Answered process question regarding the |
| 7 | flash gas compressor, FGC-1. |
| 8 | 2/21/2022 - Responding to same day email request, with the most up to date UA2 excel |
| 9 | file; also separated out the Flare Pilot emissions from Unit Flare. |
| 10 | 2/23/2022 - Provided answer regarding appropriate separator pressure used for calculating |
| 11 | emissions from Unit TK-S2 (125 psi); also updated proposed gas throughput in Section 1-C of the |
| 12 | UA1. |
| 13 | 2/25/2022 - Pointed to the location of ProMax simulation pages, with 125 psi separator |
| 14 | pressure. [AR Nos. 35-47, Bates 851 - 919]. |
| 15 | 7/19/2022 - Chevron provided updated pages related to their proposal to replace the Unit |
| 16 | 10 tpy VOC SSM with Unit 10 tpy VOC MALF. |
| 17 | 7/20/2022 - Chevron provides the entire pdf of Revised Application (7.14.2022) [AR Nos. |
| 18 | 60-62, Bates 945 - 958]. |
| 19 | The Department has reviewed the emission calculations submitted in the latest version of |
| 20 | the application for all regulated equipment and the emission factors relied upon in those |
| 21 | calculations. The facility emissions were calculated using Excel spreadsheets using manufacturer's |
| 22 | specification sheet emission factors, GRI-GLYCalc simulation, Promax simulation, US EPA's |

1 AP-42¹ Compilation of Air Emissions Factors, or Texas Commission on Environmental Quality 2 (TCEQ) Air Emissions Factors. [AR No. 4, Bates 431].

3

A summary of my review of the application and all updates to the application, is in the 4 Revised Statement of Basis - Version 8.3.2022. [AR No. 17, Bates 763 - 771]. The Statement of 5 Basis is a supporting document in the permitting record that includes a plant process description, 6 a description of modifications represented in the application, a history of facility permitting 7 actions, summary of any public responses received by the Department, a discussion of recent 8 modeling for the current application (if applicable) and historical modeling, an analysis of State 9 and Federal Regulatory Applicability, compliance status discussion, and any unique conditions in 10 the permit.

11 On February 26, 2022, I sent the Draft Permit (6832M8), Parts A, B, C - Version 2.24.2022 12 to Chevron via e-mail for review and for an opportunity to make comments; and requested a 13 response from Chevron via e-mail by March 11, 2022. [AR No. 48, Bates 920]. On March 4, 2022, 14 Chevron responded with one comment on the Draft Permit (6832M8), Part A. [AR No. 50, Bates 15 923 - 924]. The comments that Chevron provided were reasonable and I incorporated the changes into the permit draft, after discussing the change with the Manager of Minor Source Permitting 16 17 Section.

¹ AP-42 is the EPA's compilation of emission factors for various industries. Emission factors are representative values that relate the quantity of a pollutant released to the ambient air with an activity associated with the release of that pollutant. (https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-compilation-airemissions-factors [August 15, 2022, 5:33 PM]). These factors are usually expressed as the weight of pollutant divided by a unit weight, volume, distance, or duration of the activity emitting the pollutant. The factors are expressed in units such as pounds per ton of material processed and pounds per hour. Such factors facilitate estimation of emissions from various sources of air pollution. In most cases, these factors are averages of all available data of acceptable quality and are generally assumed to be representative of long-term averages. The emission factors used in the calculations are appropriate for this source type and are, thus, approved by the Department.

1 On July 14, 2022, Chevron submitted an Updated Application 6832M8. [AR No. 4, Bates 2 397 - 588]. I reviewed the application. Chevron changed the characterization of 10 tpy VOC 3 Startup, Shutdown and Maintenance ("SSM") emissions to 10 tpy VOC Malfunction emissions 4 ("MALF"). The change involved no increase in the proposed emissions for the facility. 5 Incorporating this change involved revision of Draft Permit Part A and the supporting documents, 6 with management review, so the most current documents are now the Revised Database Summary 7 - Version 8.3.2022, Revised Statement of Basis - Version 8.3.2022, and Revised Draft Permit 8 (6832M8) Part A - Version 8.3.2022. [AR Nos. 16-18, Bates 755 - 799]. The Revised Statement 9 of Basis - Version 8.3.2022, and Revised Draft Permit (6832M8) Part A - Version 8.3.2022 were 10 posted to the Bureau's website for Public Notices on August 5, 2022.

11

VI. PUBLIC OUTREACH AND PUBLIC NOTICE

Once the Legal Notice was published in the Hobbs News-Sun on January 5, 2022, interested persons were allowed thirty (30) days to express an interest in writing on the permit application per 20.2.72.206(A)(5) NMAC. [AR No. 9, Bates 602 - 603]. Therefore, the end of the 30-day comment period was February 4, 2022.

In the weeks following ruling the Chevron Application 6832M8 complete, I completed drafting the associated documents for the Salado Draw 23 Compressor Station and Tank Battery and had them posted to the Bureau's website along with the original application and Legal Notice. These documents include the Draft Statement of Basis - Version 2.24.2022, Draft Permit (6832M8), Parts A, B, C - Version 2.24.2022. [AR No. 28, Bates 840 - 842]. On February 1, 2022, within the first 30-day comment period, I received an initial email and attachment from WildEarth Guardians ("WEG") expressing timely interest in Chevron's application for the Salado Draw 23

Compressor Station and Tank Battery. [AR No. 19, Bates 800 - 801]. The Department responded
 to WEG. [AR No. 20, Bates 802 - 805].

On February 24, 2022, the Department sent a Second Citizen letter to WEG. [AR No. 21,
Bates 806 - 807]. The Second Citizen letter notifies citizens the Department's analysis is available
for review. The letter had a link to the Department's analysis, including the Statement of Basis,
Legal Notice and the Draft Permit, which were posted on the Department's webpage under: Public
Notices, Lea County, Chevron – Salado Draw 23 Compressor Station and Tank Battery. Per
20.2.72.206(B)(2) NMAC, the proposed permit could not be issued until at least 30 days after the
Department's analysis was made available for review.

10 On March 25, 2022, WEG sent a follow-up email with an attached comment letter and 11 attached excess emissions reports spanning a period from July 9, 2020, to December 29, 2021, and 12 objected to the proposed Salado Draw 23 Compressor Station and Tank Battery permit. WEG stated that they had "identified several issues with the proposed permit that warrant further 13 14 attention"; the letter also stated that there was significant public interest and requested that the 15 Secretary of the Environment grant a public hearing for this matter. [AR No. 22, Bates 808 - 825]. 16 On May 20, 2022, the Air Quality Bureau submitted a Request for Public Hearing 17 Determination to the office of the Cabinet Secretary NMED, James Kenney, for Chevron's NSR 18 6832M8 (Salado Draw 23 Compressor Station and Tank Battery) based upon WEG's request. [AR 19 No. 64, Bates 961 - 963]. On June 23, 2022, Cabinet Secretary Kenney approved and signed the 20 Hearing Determination. [AR No. 64, Bates 961 - 963]. 21 On August 16, 2022, the Bureau sent public service announcement (PSA) requests with

22 PSAs in English and in Spanish to radio stations in Hobbs and Carlsbad; the Bureau also submitted

an online form requesting information about the public hearing on October 3 be read on the public
 radio station in southeastern New Mexico. [AR Nos. 66-70, Bates 965 – 989].

3

VII. RATIONALE FOR PERMIT CONDITIONS

Section 210 of Part 72 authorizes the Department to include conditions in an Air Quality New Source Review (NSR) permit. If a permit is issued, it will contain conditions that specify what equipment is authorized to be installed and operated, and will impose limits on air pollutant emissions, and how equipment may be operated. A permit is an enforceable legal document and will include methods for determining compliance on a regular basis and monitoring, recordkeeping, and reporting requirements to ensure and verify compliance with the permit.

10 A permit contains three parts, A, B and C. Conditions in Part A of the permit are facility 11 specific requirements. They are site-specific and based on information provided in the application. 12 Conditions in Part B of the permit are General Conditions and standard language which generally 13 apply to all sources. Part C is also standard language about supporting on-line documents, 14 definitions, and acronyms which apply to all sources. [AR No. 15, Bates 706 - 754]. Conditions 15 in Part A often reference Parts B & C for specifics about the appropriate methods and requirements 16 for monitoring, recordkeeping, reporting and testing. Parts B & C also include commonly 17 abbreviated terms, definitions, reporting requirements for testing and monitoring results and 18 annual fees, among other things.

A draft permit is a dynamic working document subject to updates throughout the review process. Draft Permit 6832M8 began with standardized language in an AQB New Source Review Permit Part A template, and standardized AQB Monitoring Protocols were added as necessary for the sources of emissions and control devices at Chevron's proposed facility. Many of the permit conditions used in Draft Permit 6832M8 transferred over from the existing NSR 6832M7. I tailored
permitting conditions to fit site specific operations and equipment, based on information provided
 in the application. Some conditions were crafted and utilized from previously issued permits that
 contained Department approved permit language.

Permit conditions also establish ongoing testing and monitoring requirements for processes
and pieces of equipment to ensure the equipment is operating in accordance with the permitted
emission limits. For enforceability of a Permit, when an allowable emission limit is established for
a unit in either Table 106.A or Table 107.A, there is at least one corresponding permit condition.

8 VIII. RESPONSES TO COMMENTS RECEIVED ON THE APPLICATION

As stated previously, the Air Quality Bureau received one letter from WEG with comments about this application on March 25, 2022 [AR No. 22, Bates 808 - 825]. In addition, WEG submitted a Statement of Issues in this proceeding which included one issue regarding the draft permit for Salado Draw 23 CS and TB. [AR No. 73, Bates 1034 - 1038]. The following section presents WEG's comments (indented) followed by AQB's response to each comment. An explanation why modeling was not required for this application is in the written testimony presented by Angela Raso. [Bureau Exhibit 7].

16

Comment: 1. Method of Compliance for SSM VOC Emissions is Not Clear

17 The proposed permit conditions for the Salado 23 facility's SITE-SSM and 18 SSM units are not enforceable as a practical matter because the proposed 19 permit does not clearly specify a method of compliance (including 20 monitoring, recordkeeping, and reporting requirements) that is sufficient to 21 enable regulators and citizens to determine whether the operator is in 22 compliance with the permit conditions and, if not, to take appropriate 23 enforcement action. For example, the proposed permit at A107.C. does not 24 specify a method for calculating the volume of total gas vented during SSM 25 events, nor does it specify what information these calculations would be 26 based on. 27

27 Moreover, the monitoring requirements at A107.C. of the proposed permit 28 simply direct the operator to monitor the permitted routine and predictable 29 startups and shutdowns and scheduled maintenance events without 30 providing a citation to a law, regulation, or permit requirement, according

1 to which the monitoring must be done. SSM permit conditions for 2 recordkeeping and reporting generally require these compliance activities 3 be done in accordance with permit conditions in Part B of the applicable 4 NSR permit or in accordance with regulations in the New Mexico 5 Administrative Code. For example, A107.C. of the proposed permit states 6 that the permittee shall report in accordance with Section B110. However, 7 the reporting requirements of Section B110 do not actually specify any 8 method of monitoring or set forth any actual emission monitoring 9 requirements. Guardians requests the Department specify the law, 10 regulation, or permit requirement according to which Chevron must conduct 11 actual monitoring of VOC emissions in relation to the SITE-SSM and SSM 12 units.

13 [AR No. 22, Bates 813 - 814].

Response: Unit SSM was removed from the draft permit per Chevron's request. See Draft 14 15 Permit, August 3, 2022 [AR No. 18, Bates 772 - 799]. Therefore, it will not be discussed further. 16 Regarding SITE-SSM, the facility may need to depressurize portions of the facility by 17 venting gas. The methodology used to determine SSM emissions is based on engineering design 18 of the equipment being depressurized. The volume of gas is calculated based on the volumes 19 contained within the various equipment being depressurized. For the SITE-SSM activities, the 20 releases are determined based on the gas composition, the volume of gas released during an 21 activity, and the number of activities. The amount of gas is determined from the volume within the 22 line being depressurized and the gas composition. The same approach is used for other 23 miscellaneous SSM activities. Because SSM represents various activities, SSM does not have a 24 single volume or capacity. The volumes used in the calculations are based on engineering 25 knowledge of the individual equipment undergoing the startup, shutdown, or maintenance. The 26 SSM VOC Condition A107.C in the draft permit requires tracking and calculating of the total VOC 27 emissions based on the inlet gas analyses (meaning the % VOC content of the gas), the volume of 28 gas vented, and the number of venting events per year. This methodology is provided in Section 6 29 of the application with demonstrating calculations. Permit Condition B109 lists out all **Bureau Stmt of Intent Ex. 5** Test. of Joseph Mashburn

Chevron 23, AQB 22-27

1 recordkeeping requirements for the facility, with specific monitoring requirements for SSM at 2 Condition B109.C(1) and Condition B109.C (2). Specifically, the Permit Condition B109.C(1) 3 requires that the facility establish and implement a plan to minimize emissions during routine or 4 predictable startup, shutdown, and scheduled maintenance through work practice standards and 5 good air pollution control practices. In addition, the Permit Condition B109.C(2) requires that the 6 permittee record all SSM events, including the date, the start time, the end time, description of the 7 event, and the description and cause of the event. The Permit Condition also requires that 8 supporting documentation be kept of records to demonstrate that the maintenance is in fact 9 required and scheduled in accordance with manufacturer specifications for specific units. The 10 requirements, monitoring, and recordkeeping in the draft permit are sufficient for the applicant to 11 determine SSM emissions and are enforceable. Conditions in all Sections (Part A, B, and C) of the 12 permit apply regardless of citations within Part A.

13 **Comment:** 2. Duration and Number of SSM Events

14 We request the Department explain why the proposed permit does not limit the duration and number of SSM events at section A107.C. of the permit. 15 16 according to the information provided in the permit application. By 17 definition. SSM events are routine and predictable, and the permit application reflects this by identifying the number of SSM events per unit, 18 19 per year and the duration of each event. With no limits on the duration of 20 frequency of SSM events, it is unclear how Chevron will ensure it operates 21 the facility in accordance with its application and requested emission limits. 22 Accordingly, we request the proposed permit specifically limit the duration 23 and number of SSM events according to the unit-specific information 24 provided by Chevron in its permit application. If the Department declines 25 this request, we further request that the Department explain the basis for its 26 decision.

- 27 [AR No. 22, Bates 814].
- 28 **Response:** Chevron calculated planned SITE-SSM events in Section 6 of the application
- 29 [AR No. 3, Bates 294 296], therefore emission limits were established in Condition A107.A

1 based on specific types of SSM events with calculated emission limits per event, and emission 2 limits are enforceable in an air quality permit. The Bureau establishes annual emission limits to 3 ensure compliance with long-term air permitting limits. Compliance with the annual limits 4 established in Table 107.A are demonstrated by operating in accordance with the requirements in 5 Conditions A206.C and A206.D and completing monitoring and recordkeeping in Conditions 6 A107.C and A107.D. Records of monthly rolling 12-month total emissions demonstrate 7 compliance with annual limits. If Chevron has more SSM events than it forecasted in its 8 application, it may exceed emission limits and, if so, be subject to enforcement action. Thus, the 9 permit is enforceable with regard to SSM activities.

10 **Comment:** *3. Monitoring Frequency of Inlet Gas Analysis*

11 It is not clear from the Department's Statement of Basis or the permit application why annual inlet gas analysis for the SSM VOC emissions limit 12 13 is sufficient to ensure compliance. We request the Department explain why 14 quarterly or monthly analysis would not be more appropriate. The composition of gas emitted during different SSM activities and from 15 16 different facility unit can vary significantly, and the data provided in the 17 permit application reflects the gas composition on July 20, 2021. It is not 18 clear from the permit application whether the gas composition recorded on 19 this date is representative of the composition of gas emitted at all times of 20 the year. We request the Department amend the proposed permit to require monthly gas inlet analysis from the SSM VOC emissions. 21

22 [AR No. 22, Bates 814].

Response: It is the Departments standard practice to require an annual gas analysis. In instances where the gas is highly variable the Department will implement requirements for more frequent inlet gas analyses. If it becomes evident that the VOC content fluctuates significantly the Department may require more frequent gas analyses. In this case, comparison of the most recent analyses does not demonstrate that the VOC content fluctuates significantly enough to require

28 more frequent analyses.

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2 *Efficiency*

3 We are concerned that the draft permit lacks provisions to ensure 4 performance testing of the FLARE unit. While the permit requires Chevron 5 to maintain and operate the flare in accordance with manufacturer's 6 specifications, there are no testing requirements to ensure that adherence to 7 the manufacturer's specifications alone will ensure the flare meets the 98% 8 VOC control efficiency assumed by Chevron. Further, while there are 9 visible emission monitoring requirements for the FLARE unit, a lack of 10 visible emissions does not necessarily mean the flare is achieving a 98% control efficiency. We are particularly concerned that operation and 11 maintenance standards do not account for flares operating outdoors, in 12 13 variable weather conditions, or in the presence of other conditions that could 14 affect short and long-term performance. If the flare operates at any less than 15 98% control efficiency, significant VOC emissions could result. To ensure this level of control is continuously met, the Department must require 16 performance testing at least annually, if not more frequently. 17

18 [AR No. 22, Bates 814].

19 Response: The visible emissions condition at A206.A demonstrates compliance with 20 20.2.61 NMAC, which regulates opacity of emissions. This condition is not designed to be the 21 sole demonstration that the flare meets the 98% destruction efficiency, though it contributes to 22 assuring that the flare is combusting properly. Destruction efficiency depends on temperature, 23 mixing, and residence time in the combustion zone. Heat content of the fuel and maximum tip 24 velocity in the flare are the primary factors affecting those parameters, which is why values for 25 those parameters are specified in 40 CFR 60.18 and 40 CFR 63.11 for flares used as controls for 26 NSPSs and NESHAPs. Flares are designed by the manufacturer so that when they are operated 27 properly the parameters mentioned above to assure the destruction efficiency will be met. The development of the 98% destruction efficiency was supported by studies of flare emissions 28 29 for conducted US EPA (see references at end of AP-42 section 13.5 at

30 (<u>https://www.epa.gov/sites/production/files/2020-10/documents/13.5_industrial_flares.pdf</u>

| 1 | [August 25, 2022, 8:40 AM]) and associated background documents at | | | | | | |
|---|--|--|--|--|--|--|--|
| 2 | (https://www.epa.gov/sites/default/files/2020-10/b13s05_02-05-18.zip [August 25, 2022, 8:48 | | | | | | |
| 3 | AM]). These links are also under the chapter 13.5 Industrial Flares section of this webpage: | | | | | | |
| 4 | (https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-fifth-edition-volume-i- | | | | | | |
| 5 | chapter-13-miscellaneous-0 [August 25, 2022, 8:54 AM]). Direct measurement performance tests | | | | | | |
| 6 | are not conducted routinely on flares for logistical and safety reasons, and because the design of | | | | | | |
| 7 | the flare ensures the destruction efficiency will be met. | | | | | | |
| 8 | Comment: 5. SSM VOC Emissions for the SSM Unit is Improper | | | | | | |
| 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 | The proposed permit includes two separate SSM VOC emission limits – one limit specific to the "SITE-SSM" unit, which limits SSM VOC emissions from compressors, vapor recovery units, and dehydrators and another limit specific to the "SSM" unit that appears to be a limit SSM VOC emissions for all sources associated with the Salado 23 facility. The proposed permit does not explain what particular units or features of the Salado 23 facility must comply with SSM unit limit or whether the units covered by the SITE- SSM emission limit fall under the SSM unit emission limit as well. To ensure practical enforceability, emission limits must be technically accurate and specify the portions of the source subject to the limitation. In addition, we request the Department explain how authorizing an additional 10 tpy VOC SSM buffer complies with the Department's SSM Guidance. The Department's SSM Guidance requires that SSM emissions be routine and predictable, but the permit application for the Salado 23 facility does not explain what routine and predictable events warrant an additional 10 tpy SSM emission limit. The Department's SSM Guidance states that a permittee may apply to consolidate the SSM and upset/malfunction emission limit, with a total limit of 10 tpy per pollutant, | | | | | | |
| 28 | [AR No. 22, Bates 815]. | | | | | | |
| 29 | Response: SITE-SSM emissions are discussed above at WEG Comment 1, therefore | | | | | | |
| 30 | emissions for that unit will not be discussed in this response. In addition, Unit SSM was removed | | | | | | |
| 31 | from the application and draft permit per Chevron's request to meet the operational requirements | | | | | | |

32 of the facility. Therefore, it will not be discussed further.

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Both the permit application and the Department's Statement of Basis for the Salado 23 facility indicate that there are no compliance issues related to this facility despite the fact that the permittee reported at least 24 excess emission events since April 2020. Based on Chevron's and the Department's statements, Guardians can only assume that the Department has not considered or evaluated whether emissions from the Salado 23 facility, factoring in regularly occurring excess emissions, will meet the applicable air quality standards and the requirements in state and federal law.

- 11 Malfunctions at the Salado 23 facility in the last year caused nearly 20,000 lbs. of VOCs to be emitted into the air of southeast New Mexico. In 12 addition, during the February 22, 2021 malfunction, the Salado 23 facility 13 emitted carbon monoxide at 106.4 lbs./hr, exceeding the facility's 14 15 maximum potential to emit carbon monoxide stated in the permit 16 application. The Department must evaluate the Salado 23 facility's potential 17 to emit and whether or not emissions from the facility will comply with the 18 relevant air quality standards according to the most representative data 19 available, including the facility's history of excess emissions. In this case, 20 Chevron did not conduct new modeling (and the Department did not require 21 it) to evaluate whether emissions from the Salado 23 facility, including its 22 regularly occurring excess emissions, would comply with the relevant air 23 quality standard as understood in the context of current air quality in southeast New Mexico that already exceeds the ozone NAAQS. Instead, 24 25 Chevron and the Department relied on a modeling report analyzing the 26 Salado 23 facility, dated July 11, 2019. As a result, this modeling report 27 does not account for excess emissions reported by the Salado 23 facility that 28 occurred after July 11, 2019. Since the Department did not make the July 29 11. 2019 modeling report publicly available alongside the proposed permit. Guardians also has no way to tell whether that report incorporated and 30 31 analyzed any excess emissions reported by Chevron prior to that date. 32 We request the Department explain how it addressed excess emissions 33 reported by the Salado 23 facility in evaluating whether emissions from the facility will comply with the applicable air quality standards and update 34 35 Chevron's potential to emit, permit limitations, and all relevant aspects of the proposed permit accordingly. 36
- 37 [AR No. 22, Bates 815 816].

Response: The Compliance and Enforcement Section (C&E) of the AQB requires
 Inspectors and Compliance Reports specialists to review excess emissions reports (EERs) when

40 inspecting or reviewing semi-annual reports or Annual Compliance Certifications. Within our

statute of limitations, when excess emissions reports indicate that exceedances of allowable limits have occurred, the Compliance specialist includes each of these in their notification of potential violations. These violations are then referred to Enforcement specialists to develop enforcement cases. Compliance specialists review excess emissions reports monthly and begin this process for the most concerning companies, based on the number of EERs.

EER cases will be developed for these reported excess emissions. There are several factors
that are considered throughout the development of the case such as permitted malfunction
emissions and affirmative defense demonstrations (ADDs). The C&E Section handles these
reports and cases in accordance with Department policy and procedure.

10 Related to permitting and modeling, Chevron requested 10 tpy VOC of Malfunction 11 emissions to include future malfunction events at the facility. VOC are not modeled; therefore, 12 modeling was not required to permit these emissions. If Chevron reports emissions as malfunction 13 emissions but the Bureau's C&E section finds that they did not qualify as malfunction emissions, 14 they may have to be reported as excess emissions and Chevron may be subject to enforcement 15 action.

16

Comment in Statement of Issues:

17 With regards to the Chevron USA Inc. proposed permit modification for the Salado Draw 23 Compressor Station and Tank Battery, Guardians is also 18 19 concerned that the draft permit does not include emission limits that 20 Chevron requested be included in the permit. Table 106.A in Condition A106.A sets forth proposed emission limits for the facility. Within this 21 22 Table are proposed emission limits for water truck loading activities, 23 identified as "LOAD." For hourly VOC emissions during water truck loading, the draft permit includes only an asterisk and an explanation that 24 25 "hourly emission limits are not appropriate for this situation." Draft Permit 26 No. 6832-M8 at A8. However, in its permit application, Chevron explicitly 27 requested the permit modification include a 0.341 pounds per hour limit on VOC emissions during water truck loading. See Salado Draw 23 28 29 Compressor Station and Tank Battery Permit Application at Table 2-E. It is

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not clear how an hourly limit on VOC emissions during truck loadout activities is not appropriate when the applicant itself requested the permit include an hourly emission limit.

4 **Response:** The Department establishes allowable emission limits on a case-by-case basis 5 [20.2.72.210.B.(1) NMAC]. Emissions limits may be derived from state regulation, federal 6 regulation, statute, ambient air quality standard, a voluntarily requested enforceable emission limit 7 to avoid major source permit applicability, and for other reasons. However, it is within the 8 Department's regulatory discretion to determine de minimis thresholds not requiring an emission 9 limit for very small sources of emissions. The Department has consistently applied its regulatory 10 discretion in its permits, as established in the form of footnotes to Table 106.A. The footnotes 11 detail why a specific emission limit has not been established in the permit. The footnote states: "*" 12 which indicates hourly emission limits are not appropriate for this operating situation.

13 NMED does not require pound per hour VOC emission limits for activities such as truck 14 loading for several reasons. Loading is not a steady state process and does not have a steady state 15 hourly emission rate. Thus, an hourly limit is not appropriate. These releases are short term, 16 intermittent activities for which emissions are determined by the loading event rather than the time 17 period over which the event occurs. Hourly emission limits on these types of releases are not 18 necessary to meet the criteria of meeting the requirements of the Air Quality Control Act and the 19 federal act [20.2.72.210.B.(1)(a) and B(2) NMAC]. The maximum uncontrolled annual emissions 20 from Loading does have an annual emission limit in Table 106.A. The enforceability of this limit 21 in Condition A203.B for loading relies on the monitoring and recordkeeping specified in the 22 condition.

The text at 20.2.72.210.A NMAC states "The contents of the application specifically
identified by the Department shall become terms and conditions of the permit or permit revision."

This provision allows the Department to incorporate information from the application such as specific calculation methods for emissions into the permit by reference. The provision does not imply that all information in an application becomes a condition of the permit. The Department determines the appropriate emission limits for a permit as part of its review of the application and development of the construction (NSR) permit as described under 20.2.72.210.B.(1) NMAC.

6 IX.

CONCLUSION

7 The Bureau has completed a technical review of this application. The facility, as 8 represented in the application, demonstrates it can operate in compliance with all relevant federal 9 and state air quality regulations. The facility's operations, as represented in this application, do not 10 cause nor significantly contribute to any exceedances of applicable air quality standards. These 11 results are based on the previous modeling analysis and emissions calculations for Carbon 12 Monoxide (CO), Nitrogen Dioxide (NO2), Particulate Matter 10 microns or less (PM10), Particulate Matter 2.5 microns or less (PM2.5), and Sulfur Dioxide (SO2). The comments received 13 14 by the Bureau regarding this permit have been responded to in this testimony. The responses 15 demonstrate that the comments do not raise any substantive issues that indicate this permit should 16 not be issued. The permit includes all state and federal air quality regulations applicable to the 17 facility operations, and contains emission limits and monitoring, recordkeeping, or reporting 18 requirements to ensure Ambient Air Quality Standards are met. The Air Quality Bureau 19 recommends that the Secretary approve issuance of this Permit.

BUREAU EXHIBIT 6

JOSEPH H. MASHBURN

525 Camino de Los Marquez, Santa Fe, NM 87505 || (505) 629-7843 || joseph.mashburn@state.nm.us

SUMMARY

A solution-driven and forward-thinking environmental professional, with a background in industry, state agencies, and demonstrated experience in facility inspection, planning, auditing, and quality assurance, focusing on environment, safety, and health regulations. Recognized for strengths in collaboration, project leadership, facilitating change, technical writing, and strategic thinking. Diligent and meticulous, leverages a keen attention to detail in performing inspections and surveys. Stays abreast of changing local, state, and national environmental laws, regulations, and policies to ensure compliance.

EXPERIENCE

 NEW MEXICO ENVIRONMENT DEPARTMENT/AIR QUALITY BUREAU
 Santa Fe, New Mexico

 Environmental Scientist-Permit Specialist, Permitting Section
 2016-Present

Review and evaluate air quality permit applications from industrial sources, with an emphasis on oil & gas facilities. Determine if information provided is reasonable and verify the emission rates calculated by the applicant; Determine and verify whether pollution control equipment and operating parameters represented in the applications are justified and accurate based on design specifications. Determine which state and federal regulations apply and which calculations to use in verifying emission rates.

Write air quality permits, to be issued to the applicant, specifying terms and conditions of construction, operation, and compliance. Maintain permit file folders with quality analysis and documentation of the permitting process including a Statement of Basis, correspondence to and from the interested parties (i.e., applicant, concerned citizens, EPA).

Liaison between the Bureau and applicant; and Represent the Department before the Environmental Improvement Board, open house meetings, and public hearings as needed.

Participate in, and contribute to regulation development, technical research, computer applications, and policy and procedure development. Train new staff and improve working conditions. Attend training on the list of approved permit section training and perform site visits.

| DEVON ENERGY CORPORATION | Weatherford, Oklahoma |
|--|-----------------------|
| Environmental Professional, Weatherford Field Office | |

Provided environmental compliance support to field operations for Anadarko Basin business unit. Tracked SPCC, state air permit applicability, Quad O facilities, waste management, Quad J engine testing and compliance, spill reporting to OCC, TRRC, and BLM, spill remediation, and other programs. Provided environmental training to diverse business units, as required by regulation and company protocols through PowerPoint presentations and other media. Presented environmental topics at monthly safety meetings. Acted as the EHS liaison between field unit and corporate environmental staff.

Performed comprehensive facility inspections at production pads, injection wells, and drilling locations. Conducted contractor waste disposal site inspections and approvals. Participated in operational readiness reviews for new wells coming online after completions, as well as in environmental due-diligence reviews for company acquisitions. Served as event tracking manager for all spills and unplanned air releases in Weatherford, OK and Canadian, TX field offices; processed incidents and root-cause in company incident tracking system. Responded to federal, state, and local agency inspections and inquiries.

• Facilitated cost savings with SPCC plan contractor and engine emission test contractor.

Bureau Statement of Intent Exhibit 6

- Gained knowledge and skills for spill remediation through project management for various oil and produced water spills, as well as through course training for Brine and Oil Spill Remediation.
- Saved time and money for corporation by managing remediation in-house.
- Added value while reducing regulatory risk through conducting 75 environment, health, and safety site inspections for oil and gas production pads, saltwater disposals (injection wells), and drilling locations.
- Developed valuable relationships with federal, state, and local regulators to enhance community trust.
- Sharpened presentation skills, adding value to multiple training classes for operations.
- Attended formal speech and presentation training to improve PowerPoint presentations and maximize meeting times.

| OKLAHOMA DEPARTMENT OF ENVIRONME | ENTAL QUALITY - AIR QUALITY DIVISION | Oklahoma City, Oklahoma |
|------------------------------------|--------------------------------------|-------------------------|
| Environmental Programs Manager for | · Quality Assurance | |

Oversaw QA program for collection of National Ambient Air Quality Standards (NAAQS) criteria pollutant data. Managed tracking, approval, and revision of quality assurance project plans for division. Reported to management and EPA Region VI on quality of data, following EPA grant requirements for division. Participated in national policy development and in national and regional conferences to represent Oklahoma's interests. Managed staff of seven individuals, including QA auditors and data specialists. Trained QA staff on EPA AQS (EPA's air quality database), data entry, and field QA audit procedures.

- Identified and corrected deficiencies in air monitoring network, enabling continuous improvement in data quality.
- Maintained excellent quality assurance for Oklahoma's data network, assisting State of Oklahoma with staying in compliance with NAAQS for various pollutants.
- Prepared and maintained quality assurance plans for Air Quality Division, following EPA guidelines in a timely manner.
- Participated in EPA Region VI technical systems audits of Air Quality Division programs, showing minimal corrective actions mentioned by EPA.
- Developed excellent lines of communication with EPA staff to maximize value of grant funding provided to state programs.

Performed data collection and validation for air pollution data collection systems. Operated ambient air pollution monitors, per EPA regulations. Developed SOPs and assisted with training employees. Oversaw data acquisition and analysis. Submitted data to EPA AQS database. Identified and corrected deficiencies in air monitoring network, enabling continuous improvement in data quality.

- Prepared quality assurance project plans for Air Quality Division, following EPA guidelines.
- Achieved continuous improvement in data collection percentages, minimizing downtime.

ADDITIONAL EXPERIENCE

KERR-MCGEE CORPORATION, Oklahoma City, Oklahoma, *Staff Regulatory Compliance Specialist*, 1990-1994. Performed EHS audits and advised company facilities (E&P, chemical, coal, refining, and NRC decommissioned sites) for compliance with environmental, safety, and health regulations, as well as corporate policies. Tracked compliance record of facilities, showing continuous improvement in deficient programs. Provided facilities with compliance guidance. Reported to management on potential non-compliance, reducing potential enforcement action. Conducted 70 multimedia audits of facilities in four years, (protocols addressed environmental, safety, health regulations, NRC, and corporate policies).

EDUCATION

UNIVERSITY OF OKLAHOMA, Norman, Oklahoma M.B.A., Marketing and Finance, 2000

UNIVERSITY OF CENTRAL OKLAHOMA, Edmond, Oklahoma B.S., Biology

PROFESSIONAL DEVELOPMENT

Contractor Safety Orientation (Oil and Gas EHS), Devon Energy, 2016 Hydrogen Sulfide Operations (Oil and Gas), Devon Energy, 2015 NSC Defensive Driving Course, Ninth Edition, 1/9/2021 Annual SPCC Training (Presenter), 2015 Waste Management Training and Protocol Rollout (Presenter), 2015 Remediation and Restoration of Hydrocarbon and Brine Contaminated Soils, Sublette, 2014 N.O.R.M. Surveyor Training, 2014

CERTIFICATIONS

SafeLand USA, 2016 | CPR and First Aid, 2015 Hydrogen Sulfide Certification Course, 2/28/2020 (ANSI/ASSE Z390.1-2006)

BUREAU EXHIBIT 7

| 1 2 | STATE OF NEW MEXICO BEFORE THE SECRETARY OF ENVIRONMENT |
|--------------------------------|--|
| 3 | IN THE MATTER OF THE APPLICATIONS OF |
| 4 5 6 7 | DLK BLACK RIVER MIDSTREAM, LLCAQB 22-25FOR AN AIR QUALITY PERMIT NO. 6567-M8FOR THE BLACK RIVER GAS PROCESSING PLANT |
| 8 9 10 11 12 12 | CHEVRON USA INC.AQB 22-26FOR AN AIR QUALITY PERMIT NO. 6109-M8AQB 22-26FOR THE SALADO DRAW 19 CENTRALTANK BATTERY AND COMPRESSOR STATION |
| 13 14 15 16 17 | CHEVRON USA INC.AQB 22-27FOR AN AIR QUALITY PERMIT NO. 6832-M8AQB 22-27FOR THE SALADO DRAW 23 COMPRESSORSTATION AND TANK BATTERY |
| 19 20 21 | TECHNICAL TESTIMONY OF ANGELA RASO IN SUPPORT OF THE APPROVAL OF THE APPLICATION OF DLK BLACK RIVER MIDSTREAM, LLC AND THE TWO APPLICATIONS OF CHEVRON USA INC. LISTED ABOVE |
| 22 | I. INTRODUCTION |
| 23 | My name is Angela Raso. I am an air quality dispersion modeler for the New Mexico |
| 24 | Environment Department ("Department" or "NMED") Air Quality Bureau ("Bureau"). |
| 25 | I present this written testimony on behalf of the Bureau for the public hearing on three New |
| 26 | Source Review (NSR) construction permit applications: |
| 27 | 1) DLK Black River Midstream, LLC ("Black River") for a modification of its Black |
| 28 | River Gas Processing Plant ("Original Application" and "Revised Application," and |
| 29 | collectively, the "Application"). [Black River AQB 22-25 AR No. 1 and 4, Bates |
| 30 | 001-291 and Bates 294-565]; |
| 31 | 2) Chevron USA, Inc. for a modification of its Salado Draw 19 Central Tank Battery and |
| 32 | Compressor Station ("Chevron 19") [Chevron AQB 22-26 AR No. 1 -3, Bates 1-882]; |

Bureau Statement of Intent Exhibit 7

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 Chevron USA, Inc. for a modification of its Salado Draw 23 Compressor Station and Tank Battery ("Chevron 23") [Chevron AQB 22-27 AR No. 9-11, Bates 413-497].

My testimony will address my qualifications and the air quality dispersion modeling decisions of the Bureau for the above three applications. [Black River 22-25 AR Nos. 10-13, Bates 580-749]; [Chevron 22-26 AR No. 7-8, Bates 908-996]; and [Chevron 22-27 AR No. 1 and 3, Bates 1-197 and Bates 201-397].

7 II. QUALIFICATIONS

8 I hold a Ph.D. in chemistry from Purdue University and a B.A. in chemistry from Whitman 9 College. My Ph.D. research was based on atmospheric chemistry. I have been a dispersion modeler 10 for the Bureau for approximately 4 years. One of my primary duties is the review of air dispersion 11 modeling for New Source Review permit applications to determine if they will comply with air 12 quality standards and other modeling-related requirements.

Air dispersion modeling is a computer simulation that predicts air concentrations of pollutants for a proposed facility based on a permit application. The United States Environmental Protection Agency ("EPA") develops models for this purpose. EPA developed models to allow state and local air quality authorities to use a consistent framework to ensure quality analyses.

17 My full background and qualifications are set forth in my resume. [Bureau Exhibit 8].

18

III. PERMIT APPLICATION MODELING REVIEW

In order to be issued a New Source Review ("NSR") permit, the applicant must demonstrate that operation of the proposed facility will not cause or contribute to any violations of National or New Mexico Ambient Air Quality Standards (NAAQS or NMAAQS), Prevention of Significant Deterioration ("PSD") Increments, or State Air Toxic pollutant requirements. National Ambient Air Quality Standards are established and periodically reviewed by the EPA and

Bureau Stmt of Intent Ex. 7 Test. of Angela Raso AQB 22-25, 22-26, 22-27

1 are designed to protect public health with an adequate margin of safety. PSD increments are 2 designed to protect clean areas from degrading to conditions just barely in compliance with other 3 air quality standards. New Mexico toxic air pollutant regulations require that large sources of toxic 4 air pollutants demonstrate that nearby impacts of the proposed facility will be no more than one 5 percent of the Occupational Exposure Level ("OEL") set in 20.2.72.502 NMAC. The requirement 6 to demonstrate compliance with these air quality measures is contained in 20.2.72.203(A)(4)7 NMAC.

8 The Department issues and maintains the New Mexico Modeling Guidelines to provide a 9 basis for acceptable modeling analyses. These guidelines are included in the Administrative 10 Records for all three applications at issue in this proceeding. [Black River 22-25 AR No. 13, 11 Bates 667-749]; [Chevron 22-26 AR No. 7-8, Bates 908-996]; and [Chevron 22-27 AR No. 1 12 and 3, Bates 1-197 and Bates 201-397]. These guidelines incorporate and interpret the most recent version of EPA's Guideline on Air Quality Models.¹ The New Mexico Modeling Guidelines 13 14 also incorporate other information and guidance, such as EPA memoranda.

15 IV. **SPECIFIC ISSUES RAISED**

16

Α.

Model review for Black River Gas Processing Plant

17 I reviewed the modeling submitted by Black River Midstream LLC for permit 6567M8, which is known as "Black River Gas Processing Plant." I verified that the facility followed 18 19 appropriate modeling practices, as informed by the New Mexico Modeling Guidelines. [Black 20 River 22-25 AR No. 13, Bates 667-749]. Details of the modeling are described in the Air

¹ Environmental Protection Agency, "Revisions to the Guideline on Air Quality Models: Enhancements to the AERMOD Dispersion Modeling System and Incorporation of Approaches to Address Ozone and Fine Particulate Matter", 82 FR 5182-5235 (Jan 17, 2017) https://www.epa.gov/scram/2017-appendix-w-final-rule. **Bureau Stmt of Intent Ex. 7 Test. of Angela Raso** Page 3 of 8 AQB 22-25, 22-26, 22-27

1 Dispersion Modeling Summary Report for Permit No. 6567M8, which is contained in the 2 Administrative Record. [Black River 22-25 AR No. 10, Bates 580-591] If the facility operates in compliance with the terms and conditions of the draft permit, then it will not cause or contribute 3 4 to any concentrations above national or New Mexico ambient air quality standards or PSD 5 increments. The facility has satisfied all modeling requirements and the permit may be issued.

6 7

B. Use of monitored Carbon Monoxide (CO) and Sulfur Dioxide (SO₂) background concentrations for Black River Gas Processing Plant

8 To evaluate the cumulative impact of a minor source facility the Bureau often uses 9 background concentrations from nearby monitors. Minor PSD source facilities are not expected to 10 provide pre-construction ambient air quality monitoring.

11 Facility alone modeling for Black River Gas Processing Plant showed that both 1-hour and 12 8-hour CO concentrations caused by the facility were below the Significant Impact Level (SIL). 13 These results are summarized in attachment A of the applicant's original modeling report [Black 14 River 22-25 AR No. 1 Bates 285-291] and attachment B of the revised modeling report [Black 15 River 22-25 AR No. 73 Bates 1164-1170], and Table 6 of the Modeling Review Report [Black 16 River 22-25 AR No. 10, Bates 5-80-591]. Because facility impacts were below the SIL, 17 cumulative analysis was not conducted and no CO background concentration was utilized.

18 Facility alone modeling for the Black River Gas Processing Plant showed that predicted 19 concentration was above the SIL for several SO₂ standards and increments. These results are 20 summarized in attachment A of the applicant's modeling original modeling report [Black River 21 22-25 AR No. 1, Bates 285-291], attachment B of the applicant's revised modeling report 22 [Black River 22-25 AR No. 73 Bates 1164-1170], and Table 6 of the Modeling Review Report 23 [Black River 22-25 AR No. 10, Bates 580-591]. The applicant demonstrated compliance with the SO₂ standards and increments using background air quality data from the monitor located in 24

Bureau Stmt of Intent Ex. 7 Test. of Angela Raso AQB 22-25, 22-26, 22-27 Page 4 of 8 Amarillo, Texas. While the Big Spring, Texas monitor is closer to the Black River facility than the Amarillo monitor, it does not produce an appropriate background concentration for the area. The Big Spring monitor is located directly downwind from a facility with very large emissions of SO₂ (Big Spring Carbon Black Plant). The monitor and facility are surrounded by a 1-hour SO₂ nonattainment area that has been defined by EPA and the Texas Commission on Environmental Quality ("TCEQ"). This nonattainment area is localized to the facility and does not include the surrounding oil and gas region.

8 9

C. Hydrogen Sulfide (H₂S) cumulative analysis for the Black River Gas Processing Plant

Modeling of H₂S surrounding sources was not included in the initial permit application for Black River Gas Processing Plant. The applicant corrected this omission in the amended modeling it submitted during the technical review period. Results of cumulative modeling including H₂S surrounding sources can be found in attachment B of the applicants revised modeling report [Black **River 22-25 AR No. 73-74 Bates 1151-1184**] and Table 6 of the Modeling Review Report [Black **River 22-25 AR No. 10, Bates 580-591**]. The applicant has demonstrated that the proposed facility will not cause or contribute to exceedances of H₂S standards.

17 18

Modeling requirements for Salado Draw 19 Central Tank Battery and Compressor Station

In the permit modification for permit 6109M8 known as "Salado Draw 19 Central Tank
Battery and Compressor Station" [Chevron 22-26 AR No. 7-8, Bates 908-996] Chevron USA
requested emissions increases for small amounts of H₂S and Volatile Organic Compounds (VOCs)
(an increase of 0.0041 tpy of H₂S and 10.7 tpy of VOC). A modeling waiver was requested and
approved for the increase in H₂S based on very small emission rates [Chevron 22-26 AR No. 7-8
Bates 1622-1627]. There is no federal or New Mexico ambient air quality standard for VOCs

Bureau Stmt of Intent Ex. 7 Test. of Angela Raso AQB 22-25, 22-26, 22-27

D.

because VOCs are a precursor to a regulated pollutant, rather than a primary pollutant. As a result,
 the Bureau does not require dispersion modeling of VOCs.

- For background, modeling was reviewed by the Bureau previously for permit #6109M6 in
 2019. This model review showed that the facility does not cause or contribute to any concentrations
 above state or federal ambient air quality standards or PSD increments.
- 6

E. Modeling requirements for Salado Draw 23 Compressor Station

The permit modification for permit 6832M8, known as "Salado Draw 23 Compressor Station" did not require modeling review. **[Chevron 22-27 AR No. 10, Bates 414].** The only emissions increases requested by Chevron USA for this facility is for small amounts of VOCs (an increase of 11.6 tpy). There is no federal or New Mexico ambient air quality standard for VOCs because VOCs are a precursor to a regulated pollutant, rather than a primary pollutant. As a result, the Bureau does not require dispersion modeling of VOCs, and the Bureau did not require modeling for these Chevron permit modifications.

For background modeling was reviewed by the Bureau for permit #6832M6 in 2019. This model review showed that the facility does not cause or contribute to any concentrations above state or federal ambient air quality standards or PSD increments.

17

F. Measured violations of the ozone NAAQS

18 The facilities are in an area that currently has measured violations of the 8-hour ozone 19 NAAQS. However, the area has not been designated a nonattainment area by the EPA and the 20 Bureau does not require applications for permits that are minor sources with respect to the PSD 21 permitting program to demonstrate compliance with ozone standards. The Environmental

Bureau Stmt of Intent Ex. 7 Test. of Angela Raso AQB 22-25, 22-26, 22-27 Improvement Board has previously ruled that minor sources with respect to PSD do not
 individually cause or contribute to ozone concentrations in the region.²

The basis for this determination is that the EPA's Modeled Emission Rates for Precursors ("MERPs")^{3,4} show that in New Mexico facilities below the threshold of PSD major sources (generally emitting less than 250 tons per year of VOCs and/or less than 250 tons per year of Nitrogen Dioxide (NO2)) will cause the formation of less than EPA's recommended Significant Impact Level (SIL) for ozone (1 part per billion (ppb)).⁵

8 Rather than evaluate individual minor sources for ozone contributions, the Bureau conducts 9 regional modeling and evaluations of compliance with ozone standards. New regional rules to 10 reduce ozone precursors emitted from the oil and gas industry have recently been adopted by the 11 Environmental Improvement Board. The Bureau is also participating in EPA's ozone advance 12 program to address ground level ozone.

13

G. Use of the EPA's ozone SIL

14 Facilities with an impact lower than EPA's SIL are considered to not cause or contribute

15 to exceedances of air quality standards.

16 While the ozone SIL has not been included in the 'significant ambient concentrations'

17 described in NMAC 20.2.72, the use of the ozone SIL is documented in the Bureau's modeling

² See Final Order, In the Matter of the Appeals of the Air Quality Permit No. 7482-M1 issued to 3-Bear Delaware Operating -NM LLC, EIB No. 20-21A, ¶¶ 87-88 (Jan. 22, 2021).

³ Environmental Protection Agency, "Guidance on the Development of Modeled Emission Rates for Precursors (MERPs) as a Tier 1 Demonstration Tool for Ozone and PM2.5 under the PSD permitting Program" (April 30, 2019), <u>https://www.epa.gov/nsr/guidance-development-modeled-emission-rates-precursors-merps-tier-1-demonstration-tool-ozone</u>.

⁴ Environmental Protection Agency, MERPs View Qlik Interactive Website, <u>https://www.epa.gov/scram/merps-view-qlik</u>.

⁵ Environmental Protection Agency, "Guidance on Significant Impact Levels for Ozone and Fine Particles in the Prevention of Significant Deterioration Permitting Program" (Apr. 17, 2018), https://www.epa.gov/nsr/significant-impact-levels-ozone-and-fine-particles.

guidelines [Black River 22-25 AR No. 13, Bates 667-749]; [Chevron 22-26 AR No. 7-8, Bates
 908-996]; and [Chevron 22-27 AR No. 1 and 3, Bates 1-197 and Bates 201-397], and the
 Bureau's modeling staff believe that this SIL represents the best available evidence at this time for
 evaluating ozone impacts from minor PSD sources.

EPA's guidance⁶ recommends that the use of the SIL be justified on a case-by-case basis for the inclusion in permitting decisions. However, the guidance is directed at permitting major sources with respect to the PSD permitting program, not at permitting for minor PSD sources. The Bureau has not applied the SIL to individual facilities, but rather determined that no additional information can be gained by requiring individual minor sources demonstrate compliance.

Moreover, this EPA guidance document is non-binding guidance, intended for PSD major sources. NMED is not required to follow all specifications of the guidance when permitting minor sources. This includes the EPA recommendation that permitting authorities include a justification for the case-by-case application of the SIL.

BUREAU EXHIBIT 8

Angela R. W. Raso

Education

Purdue University, West Lafayette, IN

Doctor of Philosophy, Analytical chemistry Dissertation: "Halogen Photochemistry and Emissions from the Arctic Snowpack" Advisor Dr. Paul B. Shepson, Dr. Kerri A. Pratt (University of Michigan)

Whitman College, Walla Walla, WA

Bachelor of Arts, Chemistry. Mathematics minor. Undergraduate Thesis: "Determining the Presence of Dense Non-Aqueous Phase Liquid (DNAPL) Pollutants in River Sediments" Advisor Dr. Frank M. Dunnivant

Professional Experience

Dispersion Modeler, New Mexico Environment Department, Air Quality Bureau September 2018 - Present

- Evaluate facilities emissions for compliance with Ambient Air Quality Standards using dispersion models
- Assist with data analysis and evaluation related to emissions inventories
- Assist with special projects involving modeling and emissions inventories including; preparation for and review of photochemical modeling, modeling for state implementation plans

Research Experience

Research Assistant, Purdue University

- Lead field work based research on gas phase oxidation processes in the Arctic to understand a complex environmental system
- Collaboratively design and perform atmospheric chemistry experiments in the Arctic including eddy covariance flux measurements
- Full process responsibility for analytical measurements in a remote Arctic environment
- Coordinate logistical needs to ensure successful Arctic fieldwork in Barrow, Alaska
- Manage instrumentation including a homebuilt chemical ionization mass spectrometer, and an ion chromatography / liquid chromatography system
- Mentor and train students to safely and effectively use instrumentation
- Conduct zero- and one- dimensional photochemical modeling to understand and contextualize the importance of measurements

Visiting Research Assistant, University of Michigan

• Collaboratively planned for a spring 2016 field study in Barrow, Alaska

User, Environmental Molecular Sciences Laboratory, Pacific Northwest National Laboratory

• Acquired first ever measurements of iodide in Arctic snow using ion chromatography coupled with inductively coupled plasma mass spectrometry (IC-ICPMS)

Undergraduate Research Assistant, Whitman College

• Conducted research on dense non-aqueous phase liquids in mixed stream-bed media for detection at highly polluted sites using gas chromatography – electron capture detection

Teaching Experience

General Chemistry Adjunct, Santa Fe Community College
Instructed General Chemistry Laboratories

Analytical Chemistry TA, Purdue Chemistry Department

• Instructed laboratory sessions for upper division chemistry students in a major required course

Bureau Statement of Intent Ex. 8

May 2012

December 2018

October 2015

Fall & Winter 2015

Fall 2012 – August 2018

Fall 2010 – Spring 2012

Spring & Fall 2019

Fall 2013

• Wrote and graded exam questions and graded written lab reports, giving important feedback to students

Fundamental General Chemistry TA, Purdue Chemistry Department

• Instructed laboratory and recitation for students with no previous chemistry courses to give a gentle introduction to important laboratory and scientific skills

General Chemistry for Engineers TA, Purdue Chemistry Department

• Instructed laboratory and recitation sessions to introduce freshman engineers and scientists to college level science courses.

Chemistry Tutor, Whitman Chemistry Department

• Demonstrated concepts and problem solving techniques for students from general, organic and analytical chemistry classes in an open "drop in" environment using a variety of teaching methods

Organic Chemistry Laboratory Assistant, Whitman Chemistry Department

• Supported students in an organic chemistry laboratory to ensure safe, time effective, and comprehensive completion of experiments

Quantitative Analysis Lab. Assistant, Whitman Chemistry Department

- Supported students in a data rich laboratory to introduce analytical methods to chemistry majors
- Corrected spreadsheet style lab reports to give important feedback to students

Tutor, Whitman College Academic Resource Center

• Tutored general chemistry, organic chemistry, calculus I, calculus II and differential equations to support student understanding and grades

Publications and Presentations

- "Active Molecular Iodine Photochemistry in the Arctic" December 11, 2017. Oral Presentation, American Geophysical Union Meeting. New Orleans, La
- "Surface fluxes and recycling of molecular halogens above the snowpack" December 11, 2017. Poster, American Geophysical Union Meeting. New Orleans, La
- Raso, A. R. W., K. D. Custard, N. W. May, D. J. Tanner, M. K. Newburn, L. Walker, R. Moor, L. G. Huey, M. L. Alexander, P. B. Shepson, K. A. Pratt "Active Molecular Iodine Photochemistry in the Arctic" *Proceedings of the National Academy of Sciences* 114(38) 10053-10058
- Custard, K. D., A. R. W. Raso, K. A. Pratt, R. M. Staebler, and P. B. Shepson (2017) "Molecular halogen production in and flux measurements from tundra snow" ACS earth and space chem. 1(3), 142-151
- Raso, A.R.W., B. Elstrott, and F. M. Dunnivant, (2012) Envirolab: Simulations of Laboratory experiments in environmental chemistry [Computer Program]
- Available at http://people.whitman.edu/~dunnivfm/software.html
- "Mass transport and recycling of molecular halogens near the snowpack surface in Barrow (Utqiagvik), Alaska" December 12, 2016. American Geophysical Union Fall Meeting. San Francisco, Ca.
- "The impact of Molecular iodine photochemistry in the Arctic" December 17, 2014. Poster, American Geophysical Union Fall Meeting. San Francisco, Ca.
- "Determining the presence of dense non-aqueous phase liquid (DNAPL) pollutants in river sediments" March 26, 2012. Poster, National Spring Meeting of the American Chemical Society. San Diego, Ca.

Spring 2013

Fall 2012

Fall 2011

2010 - 2012

2010-2012

Fall 2011

BUREAU EXHIBIT 9

ADMINISTRATIVE RECORD INDEX

DLK Black River Midstream, LLC., Black River Gas Processing Plant

AQB 22-25

As of August 26, 2022

| Index No. | Date | Bates No. | From | То | Format | Subject | | |
|--------------|----------------------|---------------|-----------------------------------|-----------------------------------|--------------------------|--|--|--|
| | | | Appli | cation Material | | | | |
| 1 | 5/5/2021 | 0001- 0291 | DLK Black River Midstream, LLC | Air Quality Bureau (AQB) | Hard Copy | Application 6567M8 <u>Note</u> : All technical information such as calculations and supporting documents are included in the application and available upon request from the Department. | | |
| 2 | 5/11/2021 | 0292 | Air Quality Bureau (AQB) | DLK Black River Midstream, LLC | Digital | NSR Invoice | | |
| 3 | 5/20/2021 | 0293 | Air Quality Bureau (AQB) | Air Quality Bureau (AQB) | Digital | WS Fees | | |
| 4 | 9/15/2021 | 0294- 0565 | DLK Black River Midstream, LLC | Air Quality Bureau (AQB) | Digital | Updated/Revised Application | | |
| | Completion Documents | | | | | | | |
| 5 | 3/17/2020 | 0566- 0567 | Air Quality Bureau (AQB) | Air Quality Bureau (AQB) | Hard Copy | Location Verification (6567M5) | | |
| 6 | 5/25/2021 | 0568- 0573 | Air Quality Bureau (AQB) | DLK Black River Midstream, LLC | Digital | Completion letter and Public Notice | | |
| 7 | 5/25/2021 | 0574 | Air Quality Bureau (AQB) | State of Texas | Digital | Affected Parties Letter | | |
| 8 | 5/27/2021 | 0575- 0576 | Carlsbad Current Argus | Air Quality Bureau (AQB) | Hard Copy/ Digital | Legal Notice | | |
| 9 | 5/27/2021 | 0577- 0579 | Carlsbad Current Argus | Air Quality Bureau (AQB) | Hard Copy/ Digital | Newspaper Affidavit for Legal Notice | | |
| | Γ | T | Мо | deling Review | T | F | | |
| 10 | 9/23/2021 | 0580- 0591 | Air Quality Bureau (AQB) | Air Quality Bureau (AQB) | Digital | AQB Modeling Review Report | | |
| 11 | 6/13/2022 | 0592 | Angela Raso | Julia Kuhn (others at AQB) | E-mail | Request to include MERPS and Dispersion Modeling Guidelines in AR | | |

| Index No. | Date | Bates No. | From | То | Format | Subject |
|--------------|-----------|---------------|-----------------------------|--|--------------------------|---|
| 12 | 6/13/2022 | 0593- 0666 | Air Quality Bureau (AQB) | Air Quality Bureau (AQB) | Hard Copy/ Digital | MERPS 2019 |
| 13 | 6/13/2022 | 0667- 0749 | Air Quality Bureau (AQB) | Air Quality Bureau (AQB) | Hard Copy/ Digital | NM Air Dispersion Modeling Guidelines |
| | | | Dra | ft Documents | | |
| 14 | 9/1/2021 | 450-764 | Air Quality Bureau (AQB) | Air Quality Bureau (AQB) | Digital | Database Summary |
| 15 | 9/8/2021 | 765-778 | Air Quality Bureau (AQB) | DLK Black River Midstream, LLC, WildEarth Guardians (WEG), AQB Website | Digital | Statement of Basis 2021.09.08 (public) |
| 16 | 9/8/2021 | 779-835 | Air Quality Bureau (AQB) | DLK Black River Midstream, LLC, WildEarth Guardians (WEG), AQB Website | Digital | Draft Permit Version 2021.09.08 (public) |
| 17 | 1/21/2022 | 836-850 | Air Quality Bureau (AQB) | Air Quality Bureau (AQB) | Digital | Database Summary - Version 2022.1.21 |
| 18 | 1/21/2022 | 851-864 | Air Quality Bureau (AQB) | DLK Black River Midstream, LLC, WildEarth Guardians (WEG), AQB Website | Digital | Statement of Basis - Version 2022.1.21 |
| 19 | 1/21/2022 | 865-921 | Air Quality Bureau (AQB) | DLK Black River Midstream, LLC, WildEarth Guardians (WEG), AQB Website | Digital | Draft Permit - Version 2022.1.21 |
| 20 | 1/21/2022 | 922-978 | Air Quality Bureau (AQB) | DLK Black River Midstream, LLC, | Hard Copy/ Digital | Proposed - NSR permit 6567M8 |
| | | | Citizen Com | ments and Response | S | |
| 21 | 6/24/2021 | 979-982 | WildEarth Guardians | Air Quality Bureau (AQB) | Digital | WEG 1 st Comment |
| 22 | 6/24/2021 | 983-985 | Air Quality Bureau (AQB) | WildEarth Guardians | Digital | First Citizen Letter |
| 23 | 9/8/2021 | 986 | Air Quality Bureau (AQB) | WildEarth Guardians | Digital | Second Citizen Letter |

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|--------------|-----------|---------------|--|-----------------------------------|-----------|---|
| 24 | 10/8/2021 | 987-989 | WildEarth Guardians | Air Quality Bureau (AQB) | Digital | WEG 2 nd Comment |
| | | A | QB Internal Correspor | ndence and Multiple A | Agency Em | ail |
| 25 | 5/13/2021 | 990-992 | Julia Kuhn, AQB | Sufi Mustafa, AQB | E-mail | Notification to Modeler |
| 26 | 5/13/2021 | 993-995 | Compliance and Enforcement, AQB | Julia Kuhn, AQB | E-mail | Verification of Compliance |
| 27 | 5/25/2021 | 996-997 | Arianna Espinoza, AQB | Julia Kuhn, AQB | E-mail | Confirmation of application and public notice posted to AQB website |
| 28 | 5/25/2021 | 0998 | Julia Kuhn, AQB | EPA | E-mail | PN notification to EPA |
| 29 | 5/25/2021 | 0999 | Julia Kuhn, AQB | EPA | E-mail | Affected Party – State of Texas |
| 30 | 8/6/2021 | 1000- 1004 | Kirby Olson, AQB, Air Quality Bureau (AQB) | Julia Kuhn, AQB | E-mail | Cabinet Secretary Hearing Determination |
| 31 | 9/8/2021 | 1005 | Julia Kuhn, AQB | Arianna Espinoza, AQB | E-mail | NSR Permit and SOB Posted to AQB Website for review by citizen. |
| 32 | 9/23/2021 | 1006 | Angela Raso | Julia Kuhn, AQB | E-mail | Modeling Report finished |
| 33 | 2/2/2022 | 1007- 1009 | Arianna Espinoza, AQB | Julia Kuhn, AQB | E-mail | SOB and NSR permit with Public Interest and Hearing posted to AQB Website (revised drafts) |
| | | | DLK Black River Mi | dstream, LLC Correspo | ondence | |
| 34 | 5/25/2021 | 1010 | Air Quality Bureau (AQB) | DLK Black River Midstream, LLC | E-mail | Ruled Complete letter and Public Notice |
| 35 | 6/24/2021 | 1011 | Air Quality Bureau (AQB) | DLK Black River Midstream, LLC | E-mail | Notification of WEG comments/ Notification of Hearing Request |
| 36 | 9/8/2021 | 1012 | Air Quality Bureau (AQB) | DLK Black River Midstream, LLC | E-mail | Draft documents sent for review |
| 37 | 9/14/2021 | 1013- 1016 | DLK Black River Midstream, LLC | Air Quality Bureau | E-mails | Updated application |
| 38 | 9/14/2021 | 1017- 1022 | DLK Black River Midstream, LLC | Air Quality Bureau | E-mail | Application review: additional clarification, revision, request for supporting documents |
| 39 | 9/24/2021 | 1023- 1070 | DLK Black River Midstream. LLC | Air Quality Bureau | E-mails | Drafts Review Communication (multiple) |

Bureau Stmt of Intent Ex. 9 Black River Administrative Record Index AQB 22-25

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| 40 | 10/6/2021 | 1071 | Air Quality Bureau (AQB) | DLK Black River Midstream, LLC | E-mail | Notification of Hearing Determination |
| 41 | 5/2/2022 | 1072- 1073 | DLK Black River Midstream, LLC | Air Quality Bureau (AQB) | E-mail | Pneumatic Controllers Verification |
| 42 | 6/17/2022 | 1074- 1076 | DLK Black River Midstream, LLC | Air Quality Bureau (AQB) | E-mail | Part 79 applicability; Cyclohexane emissions |
| | | - | WEG | Correspondence | | |
| 43 | 6/24/2021 | 1077 | WEG | Air Quality Bureau | E-mail | First Comments received WEG |
| 44 | 6/24/2021 | 1078 | Air Quality Bureau (AQB) | WEG | E-mail | Initial Citizen letter send to WEG |
| 45 | 9/8/2021 | 1079 | Air Quality Bureau (AQB) | WEG | E-mail | Second Citizen Letter sent along with Permit and SOB drafts. |
| 46 | 10/8/2021 | 1080- 1081 | WEG | Air Quality Bureau | E-mail | Second comments from WEG |
| 47 | 10/12/2021 | 1082 | Air Quality Bureau (AQB) | WEG | E-mail | Notification of Hearing Determination |
| 48 | 2/10/2022 | 1083- 1088 | Air Quality Bureau (AQB) | WEG | E-mails | Revised drafts |
| 49 | 7/19/2022 | 1089- 1092 | WEG | Air Quality Bureau | Hard Copy | WEG Statement of Issues |
| | | | Pu | blic Outreach | | |
| 50 | 8/16/2022 | 1093- 1094 | Air Quality Bureau (AQB) | Don Hugues | Hard Copy | PSA request Carlsbad Radio – English |
| 51 | 8/16/2022 | 1095 | Air Quality Bureau (AQB) | Don Hugues | Hard Copy | PSA request Carlsbad Radio – Spanish |
| 52 | 8/16/2022 | 1096- 1097 | Air Quality Bureau (AQB) | Aaron Forrister | Hard Copy | PSA request Hobbs Radio – English |
| 53 | 8/16/2022 | 1098 | Air Quality Bureau (AQB) | Aaron Forrister | Hard Copy | PSA request Hobbs Radio – Spanish |
| 54 | 8/16/2022 | 1099- 1100 | Air Quality Bureau (AQB) | Don Hugues/Carlsbad Radio Aaron Forrister/Hobbs Radio | Hard Copy | Radio Announcement – English |
| 55 | 8/16/2022 | 1101- 1102 | Air Quality Bureau (AQB) | Don Hugues/Carlsbad Radio Aaron Forrister/Hobbs Radio | Hard Copy | Radio Announcement – Spanish |

| Index No. | Date | Bates No. | From | То | Format | Subject |
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| 56 | 8/16/2022 | 1103- 1105 | Air Quality Bureau (AQB) | KNEW New Mexico | Hard Copy | KNEW Community Events Calendar Posting |
| 57 | 8/17/2022 | 1106 | Air Quality Bureau (AQB) | WEG | E-mail | Notification of Public Hearing |
| 58 | 8/18/2022 | 1107 | Air Quality Bureau (AQB) | US EPA, Bureau of Land Management, New Mexico State Land Office, National Park Service, Lea County, Eddy County, State of Texas | E-mail | Notification of Public Hearing |
| 59 | 8/18/2022 | 1108 | Air Quality Bureau (AQB) | WEG, DLK Black River Midstream, LLC, US EPA, Bureau of Land Management, New Mexico State Land Office, National Park Service, Lea County, Eddy County, State of Texas | Hard Copy | Cover Letter Notice of Hearing |
| 60 | 8/18/2022 | 1109- 1113 | Air Quality Bureau (AQB) | WEG, DLK Black River Midstream, LLC, US EPA, Bureau of Land Management, New Mexico State Land Office, National Park Service, Lea County, Eddy County, State of Texas | Hard Copy | Notice of Hearing – English |
| 61 | 8/18/2022 | 1114- 1118 | Air Quality Bureau (AQB) | WEG, DLK Black River Midstream, LLC, US EPA, Bureau of Land Management, | Hard Copy | Notice of Hearing - Spanish |

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| | | | | New Mexico State Land Office, National Park Service, Lea County, Eddy County, State of Texas | | |
| 62 | 8/22/2022 | 1119- 1120 | Air Quality Bureau (AQB) | DLK Black River Midstream, LLC | E-mail | Notification of Public Hearing |
| 63 | 8/22/2022 | 1121 | Air Quality Bureau (AQB) | Air Quality Bureau (AQB) | Hard Copy | NMED Website Posting Screenshot – Docketed Matters |

| | Addendum Items | | | | | | | |
|----|----------------|---------------|---|-----------------------------------|--------------|---|--|--|
| 64 | 6/17/2022 | 1122 | DLK Black River Midstream, LLC | Air Quality Bureau (AQB) | Hard Copy | Emission Calculation for cyclohexane | | |
| 65 | 8/17/2022 | 1123- 1127 | DLK Black River Midstream, LLC | Air Quality Bureau (AQB) | E-mail | Emission Calculation for trimethylbenzene | | |
| 66 | 8/18/2022 | 1128- 1129 | DLK Black River Midstream, LLC | Air Quality Bureau (AQB) | E-mail | Section 11 clarification | | |
| 67 | 8/22/2022 | 1130- 1143 | Air Quality Bureau (AQB) | DLK Black River Midstream, LLC | Hard Copy | Revised SOB – Section 3, Single Source Analysis – A. SIC Code | | |
| 68 | 8/22/2022 | 1144 | Air Quality Bureau (AQB) | Air Quality Bureau (AQB) | Hard Copy | NMED Website Posting Screenshot - Revised SOB | | |
| 69 | 8/22/2022 | 1145 | Air Quality Bureau (AQB) | DLK Black River Midstream, LLC | E-mail | Emailed revised SOB | | |
| 70 | 8/22/2022 | 1146 | Air Quality Bureau (AQB) | WEG | E-mail | Emailed revised SOB | | |
| 71 | 8/16/2022 | 1147- 1148 | Air Quality Bureau (AQB) | Don Hughes | Radio | Emails of requests to run Public Service Announcements (PSAs) in English and in Spanish as a public service message on English and Spanish radio stations in Carlsbad | | |
| 72 | 8/16/2022 | 1149- 1150 | Air Quality Bureau (AQB) | Aaron Forrister | Radio | Emails of requests to run Public Service Announcements (PSAs) in English and in Spanish as a public service message on English and Spanish radio stations in Hobbs | | |
| 73 | 9/30/2021 | 1151- 1174 | Angela Raso | DLK Black River Midstream, LLC | Hard Copy | Updated UA4 | | |
| 74 | 9/30/2021 | 1175- 1184 | Angela Raso | DLK Black River Midstream, LLC | emails | Modeling emails | | |
| 75 | 8/26/2022 | 1185- 1194 | Jason Conway, Matador Resources Company on behalf of DLK Black River Midstream, LLC | Air Quality Bureau (AQB) | Hard Copy | Response to WEG Comments | | |
| 76 | 8/19/2022 | | Carlsbad Current Argus | Air Quality Bureau (AQB) | Hard Copy | Affidavit for English Notice of Hearing | | |
| 77 | 8/19/2022 | | Carlsbad Current Argus | Air Quality Bureau (AQB) | Hard Copy | Affidavit for Spanish Notice of Hearing | | |

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BUREAU EXHIBIT 10
ADMINISTRATIVE RECORD INDEX

Chevron – Salado Draw 19 CTB and CS

AQB22-26 (P)

As of August 25, 2022

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| 10 | January 5, | 1333- | Air Quality | Chevron – Salado | Е-сору | Completion Letter |
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Bureau Statement of Intent Exhibit 10

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| pmIntermIntermIntermInterm17June 13, 2022, 11:11am1357- 1440Angela Raso, AQBJulia Kuhn, Todd Sherrill, Joe MashburnEmailNM Air Dispersion Modeling Guidelines18May, 6, 20221441- 1452Air Quality Bureau (AQB)Air Quality Bureau (AQB)E-copyDatabase Summary19February 8, 20221452Bureau (AQB)AQB WebsiteE-copyStatement of Basis (version 3.3.22)20August 4, 20221459Air Quality Bureau (AQB)AQB WebsiteE-copyDataft Statement of Basis (version 3.4.22)20Mayert 4, 20221464Bureau (AQB)Keaton Byars, Chevron SD 19 CTB & CS, Justin Mechell, Chevron SD 19 CTB & CS consultant, AQB WebsiteE-copyDraft Permit (6109M8) Parts A, B, & C version 3/3/2022)22August 4, 20221515Air Quality Bureau (AQB)Keaton Byars, Chevron SD 19 CTB & CS, Justin Mechell, Chevron SD 19 CTB & CS consultant, AQB WebsiteE-copyDraft Permit (6109M8) Parts A, B, & C version 3/3/2022)22August 4, 20221515Air Quality Bureau (AQB)Air Quality Bureau (AQB)E-copyDraft Permit (6109M8) Parts A, B, & C (version 8/4/2022) | 10 | 2022. 4:09 | 1356 | AOB | | Lindii | email |
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| 11:11amImage: constraint of the synthesis of the | | 2022, | 1440 | AQB | Sherrill, Joe | | Modeling Guidelines |
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| Citizon Comments (N/CC) and Air Quality Duracy Decrements | | I | Citiener | | nd Air Quality Dure a | Bospanses | 8/4/2022) |

| 23 | February 1, 2022, 9:33 am | 1568- 1569 | Matthew Nykiel WEG | Todd Sherrill AQB | Email | WEG first comment, expression of interest | | | | |
|----|----------------------------------|---------------|--|---|-------|---|--|--|--|--|
| 24 | February 1, 2022, 11:28 am | 1570- 1574 | Todd Sherrill AQB | Matthew Nykiel WEG | Email | Sent WEG an initial Citizen letter | | | | |
| 25 | March 3, 2022, 11:49 am | 1575- 1576 | Todd Sherrill AQB | Matthew Nykiel WEG | Email | Sent WEG Second Citizen Letter | | | | |
| 26 | April 1, 2022, 4:00 pm | 1577- 1592 | Matthew Nykiel WEG | Todd Sherrill AQB | Email | WEG second comment letter received, excess Emissions attached, request for a public hearing | | | | |
| 27 | July 20, 2022, 8:26am | 1593- 1597 | WEG (via David Feather) | Todd Sherrill | Email | WEG sent David Feather the Statement of Issue, which David forwarded to me | | | | |
| | Chevron Correspondence | | | | | | | | | |
| 28 | December 16, 2021, 9:25 am | 1598 | Todd Sherrill, AQB | Keaton Byars, Chevron SD 19 CTB & CS; and Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Request for application files | | | | |
| 29 | December 17, 2021, 3:44 pm | 1599- 1600 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill, AQB | Email | Email containing Chevron's SD19 CTB & CS application, UA1, UA3, excel spread sheets | | | | |
| 30 | January 5, 2022, 3:59 pm | 1601- 1606 | Todd Sherrill, AQB | Keaton Byars, Chevron SD 19 CTB & CS; and Justin Mechell, Chevron SD 19 CTB & CS consultant | email | Informed Keaton Byars and Justin Mechell the Salado Draw 19 application is ruled administratively complete, sent Ruled complete letter and Fee Invoice | | | | |
| 31 | February 8, 2022, 12:58 pm | 1607 | Todd Sherrill, AQB | Keaton Byars, Chevron SD 19 CTB & CS; and | Email | Request for modeling Waiver, Request for | | | | |

| | Falance 14 | 1000 | To del Chornell | Justin Mechell, Chevron SD19CTB&CS consultant | Facil | Operational Plan to mitigate SSM |
|----|-----------------------------------|---------------|--|---|-------|---|
| 32 | February 11, 2022, 10:06 am | 1608 | AQB | Chevron SD 19 CTB & CS; and Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | to excel files |
| 33 | February 14, 2022, 3:52 pm | 1609 | Todd Sherrill, AQB | Keaton Byars, Chevron SD 19 CTB & CS; and Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Request for clarifications and updates |
| 34 | February 14, 2022, 4:02 pm | 1610 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill, AQB | Email | Mention that updates and clarifications are coming |
| 35 | February 14, 2022, 4:52 pm | 1610- 1611 | Todd Sherrill, AQB | Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Request for clarifications and updates |
| 36 | February 15, 2022, 10:24 am | 1611 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill, AQB | Email | Request for phone call |
| 37 | February 15, 2022, 11:16 am | 1612 | Todd Sherrill, AQB | Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Sent link to the Department's public notice page |
| 38 | February 15, 2022 11:18 am | 1613- 1631 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill, AQB | Email | Chevron sent requested updates: Chevron operational plan, Modeling Waiver |
| 39 | February 15, 2022, 11:49 am | 1632- 1635 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill AQB | Email | Justin sent updated Table 2A |
| 40 | February 17, 2022, 10:25 am | 1636 | Todd Sherrill AQB | Justin Mechell, Chevron SD 19 | Email | Request for update to represent flare pilot emissions |

| | | | | CTB & CS | | separately from |
|----|-----------------------------------|---------------|--|---|-------|---|
| | | | | consultant | | SSMs |
| 41 | February 17, 2022, 10:27 am | 1637 | Todd Sherrill AQB | Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | request for flare pilot emission updates to excel |
| 42 | February 21, 2022, 11:01 am | 1638- 1645 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill AQB | Email | Sent updates to flare pilot emissions (Tables 2-D,E,I, emission tables) |
| 43 | February 21, 2022, 11:20 am | 1646- 1647 | Todd Sherrill AQB | Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Request to update the application pdf |
| 44 | February 23, 2022, 11:37 am | 1648 | Todd Sherrill AQB | Keaton Byars, Chevron SD 19 CTB & CS; and Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Request for corrections and updates |
| 45 | February 23, 2022, 1:37 pm | 1649- 1650 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill AQB | Email | Justin confirms he is working on the requests |
| 46 | February 24, 2022, 2:17 pm | 1651- 1737 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill AQB | Email | Updates sent (Application pdf (2/24/2022 version, Index # 3), and excel spreadsheet |
| 47 | February 24, 2022, 3:40 pm | 1738- 1740 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill AQB | Email | Justin sent additional corrections |
| 48 | February 25, 2022, 11:08 am | 1741 | Todd Sherrill AQB | Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Request to add <u>Flash Gas</u> <u>Compressor</u> (FGC) to the list of emission units |
| 49 | February 25, 2022, 3:50 pm | 1742 | Todd Sherrill AQB | Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Request to submit the specifics of the FGC |
| 50 | February 28, 2022, 4:54 pm | 1743 | Todd Sherrill AQB | Justin Mechell, Chevron SD 19 | Email | Reminder to update the application for the FGC |

| | | | | CTB & CS | | |
|----|--------------------------------|---------------|--|---|-------|---|
| | | | | consultant | | |
| 51 | March 2, 2022, 1:56 pm | 1744- 1745 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill AQB, Keaton Byars, Chevron SD 19 CTB & CS | Email | Sent updated application (3/2/2022 Version, Index#4) with FGC information |
| 52 | March 2, 2022, 2:17 pm | 1746- 1747 | Todd Sherrill AQB | Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Request for clarification of dates |
| 53 | March 2, 2022, 2:49 pm | 1748- 1750 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill AQB | Email | Comment on corrections needed in the recent update (dates) |
| 54 | March 18, 2022, 1:36 pm | 1751- 1754 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill AQB | Email | Checked in to see if anything else is needed |
| 55 | March 21, 2022, 7:53 am | 1755- 1758 | Todd Sherrill AQB | Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Reply to the consultant that requests are coming |
| 56 | March 22, 2022, 9:23 am | 1759 | Todd Sherrill AQB | Keaton Byars, Chevron SD 19 CTB & CS; and Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Sent Chevron a list of things needing clarification |
| 57 | March 22, 2022, 11:02 am | 1760- 1761 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill AQB | Email | Answered things needing clarification |
| 58 | March 22, 2022, 2:29 pm | 1762- 1764 | Todd Sherrill AQB | Keaton Byars, Chevron SD 19 CTB & CS; and Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Request for clarifications and updates |
| 59 | March 23, 2022, 4:59 pm | 1765- 1776 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill AQB, Keaton Byars, Chevron SD 19 CTB & CS | Email | Responses to clarification questions regarding Formaldehyde and |

| | | | | | | VOCs and updated |
|----|-------------------------------|---------------|--|---|-------|--|
| | - | | | | | reboiler calcs |
| 60 | March 25, 2022, 9:40 am | 1777- 1780 | Todd Sherrill AQB | Keaton Byars, Chevron SD 19 CTB & CS; and Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Request for updates to remove formaldehyde from VOC totals since they are already accounted for in Table 2-I |
| 61 | March 25, 2022, 4:06 pm | 1781- 1810 | Todd Sherrill AQB | Keaton Byars, Chevron SD 19 CTB & CS; and Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Sent Chevron the permit draft for review (version 3/3/2022) |
| 62 | March 25, 2022, 4:20 pm | 1811- 1900 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill AQB, Keaton Byars, Chevron SD 19 CTB & CS | Email | Updated application (3/25/2022 Version, Index #5) and excel files |
| 63 | March 31, 2022, 3:59 pm | 1901- 1902 | Justin Mechell, Chevron SD19CTB&CS consultant | Todd Sherrill AQB, Keaton Byars, Chevron SD 19 CTB & CS | Email | Chevron replied with comments to permit draft |
| 64 | April 4, 2022, 3:18 pm | 1903 | Todd Sherrill AQB | Keaton Byars, Chevron SD 19 CTB & CS; and Justin Mechell, Chevron SD 19 CTB &CS consultant | Email | Sent Chevron email explaining that a permit extension was requested |
| 65 | April 4, 2022, 3:36 pm | 1904- 1913 | Todd Sherrill AQB | Keaton Byars, Chevron SD 19 CTB & CS; and Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Sent Chevron WEGs comments |
| 66 | May 2, 2022, 10:10 am | 1914- 1923 | Todd Sherrill AQB | Keaton Byars, Chevron SD 19 CTB & CS; and Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Requested that Chevron address WEGs comments |

| 67 | May 12, | 1924- | Keaton Byars, | Todd Sherrill AQB, | Email | Chevron sent |
|----|------------------------------|---------------|--|---|-------|--|
| | 2022, 8:13 | 1935 | Chevron | Justin Mechell, | | responses to WEG |
| | am | | SD19CTB&CS | Chevron SD 19 | | comments |
| | | | | CTB & CS | | |
| | | | | consultant | | |
| 68 | June 16, 2022, 3:02 pm | 1936 | Todd Sherrill | Keaton Byars, Chevron SD 19 CTB & CS; and | Email | Request for Chevron to confirm the correct permit |
| | | | | Chevron SD 19 CTB & CS consultant | | number |
| 69 | June 16, 2022, 3:16 pm | 1937- 1938 | Todd Sherrill | Keaton Byars, Chevron SD 19 CTB & CS; and Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Request Chevron acknowledge proximity to Texas in Section 1-D, line 8 of application |
| 70 | June 16, 2022, 5:04 pm | 1939- 1940 | Todd Sherrill | Keaton Byars, Chevron SD 19 CTB & CS; and Justin Mechell, Chevron SD 19 CTB & CS consultant | Email | Request for Chevron to acknowledge the facility is a source of HAPs |
| 71 | June 21, 2022, 1:48 pm | 1941- 1944 | Justin Mechell, Chevron SD 19 CTB & CS consultant | Todd Sherrill, Keaton Byars, Chevron SD 19 CTB & CS | Email | Chevron sent updated UA1 |
| 72 | June 21, 2022, 1:48 pm | 1945- 1946 | Justin Mechell | Todd Sherrill, Keaton Byars, Chevron SD 19 CTB & CS | Email | Chevron acknowledged a correction was needed to Section 1- F line 2 of the UA1. This was sent in the update in Bates #s 1666-1669 |
| 73 | June 21, 2022, 4:15 pm | 1947- 1949 | Justin Mechell | Todd Sherrill, Keaton Byars, Chevron SD 19 CTB & CS | Email | Chevron sent an application update with all current corrections and updates (6/21/2022 version, Index #6) |

| 74 | July 20, | 1950- | Justin Mechell, | Todd Sherrill, | email | Updated application |
|----|-------------|-------------|--------------------|----------------------|----------------|-----------------------|
| | 2022, 12:12 | 1962 | Chevron SD 19 | Joseph Mashburn, | | with malfunction |
| | pm | | CTB & CS | Rhonda Romero, | | emissions included |
| | | | consultant | Kathleen Primm | | |
| | | | | (NMENV AQB) | | |
| | | AQB Interna | al Correspondence, | Public Notice Reques | t, Web Posting | |
| 75 | January 5, | 1963 | Todd Sherrill | Kirsten Sobehrad, | email | Request to publish |
| | 2022, 3:58 | | AQB | Dawn Romero, | | the Public Notice in |
| | pm | | | Bernadette | | the Albuquerque |
| | | | | Pedroni, AQB | | Journal |
| 76 | January 5, | 1964 | Todd Sherrill | Arianna Espinoza | email | Request for Arianna |
| | 2022, 3:58 | | AQB | AQB | | to post the Public |
| | pm | | | | | Notice and |
| | | | | | | application to the |
| | | | | | | Website |
| 77 | March 3, | 1965- | Todd Sherrill | Arianna Espinoza | email | Request for Arianna |
| | 2022, 9:31 | 1966 | AQB | AQB | | to post the permit, |
| | am | | | | | SOB and PIP to the |
| | | | | | | Website (Bates 16/8 |
| | | | | | | snows a screensnot |
| | | | | | | of the actual |
| 70 | Marah 2 | 1007 | Arianna | | a ma cil | webpage) |
| /8 | | 1967 | | Todd Sherrill AQB | email | Arianna asked if this |
| | 2022, 9:35 | | ESPINOZA AQB | | | Started the second |
| | dill | | | | | so day comment |
| 70 | March 3 | 1968 | Todd Sherrill | Arianna Espinoza | email | L confirmed that this |
| /5 | 2022 9.45 | 1500 | | | Cinan | starts the second 30 |
| | 2022, 3.43 | | / QD | | | day comment |
| | | | | | | neriod |
| 80 | March 3. | 1969- | Arianna | Todd Sherrill AOB | email | Arianna asked me to |
| | 2022, 11:01 | 1970 | Espinoza AOB | | cinan | update the |
| | am | 1070 | Lopinoza / QD | | | documents with |
| | | | | | | "Draft" and version |
| | | | | | | dates |
| 81 | March 3, | 1971- | Todd Sherrill | Arianna Espinoza | email | Let Arianna know |
| | 2022, 11:10 | 1972 | AQB | AQB | | that I made her |
| | am | | | | | requested updates |
| | | | | | | to "Draft" and |
| | | | | | | version dates. |
| 82 | March 3, | 1973- | Arianna | Todd Sherrill AQB | email | Arianna sent link to |
| | 2022, 11:37 | 1975 | Espinoza AQB | | | the web posting for |
| | am | | | | | my review |
| 83 | March 3, | 1976- | Todd Sherrill | Arianna Espinoza | email | Thanked Arianna |
| | 2022, 11:38 | 1977 | AQB | AQB | | |

| 84 | March 3, 2022, 12:31 pm | 1978- 1982 | Arianna Espinoza AQB | Todd Sherrill AQB | email | Arianna sent links to "events calendar" |
|----|--------------------------------|---------------|---|---|------------|--|
| 85 | August 5, 2022, 10:10 am | 1983- 1984 | Kathy Primm | Todd Sherrill, Rhonda Romero, Joe Mashburn, AQB | email | Kathy sent drafts of the SOB, and most recent permit draft posted to website. Kathy also sent a screenshot of the posting with time and date stamp. |
| 86 | July 21, 2022, 12:41 pm | 1985 | AQB | AQB | screenshot | Screenshot of web posting |
| 87 | August 5, 2022, 10:51 pm | 1986 | AQB | AQB | screenshot | Screenshot of AQB web posting, including all revisions and updates |
| | | • | Publi | c Outreach | | |
| 88 | July 7, 2022, 11:09 am | 1987- 1990 | Rhonda Romero | Todd Sherrill, Joe Mashburn | email | Email containing the signed Hearing determination |
| 89 | August 18, 2022, 7:23 am | 1991- 2002 | Melinda Owens | Michael Gallagher, Allen Davis, BLM.gov, TCEQ, Elizabeth Layton, Erica LeDoux, Region 6 EPA, Rod Horrocks, cc: Joe Mashburn Julia Kuhn, Todd Sherrill, Kathleen Primm, Rhonda Romero | email | Melinda sent The Notice of Public Hearing in English and Spanish |
| 90 | August 16, 2022, 8:35 am | 2003- 2008 | Air Quality Bureau (AQB) (Melinda Owens) | Don Hugues/KATK 93.9 FM Carlsbad Radio | email | PSA Request to KATK 93.9 (Engish version): email request, PSA request, Radio Announcement |
| 91 | August 16, 2022, 8:34 am | 2009- 2013 | Air Quality Bureau (AQB) (Melinda Owens) | Don Hugues/KATK 93.9 FM Carlsbad Radio | email | PSA Request to KATK 93.9 (Spanish version): email request, PSA |

| | | | | | | request, Radio |
|----|------------|-------|--------------|----------------|-----------|----------------------|
| | | | | | | Announcement |
| 92 | August 16, | 2014- | Air Quality | Aaron | email | PSA Request to |
| | 2022, 8:34 | 2019 | Bureau (AQB) | Forrister/KZOR | | KZOR 103.7 (English |
| | am | | (Melinda | 103.7 FM Hobbs | | version): email |
| | | | Owens) | Radio | | request, PSA |
| | | | | | | request, Radio |
| | | | | | | Announcement |
| 93 | August 16, | 2020 | Air Quality | Aaron | email | PSA Request to |
| | 2022, 8:34 | 2024 | Bureau (AQB) | Forrister/KZOR | | KZOR 103.7 (Spanish |
| | am | | (Melinda | 103.7 FM Hobbs | | version): email |
| | | | Owens) | Radio | | request, PSA |
| | | | | | | request, Radio |
| | | | | | | Announcement |
| 94 | August 16, | 2025- | Air Quality | | Internet | KNEW Community |
| | 2022 | 2027 | | Movico | submittal | Events Calendar |
| | | | Buleau (AQB) | IVIEXICO | Submittai | Posting |
| | | | ADI | DENDUM | | |
| 95 | August 24, | 2028- | Angela Raso | Todd Sherrill | email | Angela sent a signed |
| | 2022, 9:48 | 2035 | | | | Modeling Waiver |
| | am | | | | | |

BUREAU EXHIBIT 11

ADMINISTRATIVE RECORD INDEX

Chevron USA, Inc. – Salado Draw 23 Compressor Station and Tank Battery

AQB 22-27 (P)

As of August 26, 2022

| Index | Date | Bates | From | То | Format | Subject | | | | |
|-------|----------------------|---------|-------------------------------------|--|--------------------------|--|--|--|--|--|
| No. | | No. | | | | | | | | |
| | Application Material | | | | | | | | | |
| 1 | 12/3/2021 | 1-197 | Chevron – Salado Draw 23 CS & TB | Air Quality Bureau (AOB) | Hard Copy/ | Original Application 6832M8 | | | | |
| | | | | (, (2)) | Digital | | | | | |
| 2 | N/A | 198-200 | Air Quality Bureau (AQB) | Air Quality Bureau (AQB) | Digital | NSR Invoice and Fee Worksheet | | | | |
| 3 | 2/21/2022 | 201-396 | Chevron – Salado Draw 23 CS & TB | Joe Mashburn, AQB | Digital | Updated/Revised Application (2.21.2022) | | | | |
| 4 | 7/14/2022 | 397-588 | Chevron – Salado Draw 23 CS & TB | Joe Mashburn, AQB | Digital | Updated/Revised Application (7.14.2022) | | | | |
| | | | Comple | tion Documents | 1 | · · · | | | | |
| 5 | 12/28/2021 | 589-592 | Air Quality Bureau (AQB) | Air Quality Bureau (AQB) | Digital | Location Verification | | | | |
| 6 | 12/30/2021 | 593-598 | Joe Mashburn, AQB | Keaton Byars, Chevron USA; and Justin Mechell, Waid Env., Consultant; Hobbs NMED Field Office | Hard Copy/ Digital | Completion Letter with Legal Notice, and Permit Fee Invoice | | | | |
| 7 | 12/30/2021 | 599 | Joe Mashburn, AQB | State of Texas | Digital | Affected Parties Letter (TX) | | | | |
| 8 | 12/30/2021 | 600-601 | Air Quality Bureau (AQB) | Hobbs News-Sun (Also posted on AQB website) | Digital | Legal Notice | | | | |
| 9 | 1/5/2022 | 602-603 | Hobbs News-Sun | Air Quality Bureau (AQB) | Digital | Affidavit of Publication for Legal Notice | | | | |
| | · | | Modeling | Review Documents | | | | | | |
| 10 | 12/2/2021 | 604 | Chevron – Salado Draw 23 CS & TB | Joe Mashburn, AQB | Digital | Section 16 Air Dispersion Modeling (in Original Application) | | | | |
| 11 | 1/10/2022 | 605 | Eric Peters, AQB | Joe Mashburn, AQB | Digital | No Modeling Required Determination | | | | |
| 12 | N/A | 606-688 | Air Quality Bureau (AQB) | Air Quality Bureau (AQB) | Digital | NM Air Dispersion modeling Guidelines-10.26.2020 | | | | |

| Permit Draft Documents | | | | | | | |
|------------------------|------------|---------|-----------------------|------------------------|------------|-----------------------------------|--|
| 13 | 2/24/2022 | 689-696 | Air Quality Bureau | Air Quality Bureau | Digital | Database Summary | |
| | | | (AQB) | (AQB) | | - Version 2.24.2022 | |
| 14 | 2/24/2022 | 697-705 | | WildEarth | Digital | Statement of Basis | |
| | | | Air Quality Bureau | Guardians (WEG) | | - Version 2.24.2022 (Posted) | |
| | | | (AQB) | notified, AQB | | | |
| | | | | Website | | | |
| 15 | 2/24/2022 | 706-754 | | Keaton Byars, | Digital | Draft Permit (6832M8), | |
| | | | | Justin Mechell, | | Parts A, B, C | |
| | | | Air Quality Bureau | WildEarth | | - Version 2.24.2022 (Posted) | |
| | | | (AQB) | Guardians (WEG) | | | |
| | | | | notified, AQB | | | |
| | | | | Website | | | |
| 16 | 8/3/2022 | 755-762 | Air Quality Bureau | Air Quality Bureau | Digital | Revised Database Summary | |
| | | | (AQB) | (AQB) | | - Version 8.3.2022 | |
| 17 | 8/3/2022 | 763-771 | Air Quality Bureau | AQB Website | Digital | Revised Statement of Basis | |
| | | | (AQB) | | | - Version 8.3.2022 (Posted) | |
| 18 | 8/3/2022 | 772-799 | Air Quality Bureau | AQB Website | Digital | Revised Draft Permit | |
| | | | (AQB) | | | (6832M8) Part A | |
| | | | | | _ | - Version 8.3.2022 (Posted) | |
| | | Citiz | en Comments (WEG) | and Air Quality Bureau | a Response | 25 | |
| 19 | 2/1/2022 | 800-801 | WildEarth | Air Quality Bureau | E-mail | WEG 1 st Comment, | |
| | | | Guardians | (AQB) | _ | expression of interest | |
| 20 | 2/1/2022 | 802-805 | Air Quality Bureau | WildEarth | E-mail | First Citizen Letter | |
| | | | (AQB) | Guardians | _ | | |
| 21 | 2/24/2022 | 806-807 | Air Quality Bureau | WildEarth | E-mail | Second Citizen Letter | |
| | | | (AQB) | Guardians | | | |
| 22 | 3/25/2022 | 808-825 | WildEarth | Air Quality Bureau | E-mail | WEG 2 nd Comment, with | |
| | | | Guardians | (AQB) | | Excess Emissions attached | |
| | | AQE | 3 Internal Correspond | ence, Public Outreach | and Notic | e | |
| 23 | 12/30/2021 | 826-829 | Joe Mashburn, | Kirsten Sobehrad, | | Request to publish the Public | |
| | | | AQB | Dawn Romero, | E-mail | Notice in the Hobbs News- | |
| | | | | Bernadette | | Sun | |
| | | | | Pedroni, AQB | | | |
| 24 | 12/30/2021 | 830-832 | Joe Mashburn, | State of Texas | E-mail | Affected Party Notice – State | |
| 25 | 42/20/2024 | 000.005 | AQB | | | OT LEXAS | |
| 25 | 12/30/2021 | 833-835 | Joe Mashburn, | EPA, Region 6 | E-mail | Public Notice, notification to | |
| - | | | AQB | | | EPA Region 6 | |
| 26 | 12/30/2021 | 836-837 | | | | Confirmation of Posting to | |
| | | | | Joe Mashburn, AQB | E-mail | AQB website: | |
| | | | Arianna Espinoza, | | | Original application (Index 1, | |
| | | | AUB | | | Bates 1-197) | |
| | | | | | | Public Notice (Index 8, Bates | |
| 27 | 2/7/2022 | 020.020 | Compliance and | | | 000-001) | |
| 27 | 2/1/2022 | 838-839 | Compliance and | Joe Mashburn, AQB | E-mail | Verification of Compliance | |
| | | | Enforcement, AQB | | | · | |

| 28 | 2/24/2022 | 840-842 | Arianna Espinoza, AQB Chevron | Joe Mashburn, AQB | E-mail | Confirmation of Posting: Updated Application (Index 3, Bates 201-396) Statement of Basis (Index 14, Bates 697-705) Draft Permit, A, B, C (Index 15, Bates 706-754) |
|----|------------|---------|---|--|--------|--|
| 29 | 12/10/2021 | 843 | Joe Mashburn, AQB | Justin Mechell, Waid Env., Consultant; Keaton Byars, Chevron USA | E-mail | Request for application electronic files. |
| 30 | 12/14/2021 | 844 | Justin Mechell, Waid Env., Consultant | Joe Mashburn, AQB | E-mail | Initial response providing application pdf, UA1, and UA3 files. |
| 31 | 12/14/2021 | 845 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Follow-up requesting UA2, copies of newspaper public notices, affidavit of public notice publication |
| 32 | 12/16/2021 | 846-848 | Justin Mechell, Waid Env., Consultant | Joe Mashburn, AQB | E-mail | Email containing Chevron's SD23 original application pdf, PN documents, excel spread sheets. See Index 1, Bates 1- 197 |
| 33 | 12/30/2021 | 849 | Joe Mashburn, AQB | Keaton Byars, Chevron USA; and Justin Mechell, Waid Env., Consultant | E-mail | Ruled Complete letter, Public Notice, Invoice See Index 6, Bates 593-598 |
| 34 | 2/1/2022 | 850 | Joe Mashburn, AQB | Keaton Byars and Justin Mechell | E-mail | Notify Chevron there is Citizen Interest, from WildEarth Guardians, regarding the application. |
| 35 | 2/4/2022 | 851-853 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Request for clarifications and updates |
| 36 | 2/9/2022 | 854-887 | Justin Mechell, Waid Env., Consultant | Joe Mashburn, AQB | E-mail | Reply to questions from 2/4/2022, with attached 31 pages of updates to application |
| 37 | 2/9/2022 | 888 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Request for Operational Plan to Mitigate SSM, as applicant indicates in Sec 14, and other clarifications. |
| 38 | 2/11/2022 | 889-891 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Forward 1 st Comment Letter from WEG |

| 39 | 2/14/2022 | 892-898 | Justin Mechell, Waid Env. | Joe Mashburn, AQB | E-mail | Response to 2/9/2022 requests, with attachments: -Updated Sec 14 page -MCBU Operational Plan |
|----|-----------|---------|------------------------------|------------------------------------|--------|--|
| 40 | 2/17/2022 | 899 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Question regarding FGC-1, Flash Gas Compressor, and maintenance |
| 41 | 2/21/2022 | 900 | Justin Mechell, Waid Env. | Joe Mashburn, AQB | E-mail | Response to 2/17/2022 questions |
| 42 | 2/21/2022 | 901 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Request for updated Excel worksheet |
| 43 | 2/21/2022 | 902-908 | Justin Mechell, Waid Env. | Joe Mashburn, AQB | E-mail | Response to 2/21/22, with updates excel pages, separating flare pilot emissions. 6 updated pages attached |
| 44 | 2/22/2022 | 909 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Initiate discussion around separator pressure and Condensate Slop Tank S-2 |
| 45 | 2/23/2022 | 910-916 | Justin Mechell, Waid Env. | Joe Mashburn, AQB | E-mail | Compilation of emails, confirming Sep Pressure. Also updated site throughput page. *During this week, we were finalizing the internal Draft Permit to be sent out. |
| 46 | 2/25/2022 | 917 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Clarification request for location of 125 psia in the Pro-Max |
| 47 | 2/25/2022 | 918-919 | Justin Mechell, Waid Env. | Joe Mashburn, AQB | E-mail | Response with excel Promax page for Sep pressure attached |
| 48 | 2/26/2022 | 920 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Draft Permit Out to Keaton and Justin. |
| 49 | 3/2/2022 | 921-922 | Justin Mechell, Waid Env. | Joe Mashburn, AQB | E-mail | Confirmation of receipt of Draft, and under review |
| 50 | 3/4/2022 | 923-924 | Justin Mechell, Waid Env. | Joe Mashburn, AQB | E-mail | Received comments after Draft review. |
| 51 | 3/4/2022 | 925-926 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Acknowledged receipt of comment |
| 52 | 3/10/2022 | 927 | Justin Mechell, Waid Env. | Joe Mashburn, AQB | E-mail | Justin inquired if anything else needed on our end |
| 53 | 3/10/2022 | 928 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Replied good for now, waiting on public comment 30-day |

| 54 | 3/28/2022 | 929-930 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Forward WEG 2nd Comment received at end of 30-day period. |
|----|-----------|---------|--|--|---------|--|
| 55 | 3/29/2022 | 931 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Notice of 90-day extension request, extending to 6/28/2022 |
| 56 | 4/29/2022 | 932 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars; copied Rhonda Romero and Kathy Primm (both AQB) | E-mail | Requested that Chevron address WEG's comments |
| 57 | 4/29/2022 | 933 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Notice to Chevron of likely NMED Public Hearing on permit. |
| 58 | 5/12/2022 | 934-943 | Keaton Byars, Chevron | Joe Mashburn, AQB; Justin Mechell; copied Rhonda Romero, Kathy Primm | E-mail | Chevron sent responses to WEG comments -Attached Chevon Response 9 pages |
| 59 | 5/19/2022 | 944 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Acknowledgement of Chevron's response. |
| 60 | 7/19/2022 | 945-956 | Justin Mechell, Waid Env. | Joe Mashburn, AQB and Keaton Byars | E-mail | Justin sent updated pages to the SD 23 and SD 19 permit applications. Only the 11 pages for the SD 23 are attached here. |
| 61 | 7/19/2022 | 957 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Requested that Chevron incorporate updated pages into an entire, revised application and submit. |
| 62 | 7/20/2022 | 958 | Justin Mechell, Waid Env. | Joe Mashburn, Todd Sherrill, Rhonda Romero, Kathleen Primm (all AQB); Keaton Byars | E-mail | Chevron provided entire pdf of the Revised Application (7.14.2022). See Bates 397- 588 |
| 63 | 8/19/2022 | 959-960 | Joe Mashburn, AQB | Justin Mechell and Keaton Byars | E-mail | Sent Notice of Hearing documents, both Spanish and English versions |
| | | - | AQB Public Outrea | ach and Notice for Hea | ring | |
| 64 | 5/20/2022 | 961-963 | NMED | NMED | digital | Request for Public Hearing Determination |
| 65 | 7/11/2022 | 964 | David Feather, Permitting Section Chief, AQB | Carol Parker; Air Quality Bureau (AQB) | E-mail | Map SE NM for Hearing Location |

| 66 | 8/16/2022 | 965-970 | Air Quality Bureau (AQB) (Melinda Owens) | Don Hughes/KATK 93.9 FM Carlsbad Radio | E-mail | Email of Public Service Announcement (PSA) request to KATK 93.9 (English version): email, PSA request, Radio Announcement |
|----|-----------|---------------|--|---|----------------|---|
| 67 | 8/16/2022 | 971-975 | Air Quality Bureau (AQB) (Melinda Owens) | Don Hughes/KATK 93.9 FM Carlsbad Radio | E-mail | Email of Public Service Announcement (PSA) request to KATK 93.9 (Spanish version): email, PSA request, Radio Announcement |
| 68 | 8/16/2022 | 976-981 | Air Quality Bureau (AQB) (Melinda Owens) | Aaron Forrister/KZOR 103.7 FM Hobbs Radio | E-mail | Email of Public Service Announcement (PSA) request to KZOR 103.7 (English version): email, PSA request, Radio Announcement |
| 69 | 8/16/2022 | 982-986 | Air Quality Bureau (AQB) (Melinda Owens) | Aaron Forrister/KZOR 103.7 FM Hobbs Radio | E-mail | Email of Public Service Announcement (PSA) request to KZOR 103.7 (Spanish version): email, PSA request, Radio Announcement |
| 70 | 8/16/2022 | 987-989 | Air Quality Bureau (AQB) (Melinda Owens) | KNEW New Mexico | WEB- Submit | KNEW Community Events Calendar Posting |
| 71 | 8/19/2022 | 990-999 | Air Quality Bureau (AQB) | Interested Parties | digital | Notification of Public Hearing, English and Spanish |
| | | | Add | endum Items | | |
| 72 | N/A | 1000- 1033 | Joe Mashburn, AQB | Joe Mashburn, AQB | digital | Calculations Verification |
| 73 | 7/20/2022 | 1034- 1038 | WEG (via David Feather) | Joe Mashburn, AQB | E-mail | WEG sent David Feather the Statement of Issue, which David forwarded to me |
| 74 | 7/21/2022 | 1039- 1040 | Tasha Burns, AQB | Joe Mashburn, Rhonda Romero, (Both AQB) | E-mail | Confirmation of Posting to AQB Website, with screenshot: Updated Application (version 7/14/2022) |
| 75 | 8/5/2022 | 1041- 1042 | Tasha Burns, AQB | Joe Mashburn, Rhonda Romero, Kathy Primm (All AQB) | E-mail | Confirmation of Posting to AQB Website, with screenshot: Revised Statement of Basis - Version 8.3.2022 Revised Draft Permit (6832M8) Part A - Version 8.3.2022 |