

GW - 174

CLOSED

03/15/2010



New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson
Governor

Jon Goldstein
Cabinet Secretary

Jim Noel
Deputy Cabinet Secretary

Mark Fesmire
Division Director
Oil Conservation Division



MARCH 16, 2010

Mr. Richard Duarte
Principal Environmental Representative
El Paso Corporation
Pipelines West - Environmental Department
8725 Alameda Park Dr. NE, Albuquerque, NM 87113

RE: JURISDICTION OF GW-173 AND GW-174

Mr. Duarte:

The Oil Conservation Division (OCD) has reviewed the information that El Paso submitted on March 5, 2010 on the jurisdictional issues concerning the permit renewal for two of El Paso's compressor stations that are located on the Navajo Nation Reservation. After meeting with Director Fesmire and our attorney, OCD has determined that the Navajo Nation EPA has sole jurisdiction over El Paso's compressor stations located on the Navajo Nation Reservation. Therefore, El Paso is not obligated to renew its discharge permits with OCD and OCD will close out discharge permits GW-173 and GW-174.

OCD will work closely with the Navajo Nation EPA on any environmental issues that may arise in future.

If you have any questions, please contact me at 505-476-3488.

Sincerely,

Glenn von Gonten
Acting Environmental Bureau Chief

copy: Ronnie Ben, Navajo Nation EPA
Mark Fesmire, Director
Daniel Sanchez, Compliance and Enforcement Manager
Leonard Lowe, Environmental Bureau





RECEIVED OCD

2010 MAR 12 P 1:24

March 5, 2010

Glenn von Gonten, Environmental Bureau Chief
New Mexico EMNRD
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87507

Certified Mail
Return Receipt Requested
7008 3230 0003 5240 3123

Re: Jurisdiction affecting El Paso Natural Gas Company's Gallup (GW-173) & White Rock (GW-174) Compressor Stations.

Dear Mr. von Gonten:

This is follow-up to our conversation regarding the NMOCD's jurisdiction of the activities at the two subject facilities. In brief, the Navajo Nation's EPA (NNEPA) Water Quality & NPDES program had raised a concern regarding the NMOCD discharge plans for these two stations. Mr. Ronnie Ben, the Water Quality & NPDES Program Manager stated that these two facilities are located within the Navajo Nation and thus are jurisdictional under NNEPA water quality program or Federal NPDES. Mr. Ben indicated that they were open to having more conferences or a face-to-face meeting to resolve this matter.

We agreed to provide NMOCD with specific site details for these facilities and the NMOCD would, upon review of information, make a decision upon its jurisdiction. The initial indication was that it did not have authority to regulate the actions at these two sites. In summary, a map showing the location of these two stations is attached and the facility legal description for each site is as follows:

Gallup Station: NE/4 of Section 9, Township 19 North, Range 17 West, McKinley County, NM.
Latitude: 35°, 53 Minutes, 42 seconds, North
Longitude: 108°, 39 Minutes, 03 seconds, West
NNEPA - Title V Operating Permit: NN OP 05-007, expires 12/30/2013.

White Rock Station: Portion of NE ¼, Section 15, Township 23 North, Range 14 West, San Juan County, NM.
Latitude: 36°, 13 Minutes, 33 seconds, North
Longitude: 108°, 19 Minutes, 14 seconds, West
NNEPA - Title V Operating Permit: NN OP 05-008, expires 12/30/2013.

In addition, these two facilities have current Title V Operating Permits (for air emissions) that are issued under the NNEPA Operating Permit Regulations. Those permit numbers are shown within the information above.

Mr. Glenn von Gonten – Environmental Bureau
Gallup and White Rock
Page 2

If you have any questions on any of this information or have additional questions, please contact me at (505) 831-7763.

Sincerely,

A handwritten signature in black ink that reads "Richard Duarte". The signature is fluid and cursive, with the first name "Richard" and last name "Duarte" clearly legible.

Richard Duarte
Environmental Representative
El Paso Corporation
Pipelines West - Environmental Department

Attachment: Navajo Nation area map.

Copy (with attachment):

Mr. Ronnie Ben, Manager
Navajo Nation EPA - Water Quality Program
P.O. Box 339
Window Rock, AZ 86515

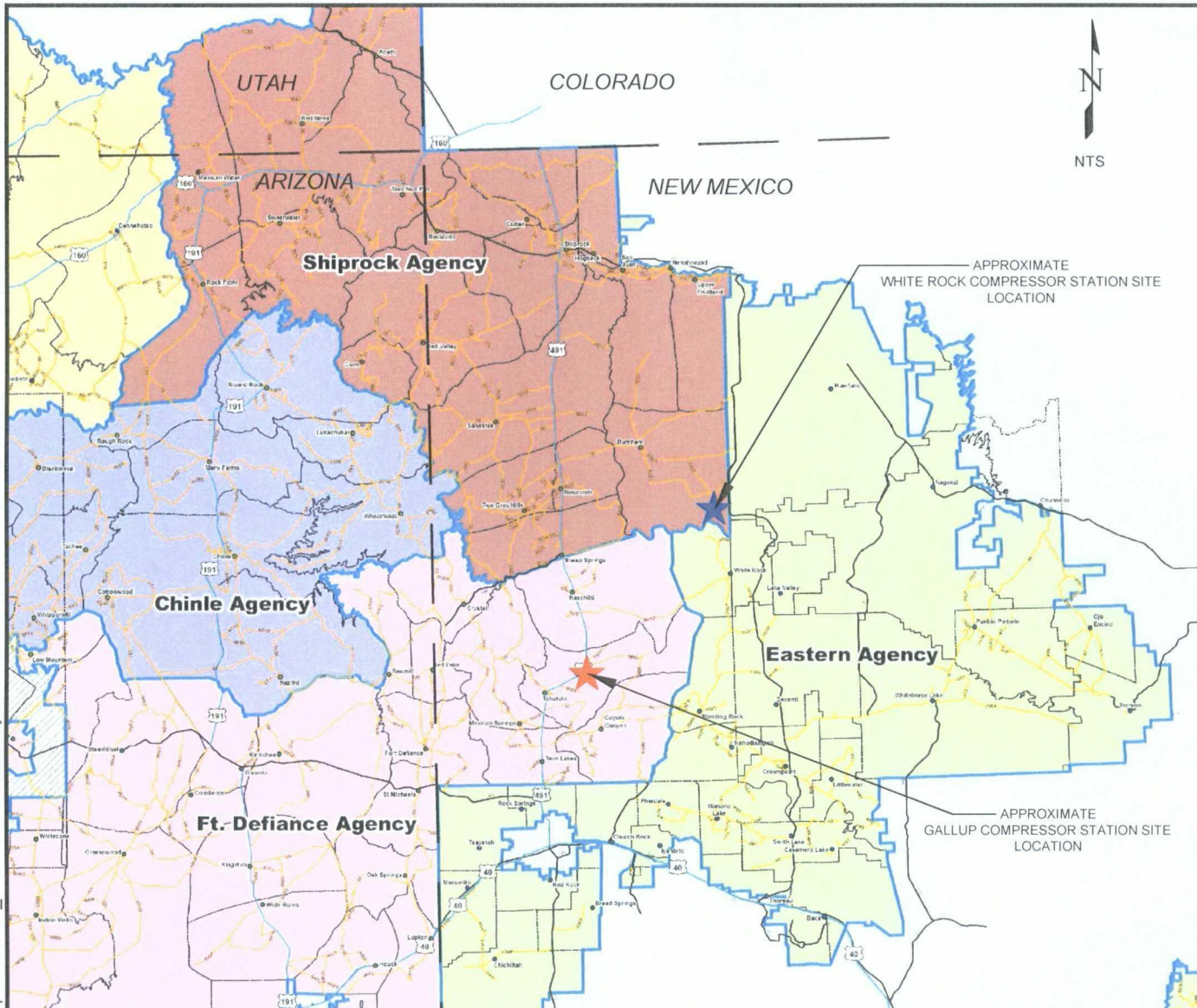
Buddie Henley
Gallup Area Manager
El Paso Natural Gas Company

Russ Pyeatt
San Juan Area Manager
El Paso Natural Gas Company

Mr. Glenn von Gonten – Environmental Bureau
Gallup and White Rock
Page 3

Blind Copy (w/ report):

Sandra D. Miller (for corporate files) - *Corp*
File: White Compressor Station - *Environmental*
Gallup Compressor Station - *Environmental*
R. Duarte's Chron.



NAVAJO NATION RESERVATION BOUNDARY MAP

LEGEND

- ★ APPROXIMATE GALLUP COMPRESSOR SITE LOCATION
- ★ APPROXIMATE WHITE ROCK COMPRESSOR SITE LOCATION
- — — APPROXIMATE STATE BOUNDARY LINE
- CHINLE AGENCY
- EASTERN AGENCY
- FT DEFIANCIE AGENCY
- SHIPROCK AGENCY
- TUBA CITY AGENCY

SOURCE: NAVAJODOT.ORG.

NTS

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PROJECT NO.	93014
DRAWN:	MAR 2010
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FILE NAME:	93014_EPNG_01.dwg

GALLUP AND WHITE ROCK COMPRESSOR SITES ON THE NAVAJO RESERVATION	
EL PASO NATURAL GAS GALLUP AND WHITE ROCK COMPRESSOR SITES NAVAJO NATION RESERVATION	
ORIGINATOR:	C. COREY
APPROVED BY:	
DRAWING CATEGORY:	1

FIGURE

1

3/15/2010

VonGonten, Glenn, EMNRD

From: Duarte, Ricardo (Richard) [Ricardo.Duarte@EIPaso.com]
Sent: Friday, March 05, 2010 11:34 AM
To: VonGonten, Glenn, EMNRD
Subject: Jurisdiction of White Rock (GW-174) & Gallup (GW-173)
Attachments: Jurisdiction of GW 173 & GW-174 on navajo.pdf

Greetings Glenn:

This letter will be mailed today. It is regarding the discussion we had last week regarding the NMOCD's jurisdiction within the Navajo Nation lands. A copy is also going to Ronnie at the NNEPA. I was working with Leonard Lowe to renew these last fall when this issue was raised by Ronnie.

I hope this can resolve this matter. If not, Ronnie was open to having a face-to-face meeting if necessary to continue to see your point of view.

Thank you and call or email me if you have questions or any concerns.

Richard Duarte, Principal Environmental Rep.
Office (505) 831-7763, Cell (505) 269-2794, Fax (505) 831-7734
8725 Alameda Park Dr. NE, Albuquerque, NM 87113



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