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By Environmental Improvement Board at 4:17 pm, May 29, 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.

PETITION FOR PARTY STATUS

3 Bear Delaware Operating – NM, LLC (3 Bear) timely petitions for party status in the above-captioned docket. 3 Bear qualifies as a party pursuant to 20.1.2.7(H) NMAC because 3 Bear applied for and received the permit that is the subject of this appeal. 3 Bear has “an unconditional right to intervene” in this matter. Rule 1-024(A)(1) NMRA; NMSA 1978 § 74-2-7(I). In addition, 3 Bear is entitled to intervention as of right because it has an interest in the subject of the action, the disposition of the action may impair or impede its ability to protect that interest, and its interest is not adequately represented by existing parties. Rule 1-024(A)(2) NMRA.

3 Bear owns and operates the Libby Gas Plant in Lea County, New Mexico. The Libby natural gas processing plant gathers and receives field gas from three compressor stations also owned and operated by 3 Bear. It separates natural gas liquids from the field gas and delivers residue gas to a transmission pipeline.

3 Bear holds the appealed permit. On January 8, 2018, the New Mexico Environment Department, Air Quality Bureau, issued NSR Permit Number 7482, authorizing 3 Bear to construct the Libby Gas Plant. 3 Bear constructed the plant and subsequently applied to modify the permit. On April 8, 2020, the Bureau issued NSR Permit Number 7482-M1. WildEarth Guardians appealed on May 8, 2020. The outcome of this appeal affects 3 Bear’s financial interests and its legal right to operate the Libby Gas Plant in accordance with the terms of the modified permit.

Respectfully submitted this 29th day of May, 2020.


Joby Rittenhouse (Bar No. 153212)

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Counsel for 3 Bear Delaware Operating – NM, LLC

CERTIFICATE OF SERVICE

This is to certify that I have duly served the above PETITION FOR PARTY STATUS upon all parties herein by email this 29th day of May 2020, addressed as follows:

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