

RECEIVED

By Environmental Improvement Board at 8:08 am, Jul 29, 2021

**STATE OF NEW MEXICO
BEFORE THE ENVIRONMENTAL IMPROVEMENT BOARD**

IN THE MATTER OF:

PROPOSED NEW REGULATION

No. EIB 21-27 (R)

20.2.50 Oil and Gas Sector — Ozone Precursor Pollutants

**THE GAS COMPRESSOR ASSOCIATION'S NOTICE OF INTENT
TO PRESENT TECHNICAL TESTIMONY**

Pursuant to 20.1.1.302 NMAC and Environmental Improvement Board's Order of Hearing Determination and Hearing Officer Appointment, dated June 8, 2021, The Gas Compressor Association ("The GCA") hereby submits this Notice of Intent to Present Technical Testimony at the hearing of this matter, scheduled to commence September 20, 2021.

I. Identity, Qualifications, and Summary of Testimony from The GCA's Technical Witnesses

At the hearing of this matter The GCA, an association whose members include owners and operators of significant fleets of engine-driven natural gas compressors that are utilized to provide compression services to producers and midstream companies within the oil and gas industry in New Mexico and throughout the United States, will present the following technical witnesses. The GCA reserves the right to present additional non-technical witnesses as part of their direct presentation, as well as technical and non-technical witnesses in rebuttal or in response to witnesses, statements or evidence of other parties or members of the public:

**A. Vic Sheldon
P.O. Box 1278
Lady Lake, Florida 32158-1278**

1. Summary of Vic Sheldon's Qualifications and Direct Testimony

Mr. Sheldon received a Bachelor of Science in mechanical engineering from Purdue University and holds a Masters of Business Administration from Indian Wesleyan University. Mr. Sheldon is a registered Professional Engineer in the State of Illinois. For over thirty-seven years Mr. Sheldon has been dedicated to engine engineering design, test and development, field validation, manufacturing, product support, education and training, marketing, and managing engine designers and developers. Mr. Sheldon is currently employed as the General Manager of VSheldon JEvertt Decisions, LLC, where he has worked since 2016. Mr. Sheldon previously worked for Caterpillar, where he served in various capacities for approximately twenty years.

Mr. Sheldon will provide direct testimony, which will include adopting his advance written testimony submitted herewith, regarding the New Mexico Environment Department's ("Department") proposed NOx emission limits for lean-burn engines at or above 1000 bhp, as set forth in the Department's proposed rule, 20.2.50 NMAC ("Proposed Rule"), at 20.2.50.113.B(3) NMAC. Mr. Sheldon will provide testimony to establish the proposed NOx emission limits are below the Best Available Technology ("BAT") for this category of engines, and to explain how this emission limitation would effectively eliminate certain large lean-burn engines from operating in New Mexico, as it is not technically feasible for this category of large lean-burn engines to meet the Department's proposed NOx emission standards at this time. Mr. Sheldon will further testify regarding federal NOx emission limits for large lean-burn engines and will testify how the proposed emissions limits are unnecessarily more stringent than the federal standards. Finally, Mr. Sheldon will testify that the applicability of "new source" emission standards for engines should be based only on the date of manufacture or reconstruction of the engine. Mr. Sheldon will provide testimony supporting The GCA's proposed amendments to 20.2.50.113.B(3) NMAC, as set out in the Proposed Rule, set forth in GCA Exhibit 1.

2. Estimated Length of Mr. Sheldon's Direct Testimony

It is estimated that Mr. Sheldon's direct testimony will last approximately fifteen (15) minutes, more or less.

**B. John Dutton
4408 Pecan Bnd.
Parker, Texas 75002**

1. Summary of Mr. Dutton's Qualifications and Direct Testimony

Mr. Dutton received his Bachelor of Science degree in mechanical engineering from the University of Oklahoma. Since 1991, Mr. Dutton has worked as a mechanical engineer. Mr. Dutton has over thirty years of experience in the natural gas compression and midstream pipeline segments of the oil and gas industry. For the last twenty-three years, Mr. Dutton has served in various capacities for the J-W Energy family of companies, working in financial analysis, operations and executive roles.

Mr. Dutton will provide direct testimony, which will include adopting his advance written testimony submitted herewith, regarding the Department's proposed NOx emission limits for lean-burn engines at or above 1000 bhp, as set forth in the Department's Proposed Rule at 20.2.50.113.B(3) NMAC. Mr. Dutton will offer testimony regarding the proposed horsepower break in 20.2.50.113.B(3), Table 2, NMAC, and offer testimony to support why 4-stroke lean-burn engines should be 1875 horsepower rather than 1000 horsepower, as currently proposed in the rule, to accurately reflect the capabilities of lean burn engines. Mr. Dutton will testify regarding engine driver selection as it relates to natural gas compressor packages and the importance of having viable options from more than one manufacturer and post combustion controls for lean-burn engines are not economically viable. Mr. Dutton will also testify that retrofitting existing engines can be cost prohibitive. Finally, Mr. Dutton will testify that the NOx

requirements for lean burn engines as set forth in the Proposed Rule at 20.2.50.113.B(2), Table 1 and 20.2.50.113(B)(3), Table 2, NMAC should be revised, and why the Proposed Rule should base the applicability of “new source” emission standards for engines only on the dates of manufacture or reconstruction. Mr. Dutton will provide testimony supporting The GCA’s proposed amendments to 20.2.50.113.B(2), Table 1 and 20.2.50.113(B)(3), Table 2, NMAC, as proposed in the Proposed Rule, set forth in GCA Exhibit 1.

2. Estimated Length of Mr. Dutton’s Direct Testimony

It is estimated that Mr. Dutton’s direct testimony will last approximately fifteen (15) minutes, more or less.

C. Mark Copeland
9807 Katy Freeway, Suite 100
Houston, Texas 77024

1. Summary of Mr. Copeland’s Qualifications and Direct Testimony

Mr. Copeland holds a Bachelor of Science degree in mechanical engineering from Southern Methodist University. Mr. Copeland has over thirty-two years of experience working in the energy industry, in particular the natural gas contract compression space, a niche that sells, services and owns and operates equipment that aids customers’ production of oil and gas (e.g., gas lift) and makes the post-production transportation of their natural gas to market possible by increasing the pressure of that gas as it moves from wellhead to market. Mr. Copeland’s career has exclusively been in the natural gas compression industry. Mr. Copeland is currently employed by Archrock, where he has worked for over twenty-one years, including working for three years as a Regional Manager in New Mexico.

Mr. Copeland will provide direct testimony, which will include adopting his advance written testimony submitted herewith, regarding the Department’s proposed maintenance and

monitoring requirements set forth in the Department's Proposed Rule at 20.2.50.113.C(1) NMAC. Mr. Copeland will provide testimony to explain why the mandatory maintenance schedule set forth in the proposed regulation, which relies upon generic manufacturer recommendations, is too rigid and prohibits operators from tailoring maintenance schedules as part of specific operation and maintenance plans. Mr. Copeland will further testify regarding how the Department's proposed mandatory maintenance requirements are inconsistent with federal standards and inexplicably depart from what is required by the relevant federal rules. Mr. Copeland will provide testimony supporting The GCA's proposed amendments to 20.2.50.113.C(1) NMAC, as set forth in the Proposed Rule, as provided in GCA Exhibit 2.

Mr. Copeland will provide testimony regarding the Department's proposed equipment tagging and compliance database requirements set forth in the Department's Proposed Rule at 20.2.50.112.A(3)-(10) NMAC. Mr. Copeland will provide testimony regarding why the Department's proposed equipment tagging requirements are impractical, are unnecessary to ensure compliance, and are extremely onerous and costly for equipment operators with little or no corresponding benefits. Mr. Copeland will testify regarding the lack of software available to perform what is required by the Proposed Rule. Mr. Copeland will further testify about the financial cost operators will have to bear to comply with the Proposed Rule. Mr. Copeland will testify about the mobile nature of equipment and the negative effect the Proposed Rule will have on operators' ability to replace and move equipment between sites including into and out of the State of New Mexico. Mr. Copeland will also offer testimony regarding ambiguities in the Proposed Rule relating to the equipment tagging and compliance database requirement. Mr. Copeland will provide testimony supporting The GCA's proposed amendments to the

20.2.50.112.A(3)-(10) NMAC, and related provisions set forth in Proposed Rule, are provided in GCA Exhibit 8.

Mr. Copeland will further testify regarding the Department's monitoring requirements included in the Proposed Rule at 20.2.50.112.B NMAC. Mr. Copeland will offer testimony specifically discussing the alternative monitoring approval process and The GCA's proposed amendments to require a ninety-day timeline for the Department to respond to a request for approval of an alternative monitoring strategy, as described in the Proposed Rule at 20.2.50.112.B(2) NMAC. Mr. Copeland will provide testimony supporting The GCA's proposed amendments to the 20.2.50.112.B(2) NMAC of the Proposed Rule, as set forth in GCA Exhibit 5.

Finally, Mr. Copeland will offer testimony regarding the Department's proposed fugitive emissions monitoring program and the related component tagging requirement identified in the Department's Proposed Rule at 20.2.50.116.C(1)(e) NMAC. Mr. Copeland will provide testimony supporting The GCA's proposal to amend the regulation to require an owner or operator to tag a leaking component within three business days instead of three calendar days. Mr. Copeland will testify regarding why the proposed amendment is necessary and why it will not affect the schedule for repairing any identified leaks. Mr. Copeland will provide testimony supporting The GCA's proposed amendments to 20.2.50.116.C(1)(e) NMAC, as set forth in the Proposed Rule, as provided in GCA Exhibit 7.

2. Estimated Length of Mr. Copeland's Direct Testimony

It is estimated that Mr. Copeland's direct testimony will last approximately 30 minutes, more or less.

D. Raymond Carr
4646 S. Harvard Ave.
Tulsa, Oklahoma 74135

1. Summary of Raymond Carr's Qualifications and Direct Testimony

Mr. Carr holds a Bachelor of Science degree with a specialization in electrical engineering from the University of Tulsa. Mr. Carr has been a registered engineering intern in the State of Oklahoma since 1988. Mr. Carr has worked for FW Murphy Production Controls (previously Frank W. Murphy Mfr.) since 1988, serving in various roles including R&D Engineer, Chief Engineer of the Automation Division, Engineering Supervisor for Corporate Sales, Engineering Supervisor for Corporate Development, Sales Engineering Manager for FW Murphy's Southern Division, as a Manager of Murphy Communications Solutions, as a Manager of FW Murphy's Oil & Gas Market Development, Technical Marketing Support and Technical Services, as a Senior Engineer and Manager of Technical Services, and as a ASC Centurion Integration Specialist. Mr. Carr has given technical and training presentations at industry trade shows and taught the Instrumentation and Controls section of the EGSA Rowley School of On-Site Power Generation. Mr. Carr is an expert on FW Murphy Production Controls Scrubber Level Systems and the use and operation of pneumatic controllers.

Mr. Carr will provide direct testimony, which will include adopting his advance written testimony submitted herewith, regarding the Department's proposed pneumatic control emissions standards set forth at Proposed Rule 20.2.50.122.B(4) NMAC. Mr. Carr will testify about the need to specifically recognize snap-acting (intermittent bleed) pneumatic controllers in this regulation. Mr. Carr will specifically offer testimony about the need to distinguish continuous bleed controllers from intermittent bleed pneumatic controllers and how the United States Environmental Protection Agency ("EPA") is regulating these controllers. Mr. Carr's testimony

will also explain why the Department has incorrectly interpreted and applied background documents in creating the emissions standards set forth in 20.2.50.122.B(4) NMAC. Mr. Carr will offer testimony regarding the Department's inconsistent approach to pneumatic controllers with a bleed rate of less than 6 scf/hr. Mr. Carr will provide testimony supporting The GCA's proposed amendments to 20.2.50.122.B(4) NMAC, as set forth in Proposed Rule, as provided in GCA Exhibit 3.

2. Estimated Length of Mr. Carr's Direct Testimony

It is estimated that Mr. Carr's direct testimony will last approximately fifteen (15) minutes, more or less.

**E. Brendan Filby
DCL America Inc.
27603 Commerce Oaks Drive
Oak Ridge North, Texas 77385**

1. Summary of Mr. Filby's Qualifications and Direct Testimony

Mr. Filby received a Bachelor of Science from the University of Waterloo in biochemistry in 1999. Mr. Filby has been working in the emissions control industry, with a particular focus on emissions control devices used in the oil and gas industry, for the past twenty-two years. From 2006 to 2008 Mr. Filby attended graduate business school and earned a Master of Business Administration degree from the Beedie School of Business at Simon Fraser University. Mr. Filby has over twenty years of experience related to emissions controls for engines used in the oil and gas industry. Mr. Filby currently serves as Chief Executive Officer at DCL America, Inc., a global leader in the design, manufacture, and implementation of advanced emissions control systems for stationary and mobile internal combustion engines.

Mr. Filby will provide direct testimony, which will include adopting his advance written testimony submitted herewith, regarding the Department's inspection requirements for control

devices set forth in the Department's Proposed Rule at 20.2.50.115.B(4) NMAC. Mr. Filby will provide testimony regarding why the mandatory inspection schedule set forth in the Proposed Rule is arbitrary and inconsistent with applicable federal requirements. Mr. Filby will offer testimony to support operators' ability to create a tailored inspection schedule in operation and maintenance plans that can adequately address specific control devices. Mr. Filby will provide testimony supporting The GCA's proposed amendments to 20.2.50.115.B(4) NMAC, as set forth in the Proposed Rule, as provided in GCA Exhibit 4.

2. Estimated Length of Mr. Filby's Direct Testimony

It is estimated that Mr. Filby's direct testimony will last approximately fifteen (15) minutes, more or less.

**F. Randy Bartley
1400 Civic Place
Southlake, Texas 76092**

1. Summary of Randy Bartley's Qualifications and Direct Testimony

Mr. Bartley holds a Bachelor of Business Administration from the University of Oklahoma in energy management with a minor in finance. He has been working in the oil and gas industry for the past twenty-six years. Mr. Bartley has over twenty-years of experience conducting emissions testing for natural gas compressor engines. Mr. Bartley is currently employed as Chief Executive Officer at B.enviroSAFE, LLC d/b/a BAIR, an environmental consulting and emissions testing firm. During his twenty-six years working in the oil and gas industry, Mr. Bartley has given numerous presentations at industry conferences regarding oil and gas-related regulations, test methods and technologies available to meet regulatory data quality objectives.

Mr. Bartley will testify regarding why the Department should clarify the proposed testing methodology set forth in 20.2.50.113.C NMAC. Mr. Bartley will address the fact that ASTM D6522 does not test for volatile organic compounds (“VOCs”), and that the test method covers the determination of nitrogen oxides, carbon monoxide (“CO”) and oxygen concentrations from natural gas-fired reciprocating engines. Mr. Bartley will further testify regarding the reliability of different emissions testing methods performed using portable analyzers and EPA reference test methods. Mr. Bartley will also testify regarding why the Department should authorize CO as a surrogate measure for VOC emissions consistent with current Department air permit monitoring protocols and other state and federal emissions testing guidelines. Mr. Bartley will provide testimony supporting The GCA’s proposed amendments to 20.2.50.113.C NMAC, as set forth in the Proposed Rule, as set forth in GCA Exhibit 6.

2. Estimated Length of Mr. Bartley’s Direct Testimony

It is estimated that Mr. Bartley’s direct testimony will last approximately fifteen (15) minutes, more or less.

II. Materials Referenced by The GCA’s Witnesses

In addition to the materials that The GCA may use as exhibits, as listed below and attached, The GCA’s witnesses referenced or reviewed the materials that are on file with the Department for the 20.2.50 NMAC Oil and Gas Sector - Ozone Precursor Pollutants Rulemaking located on the Department’s website at: <https://www.env.nm.gov/air-quality/ozone-precursor-rule-hearing/>, the Environmental Improvement Board’s docket for this proceeding, and the Environmental Improvement Board’s regulations.

III. The GCA's Hearing Exhibits

1. The Gas Compressor Association's Proposed Amendments to the following proposed regulations set forth in the Proposed Rule: 20.2.50.113.B(2), Table 1 and 20.2.113.B(3), Table 2 NMAC.
2. The Gas Compressor Association's Proposed Amendments to the following proposed regulation set forth in the Proposed Rule: 20.2.50.113.C(1) NMAC.
3. The Gas Compressor Association's Proposed Amendments to the following proposed regulations set forth in the Proposed Rule: 20.2.50.7; 20.2.50.122.B(3), Tables 1 & 2; 20.2.50.122.B(4) and 20.2.50.122.C(1) & (4) NMAC.
4. The Gas Compressor Association's Proposed Amendments to the following proposed regulations set forth in the Proposed Rule: 20.2.50.115.B(4) and 20.2.50.113.C(2) NMAC.
5. The Gas Compressor Association's Proposed Amendments to the following proposed regulation set forth in the Proposed Rule: 20.2.50.112.B(2) NMAC.
6. The Gas Compressor Association's Proposed Amendments to the following proposed regulation set forth in the Proposed Rule: 20.2.50.113.C(3) NMAC.
7. The Gas Compressor Association's Proposed Amendments to the following proposed regulation set forth in the Proposed Rule: 20.2.50.116.C(1)(e) NMAC.
8. The Gas Compressor Association's Proposed Amendments to the following proposed regulations set forth in the Proposed Rule: 20.2.50.112; 20.2.50.113.B(9), C(7) and D(1) & (2); 20.2.50.114.B(5); 20.2.50.115.B(3) & (4), C(2)(d), D(2)(c) and E(2)(b); 20.2.50.117.B(4) and C(3); 20.2.50.118.B(3)(d); 20.2.50.119.B(4) and C(4); 20.2.50.122.B(6), C(4) and D(6) & (7); 20.2.50.123.B(8) and C(4); and 20.2.50.123.B(8) and C(4) NMAC.

- A. Vic Sheldon's testimony may include presentation of the following exhibits:
9. Advance Written Testimony of Vic Sheldon
 10. Resume of Vic Sheldon
 11. Technical Support Documentation for the Cross-State Air Pollution Rule for the 2008 Ozone NAAQS Docket ID No. EPA-HQ-OAR-2015-0500
- B. John Dutton's testimony may include presentation of the following exhibits:
12. Advance Written Testimony of John Dutton
 13. Resume of John Dutton
 14. New Mexico Environment Department's Technical Spreadsheet "ICE-Reductions-andCosts-NO2-6-4-21.xls"
- C. Mark Copeland's testimony may include presentation of the following exhibits:
15. Advance Written Testimony of Mark Copeland
 16. Resume of Mark Copeland
- D. Raymond Carr's testimony may include presentation of the following exhibits:
17. Advance Written Testimony of Raymond Carr
 18. Resume of Raymond Carr
 19. FW Murphy SLS (Scrubber Level System) Gas Emissions Calculator Spreadsheet
 20. FW Murphy Liquid Level Switches (LS200 Series)
 21. FW Murphy Scrubber Level Control Systems
 22. Report on Oil and Natural Gas Sector Pneumatic Devices, U.S. EPA Office of Air Quality Planning and Standards (April 2014)
- E. Brendan Filby's testimony may include presentation of the following exhibits:
23. Advance Written Testimony of Brendan Filby

24. Resume of Brendan Filby

F. Randy Bartley’s testimony may include presentation of the following exhibits:

25. Advance Written Testimony of Randy Bartley

26. Resume of Randy Bartley

27. New Mexico Air Quality Bureau, NSR & TV: *IC Engines Monitoring Protocol – Permit Template Language* at Note 3 (Version: May 23, 2016)

G. Yet to be identified exhibits The GCA may use in rebuttal.

IV. Summary of Non-Technical Comments

The GCA recognizes that, pursuant to 20.1.1.302 NMAC, the notice of intent to present technical testimony pertains to technical testimony; however, The GCA hereby provides notice that it intends to provide or solicit non-technical testimony from witnesses regarding the following issues described below.

1. Fiscal Implications of the Proposed Regulation

The GCA may present non-technical testimony regarding the fiscal implications of various provisions and requirements set forth in the Proposed Rule. The GCA may provide non-technical testimony on the costs owners and operators would incur employing all of the BAT standards set forth in the proposed rule. The GCA may also present non-technical testimony regarding the maintenance and reporting costs owners and operators would incur as a result of the requirements set forth in the Proposed Rule.

2. Need for Department to Add Definitions to 20.2.50 NMAC:

a. The Department Should Define “Credible Evidence” as used in 20.2.50.125.G NMAC.

The GCA may present non-technical testimony regarding why the Department should define “credible evidence” as used in Proposed Rule 20.2.50.125.G NMAC. Specifically, The GCA

may offer testimony regarding why such a definition is necessary to ensure that any claims are substantiated and to clarify that non-authorized personnel are unable to access sites to gather “credible evidence.”

b. The Department Should Define Reconstruction, Certified Engines, Portable Engines and Non-Road Engines

The GCA may present non-technical testimony regarding why the Department should include definitions of the following terms in its proposed 20.2.50.8 NMAC provision: Reconstruction, Certified Engines, Portable Engines and Non-Road Engines. The Department should consider adding definitions of these terms to include how these terms invoke compliance with the Proposed Rule. Any definition of these terms should be consistent with the federal definitions to ensure the Department is appropriately regulating engines in adopting the Proposed Rule.

3. Request for Exemption of Certified Engines

The GCA may present non-technical testimony regarding why the Department should waive performance testing as proposed in 20.2.50.13 NMAC for engines that comply with the emissions standards and requirements set forth in NSPS Subpart JJJJ.

4. Including PPM Values for Emissions Limits

The GCA may present non-technical testimony regarding why the Department should express emissions limits in both g/bhp*hr and ppmvd will aid in field testing, particularly with portable analyzers, to establish compliance to limits consistent with NSPS Subpart JJJJ’s Table 1.

5. Non-viability of certain proposed emissions standards for natural gas compressor engines due to the quality of wellhead and field natural gas found in the state of New Mexico.

The GCA may present non-technical testimony regarding the quality of fuel gas burned in stationary engines and the effect in obtaining the proposed emissions limits. The typical New Mexico field gas contains lower amounts by volume of methane and higher amounts of heavier constituents such as propane, ethane, and butane. The effect on the engine output emissions can be significant, especially with respect to VOCs, and makes compliance with the rule much more challenging and costly to attain.

Respectfully Submitted,

BRACEWELL LLP

By: /s/ Whit Swift

Jeffrey Holmstead

Tim Wilkins

Whit Swift

111 Congress Avenue, Suite 2300

Austin, Texas 78701

Tel: (512) 494-3658

jeff.holmstead@bracewell.com

tim.wilkins@bracewell.com

whit.swift@bracewell.com

**MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.**

By: /s/ Stuart R. Butzier

Stuart R. Butzier

Christina C. Sheehan

Post Office Box 2168

Albuquerque, New Mexico 87103-2162

Tel: (505) 848-1800

srb@modrall.com

ccs@modrall.com

Counsel for The Gas Compressor Association

CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2021, a true and correct copy of the foregoing *Notice to Intent to Present Technical Testimony* was served via electronic mail to the following:

Pamela Jones, Hearing Administrator Environmental Improvement Board 1190 Saint Francis Drive, Suite S2102 Santa Fe, New Mexico 87505 Pamela.jones@state.nm.us <i>Administrator for the Environmental Improvement Board</i>	Karla Soloria New Mexico Office of the Attorney General P.O. Box 1508 Santa Fe, New Mexico 87504 ksoloria@nmag.gov <i>Counsel for the Environmental Improvement Board</i>
Lara Katz, Assistant General Counsel Office of General Counsel New Mexico Environment Department 1190 St. Francis Drive Santa Fe, New Mexico 87505 lara.katz@state.nm.us <i>Counsel for the New Mexico Environment Department</i>	Elizabeth deLone Paranhos Delone Law Inc. 1555 Jennine Place Boulder, Colorado 80304 elizabeth@delonelaw.com <i>Counsel for Environmental Defense Fund</i>
Eric L. Hiser Brandon Curtis JORDEN HISFR & JOY, PLC 5080 N. 40th St, Suite 245 Phoenix, AZ 85024 (480) 505-3900 ehiser@jhjlawyers.com bcurtis@jhjlawyers.com Dalva L. Moellenberg GALLAGHER & KENNEDY, P.A. 1239 Paseo de Peralta Santa Fe, New Mexico 87501-2758 505-982-9523 DLM@gknet.com <i>Counsel to New Mexico Oil and Gas Association</i>	Tannis Fox Western Environmental Law Center 409 East Palace Avenue, #2 Santa Fe, New Mexico 87501 fox@westernlaw.org David R. Baake Baake Law LLC 2131 North Main Street Las Cruces, New Mexico 88001 david@baakelaw.com <i>Counsel for Conservation Voters New Mexico, Dine C.A.R.E., Earthworks, Natural Resources Defense Council, San Juan Citizens Alliance, Sierra Club, and 350 New Mexico</i>
Louis W. Rose Kari Olson Ricardo S. Gonzales MONTGOMERY & ANDREWS, P.A Post Office Box 2307 Santa Fe, New Mexico 87504-2307 (505) 982-3873 lrose@montand.com	Charles de Saillan New Mexico Environmental Law Center 1405 Luisa Street, Suite 5 Santa Fe, New Mexico 87505-4074 cdesaillan@nmelc.org <i>Counsel for the New Mexico Environmental Law Center</i>

kolson@montand.com rgonzales@montand.com <i>Counsel for IPANM</i>	
Daniel Jaynes Keifer Johnson Gabriel Pacyniak Natural Resources & Environmental Law Clinic University of New Mexico jaynesda@law.unm.edu johnsoke@law.unm.edu pacyniak@law.unm.edu <i>Counsel for Center for Civic Policy and NAVA Education Project</i>	Christopher Neumann Gregory Tan Casey Shpall GREENBERG TRAURIG, LLP 1144 Fifteenth Street, Suite 3300 Denver, Colorado 80202 neumannc@gtlaw.com tangr@gtlaw.com shpallc@gtlaw.com <i>Counsel for NGL Energy Partners LP, Solaris Water Midstream, OWL SWD Operating LLC, and Goodnight Midstream, LLC</i> Matthias Sayer NGL Energy Partners LP 125 Lincoln Ave. Suite 222 Santa Fe, New Mexico 87501 Matthias.Sayer@nglep.com <i>Counsel for NGL Energy Partners LP</i>
Anna Maria Gutierrez Hogan Lovells US LLP 1601 Wewatta Street, Suite 900 Denver, Colorado 80202 Ana.gutierrez@hoganlovells.com Sandra Milena McCarthy Hogan Lovells US LLP Columbia Square 555 Thirteenth Street Washington, DC 2004 Sandra.mccarthy@hoganlovells.com <i>Counsel for Kinder Morgan, Inc., El Paso Natural Gas Company, L.L.C., TransColorado Gas Transmission Co., LLC, and Natural Gas Pipeline Company of America, LLC</i>	J. Scott Janoe Baker Botts L.L.P 910 Louisiana Street Houston, Texas 77002 Scott.janoe@bakerbotts.com <i>Counsel for Oxy USA Inc.</i>

**MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.**

By: /s/ Stuart R. Butzier

