

**STATE OF NEW MEXICO
BEFORE THE SECRETARY OF THE ENVIRONMENT**

**IN THE MATTER OF THE APPLICATION
OF TARGA NORTHERN DELAWARE LLC
FOR A TITLE V AIR QUALITY PERMIT FOR THE
BIG LIZARD COMPRESSOR STATION
NO. P289-M2**

AQB 23-__71____ (P)

NOTICE OF FILING THE PUBLIC HEARING DETERMINATION

COMES NOW, the New Mexico Environment Department's ("Department") Air Quality Bureau ("Bureau"), pursuant to 20.1.4.200(B) NMAC, and respectfully submits Notice of Filing of the Public Hearing Determination for the Targa Northern Delaware LLC ("Targa") application for a Title V Air Quality Permit for the Big Lizard Compressor Station, No. P289-M2, and respectfully requests that the Office of Public Facilitation docket this matter. The Hearing Determination is attached.¹

/s/ Carol M. Parker
Outside Legal Counsel for
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¹ On September 29, 2023, Wildearth Guardians submitted a letter to Secretary James Kenney requesting to withdraw its request for a public hearing on the Big Lizard Title V Re-proposed Permit.

CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2023, a true and correct copy of the foregoing *Notice of Filing the Public Hearing Determination* was served by email to:

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/s/ Carol M. Parker
Carol M. Parker



MEMORANDUM

Date: June 6, 2023

To: James C. Kenney, Cabinet Secretary

Through: Danielle Gilliam, Deputy Secretary
Michelle Miano, Division Director
Dana Bahar, Deputy Division Director

From: Liz Bisbey-Kuehn, Bureau Chief, AQB

Subject: Request for Public Hearing Determinations for Air Quality Permit Applications for Targa Northern Delaware, LLC – Frac Cat and Big Lizard Compressor Stations

The AQB received written 3 public comment emails during the 30-day public comment period. The commenters requested a public hearing regarding the reopening of Air Quality Operating Permit Nos. P288, Frac Cat Compressor Station, and P289, Big Lizard Compressor Station.

Prior to issuing initial TV permits P288 and P289 on April 16, 2022 and on July 29, 2022, respectively, the AQB received comments from WildEarth Guardians (WEG). The comments did not request a hearing. AQB subsequently submitted a Response to Comments to WEG and to EPA and issued the permits. WEG petitioned an objection to the issuance of the TV Permits to EPA. On November 16, 2022, EPA issued an Order, granting two claims. AQB reopened the two permits and revised them to resolve the EPA Order. As required, AQB re-ran the public notice for both the permits on April 4, 2023 for Frac Cat and April 5, 2023 for Big Lizard.

AQB received 3 comments during the re-public noticing, primarily expressing concern regarding the enforceability of the startup, shutdown, maintenance, and malfunction emissions condition, the ozone concentrations in southeast New Mexico, and compliance with the National Ambient Air Quality Standards. The letters also requested a public hearing regarding the revised proposed permits.

20.2.70.401.A and B NMAC provide for the opportunity for public comment and for a public hearing if the Department Secretary determines there is significant public interest. If a hearing is approved, the anticipated timing for the hearing would be Fall 2023.

The WEG comments are similar to the WEG comments received for permits which went to public hearing in October 2021, November 2021, and October 2022.

I concur

James Kenney

Digitally signed by James Kenney
Date: 2023.07.19 14:16:28 -06'00'

James C. Kenney
Cabinet Secretary

I do not concur

James C. Kenney
Cabinet Secretary