

LEGAL NOTICE

and

Preliminary Determination for an Air Quality Permit for XTO Energy Inc.

XTO Energy Inc, 810 Houston St Suite 2000, Fort Worth, TX has submitted an air quality permit application to the New Mexico Environment Department (NMED) for an air quality permit to modify the Tiger 12 Production Facility. The application file has been assigned Permit No. 4167 and TEMPO Agency Interest ID No. 29111. The exact location of the facility is at latitude 36 deg, 47 min, 12 sec and longitude -108 deg, 11 min, 14 sec. To aid in locating this facility, the approximate location is north of Farmington, NM, about 1.6 miles northeast of the intersection of Pinon Hills Boulevard and Glade Road.

The proposed construction/modification will consist of permitting the existing equipment at the facility. The facility consists of a natural gas compressor driven by a Caterpillar G3306NA natural gas-fired engine. The facility is also equipped with a pumping unit driven by a Kubota ER16G natural gas fired engine and a natural gas fired heater.

Total air pollutant emissions to the atmosphere are estimated to be approximately 3.7 tons per year of NO_x, 3.4 tons per year of CO, and 2.5 tons per year of VOCs. These emission estimates could change slightly during the course of the Department's review of the application.

The NMED has conducted a preliminary review of the information submitted with the permit application. The preliminary review and dispersion modeling analysis indicates that the facility's air emissions will meet the ambient air quality standards for NO_x, CO, SO_x, TSP, PM₁₀, and PM_{2.5}. A full review will evaluate the estimated emission rates and the air quality dispersion modeling analysis to determine compliance with ambient air standards.

Based on the applicant's analysis, a preliminary determination is that this facility will comply with the requirements of Title 20, New Mexico Administrative Code (NMAC), Chapter 2, Parts 3, 61, 72, 73, and 75 and the New Mexico Air Quality Control Act. Therefore, the preliminary intent of NMED is to issue the air quality permit on or before August 31, 2010. This source is a minor source according to 20.2.74 NMAC, PSD.

To ensure compliance with state and federal air regulations, the permit is expected to include conditions that limit the emissions and production rate, and conditions that will require record keeping and reporting to the Department.

The permit application is currently available for review at the Air Quality Bureau Office, 1301 Siler Road, Building B, Santa Fe, New Mexico. The Department contact in Santa Fe is Jay Stimmel. A copy of the permit application was mailed to the NMED Farmington Field Office, located at 3400 Messina Drive, Suite 5000 Farmington, NM 87402 for public review.

All interested persons have thirty (30) days from the date this notice is published, to notify the Department in writing of their interest in the permit application. The written comments should refer to the company name, site name and Permit No. (or send a copy of this notice along with your comments). The written comments shall state the nature of the issues raised and how it relates to the requirements of applicable state and federal air quality regulations and the Clean Air Act. The written comments should be mailed to Jay Stimmel, New Mexico Environment Dept., Air Quality Bureau, Permit Section, 1301 Siler Road, Building B, Santa Fe, New Mexico 87507-3113.

The Department will notify all persons, who have provided written comments, as to when and where the Department's analysis may be reviewed. Although all written comments will be made part of the public record, any person who does not express interest in writing prior to the end of this first thirty (30) day period will not receive such notification.

If the Department receives written public comment prior to the end of the Department's thirty (30) day public notice, the Department's analysis will be made available for review for thirty (30) days at the NMED district or field office nearest to the source before the permit will be issued. Written comments on the analysis or permit application may be submitted to the Department during this second thirty (30) day period or at any time before the permit is issued or denied.

Questions or comments not intended to be part of the public record can be directed to Jay Stimmel at 505-476-4353. General information about air quality and the permitting process can be found at the Air Quality Bureau's web site. The regulation dealing with public participation in the permit review process is 20.2.72.206 NMAC. This regulation can be found in the "Permits" section of this web site.