Air Pollution Control
Title V Permit to Operate
Statement of Basis for Permit No V-SUIT-0040-2014.00
{Date}

Red Cedar Gathering Company
La Posta Compressor Station
Southern Ute Indian Reservation
La Plata County, Colorado

1. Facility Information

a. Location

The La Posta Compressor Station, owned and operated by Red Cedar Gathering Company (Red Cedar), is located within the exterior boundary of the Southern Ute Indian Reservation. The exact location is Section 2, T32N, R10W, in La Plata County, at latitude North 37.135346 and longitude West -107.905522. The Mailing address is:

Red Cedar Gathering Company
La Posta Compressor Station
125 Mercado St.; Suite 201
Durango, CO 81301

b. Contacts

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Responsible Official:
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c. Description of Operations

According to Red Cedar's application, the La Posta Compressor Station is a production field facility prior to the point of custody transfer. Natural Gas is provided to La Posta from several upstream wells and compression stations. The gas enters the station at low pressure (25-30 psi) through an inlet separator (slug catcher) and is compressed through 3 compressor engines which boost the gas to approximately 350 psi. The gas is then processed through the dehydration unit and discharged into Red Cedar's mid-pressure pipeline. The station is capable of processing 20-25MMscf/day. The facility does not extract natural gas liquids (NGL's) from field gas or fractionate NGL's to natural gas products. The facility has storage vessels, but none with the potential for flash emissions. The facilities primary

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emitters are 3 compressor engines, a generator engine, and a glycol dehydration unit. The facility has several heaters and tanks that qualify as insignificant emission units. The facility does not engage in pigging operations.

d. List of All Units and Emission-Generating Activities

Red Cedar provided the information contained in Tables 1 and 2 in its initial part 70 permit application. Table 1 lists emission units and emission generating activities, including any air pollution control devices. Emission units identified as "insignificant" emitting units (IEUs) are listed separately in Table 2.

Table 1 – Emission Units
Red Cedar Gathering Company, La Posta Compressor Station

Emission Unit ID	Description	Control Equipment
C-201 C-301	2 – Waukesha 7042GL (4SLB SI) natural gas-fired Compressor Engine, 1,478 HP Serial No.: C-11647/1 Installed: 08/28/2007 Serial No.: C-1152/1 Installed: 06/11/2008	None
C-401	1– Waukesha 7042GL (4SLB SI) natural gas-fired Compressor Engine, 1,478 HP Serial No.: C-12583/1 Installed: 09/25/2008	Oxidation catalyst with AFRC
G-101	1 –Ford ESG-642, 57 HP (4SRB SI) natural gas-fired Generator Engine Serial No.: 02-03-003318 Installed: 02/01/2002	None
X-601	1 – PESCO TEG Dehydrator 20 MMscf/day Serial No.: N/A Installed: 01/01/2002	Flash Tank Combustion Device

The Southern Ute Indian Tribe/State of Colorado Environmental Commission's Reservation Air Code allows sources to separately list in the permit application units or activities that qualify as "insignificant" based on potential emissions below 2 tpy for all regulated pollutants that are not listed as hazardous air pollutants (HAPs) under Section 112(b) of the Clean Air Act (CAA) and below 1,000 lbs per year or the de minimis level established under Section 112(g), whichever is lower, for HAP emissions [RAC 2-106(4)(f); RAC 1-103(36) and (37)]. However, the application may not omit information needed to determine the applicability of, or to impose, any applicable requirement, or to calculate the fee [RAC 2-106(4)(f)]. Units that qualify as "insignificant" for the purposes of the Part 70 application are in no way exempt from applicable requirements or any requirements of the Part 70 permit.

Red Cedar stated in its Part 70 initial permit application that the emission units in Table 2, below, are insignificant. The application provided calculations for heater/reboiler products of combustion emissions based on EPA's AP-42, Table 1.4-1 emission factors, storage tank emissions using EPA Tanks 4.0.9d

modeling, and EPA's 1995 Protocol for Equipment Leak Emission Estimates, Table 2-4 to estimate fugitive emissions. These data support Red Cedar's claim that these units qualify as insignificant.

Table 2 – Insignificant Emission Units
Red Cedar Gathering Company, La Posta Compressor Station

Emission Unit ID	Description	Size/Rating
X-601	1 - Triethylene Glycol (TEG) Dehydrator Reboiler	0.500 MMBtu/hr
H-501, 502	2 - Tank Heater	0.325 MMBtu/hr
H-401, 402	2 - Catalytic Heater	0.018 MMBtu/hr
H-101	1 - Catalytic Heater	0.008 MMBtu/hr
TK-501	1 - Waste Water Drain Tank	21,000 gal
TK-502	1 - Waste Oil Drain Tank	8,820 gal
TK-503	1 - Glycol Still Vent Tank	756 gal
TK-505	1 - TEG Storage Tank	500 gal
TK-506	1 - Lube Oil Storage Tank	1,600 gal
TK-508, 509	2 - Engine Coolant Storage Tank	500 gal each
N/A	Fugitives	Est. 1,380 components

e. Facility Construction and/or Permitting History

The La Posta Compressor Station commenced operation on November 14, 2002. EPA issued the initial Part 71 permit, # V-SU-0040-04.00, on January 13, 2005. That permit was administratively amended under # V-SU-0040-04.01 and a significantly modified under #V-SU-0040-04.02. EPA received Red Cedar's application to renew the Part 71 permit on July 31, 2009 and the application was determined complete on August 10, 2009, a renewed permit (V-SU-0040-09.00) was issued December 2009. The Part 71 permit, #V-SU-040-2009.00, was reopened for cause on May 11, 2010 to address recent revisions to the RICE MACT (Subpart ZZZZ) in March 2010 and August 2010, respectively. The permit was revised to include new permit language and Continuous Parameter Monitoring Systems (CPMS) specifications for affected units.

The permit renewal has yet to be issued by EPA. The Tribe received a timely and complete initial Part 70 permit application on November 2, 2012 and the application was deemed complete on November 27, 2012; therefore La Posta Compressor Station is covered by a Part 71 permit shield, in which all terms and conditions of the Part 71 permit remain in effect, until the issuance of Part 70 permit, # V-SUIT-0040-2014.00. No pre-construction permits have been issued to this facility.

f. Potential to Emit

Under RAC 1-103(51), potential to emit (PTE) is defined as the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation, or the effect it would have on emissions, is federally enforceable.

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Greenhouse Gas Tailoring Rule

On June 3, 2010, EPA promulgated the final PSD and Title V Greenhouse Gas Tailoring Rule (Tailoring Rule). The Tailoring Rule established the applicability criteria that determine which stationary sources and modification projects are subject to PSD and Title V permitting requirements for greenhouse gas (GHG) emissions. As of January 2, 2011, GHGs are regulated NSR pollutants under the PSD major source permitting program when they are emitted by new sources or modifications in amounts that meet the Tailoring Rule's set of applicability thresholds.

For PSD and Title V purposes, GHGs are a single air pollutant defined as the aggregate group of the following six gases: carbon dioxide (CO_2), nitrous oxide (N_2O), methane (CH_4), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). CO_2-equivalent (CO_2e) is defined as the sum of the mass emissions of each individual GHG adjusted for its global warming potential value in Table A-1 of the Greenhouse Gas Reporting Program (40 CFR Part 98, Subpart A, Table A-1).

The Tailoring Rule established the following applicability criteria for GHGs:

PSD Applicability Criteria

PSD applies to GHGs if any of the following conditions are met:

1. The source is a new source otherwise subject to PSD (for another regulated NSR pollutant) and the source has a GHG PTE equal to or greater than
   - 75,000 tpy CO_2e;
2. The source is a new source and has a GHG PTE equal to or greater than:
   - 100,000 tpy CO_2e, and
   - 100 / 250 tpy mass basis
3. A modification to an existing source is otherwise subject to PSD (for another regulated NSR pollutant) and has a GHG emissions increase and net emissions increase:
   - Equal to or greater than 75,000 tpy CO_2e, and
   - Greater than 0 tpy mass basis
4. An existing source has a GHG PTE equal to or greater than:
   - 100,000 tpy CO_2e, and
   - 100 / 250 tpy mass basis

   and a modification to an existing source has a GHG emissions increase and net emissions increase:
   - Equal to or greater than 75,000 tpy CO_2e, and
   - Greater than 0 tpy mass basis
5. The source is an existing minor source for PSD, and a modification alone has actual or potential GHG emissions equal to or greater than:
   - 100,000 tpy CO_2e, and
   - 100 / 250 tpy mass basis

Title V Applicability Criteria

Title V applies to GHGs at the following sources:

1. Existing or newly constructed sources that emit or have a PTE equal to or greater than:
   - 100,000 tpy CO_2e, and
   - 100 tpy mass basis

A detailed summary and guidance of permitting requirements established by the Tailoring Rule can be found in the March 2011 EPA document titled "PSD and Title V Permitting Guidance for Greenhouse Gases", located at http://www.epa.gov/nsr/ghgdocs/ghgpermittingguidance.pdf.

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The PTE for La Posta Compressor Station was listed by Red Cedar in Forms "GIS", "PTE", and the various forms "EMISS" of the Part 70 operating permit initial application. Table 3 shows PTE data broken down by each individual emission unit, as well as the total facility-wide PTE.

Table 3 - Potential to Emit (uncontrolled)
Red Cedar Gathering Company, La Posta Compressor Station

Emission Unit ID	Regulated Air Pollutants[1,2,3] in tpy (uncontrolled)								
	NO_X	VOC	SO_2	PM_{10}	CO	Lead	Total HAPs	Largest *Single* HAP (CH_2O)	GHGs (CO_2e mtpy)
C-201	19.32	12.88	0.02	0.42	38.64	0.00	4.93	3.74	6,651.7
C-301	19.32	12.88	0.02	0.42	38.64	0.00	4.93	3.74	6,651.7
C-401	19.32	12.88	0.02	0.42	38.64	0.00	4.93	3.74	6,651.7
G-101	7.54	0.33	0.00	0.02	1.38	0.00	0.09	0.05	260.6
X-601	0.00	0.60	0.00	0.0	0.0	0.00	0.50	0.0	225.6
Total IEUs	0.54	0.60	0.00	0.04	0.23	0.00	0.07	0.0	1,064.9
	66.	**40.2**	**0.1**	**1.3**	**117.5**	**0.00**	**15.5**	**11.3**	**21,506.2**

[1] Uncontrolled NO_x, CO, & VOC emissions are based on manufacturer specifications. HAP emissions were calculated using the highest emissions factor from a composite of AP-42, GRI field data, and GRI literature data.
[2] Uncontrolled dehydrator emissions based on GRI-GLY-Calc modeled emissions.

2. Tribal Authority

La Posta Compressor Station is located within the exterior boundaries of the Southern Ute Indian Reservation and is thus within Indian Country as defined at 18 U.S.C. §1151. On March 2, 2012, the EPA determined that the Southern Ute Indian Tribe of the Southern Ute Indian Reservation had met the requirements of 40 CFR §70.4(b) for full approval to administer its Clean Air Act Title V, Part 70 Permitting Program (Program). In concert with that Program approval, the EPA also found that the Tribe met the requirements of Section 301(d)(2) of the CAA and 40 CFR §49.6 for treatment "in the same manner as a state" for the purposes of issuing CAA Title V, Part 70 operating permits. The EPA promulgated its approval of the Tribe's applications on March 15, 2012 (77 FR 15267). The requirements of the Clean Air Act Title V, Part 70 Permitting Program (Program) have been incorporated at Article II, Part 1 of the Reservation Air Code. Therefore, the Southern Ute Indian Tribe is the appropriate governmental entity to issue the Title V permit to this facility.

The Reservation Air Code: The Reservation Air Code was adopted pursuant to the authority vested in the Southern Ute Indian Tribe/State of Colorado Environmental Commission by (1) the Intergovernmental Agreement Between the Southern Ute Indian Tribe and the State of Colorado Concerning Air Quality Control on the Southern Ute Indian Reservation dated December 13, 1999, (2) tribal law (Resolution of the Council of the Southern Ute Indian Tribe No. 00-09), (3) State law (C.R.S. § 24- 62-101), and (4) as recognized in federal law (Act of October 18, 2004, Pub. L. No. 108-336, 118 Stat.1354).

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NSPS and NESHAP Delegation: On September 6, 2013, the Southern Ute Indian Tribe received delegation from the EPA to incorporate by reference into the Reservation Air Code and enforce certain subparts of the new source performance standards and national emission standards for hazardous air pollutants under Sections 111 and 112 of the Clean Air Act, respectively (78 FR 40635). These NSPS and NESHAP subparts generally apply to oil and gas operations within the exterior boundaries of the Southern Ute Indian Reservation and were adopted, unchanged, into the Reservation Air Code as Parts 2 and 3.

Southern Ute Indian Tribe Minor Source Program: The Southern Ute Indian Tribe/State of Colorado Environmental Commission is currently developing a Minor Source Program in order to fill a regulatory gap wherein sources of air pollution located on the Reservation have been subject to fewer requirements than similar sources located on land under the jurisdiction of a state air pollution control agency. Until such time that EPA approves the Minor Source Program as part of a TIP under the Tribal Authority Rule, affected sources must comply with the federal rule "Review of New Sources and Modifications in Indian Country" that was published on July 1, 2011 (76 FR 38748). This rule requires new and existing synthetic minor sources currently operating under federal operating permits for sources in Indian country (regulated at 40 CFR Part 71), as well as sources proposing minor modifications at existing major sources, to submit applications to EPA starting August 30, 2011. Existing true minor sources are required to register with the permitting authority no later than March 1, 2013. After September 2, 2014, all true minor sources that intend to construct or modify will have to apply for a preconstruction permit.

3. Applicable Requirements

The following discussion addresses a selection of the regulations from the Code of Federal Regulations (CFR) at Title 40. These discussions are based on the information provided by Red Cedar in its Part 70 initial permit application and are only intended to present the information certified to be true and accurate by the Responsible Official of this facility. The following discussion does not include all potentially applicable regulations and is not intended to represent official Tribe applicability determinations.

Prevention of Significant Deterioration (PSD) - 40 CFR 52.21

PSD is a preconstruction review requirement of the CAA that applies to proposed projects that are sufficiently large (in terms of emissions) to be a "major" stationary source or "major" modification of an existing stationary source. A new stationary source, or a modification to an existing minor stationary source, is major if the proposed project has the potential to emit any pollutant regulated under the CAA in amounts equal to or exceeding specified major source thresholds, which are 100 tpy for 28 listed industrial source categories and 250 tpy for all other sources. PSD also applies to modifications at existing major sources that cause a "significant net emissions increase" at that source. Significance levels for each pollutant are defined in the PSD regulations at 40 CFR 52.21. A modification is a physical change or change in the method of operation.

La Posta Compressor Station is not a PSD named source. Therefore, the PTE threshold for determining PSD applicability for this source is 250 tpy for criteria pollutants and 100,000 tpy for CO_2e. The PTE of

regulated pollutants at this facility are currently below major source thresholds, therefore, this site is not subject to the requirements of PSD.

New Source Performance Standards (NSPS)

40 CFR Part 60, Subpart A: General Provisions. This subpart applies to the owner or operator of any stationary source that contains an affected facility, the construction or modification of which is commenced after the date of publication of any standard in Part 60. The general provisions under Subpart A apply to sources that are subject to the specific subparts of Part 60.

> As explained below, the La Posta Compressor Station is not subject to any specific subparts under 40 CFR Part 60. **Therefore, the General Provisions of Part 60 do not apply.**

40 CFR Part 60, Subpart Dc: Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. This rule applies to steam generating units with a maximum design heat capacity of 100 MMBtu/hr or less, but greater than or equal to 10 MMBtu/hr that commenced construction, modification, or reconstruction after June 9, 1989.

> According to Red Cedar, the La Posta Compressor Station has no steam generating units with a maximum design heat input capacity of 100 MMBtu/hr or less, but greater than or equal to 10 MMBtu/hr at the at the facility. **Therefore, Subpart Dc does not apply.**

40 CFR Part 60, Subpart Kb: Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After July 23, 1984. This rule applies to storage vessels with a capacity greater than or equal to 75 cubic meters (~472 bbl).

> According to Red Cedar, the La Posta Compressor Station has one tank with a capacity greater than 75 m^3 (~472 bbl or 19,813 gal) onsite. TK-501 contains drained wastewater and does not store volatile organic liquids. **Therefore, Subpart Kb does not apply.**

40 CFR Part 60, Subpart KKK: Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants for which construction, reconstruction, or modification commenced after January 20, 1984, and on or before August 23, 2011. This rule applies to compressors and other equipment at onshore natural gas processing facilities. As defined in this subpart, a natural gas processing plant is any processing site engaged in the extraction of natural gas liquids (NGLs) from field gas, fractionation of mixed NGLs to natural gas products, or both. NGLs are defined as the hydrocarbons, such as ethane, propane, butane, and pentane that are extracted from field gas.

> According to Red Cedar, the La Posta Compressor Station does not extract natural gas liquids from field gas, nor does it fractionate mixed NGLs to natural gas products, and thus does not meet the definition of a natural gas processing plant under this subpart. **Therefore, Subpart KKK does not apply.**

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40 CFR Part 60, Subpart LLL: Standards of Performance for SO_2 emissions from Onshore Natural Gas Processing for which construction, reconstruction, or modification commenced after January 20, 1984, and on or before August 23, 2011. This rule applies to sweetening units and sulfur recovery units at onshore natural gas processing facilities. As defined in this subpart, sweetening units are process devices that separate hydrogen sulfide (H_2S) and carbon dioxide (CO_2) from a sour natural gas stream. Sulfur recovery units are defined as process devices that recover sulfur from the acid gas (consisting of H_2S and CO_2) removed by a sweetening unit.

According to Red Cedar, the La Posta Compressor Facility does not perform natural gas sweetening or sulfur recovery at the facility. **Therefore, Subpart LLL does not apply.**

40 CFR Part 60, Subpart JJJJ: Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. This subpart establishes emission standards and compliance requirements for the control of emissions from stationary spark ignition (SI) internal combustion engines (ICE) that commenced construction, modification or reconstruction after June 12, 2006, where the SI ICE are manufactured on or after specified manufacture trigger dates. The manufacture trigger dates are based on the engine type, fuel used, and maximum engine horsepower.

For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator (See 40 CFR 60.4230(a)).

Red Cedar provided the following information:

Table 4 - NSPS Subpart JJJJ Applicability Determination
Red Cedar Gathering Company, La Posta Compressor Station

Unit	Serial No	Unit Description	Fuel	Maximum HP	Commence Construction, Modification or Reconstruction Date	Manufacture Date	Subpart JJJJ Trigger Date for Applicability-Manufactured on or after
C-201	C-11647/1	Waukesha L7042GL 4SLB Compressor Engine	Natural Gas	1478	Prior to 06/12/2006	01/01/1994	07/01/2007
C-301	C-11521/1	Waukesha L7042GL 4SLB Compressor Engine	Natural Gas	1478	Prior to 06/12/2006	12/01/1995	07/01/2007
C-401	C-12583/1	Waukesha L7042GL 4SLB Compressor Engine	Natural Gas	1478	Prior to 06/12/2006	12/01/1998	07/01/2007
G-101	02-03-00318	Ford ESG-642 4SRB Generator Engine	Natural Gas	57	Prior to 06/12/2006	01/30/2002	07/01/2008

According to Red Cedar, C-201, C-301, and C-401 were manufactured prior to July 1, 2007 (the trigger date for lean burn engines with maximum engine power greater than or equal to 500 HP and less than 1,350 HP). Unit G-101 was manufactured prior to July 1, 2008 (The trigger date for engines with a maximum engine power less than 500 HP). The engines have not been reconstructed or modified (as defined in §60.15) since prior to June 12, 2006. **Therefore, the requirements of Subpart JJJJ do not apply to units C-201, C-301, C-401, and G-101.**

Should Red Cedar propose to install a replacement engine for C-201, C-301, C-401, or G-101, that is subject to Subpart JJJJ, Red Cedar will not be allowed to use the off permit changes provision, and will be required to submit a minor permit modification application to incorporate Subpart JJJJ requirements into the permit.

40 CFR Part 60, Subpart OOOO: Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution. This subpart establishes emission standards and compliance schedules for the control of VOC and SO_2 emissions from affected facilities that commence construction, modification or reconstruction after August 23, 2011. Affected facilities under this subpart include gas wells, compressors, pneumatic controllers, storage vessels, process unit equipment, and sweetening units

According to Red Cedar, the La Posta Compressor Facility does not have any affected facilities under the rule that commenced construction after August 23, 2011. **Therefore, Subpart OOOO does not apply.**

National Emission Standards for Hazardous Air Pollutants (NESHAP)

40 CFR Part 63, Subpart A: General Provisions. This subpart contains national emissions standards for HAPs that regulate specific categories of sources that emit one or more HAP regulated pollutants under the CAA. The general provisions under Subpart A apply to sources that are subject to the specific Subparts of Part 63.

The La Posta Compressor Station emits at least one HAP regulated under the CAA, and has equipment subject to standards established by Part 63 (compressor engine C-401 is subject to Subpart ZZZZ) per §63.1(b)(1))); **therefore The La Posta Compressor Station is subject to Subpart A**. Compressor engine C-401 is subject to the General Provisions of Part 63 as specified by §63.6665. Additionally, the facility also has equipment in the relevant source categories (compressor engines C-201, C-301, generator G-101, and dehydrator X-601 which are not subject to the relevant Part 63 standards. Therefore, an applicability determination demonstrating that the equipment is not subject to the relevant Part 63 standards must be kept (per §63.10(b)(3)) on site for a period of 5 years after the determinations or until the source changes its operations to become an affected source.

40 CFR Part 63, Subpart HH: National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities. This subpart applies to the owners and operators of affected units located at natural gas production facilities that are area or major sources of HAPs, and that process, upgrade, or store natural gas prior to the point of custody transfer, or that process, upgrade, or store natural gas prior to the point at which natural gas enters the natural gas transmission and storage source category or is delivered to a final end user. The affected units are glycol dehydration units, storage vessels with the potential for flash emissions, and the group of ancillary equipment, and compressors intended to operate in volatile hazardous air pollutant service, which are located at natural gas processing plants.

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Throughput Exemption

Those sources whose maximum natural gas throughput, as appropriately calculated per §63.760(a)(1)(i) through (a)(1)(iii), is less than 18,400 standard cubic meters per day are exempt from the requirements of this subpart.

Source Aggregation

Major source, as used in this subpart, has the same meaning as in §63.2, except that:

1) Emissions from any oil and gas production well with its associated equipment and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units.

2) Emissions from processes, operations, or equipment that are not part of the same facility shall not be aggregated.

3) For facilities that are production field facilities, only HAP emissions from glycol dehydration units and storage vessels shall be aggregated for a major source determination.

Facility

For the purpose of a major source determination, facility means oil and natural gas production and processing equipment that is located within the boundaries of an individual surface site as defined in Subpart HH. Examples of facilities in the oil and natural gas production category include, but are not limited to: well sites, satellite tank batteries, central tank batteries, a compressor station that transports natural gas to a natural gas processing plant, and natural gas processing plants.

Production Field Facility

Production field facilities are those located prior to the point of custody transfer. The definition of custody transfer (40 CFR 63.761) means the point of transfer after the processing/treating in the producing operation, except for the case of a natural gas processing plant, in which case the point of custody transfer is the inlet to the plant.

Natural Gas Processing Plant

A natural gas processing plant is defined in 40 CFR 63.761 as any processing site engaged in the extraction of NGLs from field gas, or the fractionation of mixed NGLs to natural gas products, or a combination of both. A treating plant or gas plant that does not engage in these activities is considered to be a production field facility.

Major Source Determination for Production Field Facilities

The definition of major source in Subpart HH (at 40 CFR 63.761) states, in part, that only emissions from the dehydration units and storage vessels at production field facilities shall be aggregated when comparing to the major source thresholds.

For facilities that are not production field facilities, HAP emissions from all HAP emission units shall be aggregated.

Area Source Applicability

40 CFR Part 63, Subpart HH applies also to area sources of HAPs. An area source is a HAP source whose total HAP emissions are less than 10 tpy of any single HAP or 25 tpy for all HAPs in aggregate. This subpart requires different emission reduction requirements for glycol dehydration units found at oil and gas production facilities based on their geographical location.

Units located in densely populated areas (determined by the Bureau of Census) and known as urbanized areas with an added 2-mile offset and urban clusters of 10,000 people or more, are required to have emission controls. Units located outside these areas will be required to have the glycol recirculation pump rate optimized or operators must document that uncontrolled annual actual benzene emissions are less than 0.9 megagrams (1,984 lbs.).

Any source that determines that it is not a major source but has actual emissions of 5 tons per year of a single HAP or 12.5 tons per year of a combination of HAP (i.e. 50 percent of the major source thresholds), shall update its major source determination within 1 year of the prior determination and each year thereafter, using gas composition data measured during the preceding 12 months.

Applicability of Subpart HH to the La Posta Compressor Station

According to Red Cedar, the La Posta Compressor Station's total HAP emissions from the glycol dehydrator and storage vessels are below major source thresholds. Under §63.761, only HAP emissions from glycol dehydration units and storage tanks with flash emissions are aggregated for major source determination under the subpart for a production field facility located prior to the point of custody transfer. **Therefore, La Posta is an area source subject to the requirements of Subpart HH**. Uncontrolled actual average benzene emissions from the TEG dehydration unit (X-601) at the facility are less than 0.9 megagrams (1,984 lbs). Per 40 CFR 63.764(e)(1)(ii), dehydration unit X-601 is exempt from the 40 CFR 63.764(d) general requirements for area sources. **Therefore, only the recordkeeping requirements of Subpart HH apply to the facility.**

<u>40 CFR Part 63, Subpart HHH</u>: National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities. This subpart applies to natural gas transmission and storage facilities that transport or store natural gas prior to entering the pipeline to a local distribution company or

to a final end user, and that are a major source of hazardous air pollutant (HAP) emissions. Natural gas transmission means the pipelines are used for long distance transport (excluding processing).

According to Red Cedar, the La Posta Compressor Station is a natural gas production facility and not a natural gas transmission or storage facility. **Therefore, Subpart HHH does not apply.**

40 CFR Part 63, Subpart ZZZZ (RICE MACT): National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. This rule establishes national emission limitations and operating limitations for HAPs emitted from stationary spark ignition internal combustion engines (SI ICE) and stationary compression ignition internal combustion engines (CI ICE).

For the purposes of this standard, construction or reconstruction is as defined in §63.2.

Summary of Applicability to Engines at Major HAP Sources

Major HAP Sources			
Engine Type	**Horse Power Rating**	**New / Existing**	**Applicability Trigger Date**
SI ICE – All[1]	≥ 500 HP	New	On or After: 12/19/2002
SI ICE – 4SRB	> 500 HP	Existing	Before: 12/19/2002
SI ICE – All[1]	≤ 500 HP	New	On or After: 6/12/2006
SI ICE – All[1]	≤ 500 HP	Existing	Before: 6/12/2006
CI ICE – All[2]	≥ 500 HP	New	On or After: 12/19/2002
CI ICE – Non Emergency	> 500 HP	Existing	Before: 12/19/2002
CI ICE – All[2]	≤ 500 HP	New	On or After: 6/12/2006
CI ICE – All[2]	≤ 500 HP	Existing	Before: 6/12/2006

1. All includes emergency ICE, limited use ICE, ICE that burn land fill or digester gas, 4SLB, 2SLB, and 4SRB.
2. All includes emergency ICE and limited use ICE

Summary of Applicability to Engines at Area Hap Sources

Area HAP Sources			
Engine Type	**Horse Power Rating**	**New / Existing**	**Applicability Trigger Date**
SI ICE – All[1]	All HP	New	On or After: 6/12/2006
SI ICE – All[1]	All HP	Existing	Before: 6/12/2006
CI ICE – All[2]	All HP	New	On or After: 6/12/2006
CI ICE – All[2]	All HP	Existing	Before: 6/12/2006

1. All includes emergency ICE, limited use ICE, ICE that burn land fill or digester gas, 4SLB, 2SLB, and 4SRB.
2. All includes emergency ICE and limited use ICE

Table 5 – Applicability of 40 CFR 63, Subpart ZZZZ to the La Posta Compressor Station

Unit	Serial Number	Unit Description	Fuel	Site Rated HP	Commenced Construction, Reconstruction, or Modification Date	Facility Installation Date
C-201	C-11647/1	Waukesha L7042GL 4SLB Compressor Engine	Natural Gas	1334	Before 12/19/2002	08/25/2007
C-301	C-1152/1	Waukesha L7042GL 4SLB Compressor Engine	Natural Gas	1334	Before 12/19/2002	06/11/2008
C-401	C-12583/1	Waukesha L7042GL 4SLB Compressor Engine	Natural Gas	1334	On or After 12/19/2002	09/25/2008
G-101	02-03-003318	Ford ESG-642 4SRB	Natural Gas	57	Before 06/12/2006	02/01/2002

According to Red Cedar, the La Posta Compressor Station is a major source as defined in subpart ZZZZ. Units C-201, C-301, C-401 are four-stroke lean-burn (4SLB) stationary RICE > 500 site-rated HP that commenced construction before December 19, 2002, and have not been reconstructed since this date. Therefore, these units are considered 4SLB existing stationary RICE. According to §63.6590(b)(3)(ii) these units have no requirements under this part or 40 CFR Part 63, Subpart A, including initial notification requirements. **Therefore, units C-201, C-301, and C-401 are not subject to Subpart ZZZZ.**

Unit G-101 is an existing (constructed before July 12, 2006), non-emergency four-stroke rich-burn (4SRB) stationary RICE, <500 site-rated HP. Per §63.6602, existing stationary RICE with a site rating of equal to or less than 500 HP located at a major source of HAPs are subject to the emission limitations and other requirements listed in Table 2c to this subpart. **Therefore, unit G-101 is subject to Subpart ZZZZ.**

<u>40 CFR Part 63, Subpart DDDDD (Boiler MACT)</u>: National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters. This rule establishes national emission limitations and work practice standards for HAPs emitted from new and existing industrial boilers, institutional boilers, commercial boilers, and process heaters that are located at major sources of HAPs, as defined by 40 CFR 63.7575. Boilers or process heaters that combust natural gas for fuel or have a maximum designed heat input capacity less than 10 MMBtu/hr are subject to work practice standards in lieu of emission limits. For the purposes of this subpart, an affected unit is an existing unit if it was constructed prior to June 4, 2010.

TEG reboilers (Unit X-601) and tank heaters are considered process heaters under this subpart. However, according to Red Cedar, the La Posta Compressor Station is not a major source of HAP as defined in 40 CFR §63.761. **Therefore, Subpart DDDDD does not apply.**

Compliance Assurance Monitoring (CAM) Rule

<u>40 CFR Part 64</u>: Compliance Assurance Monitoring Provisions. According to 40 CFR 64.2(a), the CAM rule applies to each Pollutant Specific Emission Unit (PSEU) at a major source that is required to obtain a Part 70 or Part 71 permit if the unit satisfies all of the following criteria:

1) The unit is subject to an emission limitation or standard for the applicable regulated air pollutant other than an emissions limitation or standard that is exempt under §64.2(b)(1);

"§64.2(b)(1): Exempt emission limitations or standards. The requirements of this part shall not apply to any of the following emission limitations or standards:

(i) Emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to Section 111 or 112 of the Act;
(ii) Stratospheric ozone protection requirements under Title VI of the Act;

(iii) Acid Rain Program requirements pursuant to Sections 404, 405, 406, 407(a), 407(b) or 410 of the Act;

(iv) Emissions limitations or standards or other applicable requirements that apply solely under an emissions trading program approved or promulgated by the Administrator under the Act that allows for trading emissions with a source or between sources;

(v) An emissions cap that meets the requirements specified in §70.4(b)(12) or §71.6(a)(13)(iii) of this chapter;

(vi) Emission limitations or standards for which a Part 70 or 71 permit specifies a continuous compliance determination method, as defined in §64.1."

"§64.1: Continuous compliance method means a method, specified by the applicable standard or an applicable permit condition, which:

(1) Is used to determine compliance with an emission limitation or standard on a continuous basis, consistent with the averaging period established for the emission limitation or standard; and
(2) Provides data either in units of the standard or correlated directly with the compliance limit."

2) The unit uses a control device to achieve compliance with any such limit or standard; and

3) The unit has pre-control device emissions of the applicable regulated pollutant that are equal to or greater than 100% of the amount, in tons per year, required for a source to be classified as a major source.

According to Red Cedar, the CAM rule does not apply to any of the units at the La Posta Compressor Station as the pre-controlled emissions for each unit are less than the major source threshold. **Therefore, CAM does not apply.**

Chemical Accident Prevention Program

40 CFR Part 68: Chemical Accident Prevention Provisions. This rule applies to stationary sources that manufacture, process, use, store, or otherwise handle more than the threshold quantity of a regulated substance in a process. Regulated substances include 77 toxic and 63 flammable substances which are potentially present in the natural gas stream entering the facility and in the storage vessels located at the facility. The quantity of a regulated substance in a process is determined according to the procedures presented under §68.115. §68.115(b)(l) and (2)(i) indicate that toxic and flammable substances in a mixture do not need to be considered when determining whether more than a threshold quantity is present at a stationary source if the concentration of the substance is below one percent by weight of the mixture. §68.115(b)(2)(iii) indicates that prior to entry into a natural gas processing plant, regulated substances in naturally occurring hydrocarbon mixtures need not be considered when determining whether more than a threshold quantity is present at a stationary source. Naturally occurring hydrocarbon mixtures include condensate, field gas, and produced water.

Based on Red Cedar's application, La Posta Compressor Station does not have regulated substances above the threshold quantities in this rule. **Therefore the facility is not subject to the requirement to develop and submit a risk management plan.**

Stratospheric Ozone and Climate Protection

40 CFR Part 82, Subpart F: Air Conditioning Units. According to Red Cedar, no maintenance, service, repair or disposal of any equipment containing Class I or Class II refrigerants chlorofluorocarbons (CFCs)) occurs at La Posta Compressor Station. However, if Red Cedar were to engage in any of the afore mentioned activities it must comply with the standards of Part 82, Subpart F for recycling and emissions reduction if they service, maintain, or repair the air conditioning units in any way or if they dispose of the units.

40 CFR Part 82, Subpart H: Halon Fire Extinguishers. According to Red Cedar, there are no halon fire extinguishers at La Posta Compressor Station. However, should Red Cedar obtain any halon fire extinguishers, then it must comply with the standards of 40 CFR Part 82, Subpart H for halon emissions reduction, if it services, maintains, tests, repairs, or disposes of equipment that contains halon or uses such equipment during technician training. Specifically, Red Cedar would be required to comply with 40 CFR Part 82 and submit an application for a revision to this Title V permit.

Mandatory Greenhouse Gas Reporting

40 CFR Part 98: This rule requires sources above certain emission thresholds to calculate, monitor, and report greenhouse gas emissions. The requirements of 40 CFR Part 98 and CAA §307(d)(1)(V), the CAA authority under which 40 CFR Part 98 was promulgated, however, need not be included in a tribal-issued part 70 permit because those requirements are not included in the definition of "applicable requirement" in either 40 CFR part 70 or RAC 1-103(11). Although the rule is not an applicable requirement under 40 CFR Part 70 or the RAC, the source is not relieved from the requirement to comply with the rule separately from compliance with its Part 70 operating permit. It is the responsibility of each source to determine whether Part 98 is applicable and to comply, if necessary. The LaPosta compressor Station does not emit greenhouse gas emissions greater than 25,000 metric tons of CO2e per year, therefore this Part does not apply.

4. Public Participation

a. Public Notice

Per RAC § 2-109, all Part 70 draft operating permits shall be publicly noticed and made available for public comment. Public notice is given by publication in a newspaper of general circulation in the area where the source is located or in a state publication designed to give general public notice, to persons on a mailing list developed by the Tribe, including those who request in writing to be on the list, and by other means if necessary to assure adequate notice to the affected public. If an interested person would like to

be added to the Tribe's mailing list to be informed of future actions on permits issued by the Tribe, please send your name and address:

by United State Postal Service to:	by any other delivery service to:
Part 70 Permitting Contact Southern Ute Indian Tribe Environmental Programs Division PO Box 737 MS #84 Ignacio, Colorado 81137	Part 70 Permitting Contact Southern Ute Indian Tribe Environmental Programs Division 398 Ouray Drive Ignacio, Colorado 81137

Public notice will be published in the Durango Herald as detailed in the cover letter of this draft permit package, giving opportunity for public comment on the draft permit and the opportunity to request a public hearing.

b. Opportunity for Comment

Members of the public will be given an opportunity to review a copy of the draft permit prepared by the Tribe, the application, this statement of basis for the draft permit, and all supporting materials for the draft permit. Copies of these documents are available at:

Southern Ute Indian Tribe
Environmental Programs Division
Air Quality Program
115 County Road 517
Ignacio, Colorado 81137

All documents are available for review at the Southern Ute Indian Tribe's Environmental Programs Division office Monday through Friday from 9:00 a.m. to 4:00 p.m. (excluding holidays).

Any interested person may submit written comments on the draft Part 70 operating permit during the public comment period to the Part 70 Permit Contact at the address listed above. The Tribe will consider and address comments in making a final decision on the permit. The Tribe keeps a record of the commenters and of the issues raised during the public participation process.

Anyone, including the applicant, who believes any condition of the draft permit is inappropriate should raise all reasonably ascertainable issues and submit all arguments supporting his or her position by the close of the public comment period. Any supporting materials submitted must be included in full and may not be incorporated by reference, unless the material has already been submitted as part of the administrative record in the same proceeding or consists of Environmental Commission, tribal, state or Federal statutes and regulations, EPA documents of general applicability, or other generally available reference material.

c. Opportunity to Request a Hearing

A person may submit a written request for a public hearing to the Part 70 Permit Contact, at the address listed above, by stating the nature of the issues to be raised at the public hearing. Based on the number of hearing requests received, the Tribe will hold a public hearing whenever it finds there is a significant degree of public interest in a draft operating permit. The Tribe will provide public notice of the public hearing. If a public hearing is held, any person may submit oral or written statements and data concerning the draft permit.

d. Public Petitions to the Administrator

In the event the Administrator of the United States Environmental Protection Agency does not object to issuance of the permit, on the basis that it would not be in compliance with applicable requirements, within its 45-day review period, any person may then petition the Administrator within 60 days after the expiration of the Administrator's 45-day review period to make such objection. Any such petition must be based only on objections to the permit that were raised with reasonable specificity during the public comment period unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objections arose after such period. If the administrator objects to a permit as a result of this petition, the Tribe shall not issue the permit until the Administrator's objection has been resolved, except that a petition for review does not stay the effectiveness of a permit or its requirements if the permit was issued after the end of the 45-day review period and before the Administrator's objection.

e. Appeal of Permits

Within 60 days after the Tribe's final permit action, an applicant, any person who filed comments on the draft permit or participated in the public hearing, and any other person who could obtain judicial review of that action under applicable law, may appeal to the Environmental Commission in accordance with the RAC and the Commission's Procedural Rules.

Petitions for administrative review of final permit actions can be filed after the deadline designated by the Commission only if they are based solely on grounds arising after the deadline for administrative review has passed. Such petitions shall be filed no later than 60 days after the new grounds for review arise. If the final permit action being challenged is the Tribe's failure to take final action, a petition for administrative review may be filed any time before the Tribe denies or issues the final permit.

f. Notice to Affected States/Tribes

As described in RAC § 2-109(3), public notice will be given by notifying all affected programs.
The following entities will be notified:

- State of Colorado, Department of Public Health and Environment
- State of New Mexico, Environment Department
- Ute Mountain Ute Tribe, Environmental Programs Department
- Navajo Tribe, Navajo Nation EPA

- Jicarilla Tribe, Environmental Protection Office
- National Park Service, Air Resources Division, Denver, CO
- U.S. Department of Agriculture, United States Forest Service, Rocky Mountain Region

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