

**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  
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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 written in a cursive style with a large, sweeping flourish at the end.

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

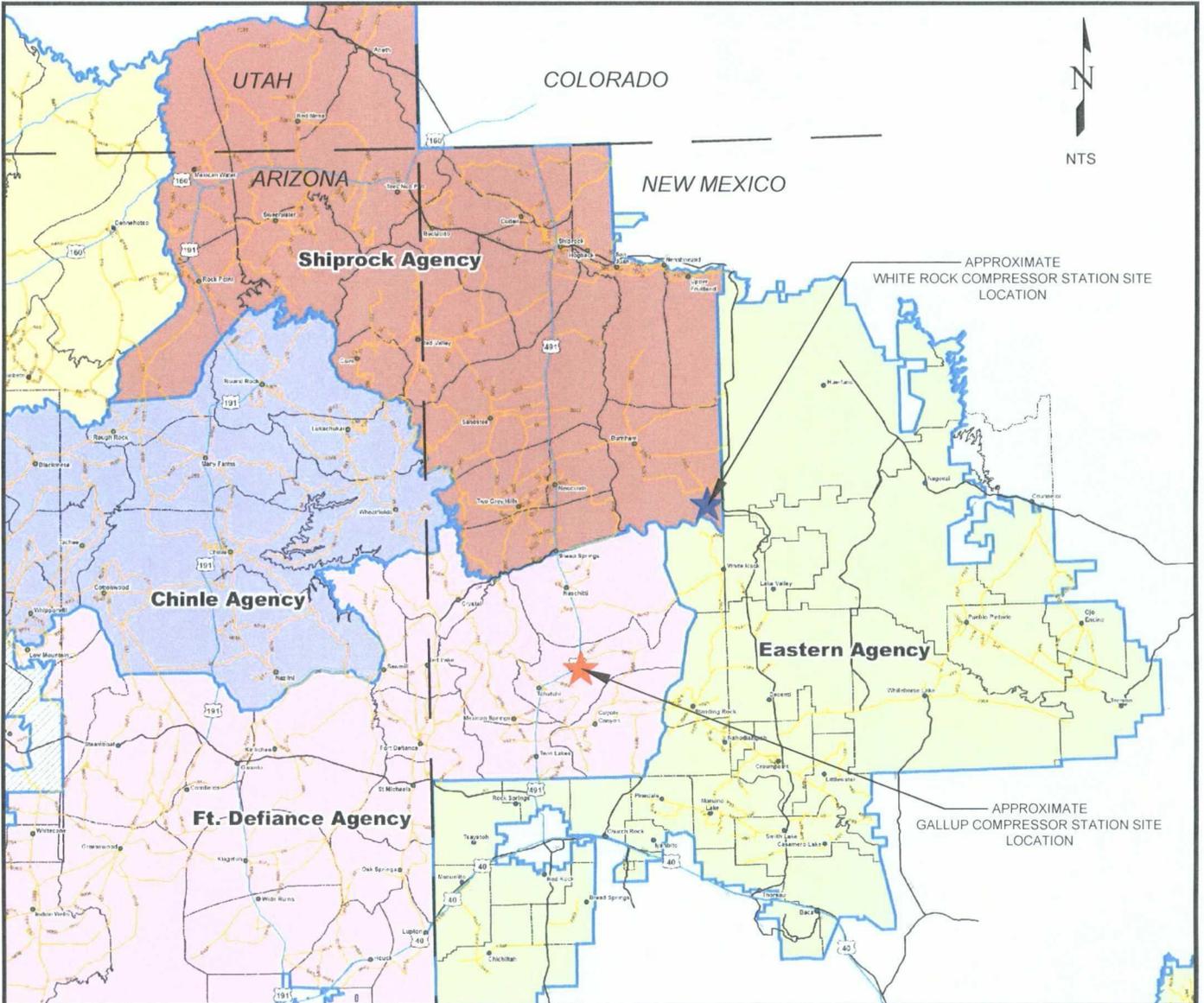
Mr. Glenn von Gonten – Environmental Bureau  
Gallup and White Rock  
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**Blind Copy (w/ report):**

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

Images: ARIZONA.JPG Images: New Mexico State Map.bmp Images: REZ\_24X36.JPG

CAD FILE: C:\DOCUME~1\PDan\LOCALS~1\Temp\AcPublish\_3348\ LAYOUT: Layout2



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 DEFIANC AGENCY
-  SHIPROCK AGENCY
-  TUBA CITY AGENCY

SOURCE: NAVAJODOT.ORG. NTS

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 <p><b>KLEINFELDER</b> Bright People. Right Solutions. www.kleinfelder.com</p>	PROJECT NO. 93014	<b>GALLUP AND WHITE ROCK COMPRESSOR SITES ON THE NAVAJO RESERVATION</b>	FIGURE  <b>1</b>
	DRAWN: MAR 2010		
	DRAWN BY: PD	EL PASO NATURAL GAS	
	CHECKED BY: CC	GALLUP AND WHITE ROCK COMPRESSOR SITES	
	FILE NAME: 93014_EPNG_01.dwg	NAVAJO NATION RESERVATION	
	ORIGINATOR: C. COREY	DRAWING CATEGORY: 1	
	APPROVED BY:		

3/15/2010

**VonGonten, Glenn, EMNRD**

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**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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