

RECEIVED

By Environmental Improvement Board at 11:53 am, May 15, 2020

**STATE OF NEW MEXICO
ENVIRONMENTAL IMPROVEMENT BOARD**

**IN THE MATTER OF THE APPEAL
OF THE AIR QUALITY PERMIT
NO. 7482-M1 ISSUED TO 3 BEAR
DELAWARE OPERATING – NM LLC.**

EIB No. 20-21 (A)

**WildEarth Guardians,
Petitioner.**

NOTICE OF DOCKETING

On May 8, 2020, WildEarth Guardians through its counsel Daniel Timmons and Samantha Ruscavage-Barz petitioned the Environmental Improvement Board for a hearing on the 3 Bear Delaware Operating – NM LLC Air Quality Permit number 7482 – M1. The petition was sent electronically to the Board Administrator on May 8th, but the Administrator took personal leave that day. There was not another staff member on duty then capable of electronically stamping the Petition. On the next business day, May 11th, the Board Administrator time stamped the petition. Due to the capabilities of Adobe Acrobat's time stamp function, the Board Administrator could not electronically time stamp for May 8, 2020. Therefore, the timestamp on the petition indicates May 11th. The email filing the Petition for Hearing is included in this Notice as Attachment 1. The Board Administrator hereby docketed this matter as EIB 20-21 (A), pursuant to 20.1.3.203 NMAC.

Cody Barnes, Board Administrator
Environmental Improvement Board
1190 S. Saint Francis Dr., S-2104
Santa Fe, NM 87505
Phone: (505) 827-2428
Email: cody.barnes@state.nm.us

Certificate of Service

I hereby certify that on May 15, 2020 a copy of the **Notice of Docketing** was emailed to the persons listed below. A copy will be mailed first class upon request.

Daniel Timmons
Samantha Ruscavage-Barz
WildEarth Guardians
301 N. Guadalupe St., Suite 201
Santa Fe, NM 87501
dtimmons@wildearthguardians.org
ruscavagebarz@wildearthguardians
Counsel for the Petitioner

Lara Katz
New Mexico Environment Department
121 Tijeras Ave, NE #1000
Albuquerque, NM 87102
Lara.Katz@state.nm.us
Counsel for the New Mexico Environment Department

Karla Soloria
New Mexico Office of the Attorney General
P.O. Box 1508
Santa Fe, NM 87504
ksoloria@nmag.gov
Counsel for the Environmental Improvement Board

Cody Barnes, Board Administrator
Environmental Improvement Board
1190 S. Saint Francis Dr., S-2104
Santa Fe, NM 87505
Phone: (505) 827-2428
Email: cody.barnes@state.nm.us

From: [Barnes, Cody, NMENV](#)
To: [Daniel Timmons](#)
Cc: [Samantha Ruscavage-Barz](#)
Subject: RE: [EXT] Petition for EIB Hearing - Permit No. 7482-M1
Date: Monday, May 11, 2020 8:26:59 AM
Attachments: [2020-05-08 - OPF EIB 20-21 Petition for Hearing.pdf](#)

Mr. Timmons,

I understand you are willing to receive the stamped copy of your request for hearing today. Thank you for your understanding! The stamped copy is attached.

Cheers,
Cody

From: Daniel Timmons <dtimmons@wildearthguardians.org>
Sent: Friday, May 8, 2020 10:04 AM
To: Barnes, Cody, NMENV <Cody.Barnes@state.nm.us>
Cc: Samantha Ruscavage-Barz <sruscavagebarz@wildearthguardians.org>
Subject: [EXT] Petition for EIB Hearing - Permit No. 7482-M1

Mr. Barnes,

As discussed earlier this week, here is WildEarth Guardians' petition for a hearing regarding air permit 7482-M1 (3 Bear Libby Gas Plant) for filing with the Environmental Improvement Board. Thank you again for accepting this filing by email.

If you can return a stamped copy, I would appreciate it.

Please let me know if you have any questions.

Thank you.

Daniel Timmons
Counsel for Petitioner WildEarth Guardians



Staff Attorney

(505) 570-7014

www.wildearthguardians.org

