



**SUSANA MARTINEZ**  
**GOVERNOR**

**JOHN A. SANCHEZ**  
**LT. GOVERNOR**

**New Mexico**  
**ENVIRONMENT DEPARTMENT**

525 Camino de los Marquez, Suite 1  
Santa Fe, NM 87505-1816  
Phone (505) 476-4300  
Fax (505) 476-4375  
[www.env.nm.gov](http://www.env.nm.gov)



**BUTCH TONGATE**  
**CABINET SECRETARY**

**J. C. BORREGO**  
**DEPUTY SECRETARY**

June 6, 2018

**CERTIFIED MAIL NO. 7017 0190 0000 8404 5615**

Jesse Fiedorowicz  
Engineer  
3 Bear Delaware Operating - NM LLC  
1512 Larimer St  
Suite 540  
Denver, CO 80202

Re: Air Quality Permit Application No. 7600 (IDEA ID No. 38189 - PRN20180001)

Dear Mr. Fiedorowicz:

This letter is in response to your air quality permit application dated May 4, 2018 to modify the 3 Bear Lariat Compressor Station near Maljamar, New Mexico. The application was received by the Department on May 7, 2018. This letter addresses the Completeness Determination, Legal Notice and Comment, and Invoice for Permit Fee and is intended for use by the applicant, interested individuals and groups, and the appropriate NMED Field Office.

Completeness Determination

A preliminary review has been completed and the information provided is sufficient to complete an evaluation of your permit application. Therefore, your application was ruled administratively complete on June 6, 2018. Under the requirements of 20.2.72 NMAC, the Department anticipates issuing or denying this permit on or before September 4, 2018.

Public Notice and Comment

The Department will publish a legal notice that will be sent to the NMED district or field office nearest the source (see enclosed). It describes the proposed facility, a summary of estimated emissions and ambient impact, the Department's preliminary intent to issue the permit, and the provisions for public comment.

The Department's analysis includes the Statement of Basis and is prepared as part of the technical review of the permit application. All interested persons have thirty (30) days from the date the public notice is published to notify the Department in writing of their interest in the



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Dear Mr. Fiedorowicz:

This letter is in response to your air quality permit application dated May 4, 2018 to modify the 3 Bear Lariat Compressor Station near Maljamar, New Mexico. The application was received by the Department on May 7, 2018. This letter addresses the Completeness Determination, Legal Notice and Comment, and Invoice for Permit Fee and is intended for use by the applicant, interested individuals and groups, and the appropriate NMED Field Office.

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The Department's analysis includes the Statement of Basis and is prepared as part of the technical review of the permit application. All interested persons have thirty (30) days from the date the public notice is published to notify the Department in writing of their interest in the

permit application. The Department will notify all such persons of when and where the Department's analysis may be reviewed. Interested persons may review the Department's analysis for thirty (30) days after it becomes available at the NMED district or field office nearest the source. Written comments on the analysis or permit application and requests for a public hearing may be submitted to the Department during this second thirty (30) day period or any time before the permit is issued or denied.

The Department will hold a public hearing if the Secretary determines there is significant public interest in the permit application. The Department will also determine the time, date, and place of the hearing and shall notify the applicant and the public. At the hearing, all interested persons shall be given a reasonable chance to submit data, views or arguments orally or in writing, and to examine witnesses testifying at the hearing.

After the permit is issued or denied, the Department will mail written notice of the action taken on a permit application to all persons who submitted written comments or evidence on the application.

Invoice for Permit Fee

In accordance with 20.2.75 NMAC, this letter includes an invoice for the required permit fee in the amount of \$15,004.00. This fee is due within thirty (30) days of the date ruled administratively complete. 20.2.75 NMAC states that the Department shall deny any permit application or request for permit revision if the required permit fee has not been paid. This fee is not refundable. An enforcement/compliance fee will also be assessed annually. All fees shall be remitted in the form of a corporate check, certified check, or money order made payable to the New Mexico Environment Department, and shall be accompanied by the enclosed remittance slip. Fees shall be submitted to NM Environment Department, AQB at the address shown on the invoice.

20.2.72.200.E NMAC states: "for all sources subject to this regulation applications for permits shall be filed prior to the commencement of construction, modification, or installation. Regardless of the anticipated commencement date, no construction, modification, or installation shall begin prior to issuance of the permit."

If you have any questions please contact me in Santa Fe at 505-476-4351.

Sincerely,



Marvin Mascareñas  
Permit Section  
Air Quality Bureau

cc by email: Marquez Environmental Services Inc, [lori.marquez@marquezenvironmental.com](mailto:lori.marquez@marquezenvironmental.com)  
Public Notice only to EPA Region 6 at [r6airpermits@epa.gov](mailto:r6airpermits@epa.gov)  
Public Notice only to Erica LeDoux, EPA Region 6 at [LeDoux.Erica@epa.gov](mailto:LeDoux.Erica@epa.gov)

cc by regular mail: Hobbs NMED District/Field Office

Enclosures Sent with Letter:

Legal Notice – Attachment A

Permit fee invoice

Compact Disk (CD) Copy of Application – Only the NMED District or Field office receives the CD

NMED District or Field Office Request – Attachment B

**LEGAL NOTICE**  
and  
Preliminary Determination for an Air Quality Permit for  
3 Bear Delaware Operating - NM LLC

3 Bear Delaware Operating - NM LLC, 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 Lariat Compressor Station. The application file has been assigned Permit No. 7600M1 and TEMPO Agency Interest ID No. 38189. The exact location of the facility is at latitude 32 degrees, 37 minutes, 35.7 seconds and longitude -103 degrees, 39 minutes, 58.16 seconds, Datum: WGS84. To aid in locating this facility, the approximate location is 16.8 miles southeast of Maljamar in Lea County, NM.

The proposed modification will consist of removing an engine option, switching to a 400-kW generator engine, replacing a 400 bbl gunbarrel tank with a 500 bbl gunbarrel tank, changing of flare use, and increasing dehydrators throughput.

Total air pollutant emissions to the atmosphere are estimated to be Nitrogen Oxides (NO<sub>x</sub>) at 97.2 tons per year (tpy); Carbon Monoxide (CO) at 90.9 tpy; Volatile Organic Compounds (VOC) at 91.4 tpy; Sulfur Dioxide (SO<sub>2</sub>) at 2.5 tpy; Total Suspended Particulate Matter (TSP) at 3.7 tpy, Particulate Matter 10 microns or less (PM<sub>10</sub>) at 3.7 tpy, and Particulate Matter 2.5 microns or less (PM<sub>2.5</sub>) at 3.7 tpy; total hazardous air pollutants (HAPs) at 18.9 tpy; formaldehyde at 8.2 tpy; acetaldehyde at 2.9 tpy; acrolein at 1.8 tpy; benzene at 2.2 tpy; toluene at 2.2 tpy; and green house gas (CO<sub>2</sub>e) < 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<sub>x</sub>, CO, SO<sub>2</sub>, TSP, PM<sub>10</sub>, and PM<sub>2.5</sub>. 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, 1, 3, 7, 61, 72, 73, 75, 77 and 82; 40 CFR 50; 40 CFR 60 Subparts A, IIII, JJJJ, and OOOOa; 40 CFR 63 Subparts A, HH and ZZZZ; and the New Mexico Air Quality Control Act. Therefore, the preliminary intent of NMED is to issue the air quality permit on or before September 4, 2018. 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, production rate, and conditions that will require record keeping and reporting to the Department.

The permit application is available for review in electronic or hard copy at the Air Quality Bureau Office, 525 Camino de los Marquez Suite 1, Santa Fe, New Mexico. To arrange viewing of this application contact Greg Tickle, at 505-476-4333 or [greg.tickle@state.nm.us](mailto:greg.tickle@state.nm.us). The permit application is also available at the Hobbs Office, located at 2120 N. Alto, Hobbs, NM 88240 for public review.

## Attachment A – Legal Notice

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 Marvin Mascareñas, New Mexico Environment Dept., Air Quality Bureau, Permit Section, 525 Camino de los Marquez Suite 1, Santa Fe, NM 87505-1816.

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 Marvin Mascareñas at 505-476-4351. 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, you may contact: Kristine Pintado, Non-Discrimination Coordinator New Mexico Environment Department, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855, [nd.coordinator@state.nm.us](mailto:nd.coordinator@state.nm.us). If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator identified above or visit our website at <https://www.env.nm.gov/NMED/EJ/index.html> to learn how and where to file a complaint of discrimination.

## Attachment B –Field Office Request

### District or Field Office Request

- The permit application available in Tempo and on the enclosed electronic disk and the attached Legal Notice are being sent to your office in accordance with 20.2.72.206 NMAC - Public Notice and Participation, which states: "the Department shall make available for public inspection the permit application, the Department's analysis, and the Department's preliminary determination. This material shall be available both at the Department's central office and the district or field office nearest to the proposed source." The Legal Notice contains the Department's preliminary determination.
- Please make these records available to public for a period one (1) year unless otherwise requested by the Air Quality Bureau.



State of New Mexico Environment Department

Air Quality Bureau

525 Camino de los Marquez, Suite 1
Santa Fe, NM 87505-1816

Telephone: (505) 476-4300 Fax: (505) 476-4375

INVOICE

Primary Billing Party:
3 Bear Delaware Operating - NM LLC
1512 Larimer St
Suite 540
Denver, CO 80202

Agency Interest:
38189 - 3 Bear Lariat Compressor Station
16.8 mi SE of Maljamar
Maljamar, NM 88240

INVOICE ID: 157128

INVOICE DATE: 05/08/2018

INVOICE DUE DATE: 07/06/2018

When you provide the check as payment you authorize the State of New Mexico to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

ASSESSMENTS

Air Quality, PRN20180001, Air - General Review Fee \$15,004.00
Air Quality, PRN20180001, Air - NSR Filing Fee \$500.00

INVOICED AMOUNT \$15,504.00

CREDITS

Payment (05/08/2018) \$500.00
Total Credits: \$500.00

BALANCE DUE \$15,004.00



Cut Here and Include Lower Portion with Payment



Primary Billing Party:
3 Bear Delaware Operating - NM LLC
1512 Larimer St
Suite 540
Denver, CO 80202

Agency Interest:
38189 - 3 Bear Lariat Compressor Station
16.8 mi SE of Maljamar
Maljamar, NM 88240

INVOICE ID: 157128

INVOICE DUE DATE: 07/06/2018

Invoice Amount: \$15,004.00

Amount Enclosed \_\_\_\_\_

Please make checks payable to:

Mail payments to:
NMED Federal Tax ID#: 85-6000565

New Mexico Environment Department, AQB
Air Quality Bureau
525 Camino de los Marquez, Suite 1
Santa Fe, NM 87505-1816

Telephone: (505) 476-4300 Fax: (505) 476-4375