



AIR QUALITY PROGRAM
Environmental Programs Division
Southern Ute Indian Tribe
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<http://www.southernute-nsn.gov/environmental-programs-air-quality>

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

January 31, 2014

Richard Duarte
El Paso Natural Gas Company, LLC
Engineer – Pipeline Sr.
8725 Alameda Park Drive, NW
Albuquerque, NM 87113

Re: Final Part 70 Operating Permit
Title V Permit #V-SUIT-0028-2014.00
El Paso Natural Gas Company, LLC
Bondad Compressor Station

Dear Mr. Duarte:

The Southern Ute Indian Tribe Air Quality Program (Tribe) has completed its review of El Paso Natural Gas Company, LLC's (El Paso) request to obtain a Title V Permit to Operate pursuant to the Title V Operating Permit Program at 40 CFR Part 70, for the Bondad Compressor Station.

Based on the information submitted in the company's application and the comments received during the public comment period, the Tribe hereby issues the enclosed Title V Permit to Operate. The final permit will become effective on March 12, 2014.

A 30-day public comment period was held from October 4, 2013 to November 4, 2013. The Tribe received comments from Richard Duarte, Engineer – Pipeline Sr. for El Paso on November 4, 2013. No other comments were received from the public, affected states, or tribes. The Tribe reviewed the comments received and provided responses in Enclosure 1, "Response to Comments Document." These comments resulted in administrative amendments and clarifications to the requirements of the permit for this facility.

Following the 30-day public comment period, the Tribe made administrative revisions to the following sections:

1. Section – III.B.1. General Reporting Requirements

Cc: Matthew Langenfeld – Tribal Air Coordinator – US EPA Region 8

- Text revised to correct the semi-annual reporting periods.
- 2. Section – III.C.1. and 2. Alternative Operating Scenarios-Engine Replacement
 - Text revised to clarify the requirements.
- 3. Section – IV.C.1. Duty to Provide and Supplement Information
 - Text revised to better align with the November 14, 2012 non-controversial Reservation Air Code (RAC) amendments
- 4. Section – IV.H.2. Minor Permit Revisions
 - Text revised to better align with the November 14, 2012 non-controversial RAC amendments
- 5. Section – IV.P.1. Permit Expiration and Renewal
 - Text revised to better align with the RAC.

A 45-day Administrative Review period at EPA Region 8 was held from December 6, 2013 to January 20, 2014. No comments were received from EPA during this review period.

Pursuant to RAC § 2-109(8), within 60 days after the final permit has been issued, the applicant, any person who participated in the public comment process and is aggrieved by the action, 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 Southern Ute Indian Tribe/State of Colorado Environmental Commission's Reservation Air Code (RAC) and the Commission's Procedural Rules. Additionally, the regulations at RAC § 2-109(7) specify that any person may petition the EPA Administrator within 60 days after the expiration of the Administrator's 45-day review period to make an objection that the permit would not be in compliance with applicable requirements. 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 you have any questions concerning the enclosed permit, please contact Danny Powers of my staff at 970-563-4705 ext. 2265.

Sincerely,



Brenda Jarrell
Air Quality Program Manager
Southern Ute Indian Tribe

Enclosure - Response to Comments Document

Comments from El Paso Natural Gas Company, LLC received on Draft Title V Permit to Operate

Statement of Basis:

1. Facility Information

A. Location

Proper Name: El Paso Natural Gas Company, LLC.

Reason: since we submitted our application, Kinder Morgan (parent corporation), changed the name to El Paso Natural Gas Company, LLC.

Tribe's Response: The requested change has been made.

B. Contacts

Facility Contact:

Richard Duarte, Engineer-Pipeline Sr.

El Paso Natural Gas Company, LLC

8725 Alameda Park Drive, NW

Albuquerque, NM 87113

(505) 831-7763

Ricardo_Duarte@KinderMorgan.com

Reason: Since we submitted our application, we re-arranged responsibilities and facility contacts.

Responsible Official:

Sam Armenta, Operations Director

El Paso Natural Gas Company, LLC

P. O. Box 127

Bloomfield, NM 87413

(505) 632-6099

Reason: Since we submitted our application, Mr. Armenta was re-located to a different office.

Tribe's Response: The requested changes have been made

C. Page 5, second to last paragraph, has mention of "Trail Canyon Compressor Station" within the text. Please delete and insert Bondad.

Tribe's Response: The requested correction has been made.

Title V Permit to Operate

1. Reference of the proper legal name, as El Paso Natural Gas Company, LLC.

Table 1, page 2, Serial Numbers on the turbines are CORRECT. No changes requested.
Tribe's Response: The requested change has been made.

2. Monitoring Requirements

- A. EPNG had requested that it be allowed to test A-01, A-02 and B-01 at least once every calendar year. Reason(s): We have tested quarterly for over 5 years and have NEVER exceeded a permit limit. Bondad's turbines only use sweet natural gas and thus the turbine's emissions don't vary greatly; moreover, the concentrations are consistently about 50 ppm under the emission standard for Units A-01 and A-02. For B-01 (because it is a So-Lo NOx unit) the emissions are almost always under 25 ppm. Accordingly, the inoperable hours in c.2., should be adjusted accordingly to reflect if the unit operates greater than 25% of monitoring period, then periodic testing should be carried out. Perhaps consider employing a testing protocol based on the resultant emissions. For any emissions that come within a % of the standard, then periodic testing reverts to a more frequent basis. Similar to that standard for testing used within KKKK (for turbines).

Tribe's Response: The Tribe has added the ability for EPNG to reduce the frequency of NOx monitoring from quarterly to semiannually; if after four consecutive quarterly NOx monitoring periods, the results of the measurements are less than 75% of the emission limit. If the result from any semi-annual measurement is greater than 75% of the emission limit, EPNG must return to a quarterly monitoring frequency. The Tribe feels like this option to reduce the monitoring frequency is in alignment with the criteria for periodic monitoring frequency and is a reasonably request by EPNG when taking into consideration EPNG's previous 5 years of quarterly monitoring without the exceedance of the permitted NOx emission limit.

- B. To meet with this monitoring requirement, please consider adding "using a portable analyzer and the monitoring protocol approved by EPA, ASTM D 6522, or by using the monitoring protocols approved by the EPA outlined in 40 CFR Appendix A." Reason: ASTM D 6522 is becoming a standard for portable analyzers. It is the standard for States of Wyoming and New Mexico. Also, it the most rigorous protocol when compared to other methods in establishing a properly calibrated analyzer.

Tribe's Response: EPNG's request to utilize the ASTM D6522 portable analyzer test for performance testing has been added to permit condition II.A.2.1.c. Portable analyzer testing method ASTM D6522 is an acceptable performance testing method in 40 CFR 60 Subpart GG at 60.335, and; because performance test methods are acceptable methods for periodic monitoring, the Tribe feels this test method is sufficient to assure compliance with the 40 CFR 60 Subpart GG NOx emission limits at 60.332.(a)(2).



**Air Pollution Control
Title V Permit to Operate
Statement of Basis for Permit No V-SUIT-0028-2014.00
January 31, 2014**

**El Paso Natural Gas Company, LLC
Bondad Compressor Station
Southern Ute Indian Reservation
La Plata County, Colorado**

1. Facility Information

a. Location

The Bondad Compressor Station, owned and operated by El Paso Natural Gas Company, LLC. (EPNG), is located within the exterior boundary of the Southern Ute Indian Reservation. The exact location is SE ¼ of Section 13, T33N, R9W, at latitude 37.098056 and longitude 107.77. The Mailing address is:

El Paso Natural Gas Company, LLC
Bondad Compressor Station
2 North Nevada Ave.
Colorado Springs, CO 80903

b. Contacts

Facility Contact:

Richard Duarte
Engineer – Pipeline Sr.
El Paso Natural Gas Company, LLC
8725 Alameda Park Drive, NW
Albuquerque, NM 87113
(505)-831-7763
Ricardo_Duarte@KinderMorgan.com

Responsible Official:

Sam Armenta
Operations Director
El Paso Natural Gas Company, LLC
P.O. Box 127
Bloomfield, NM 87413
505-632-6099

c. Description of Operations

According to EPNG's permit application, the Bondad Compressor Station is a natural gas compression facility located within the exterior boundaries of the Southern Ute Indian Reservation in southwestern Colorado. The Bondad facility receives gas from a nearby processing plant. The gas enters the facility through inlet scrubbers which knock out small quantities of water and pipeline liquids. The gas is then compressed by three (3) natural gas-fired turbine compressors into the transmission pipeline.

The facility was constructed in December 1981 with the installation of two 2782-hp Solar Centaur natural gas turbine-driven compressors and one natural gas reciprocating engine for auxiliary power generation during purchase power outages. Emissions from the two original turbines were permitted by the Colorado Department of Public Health and Environment. In 1992, a third regenerative-cycle turbine was added (Solar Centaur T4000, 2786-hp). In 1994, the two original turbines were converted from simple cycle to regenerative cycle. In 1997, increases to the NOx emission limits were incorporated into the permits for the original two turbines. Pursuant to a Compliance Order on Consent from the CDPHE, all three turbines were replaced with simple-cycle Solar Centaur turbines.

d. List of all Units and Emission-Generating Activities

EPNG 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
El Paso Natural Gas Company, LLC, Bondad Compressor Station**

Emission Unit ID	Description	Control Equipment
A-01 A-02	2 – Solar Centaur 50-T6202L simple-cycle, natural gas-fired turbine, 42.72 MMBtu/hr Serial No.: CC80013 (pkg) Installed: 03/19/2004 Serial No.: CC80014 (pkg) Installed: 02/29/2004	None
B-01	1 – Solar Centaur 50-T6202LS simple-cycle, natural gas-fired turbine, 42.72 MMBtu/hr Serial No.: CC91308 (pkg) Installed: 04/28/2004	None
A-AUX-01	1 – Waukesha F1197GU natural gas-fired reciprocating internal combustion engine, 235 site-rated hp Serial No. 360792 Installed: 1981	None

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.

EPNG stated in its Part 70 initial permit application that the emission units in Table 2, below, are insignificant.

**Table 2 – Insignificant Emission Units
El Paso Natural Gas Company, LLC, Bondad Compressor Station**

Emission Unit ID	Description	Size/Rating
	1 – Natural gas-fired building heater	0.25 MMBtu/hr
	1 – Used oil tank	210-bbl
	1 – Lube oil storage tank,	210-bbl
	1 –Used oil tank	167-bbl
	1 – Lube oil day tank,	34-bbl
	Fugitive component VOC emissions	NA
	VOC emissions from unit blowdowns	NA
	VOC emissions from expansion gas	NA
	VOC emissions from station ESD	NA
	Miscellaneous chemicals for maintenance/operation	(<500-gal)
	Pig launcher/receiver	NA

e. Facility Construction and/or Permitting History

The Bondad Compressor Station was constructed in December 1981. EPA Region 8 issued the initial part 71 permit, # V-SU-0028-00.00, in June, 2001. The first renewal of the Part 71 permit was issued in October 2007. In January 2008 and October 2009, EPA issued part 71 permit # V-SU-0028-06.01 and # V-SU-0028-06.02, respectively, after EPNG requested separate administrative amendments. The current part 71 permit will be replaced by this initial part 70 permit, # V-SUIT-0028-2014.00. No preconstruction 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.

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 (CO₂), nitrous oxide (N₂O), methane (CH₄), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). CO₂-equivalent (CO₂e) 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 CO₂e;
2. The source is a new source and has a GHG PTE equal to or greater than:
 - 100,000 tpy CO₂e, 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 CO₂e, and
 - Greater than 0 tpy mass basis
4. An existing source has a GHG PTE equal to or greater than:
 - 100,000 tpy CO₂e, and
 - 100 / 250 tpy mass basisand a modification to an existing source has a GHG emissions increase and net emissions increase:
 - Equal to or greater than 75,000 tpy CO₂e, 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 CO₂e, 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 CO₂e, 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>.

The PTE for Bondad Compressor Station was listed by EPNG 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
El Paso Natural Gas Company, LLC, Bondad Compressor Station**

Emission Unit ID	Regulated Air Pollutants ^{1,2} in tpy								GHGs (CO ₂ e mtpy)
	NO _x	VOC	SO ₂	PM _{total}	CO	Lead	Total HAPs	Largest Single HAP (CH ₂ O)	
A-01	92.3	0.65	0.64	1.24	22.8	N/A	0.19	0.13	21,905
A-02	92.3	0.65	0.64	1.24	22.8	N/A	0.19	0.13	21,905
B-01	32.2	1.0	0.64	1.24	45.0	N/A	0.19	0.13	21,905
A-AUX-01	2.8	0.06	<0.01	0.01	5.1	N/A	0.02	0.01	62
TOTAL	219.6	2.4	1.9	3.7	95.7	N/A	0.6	0.4	65,777

1. Uncontrolled NO_x, CO, and VOC emissions for Units A-01, A-02, and B-01 are based on site-specific ratings performed by Solar. Emissions for Unit A-AUX-1 are based upon engine manufacturer emission factors.
2. GHG emissions calculations for combustion sources based on 40 CFR 98 Subpart C, 98.33(a)(1)(i), Tier 1 Methodology, Equation C-1 and using source specific heat input.

2. Tribal Authority

The Bondad 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 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).

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.

Since the Bondad Compressor Station is located in Indian country, the State of Colorado’s implementation plan does not apply to this source. In addition, no tribal implementation plan (TIP) has

been submitted and approved for the Southern Ute Indian Tribe, and EPA has not promulgated a federal implementation plan (FIP) for the Southern Ute Indian Reservation. Therefore, Bondad Compressor Station is not subject to any implementation plan.

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.

3. Applicable Requirements

The following discussion addresses a selection of the regulations from the Code of Federal Regulations (CFR) at Title 40. Note that this discussion does not include the full spectrum of potentially applicable regulations and is not intended to represent official applicability determinations. These discussions are based on the information provided by EPNG 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.

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.

The Bondad 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 CO₂e. 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.

Periodic Monitoring

The Tribe may incorporate periodic monitoring requirements into a Part 70 permit when an applicable requirement does not require sufficient periodic testing or instrumental or non-instrumental monitoring to yield reliable data from the relevant time period that are representative of the source's compliance with the permit (RAC 2-110(5)(b)).

Periodic monitoring requirements have been incorporated into the Tribe's Part 70 permit for the Bondad Compressor Station. The turbine engines at Bondad Compressor Station are subject to the requirements of 40 CFR Part 60 Subpart GG. This subpart contains insufficient periodic monitoring requirements to assure compliance with the applicable NO_x limit for turbines in §60.332; only requiring a one-time compliance test and no periodic monitoring. 40 CFR 60.334(c) provides the Tribe authority to allow El Paso to demonstrate compliance with the applicable NO_x emission limit under §60.332 by using a previously approved procedure for monitoring, which in this case, is the Portable Analyzer Monitoring Protocol approved by EPA on January 24, 2008. Therefore, this permit includes the following periodic monitoring:

1. The permittee shall measure NO_x emissions from Units A-01, A-02, and B-01 at least once every quarter to show compliance with the requirements of 40 CFR 60.332(a)(2). To meet this requirement, the permittee shall measure the NO_x emissions from the turbine using a portable analyzer and approved monitoring protocol. The portable analyzer specifications and monitoring protocols that have already been approved by the EPA for the emission units in this permit may be used in lieu of new protocols unless the Tribe requires the submittal and approval of new portable analyzer specification and monitoring protocols.

The additional permit provisions outline an initial NO_x emission monitoring frequency of at least once each quarter in order to show compliance with 40 CFR 60.332. The Tribe determined the frequency of required monitoring of NO_x emissions for turbine units A-01, A-02, and B-01, may be reduced to semiannual if after four consecutive quarterly NO_x monitoring periods, the results of the measurements are less than 75% of the emission limit. If the result from any semi-annual measurement is greater than 75% of the emission limit, Bondad Compressor Station must return to the initial monitoring frequency.

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 Bondad Compressor Station is subject to 40 CFR Part 60, Subpart GG. **Therefore, the General Provisions of Part 60 apply.**

40 CFR Part 60, Subpart D, Db, and Dc: Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units. NSPS Subparts D, Db, and Dc apply to steam generating units based on size requirements and commencement of construction dates.

According to EPNG, the Bondad Compressor Station does not have any affected units under these subparts. **Therefore, Subparts D, Db, and Dc do not apply.**

40 CFR Part 60, Subpart K, Ka, and Kb: Standards of performance for Storage Vessels for Petroleum Liquids and for Volatile Organic Liquid Storage Vessels. These regulations apply to certain petroleum and volatile organic liquid storage vessels.

According to EPNG, the Bondad Compressor Station does not have any tanks affected by these subparts based on their capacity, vapor pressure, or construction dates. **Therefore, Subparts K, Ka, and Kb do not apply.**

40 CFR Part 60, Subpart GG: Standards of Performance for Stationary Gas Turbines. This rule applies to stationary gas turbines, with a heat input at peak load equal to or greater than 10.7 gigajoules per hour (10 MMBtu/hr), that commenced construction, modification, or reconstruction after October 3, 1977.

According to EPNG, turbine units A-01, A-02, and B-01 have a heat input at peak load equal to or greater than 10.7 gigajoules per hour and commenced construction after October 3, 1977. **Therefore, Subpart GG does 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 EPNG, the Bondad Compressor Station is not a natural gas processing plant. **Therefore, Subpart KKK does not apply.**

40 CFR Part 60, Subpart LLL: Standards of Performance for SO₂ 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 (H₂S) and carbon dioxide (CO₂) from a sour natural gas stream. Sulfur recovery units are defined as process devices that recover sulfur from the acid gas (consisting of H₂S and CO₂) removed by a sweetening unit.

According to EPNG, the Bondad Compressor Station does not have sweetening or sulfur recovery units at the facility, nor is it a natural gas processing plant. **Therefore, Subpart LLL does not apply.**

40 CFR Part 60, Subpart IIII: Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. This subpart establishes emission standards and compliance requirements for the control of emissions from stationary combustion ignition (CI) internal combustion engines (ICE) that commence construction (which for the purposes of this subpart is the date the engine is ordered by the owner or operator) after July 11, 2005 and are manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006, or are manufactured after April 1, 2006 and are not fire pump engines.

According to EPNG, there are no stationary compression ignition (CI) internal combustion engines (ICE) located at Bondad Compressor Station. **Therefore, Subpart IIII 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)).

EPNG provided the following information:

**Table 4 - NSPS Subpart JJJJ Applicability Determination
El Paso Natural Gas Company, LLC., Bondad Compressor Station**

Unit	Serial No	Unit Description	Fuel	Maximum HP	Manufacture/ Commence Construction, Modification, or Reconstruction Date	Install/ Startup Date	Trigger Date for Applicability- Manufactured on or after
A-AUX-01	360792	Waukesha F1197 GU Reciprocating Engine	Natural Gas	235	Prior to June 12, 2006	1981	1/1/2009

1. Per EPNG, this engine has not been modified or reconstructed (as defined in Part 60) since June 12, 2006.

According to EPNG, the engine at this Station was manufactured prior to the effective dates of this rule and has not been modified or reconstructed. **Therefore, Subpart JJJJ does not apply.**

40 CFR Part 60, Subpart KKKK: Standards of Performance for Stationary Combustion Turbines. This subpart establishes emission standards and compliance schedules for the control of emissions from stationary combustion turbines that commenced construction, modification, or reconstruction after

February 18, 2005. The rule applies to stationary combustion turbines with a heat input at peak load equal to or greater than 10.7 gigajoules (10 MMBtu) per hour.

According to EPNG, the turbines at this Station are not subject to this regulation because they were constructed before the rule applicability date and were not reconstructed or modified after February 18, 2005. **Therefore, Subpart KKKK does not apply.**

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 SO₂ 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. The effective date for this subpart is October 15, 2012.

According to EPNG, the Bondad Compressor Station does not have any affected facilities under the rule that commenced construction, modification, or reconstruction 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.

As explained below, the Bondad Compressor Station is subject to 40 CFR 63 Subpart ZZZZ. **Therefore the General Provisions of Part 63 apply as specified in the relevant subparts.**

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 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.

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 with the potential for flash emissions 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 also applies 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 Plata A Compressor Station

According to EPNG, Bondad does not meet the definition of an oil and natural gas production facility and there are no sources at Bondad subject to this regulation. **Therefore, Subpart HH does not apply.**

40 CFR Part 63, Subpart HHH: 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 EPNG, the Bondad Compressor Station is considered a natural gas transmission and storage facility, as defined by Subpart HHH. However, this MACT standard only applies to major sources of HAPs at this time. Bondad is an area source of HAPs. **Therefore, Subpart HHH does not apply.**

40 CFR Part 63, Subpart YYYY: National Emission Standards for Hazardous Air Pollutants from Stationary Combustion Turbines. This rule establishes national emission limitations and work practice standards for HAPs emitted from Stationary Combustion Turbines. The affected source includes the stationary combustion turbine located at a major source of HAP emissions.

Stationary Combustion Turbine:

Stationary combustion turbines are defined in §63.6175 as all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle stationary combustion turbine, any regenerative/recuperative cycle stationary combustion turbine, the combustion turbine portion of any stationary combined cycle steam/electric generating system. Stationary means that the combustion turbine is not self-propelled or intended to be propelled while performing its function. Stationary combustion turbines do not include turbines located at a research or laboratory facility, if research is conducted on the turbine itself and the turbine is not being used to power other applications at the research or laboratory facility.

Major Source:

Major Source for purposes of this subpart has the same meaning as provided in 40 CFR 63.2 with the exception that emissions from any oil or gas exploration or 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, to determine whether such emission points or station are major sources, even when emission points are in a contiguous are or under common control.

Applicability of Subpart YYYY to the Bondad Compressor Station

According to EPNG, this subpart affects stationary combustion turbines located at a major source of HAP emissions and establishes emissions and operating limitations. Bondad is an area source of HAPs. **Therefore Subpart YYYY 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 Bondad Compressor Station:

Unit	Serial Number	Unit Description	Fuel	Site Rated BHP	Commenced Construction, Reconstruction, or Modification Date	Installation Date
A-AUX-01	360792	Waukesha F1197 GU Reciprocating Engine	Natural Gas	235	Prior to 6/12/2006	1981

According to EPNG, the Bondad Compressor Station is an area source as defined in Subpart ZZZZ. Unit A-AUX-01 is an emergency four stroke rich burn (4SRB) stationary RICE < 500 site-rated hp constructed before June 12, 2006, and has not been reconstructed since this date. **Therefore, unit A-AUX-01 is considered existing emergency 4SRB stationary RICE, and must comply with the applicable requirements of Subpart ZZZZ.**

40 CFR Part 63, Subpart DDDDD (Boiler MACT): 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 operating limitations for HAPs emitted from new and existing industrial boilers, institutional boilers, commercial boilers, and process heaters that are located at major sources of HAPs. 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.

Based on EPNG’s application, the Bondad Compressor Station is not a major source as defined in

this subpart or in 40 CFR 63, Subpart HH for oil and gas production facilities. **Therefore, Subpart DDDDD does not apply.**

40 CFR Part 63, Subpart JJJJJJ: National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers. This rule establishes national emission standards and operating limitations for HAPs emitted from new and existing industrial boilers, institutional boilers, and commercial boilers that are fueled by coal, biomass, or oil and are located at area sources of HAPs. For the purposes of this subpart, an affected unit is an existing unit if it was constructed prior to June 4, 2010.

Based on EPNG's application, there are no industrial, commercial, or institutional boilers located at the Bondad Compressor Station. **Therefore, Subpart JJJJJJ does not apply.**

Compliance Assurance Monitoring (CAM) Rule

40 CFR Part 64: 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 EPNG, the turbines are subject to an emission limitation at 40 CFR Subpart GG; however, no active control device is required to meet these emission limitations. In particular for Unit B-01, the SoLoNO_x technology is a passive control device that prevents the regulated pollutant from forming. Furthermore, the units' uncontrolled emission rates are not greater than major source thresholds. **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)(1) 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 EPNG's application, Bondad Compressor Station is regulated under 49 CFR Parts 192, 193, or 195 (Department of Transportation Office of Pipeline Safety Regulations). **Therefore the facility is not subject to 40 CFR 68.**

Stratospheric Ozone and Climate Protection

40 CFR Part 82: According to EPNG, EPNG does not produce, transform, destroy or import controlled substances defined by Subpart A of this regulation. No servicing of motor vehicle air conditioners occurs at this facility as described at Subpart B; nor does servicing, repair, or disposal of appliances by EPNG as regulated under Subpart F. Certified contractors perform all servicing. According to its application, EPNG does not sell or distribute products listed in Subpart C of 40 CFR 82, and does

not store ozone-depleted substances requiring labeling under Subpart E. Therefore Subpart G requirements (Significant New Alternative Policy Program) do not apply. **Therefore the requirements under 40 CFR 82 are not applicable.**

Mandatory Greenhouse Gas Reporting

40 CFR Part 98: Mandatory Greenhouse Gas Reporting. 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.

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:

Southern Ute Indian Tribe
Environmental Programs Division
Part 70 Program
PO Box 737 MS #84
Ignacio, Colorado 81137

by any other delivery service to:

Southern Ute Indian Tribe
Environmental Programs Division
Part 70 Program
398 Ouray Drive
Ignacio, Colorado 81137

Public notice for the draft permit was published in the Durango Herald, on October 4, 2013 in order to provide opportunity for public comment on the draft permit and the opportunity to request a public hearing.

b. Opportunity for Comment

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

Southern Ute Indian Tribe
Environmental Programs Division
Air Quality Program
71 Mike Frost Way
Ignacio, Colorado 81137

All documents were 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 was given the opportunity to submit written comments on the draft Part 70 operating permit during the public comment period. The Tribe has considered and addressed 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 believed any condition of the draft permit was inappropriate, could 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 have been included in full and may not have been incorporated by reference, unless the material had already been submitted as part of the administrative record in the same proceeding or consisted 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 addresses 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 RAC 2-109(8) 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