

STATE OF NEW MEXICO
NEW MEXICO ENVIRONMENT DEPARTMENT

NEW MEXICO ENVIRONMENT DEPARTMENT,

Complainant,

v.

No. AQB WIL-multi-0901 (NOV)

WILLIAMS FOUR CORNERS, LLC.

Respondent.

STIPULATED FINAL COMPLIANCE ORDER

This Stipulated Final Compliance Order ("Final Order") is agreed to by the New Mexico Environment ("Department") and the Respondent Williams Four Corners, LLC. ("Respondent") to resolve alleged violation of the New Mexico Air Quality Control Act ("AQCA"), NMSA 1978, § 74-2-1 to 74-2-17; the Air Quality Control Regulations ("AQCR"), 20.2 NMAC; and multiple Air Quality Permit Numbers ("Permits").

I. BACKGROUND

A. PARTIES

1. The Department is an agency of the executive branch of the State of New Mexico, created pursuant to NMSA 1978, § 9-7A-4. The Environmental Protection Division is an organizational unit of the Department. The Air Quality Bureau ("Bureau") is an organizational unit of the Division.

2. Respondent is a Delaware limited liability company doing business in New Mexico. The respondent owns and operates the facilities identified on the attached Exhibit 1 in various counties of New Mexico.

B. HISTORY AND ALLEGED VIOLATIONS

3. NMAC 20.2.7.15.C states in part, "If a timely notice is submitted under Subsection A of 20.2.7.15 NMAC for any excess emission during routine or predictable startup, shutdown, or scheduled maintenance, the owner or operator shall comply only with Paragraph (2) of Subsection A of 20.2.7.110 NMAC - Final Report, until the permit is issued or denied." NMAC 20.2.7.110 (2) states: "Final report: the owner or operator shall file a final report that contains specific and detailed information for each item in Subsection B of 20.2.7.110 NMAC, no later than ten (10) days after the end of the excess emission."

4. On June 17, 2010 Respondent voluntarily self-disclosed previous startup, shutdown, or scheduled maintenance (SSM) events at the 49 facilities in Exhibit 1 attached.

5. On July 7, 2011, the Bureau notified the Respondent of its determination of the Respondent's claim pursuant to the Air Quality Bureau's Voluntary Environmental Self-Evaluation Policy in Appendix D of the Civil Penalty Policy for alleged violations of 20.2.7.15.C and 20.2.7.110 NMAC. With the letter of notification, the Bureau also offered to settle the matter for a payment of a civil penalty of twenty four thousand five hundred dollars (\$24,500.00).

6. On August 30, 2011, the Respondent accepted the Bureau's settlement offer for the alleged violations.

II. COMPROMISE AND SETTLEMENT OF NOTICES OF VIOLATIONS

A. GENERAL

7. Respondent does not admit any of the facts or allegations of violations in this matter. To avoid further legal proceedings, the Department and Respondent agree to terms and conditions in this Final Order to resolve the alleged violations.

8. Respondent admits the Department has jurisdiction of this matter and consents to the relief specified herein.

9. In lieu of submitting revised Title V Semi-annual Monitoring reports and Annual Compliance Certifications ("Reports") for the 49 facilities on Exhibit 1 for the SSM events occurring from August 1, 2008 – June 17, 2010, Williams shall provide to the Bureau a letter to amend the Reports, which lists the reporting periods for each of the Reports and the number of previously unreported SSM events that occurred during each period. This letter shall be submitted to the Bureau within 30 calendar days after the effective date of this Final Order.

10. The Department has further determined that the Respondent has taken satisfactory actions to correct and prevent recurrence of the alleged violations.

B. CIVIL PENALTY

11. In compromise and settlement of the alleged violations and upon consideration of the seriousness of the violations and good faith efforts to comply, the Parties agree that Respondent shall pay a civil penalty \$24,500.00 to the State of New Mexico within 30 calendar days after the effective date of this Final Order.

12. Payment shall be made to the State of New Mexico General Fund by certified or corporate check and sent to the following address:

New-Mexico Environment Department
Air Quality Bureau
c/o Debra McElroy, Compliance and Enforcement Manager
1301 Siler Road, Building B
Santa Fe, New Mexico 87507-3113

13. If Respondent fails to make timely and complete payment of the civil penalty, Respondent shall pay interest on the outstanding balance at the rate established for judgments and decrees under NMSA 1978, § 56-8-4.

III. OTHER TERMS AND CONDITIONS

A. RESERVATION OF RIGHTS AND DEFENSES

14. This Final Order shall not be construed to prohibit or limit in any way the

Department from requiring Respondent to comply with any applicable state or federal requirement. This Final Order shall not be construed to prohibit or limit in any way the Department from seeking any relief authorized by the AQCA for violation of any state or federal requirement applicable to Respondent not resolved herein. This Final Order shall not be construed to prohibit or limit in any way Respondent from raising any defense to a Department action seeking such relief.

B. MUTUAL RELEASE

15. The Parties mutually release each other from all claims that each Party raised or could have raised against the other regarding the facts and violations alleged in this matter. Such release applies only to civil liability.

C. WAIVER OF STATE LIABILITY

16. Respondent shall assume all costs and liabilities incurred in performing all obligations under this Final Order. The Department, on its own behalf and on behalf of the State of New Mexico, does not assume any liability for Respondent's performance of any obligation under this Final Order.

D. EFFECTIVE DATE AND TERMINATION DATES

17. This Final Order shall become effective on the date it has been signed by the Department Secretary.

18. Except as otherwise provided in this Paragraph, the terms of this Final Order shall terminate when Respondent has fulfilled all requirements of this Final Order. The reservations of rights and defenses and the mutual release in Paragraphs 14 and 15 shall not terminate, and shall remain in effect as an agreement between the Parties.

E. INTEGRATION

19. This Final Order merges all prior written and oral communications between the

Parties concerning the subject matter of this Final Order, contains the entire agreement between the Parties, and shall not be modified without the express written agreement of the Parties.

F. BINDING EFFECT

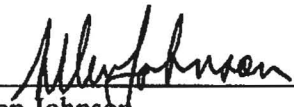
20. This Final Order shall be binding on the Parties and their officers, directors, employees, agents, subsidiaries, successors, assigns, trustees, or receivers.

G. AUTHORITY OF RESPONDENT SIGNATORY

21. The person executing this Final Order on behalf of Respondent represents that he or she has the authority to execute this Final Order on behalf of Respondent.

AGREED TO BY:

WILLIAMS FOUR CORNERS, LLC.

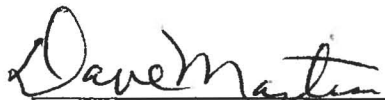


Allen Johnson
Director, Four Corners Area

Date 12-1-11

STIPULATED FINAL COMPLIANCE ORDER

This Stipulated Final Compliance Order, agreed to by Respondent, is hereby incorporated herein and is **APPROVED AS A FINAL COMPLIANCE ORDER** issued pursuant to NMSA 1978, § 74-2-12.



Dave Martin
Cabinet Secretary
New Mexico Environment Department

Date 12-14-11

**Exhibit 1 to Stipulated Final Compliance Order
by and between
New Mexico Environment Department and Williams Four Corners, LLC**

#	AI number	Facility	NSR permit #	TV permit #
1	1013	29-6#4 Straddle	1073-M5	P028-R2
2	1168	32-8#3	1034-M3-R4	P029-R2
3	1276	Aztec	1327-M3-R5	P164-R2
4	1227	Cedar Hill	923-M4	P036-R2
5	1189	Chaco	759-M3	P236
6	1345	Coyote Springs	1838-M1	minor source
7	1002	El Cedro	340-M9	P046-R1
8	1274	Horse Canyon	868-M3-R4	P035-R2
9	1158	Kutz	301-M6	P097-R1-M1
10	1388	Lawson	2374-M1	minor source
11	1020	Martinez Draw	2092-M2	minor source
12	1277	Millagro	859-M5-R1	P101-M1
13	1374	N Crandell	2031-M2-R3	P197-R1
14	1237	Pipken	1064-M2	minor source
15	1273	Pump Mesa	867-M5	P037-R1
16	1057	Quintana Mesa	2097-M1	minor source
17	1389	Richardson	2375-M2	minor source
18	1350	Trunk B	1832-R2	P178-R2
19	1191	Thompson	761-M7	P018-R1-M3
20	1342	Trunk A	1788	P177-R1
21	1040	Sims Mesa	874-M3	P026-R2
22	1037	Trunk L	1527-M1-R3	P166-R2
23	998	30-5	1028-M9	P033-R2-M2
24	1221	32-7	1032-M5	P195-R1
25	1236	32-8#2	1033-M4	P207-R1
26	1226	32-9	924-M2-R4	P030-R2
27	990	Dogle	762-M4-R1	P019-R1-M4
28	23827	EulCanyon	4028-M1	minor source
29	1007	29-6#2	1035-M9-R1	P038-R2
30	1010	La Jara	339-M3	P023-R1
31	1347	Lateral N-30	1848-M1-R4	P241
32	1367	Rosa #1	2004-M3	P206-R1
33	1039	29-6#3	GCP1-1687-M3	minor source
34	1018	29-7	1249-M4	minor source
35	23704	Bancos	3194-M2	minor source
36	1186	Blanco	760-M2	minor source
37	3476	Cabresto	2857-M1	minor source
38	4568	Culpepper	GCP1-2902	minor source
39	25678	East Nebu	3440	minor source
40	1387	Glade	2373-M1	minor source
41	1186	Hare	766-M1	minor source
42	1425	Horton	2260-M2	minor source
43	1352	Kemaghan	1894-M1	minor source
44	1333	La Cosa	1664-M1	minor source
45	2386	Lake Loop	2641-M1	minor source
46	1275	Manzanares	871-M2	minor source
47	1332	Pritchard	1675-R2	minor source
48	1034	Trunk M	1511-M3	minor source
49	1379	Blanco ML dehy	2187	minor source