

Legal Notice
and
Preliminary Determination for an Air Quality Permit for
3 Bear Delaware Operating - NM LLC

3 Bear Delaware Operating - NM LLC at 1512 Larimer St, Suite 540, Denver, CO has submitted an air quality permit application to the Air Quality Bureau (AQB), New Mexico Environment Department (NMED) for an air quality permit to modify 3 Bear Libby Gas Plant. The application file has been assigned Permit No. 7482M2 and TEMPO Agency Interest No. 38067. The exact location of the facility is at latitude and longitude decimal degrees: 32.542358, -103.525728 Datum: WGS84. To aid in locating this facility, the approximate location is 16.2 miles southwest of Monument, in Lea County, NM.

The proposed modification consists of increasing plant inlet gas volume from 60 MMSCFD to 85 MMSCFD; increasing condensate, oil, and produced water throughputs; two additional engine operating options; reducing the total number of gas driven compressors; updating engine emission factor efficiencies causing a slight reduction of NO_x, VOC, and CO emissions from currently authorized engines; addition of two condensate tanks; updating heater emissions estimates using manufacturer's data; updating thermal oxidizer waste stream volume and emission factors using manufacturer's information; updating fugitive emissions to account for additional equipment; updating plant flares waste stream volumes to accommodate the increased throughput, and updating flares emissions estimates using manufacturer's data; updating haul road trip length to reflect increased trip count to accommodate additional liquid throughputs; and updating tank unit numbers (administrative change).

Total air pollutant emissions to the atmosphere are estimated to be approximately as follow: Parentheses note changes in emissions from previous construction permit – 7482M1. The emissions for the facility are expressed in tons per year (tpy). Nitrogen Oxides (NO_x) at 144.0 tpy (-1.8); Carbon Monoxide (CO) at 225.7 tpy (-16.1); Volatile Organic Compounds (VOC) at 182.4 tpy (-0.4); Sulfur Dioxide (SO₂) at 236.4 tpy (-2.0); Particulate Matter (PM) at 12.1 tpy (+3.1); Particulate Matter 10 microns or less (PM₁₀) at 12.0 tpy (+3.1); and Particulate Matter 2.5 microns or less (PM_{2.5}) at 12.0 tpy (+3.1); and greenhouse gas (CO₂e) >75,000 tpy. These emission estimates could change slightly during the course of the Department's review of the application.

The NMED has conducted a preliminary review of the information submitted with the permit application. The preliminary review and applicant's analysis of ambient air quality impacts indicates that the facility's air emissions will meet the air quality standards for NO_x, CO, SO₂, PM, PM₁₀ and PM_{2.5}. VOCs are a pre-cursor to ozone and the NMED does not require an individual ozone ambient impact analysis for each application. To determine compliance with national ambient air quality standards for ozone, NMED uses air monitors to monitor ozone concentrations. A full review will evaluate the estimated emission rates for the pollutants listed in this public notice and determine compliance with ambient air quality requirements and standards.

Based on the applicant's analysis, a preliminary determination is that this facility will comply with the requirements of Title 20, New Mexico Administrative Code (NMAC), Chapter 2, Parts 1, 3, 7, 35, 38, 61, 70, 71, 72, 73, 75, 77, 80 and 82; 40 CFR 50; 40 CFR 60 Subparts A, Dc, JJJJ, and OOOOa; 40 CFR 63 Subparts A and ZZZZ; 40 CFR 68; and the New Mexico Air Quality Control Act. Therefore, the preliminary intent of NMED is to issue the air quality permit on or before October 6, 2021. This source is a PSD minor source according to 20.2.74 NMAC.

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

Attachment B –Field Office Request

Due to the public health emergency order, certain NMED offices are closed to the public. The permit application is available for review on the AQB Public Notices of Permitting Actions website www.env.nm.gov/air-quality/public-notice-of-permitting-actions/.

All interested persons have thirty (30) days from the date this notice is published, to notify the Department in writing of their interest in the permit application. The written comments should refer to the company name, facility name and Permit No. (or send a copy of this notice along with your comments). The written comments shall state the nature of the issues raised and how it relates to the requirements of applicable state and federal air quality regulations and the Clean Air Act. The written comments should be mailed to Julia Kuhn, New Mexico Environment Dept., Air Quality Bureau, Permit Section, 525 Camino de los Marquez Suite 1, Santa Fe, NM 87505-1816, or submitted by email to julia.kuhn@state.nm.us.

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

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

Questions or comments not intended to be part of the public record can be directed to Julia Kuhn at 505-476-4376. General information about air quality and the permitting process can be found at the Air Quality Bureau's web site. The regulation dealing with public participation in the permit review process is 20.2.72.206 NMAC. This regulation can be found in the "Permits" section of this web site. Este es un aviso de la oficina de Calidad del Aire del Departamento del Medio Ambiente de Nuevo México, acerca de las emisiones producidas por un establecimiento en esta área. Si usted desea información en español, por favor comuníquese con esa oficina al teléfono 505-476-5557.

Notice of Non-Discrimination

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, or if you believe that you have been discriminated against with respect to a NMED program or activity, you may contact: Kathryn Becker, Non-Discrimination Coordinator, NMED, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855, nd.coordinator@state.nm.us. You may also visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.