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

AIR POLLUTION CONTROL
TITLE V PERMIT TO OPERATE

In accordance with the provisions of Title V of the Clean Air Act (42 U.S.C. 7661-7661f) and Part 1, Article II of the Southern Ute Indian Tribe/State of Colorado Environmental Commission's Reservation Air Code (RAC) and applicable rules and regulations,

Samson Resources Company
Spring Creek Compressor Station

is authorized to operate air emission units and to conduct other air pollutant emitting activities in accordance with the conditions listed in this permit.

This source is authorized to operate at the following location:

Southern Ute Indian Reservation
Section 23, T33N R7W
La Plata County, Colorado

Terms not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. All terms and conditions of the permit are enforceable by the Tribe and citizens under the Clean Air Act.

Mark Hutson, Air Quality Program Manager
Environmental Programs Division
Southern Ute Indian Tribe

AIR POLLUTION CONTROL
TITLE V PERMIT TO OPERATE
Samson Resources Company
Spring Creek Compressor Station

Permit Number: V-SUIT-0054-2015.00

Issue Date: July 15, 2015
Effective Date: August 23, 2015
Expiration Date: August 23, 2020

The permit number cited above should be referenced in future correspondence regarding this facility.

Permit Issuance History

The Spring Creek Compressor Station became a major source on February 25, 2010. This is the first Title V operating permit issued to the Spring Creek Compressor Station.

Date	Type of Action	Section Number and Title	Description of Action
July 15, 2015	Initial Part 70 Permit Issued		#V-SUIT-0054-2014.00

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Abbreviations and Acronyms

4SLB	Four-Stroke Lean-Burn
4SRB	Four-Stroke Rich-Burn
AFS	Air Facility System database
AQP	Southern Ute Indian Tribe's Air Quality Program
bbl	Barrels
BACT	Best Available Control Technology
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAM	Compliance Assurance Monitoring
CEMS	Continuous Emission Monitoring System
CFR	Code of Federal Regulations
CMS	Continuous Monitoring System (includes COMS, CEMS and diluent monitoring)
COMS	Continuous Opacity Monitoring System
CO	Carbon monoxide
CO_2	Carbon dioxide
dscf	Dry standard cubic foot
dscm	Dry standard cubic meter
EPA	United States Environmental Protection Agency
gal	Gallon
GPM	Gallons per minute
H_2S	Hydrogen sulfide
HAP	Hazardous Air Pollutant
hr	Hour
ID	Identification Number
kg	Kilogram
lbs	Pounds
MACT	Maximum Achievable Control Technology
Mg	Megagram
MMBtu	Million British Thermal Units
MMSCFD	Million standard cubic feet per day
mo	Month
NESHAP	National Emission Standards for Hazardous Air Pollutants
NMHC	Non-methane hydrocarbons
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standard
NSR	New Source Review
pH	Negative logarithm of effective hydrogen ion concentration (acidity)
PM	Particulate Matter
PM_{10}	Particulate matter less than 10 microns in diameter
ppbvd	Parts per billion by volume, dry
ppm	Parts per million
ppmvd	Parts per million by volume, dry
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
psi	Pounds per square inch
psia	Pounds per square inch absolute
RAC	Southern Ute Indian Tribe/State of Colorado Environmental Commission's Reservation Air Code
RICE	Reciprocating Internal Combustion Engine
RMP	Risk Management Plan
scf	Standard cubic feet
scfm	Standard cubic feet per minute
SI	Spark Ignition
SO_2	Sulfur Dioxide
SUIT	Southern Ute Indian Tribe
tpy	Ton(s) Per Year
Tribe	Southern Ute Indian Tribe
US EPA	United States Environmental Protection Agency
VOC	Volatile Organic Compounds

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I. Source Information and Emission Unit Identification

I.A. Source Information

Parent Company Name: Samson Resources Company

Plant Name: Spring Creek Compressor Station

Plant Location: Section 23, T33N R7W
Latitude: N 37.092389
Longitude: W 107.576028

State: Colorado

Reservation: Southern Ute Indian Reservation

County: La Plata County

Responsible Official: Vice President, Western Division

SIC Code: 1311

ICIS Programmatic ID Number: SU00000008067U0046
EPA Facility Registry ID: 110061078444

Other Clean Air Act Permits: Spring Creek Compressor Station is also subject to synthetic minor new source review permit # SMNSR-SU-000053-2013.001

Description of Process:

According to Samson, the Spring Creek Compressor Station receives coal-bed methane gas gathered from nearby sources and compresses the natural gas to transmission pipeline specifications. Gas entering the facility from the field is first fed to an inlet separator that gravimetrically removes water that may have condensed during the transportation from the supplying gas wells. Separator overhead gas is fed to one of up to ten compressor engines from a common suction header. The compressors discharge gas to a common discharge header that feeds to scrubbers. The scrubbers separate and collect liquids that may have formed during compression. The compressed gas is then fed to a dehydration unit. Tri-ethylene glycol is circulated counter-currently and absorbs water in the wet gas. Rich glycol is circulated to a reboiler, where moisture is driven to the atmosphere by heating the glycol. Dry gas exits the contactors and is directed to the sales line, where it is metered and exits the facility. The gas processing capacity of the facility is approximately 60 MMscf/day with ten compressor engines operating.

There are currently nine, with future expansion to ten, natural gas-fired 4-stroke lean-burn 1340 horsepower Caterpillar G3516LE compressor engines operating at the facility. These units have a site rating of 1092 horsepower. The facility also contains one Triethylene-glycol (TEG) dehydration unit with two 30 MMscfd contact towers and one 0.75 MMBtu/hr reboiler burner. Additional facility equipment includes: five 1000 bbl produced water tanks, one 750 bbl produced water tank, seven 500 gallon lube oil tanks, one 500 bbl slop tank, and two 500 gallon ethylene glycol tanks.

Each of the Caterpillar G3516LE compressor engines is equipped with either a NOx sensor or O_2 sensor as part of the air fuel ratio controller system (AFRC) and an oxidation catalytic converter to reduce emissions in the exhaust stream. A continuous parameter monitoring system (CPMS) is used to record the catalyst inlet temperature of each engine to ensure that the inlet temperature remains between 450 ºF and 1350 ºF. The CPMS continuously monitors the catalyst inlet temperature and reduces the data to a 4-hour rolling average. The CPMS also logs the shutdown times and events and displays the unit process and fuel flows for each engine. The pressure drop across the catalyst is manually recorded at least once a month. Facility data is recorded in accordance with applicable parts of Section §63.6640.

I.B. Source Emission Points

Table 1 – Emission Units
Samson Resources Company, Spring Creek Compressor Station

Emission Unit ID	Description	Control Equipment
	10 – Caterpillar G3516LE (4SLB) Natural Gas-Fired Compressor Engine, 1,340 nameplate rated HP	
E1	Serial No.: WPW1905 Installed: 06/20/2011	
E2	Serial No.: WPW1778 Installed: 06/23/2011	
E3	Serial No.: WPW02104 Installed: 09/15/2010	Oxidation Catalyst
E4	Serial No.: WPW00938 Installed: 02/23/2010	
E5	Serial No.: WPW00235 Installed: 05/08/2015	
E6	Serial No.: WPW00174 Installed: 02/25/2010	
E7	Serial No.: WPW00177 Installed: 02/25/2010	
E8	Serial No.: WPW00178 Installed: 02/24/2010	
E9	Serial No.: WPW00724 Installed: 02/23/2010	
	1– PESCO TEG Dehydration Unit, 60 MMscf/day,	
D1	Serial No.: NA Installed: NA	None

Table 2 – Insignificant Emission Units
Samson Resources Company, Spring Creek Compressor Station

Emission Unit ID	Description	Size/Rating
IEU1	10 - Lubricating Oil Storage Tank	500 gal
IEU2	10 - Skid Drain Tank	500 gal
IEU3	2 - Ethylene Glycol Storage Tank	500 gal
IEU4	10 - Waste Oil/Slop Tank	500 gal
IEU5	1 - Produced Water Storage Tank	750 bbl
IEU6	5 - Produced Water Storage Tank	1000 bbl
IEU7	1 - Slop Oil Tank	500 bbl
IEU8	10 - Compressor Blowdown Emissions	N/A
IEU9	10 - Compressor Starter Emissions	N/A
IEU10	10 - Compressor Cylinder Rod Packing Vent Emissions	N/A
FUG	- Fugitives	Estimated 786 components

II. Site Specific Requirements

Requirements for Engines

II.A. 40 CFR Part 60, Subpart A – New Source Performance Standards General Provisions

This source is subject to the requirements of 40 CFR Part 60, Subpart A – General Provisions as specified in Table 3 of 40 CFR Part 60, Subpart JJJJ. Notwithstanding conditions in this permit, the permittee shall comply with all applicable requirements of 40 CFR Part 60, Subpart A.

[40 CFR 60.4246]

II.B. Standards of Performance for Stationary Spark Ignition Internal Combustion Engines - 40 CFR Part 60, Subpart JJJJ

This source is subject to the requirements of 40 CFR Part 60, Subpart JJJJ for four-stroke lean-burn SI-ICE with a nameplate rated hp greater than 500 hp but less than 1,350, manufactured after the January 1, 2008, but prior to July 1, 2010. Notwithstanding conditions in this permit, the permittee shall comply with all applicable requirements of 40 CFR Part 60, Subpart JJJJ.

[40 CFR 60.4230]

1. **Applicability** [40 CFR 60.4230]

   a. 40 CFR Part 60, Subpart JJJJ applies to the following emission units:

      E3 - Caterpillar G3516LE 4SLB Natural Gas-Fired Compressor Engine, 1,340 nameplate-rated hp.

2. **General Provisions** [40 CFR 60.4, 60.4246, and 60.4236(b)]

a. All reports required under 40 CFR Part 60, Subpart A shall be sent to the Tribe and Administrator at the following addresses as listed in §60.4:
Part 70 Program
Environmental Programs Division
Air Quality Program
P.O. Box 737, MS #84
Ignacio, Colorado 81137

and

Director, Air and Toxics Technical Enforcement Program, 8ENF–AT
Office of Enforcement, Compliance and Environmental Justice
1595 Wynkoop Street, Denver, CO 80202–1129
8ENF–AT

[40 CFR 60.4]

b. The permittee shall not install stationary SI ICE with a maximum engine power of greater than or equal to 500 HP that do not meet the applicable requirements in §60.4233.

[40 CFR 60.4236(b)]

3. **Emission Standards** [40 CFR 60.4233, 60.4234]

a. The permittee must comply with the following emissions standards for each engine as specified in §60.4233(e) and Table 1 of 40 CFR Subpart JJJJ:

Subpart JJJJ Emission Standards					
g/HP-hr			**ppmvd at 15% O_2**		
NO_X	**CO**	**VOC**	**NO_X**	**CO**	**VOC**
2.0	4.0	1.0	160	540	86

For each engine that was certified to the certification emission standards in 40 CFR part 1048 applicable to engines that are not severe duty engines, the permittee may meet the CO

certification (not field testing) standard for which the engine was certified in accordance with §60.4233(e).

b. The permittee must operate and maintain the engines subject to the emission standards over the entire life of the engine, as specified in §60.4234.

4. **Compliance Requirements** [40 CFR 60.4243]

a. The Permittee must meet all of the applicable compliance requirements as specified in §60.4243.

5. **Testing Requirements** [40 CFR 60.4244]

a. For each performance test required under §60.4243, the permittee must meet the performance testing requirements of §60.4244.

6. **Notification, Reports, and Records** [40 CFR 60.4245]

a. The permittee must meet all of the applicable notification, reporting, and recordkeeping requirements of §60.4245.

II.C. 40 CFR Part 63, Subpart A - National Emission Standards for Hazardous Air Pollutants, General Provisions [40 CFR 63.1 - 63.16]

This facility is subject to the requirements of 40 CFR Part 63, subpart A as outlined in Table 8 of 40 CFR Part 63, Subpart ZZZZ and Table 2 of 40 CFR Part 63, Subpart HH. Notwithstanding conditions in this permit, the permittee shall comply with all applicable requirements of 40 CFR Part 63, Subpart A.

[40 CFR 63.6665]

II.D. 40 CFR Part 63, Subpart ZZZZ - National Emission Standards for Hazardous Air Pollutants from Reciprocating Internal Combustion Engines [40 CFR 63.6580 - 63.6675]

This facility is subject to the requirements of 40 CFR part 63, Subpart ZZZZ for new four-stroke lean-burn (4SLB) stationary reciprocating internal combustion engines (RICE) with a site rating of more than 500 brake horsepower located at a major source of hazardous air pollutants (HAPs), as outlined in the table below. Notwithstanding conditions in this permit, the permittee shall comply with all applicable requirements of 40 CFR Part 63, Subpart ZZZZ.

Applicable Requirements of 40 CFR 63, Subpart ZZZZ for New 4SLB SI RICE >500 at a Major Source of HAPS:

Subpart ZZZZ Requirement	Subpart ZZZZ Citations	Subpart ZZZZ Table Number	Table Item Number
Emission Limits	§§63.6600, and §63.6640	Table 2a	Item number 2
Operational Requirements	§63.6600, §63.6630, and §63.6640	Table 2b	Item number 1
Subsequent Performance Test Requirements	§63.6615, and §63.6620	Table 3	Item number 1 or 3
Performance Test Requirements	§63.6610, §63.6620, and §63.6640	Table 4	Item number 3
Initial Compliance Requirements	§63.6625, and §63.6630	Table 5	Item number 1, 5, or 9
Continuous Compliance	§63.6640	Table 6	Item number 1, 3, or 7
Reporting Requirements	§63.6650	Table 7	Item number 1
General Provisions	§63.6665	Table 8	As specified in Table 8

1. **Affected Sources**

   a. 40 CFR part 63, Subpart ZZZZ applies to the following engines:

   E1 - Caterpillar G3516LE 4SLB Natural Gas-Fired Compressor Engine, 1,092 site-rated hp

   E2 - Caterpillar G3516LE 4SLB Natural Gas-Fired Compressor Engine, 1,092 site-rated hp

   E3 - Caterpillar G3516LE 4SLB Natural Gas-Fired Compressor Engine, 1,092 site-rated hp

   E4 - Caterpillar G3516LE 4SLB Natural Gas-Fired Compressor Engine, 1,092 site-rated hp

   E5 - Caterpillar G3516LE 4SLB Natural Gas-Fired Compressor Engine, 1,092 site-rated hp

   E6 - Caterpillar G3516LE 4SLB Natural Gas-Fired Compressor Engine, 1,092 site-rated hp

   E7 - Caterpillar G3516LE 4SLB Natural Gas-Fired Compressor Engine, 1,092 site-rated hp

   E8 - Caterpillar G3516LE 4SLB Natural Gas-Fired Compressor Engine, 1,092 site-rated hp

   E9 - Caterpillar G3516LE 4SLB Natural Gas-Fired Compressor Engine, 1,092 site-rated hp

2. Emission Limits and Operating Requirements

a. Emissions from engine units E1, E2, E3, E4, E5, E6, E7, E8, and E9, equipped with oxidation catalyst devices, must meet one of the following emission limitations according to Table 2a of 40 CFR part 63, Subpart ZZZZ:

i. Except during periods of startup:

1. Reduce carbon monoxide emissions by 93 percent or more; or

2. Limit the concentration of formaldehyde in the engine exhaust to 14 ppmvd or less at 15 percent O_2.

ii. During periods of startup:

1. Minimize the engine's time spent at idle and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.

[40 CFR 63.6600(b) & Table 2a, Item 2 of 40 CFR Part 63, Subpart ZZZZ]

b. The permittee shall comply with the emission limitations, operating limitations, and other requirements in 40 CFR Part 63, Subpart ZZZZ at all times.

[40 CFR 63.6605(a)]

c. For engine units E1, E2, E3, E4, E5, E6, E7, E8, and E9, each equipped with an oxidation catalyst device, the permittee must meet the following operating limitations except during periods of startup according to Table 2b to 40 CFR Part 63, Subpart ZZZZ:

i. Maintain the catalyst so that the pressure drop across the catalyst does not change by more than two inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst measured during the initial performance test; and

ii. Maintain the temperature of the engine exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1,350 °F.

[40 CFR 63.6600(b) and Table 2b, Item 1 of Subpart ZZZZ]

3. Operation and Maintenance Requirements

a. At all times, the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions to the levels required by 40 CFR part 63, subpart ZZZZ. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if the required levels have been achieved. Determination of whether such operations and maintenance procedures are being used will be based on information available to the Administrator, which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[40 CFR 63.6605(b)]

4. Performance Test Requirements

a. The permittee must conduct an initial performance test or other initial compliance demonstrations that apply within 180 days after the compliance date that is specified for engine units E1, E2, E3, E4, E5, E6, E7, E8, and E9 in §63.6595 and according to the provisions of §63.7(a)(2).

[40 CFR 63.6610(a)]

b. The permittee is not required to conduct an initial performance test on units for which a performance test has been previously conducted, but the test must meet all of the conditions described in §§63.6610(d)(1) through (5).

[40 CFR 63.6610(d)]

c. The permittee shall perform subsequent performance tests semi-annually. After compliance is demonstrated for two consecutive tests, the testing frequency shall be reduced to annually. However, should the results of any subsequent annual performance test indicate that engine units E1, E2, E3, E4, E5, E6, E7, E8, and E9 are not in compliance with the emission limitations, or the permittee deviates from any operating limitations, then semi-annual performance tests shall be resumed.

[40 CFR 63.6615 and Table 3 of Subpart ZZZZ]

5. Performance Test Procedures

a. The permittee may demonstrate compliance with the requirements to reduce carbon monoxide emissions using the performance test requirements according to Table 4, Item 1 of 40 CFR 63 Subpart ZZZZ; or

b. The permittee may demonstrate compliance with the requirements to limit the concentration of formaldehyde in the engine exhaust using the performance test requirements according to

Table 4, Item 3 of 40 CFR part 63, subpart ZZZZ.

[40 CFR 63.6610(a)]

c. The permittee must conduct each performance test according to the requirements in Table 4 of 40 CFR part 63, subpart ZZZZ. The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load. If engine E1, E2, E3, E4, E5, E6, E7, E8, and E9 are non-operational, the permittee does not need to start up the engine solely to conduct the performance test. The permittee can conduct the performance test when the engine is started up again

[40 CFR 63.6620(b)]

d. The permittee must conduct three separate test runs for each performance test required, as specified in §63.7(e)(3). Each test run must last at least 1 hour as specified in §63.7(e)(3).

[40 CFR 63.6620(d)]

e. The permittee must use the equations of §63.6620(e) when:

i. Demonstrating compliance with the percent carbon monoxide reduction requirements; or

ii. Demonstrating compliance by limiting the concentration of formaldehyde.

[40 CFR 63.6620(e)]

f. The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status. The following information must be included in the written report:

i. The engine model number;

ii. The engine manufacturer;

iii. The year of purchase;

iv. The manufacturer's site-rated brake horsepower;

v. The ambient temperature, pressure, and humidity during the performance test;

vi. All assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained; and

vii. If measurement devices such as flow meters, kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accuracy in percentage of true value must be provided.

[40 CFR 63.6620(i)]

6. Monitoring

a. The permittee must install, operate, and maintain each Continuous Parameter Monitoring System (CPMS) according to the requirements in paragraphs (b)(1) through (6) of §63.6625 of 40 CFR part 63, subpart ZZZZ.

[40 CFR 63.6625(b)]

b. Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permittee must monitor continuously at all times that the engines are operating.

[40 CFR 63.6635(b)]

c. The permittee may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. The permittee must, however, use all the valid data collected during all other periods.

[40 CFR 63.6635(c)]

7. Initial Compliance Requirements

a. The permittee must demonstrate initial compliance with each emission and operating limitation that applies according to the following:

i. For the engine units E1, E2, E3, E4, E5, E6, E7, E8, and E9 complying with the requirement to reduce CO emissions and using an oxidation catalyst as specified in the **Subpart ZZZZ, Emission Limits and Operating Requirements** section of this permit, the permittee shall:

1. Demonstrate that the average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and

2. Install a Continuous Parameter Monitoring System (CPMS) to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and

3. Record the catalyst pressure drop and catalyst inlet temperature during the initial performance test.

b. For engine units E1, E2, E3, E4, E5, E6, E7, E8, and E9 complying with the requirement to reduce CO emissions, using an oxidation catalyst as specified in the **Subpart ZZZZ, Emission Limits and Operating Requirements** section of this permit, and using a continuous emissions monitoring system (CEMS) the permittee shall:

   i. Install a CEMS to continuously monitor CO and either O_2 or CO_2 at both the inlet and outlet of the oxidation catalyst according to the requirements in §63.6625(a);

      1. Conduct a performance evaluation of the CEMS using performance specifications 3 and 4A or 40 CFR part 60, Appendix B; and

      2. Demonstrate that the average reduction of CO equals or exceeds the required percent reduction. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average percent reduction achieved during the 4-hour period.

c. For the engine units E1, E2, E3, E4, E5, E6, E7, E8, and E9 complying with the requirement to limit the concentration of formaldehyde in the engine exhaust and using an oxidation catalyst as specified in the **Subpart ZZZZ, Emission Limits and Operating Requirements** section of this permit, the permittee shall:

   i. Demonstrate that the average formaldehyde concentration, corrected to 15 percent O_2, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation;

   ii. Install a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and

   iii. Record the catalyst pressure drop and catalyst inlet temperature during the initial performance test.

[40 CFR 63.6630(a)]

d. During the initial performance test, the permittee must establish each of the following operating limitations for engine units E1, E2, E3, E4, E5, E6, E7, E8, and E9:

   i. The pressure drop across the catalyst at 100 percent load plus or minus 10 percent; and

   ii. The temperature of the engine exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1,350 °F.

[40 CFR 63.6630(b)]

e. The permittee must submit the Notification of Compliance Status containing the results of the

initial compliance demonstration, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to requirements of §63.10(d)(2).

[40 CFR 63.6630(c) and 40 CFR 63.6645(h)(2)]

8. Continuous Compliance Requirements

a. The permittee must demonstrate continuous compliance with each emission limitation and operating limitation in 40 CFR part 63, subpart ZZZZ that applies according to the following methods:

i. For engine units E1, E2, E3, E4, E5, E6, E7, E8, and E9 complying with the requirement to reduce CO emissions and using an oxidation catalyst as specified in the **Subpart ZZZZ, Emission Limits and Operating Requirements** section of this permit and using a Continuous Parameter Monitoring System (CPMS), the permittee shall:

1. Conduct semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved. After compliance has been demonstrated for two consecutive tests, the permittee may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the engine is not in compliance with the CO or formaldehyde emission limitations, or the permittee deviates from any of the operating limitations, the permittee must resume semiannual performance tests; and

2. Collect the catalyst inlet temperature data according to §63.6625(b) reduce these data to 4-hour rolling averages, and maintain the 4-hour rolling average within the operating limitations for the catalyst inlet temperature; and

3. Measure the pressure drop across the catalyst once per month and demonstrate that the pressure drop across the catalyst is within the operating limitation established during the performance test.

ii. For engine units E1, E2, E3, E4, E5, E6, E7, E8, and E9 complying with the requirement to reduce CO emissions, using an oxidation catalyst as specified in the **Subpart ZZZZ, Emission Limits and Operating Requirements** section of this permit, and using a continuous emissions monitoring system (CEMS) the permittee shall:

1. Collect monitoring data according to §63.6625(a), reducing the measurements to 1-hour averages, calculating the percent reduction of CO emission according to §63.6620;

2. Demonstrate that the catalyst achieves the required percent reduction of CO emissions over the 4-hour averaging period; and

3. Conduct an annual RATA of the CEMS using performance specifications 3 and 4A of 40 CFR part 60, Appendix B, as well as daily and periodic data quality checks in accordance with 40 CFR part 60 Appendix F,
procedure 1.

iii. For engine units E1, E2, E3, E4, E5, E6, E7, E8, and E9 complying with the requirement to limit the concentration of formaldehyde in the engine exhaust and using an oxidation catalyst as specified in **Subpart ZZZZ, Emission Limits and Operating Requirements** section of this permit, the permittee shall:

1. Conduct semiannual performance tests for formaldehyde to demonstrate that the emissions remain at or below the formaldehyde concentration limit. After compliance has been demonstrated for two consecutive tests, the permittee may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the engine is not in compliance with the CO or formaldehyde emission limitations, or the permittee deviates from any of the operating limitations, the permittee must resume semiannual performance tests;

2. Collect the catalyst inlet temperature data according to §63.6625(b);

3. inlet temperature; and

4. Measure the pressure drop across the catalyst once per month and demonstrate that the pressure drop across the catalyst is within the operating limitation established during the performance test.

[40 CFR 63.6640(a)]

b. The permittee must report each instance in which an emission or operating limit was not met. These instance are deviations from the emission and operating limitations and must be reported according to reporting requirements of §63.6650 and the **Subpart ZZZZ, Reporting** section of this permit section.

[40 CFR 63.6640(b)]

c. Upon changing of catalyst, values of the operating parameters measured during the initial performance test must be reestablished. Upon reestablishment of the operating parameters, the permittee must conduct a performance test to demonstrate that the required emission limitations continue to be met.

[40 CFR 63.6640(b)]

d. Deviations from the emission or operating limitations that occur during 200 hours of operation from engine startup (engine burn-in period) are not violations.

[40 CFR 63.6640(d)]

e. The permittee must also report each instance in which the requirements in Table 8 of 40 CFR part 63, subpart ZZZZ, were not met.

[40 CFR 63.6640(e)]

9. Notifications

a. The permittee must submit all of the notifications in §§63.7(b) and (c), §§63.8(e), (f)(4) and (f)(6), §§63.9(b) through (e), and (g) and (h) of the General Provisions that apply by the dates specified.

[40 CFR 63.6645(a)]

b. Upon startup of a new or reconstructed stationary RICE, the permittee must submit an Initial Notification not later than 120 days after it becomes subject to 40 CFR Part 63, subpart ZZZZ.

[40 CFR 63.6645(c)]

c. If the permittee is required to submit an Initial Notification but the engine in question is otherwise not affected by the requirements of 40 CFR part 63, subpart ZZZZ, in accordance with §63.6590(b), the notification should include the information in §§63.9(b)(2)(i) through (v), and a statement that the engine has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE).

[40 CFR 63.6645(f)]

d. If a performance test is required, the permittee must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in §63.7(b)(1).

[40 CFR 63.6645(g)]

e. If a performance test or other initial compliance demonstration is required, the permittee must submit a Notification of Compliance Status according to §63.9(h)(2)(ii).

[40 CFR 63.6645(h)]

10. Record Keeping

a. The permittee must keep the following records to comply with the emission and operating limitations:

i. A copy of each notification and report that was submitted to comply with 40 CFR Part 63, Subpart ZZZZ, including all documentation supporting any Initial Notification or Notification of Compliance Status that was submitted, according to the requirements of §63.10(b)(2)(xiv);

ii. Records of the occurrence and duration of each malfunction of operation (i.e. process equipment) or the air pollution control and monitoring equipment;

iii. Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii);

iv. Records of all required maintenance performed on the air pollution control equipment; and

v. Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b) and the **Subpart ZZZZ, Operation and Maintenance Requirements** section of this permit, including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

[40 CFR 63.6655(a)]

b. For each CEMS or CPMS, the permittee must keep the following records:

i. Records described in §63.10(b)(2)(vi) through (xi);

ii. Previous (i.e., superseded) versions of the performance evaluation plan as required in §63.8(d)(3); and

iii. Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in §63.8(f)(6)(i), if applicable.

[40 CFR 63.6655(b)]

c. The permittee must keep the records required in Table 6 of this subpart, and specified in the **Subpart ZZZZ, Continuous Compliance Requirements** section of this permit, to show continuous compliance with each emission or operating limitation that applies.

[40 CFR 63.6655(d)]

d. Records must be in a form suitable and readily available for expeditious review.

[40 CFR 63.6660(a) and 40 CFR 63.10(b)(1)]

e. The permittee must keep each record for 5 years following the date of each occurrence,

measurement, maintenance, corrective action, report, or record.

[40 CFR 63.6660(b) and 40 CFR 63.10(b)(1)]

f. The permittee must keep each record readily accessible in hard copy or electronic form for five (5) years after the date of each occurrence, measurement, maintenance, corrective action, report, or record.

[40 CFR 63.6660(c) and 40 CFR 63.10(b)(1)]

11. Reporting

a. The permittee must submit a compliance report semi-annually by April 1st and October 1st of each year. The report due on April 1st shall cover the prior six-month period from July 1st through the end of December. The report due on October1st shall cover the prior six-month period from January 1st through the end of June.

[40 CFR 63.6650(b)(5)]

b. The compliance report shall be submitted with the semi-annual monitoring report required by §70.6(a)(3)(iii)(A) and the **General Reporting Requirements** section of this permit. Submission of the compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the Tribe

[40 CFR 63.6650(f) and RAC 2-110(7)]

c. The semiannual compliance report must contain the following:

i. Company name and address;

ii. Statement by the responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report;

iii. The date of the report and beginning and ending dates of the reporting period;

iv. In the event a malfunction has occurred during the reporting period, the report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by the permittee during a malfunction of an engine to minimize emissions in accordance with the **Subpart ZZZZ, Operation and Maintenance Requirements** section

of this permit section, including actions taken to correct a malfunction;

v. If there are no deviations from any applicable emission limitations, or operating limitations, a statement that there were no deviations from the emissions limitations or operating limitations during the reporting period; and

vi. If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period.

[40 CFR 63.6650(c)]

d. For each deviation from an emission or operating limitation that occurs for an engine where a CMS is not being used to comply with the emission and operating limits, the compliance report must contain the following information:

i. Information required in Permit Conditions II.D.11.c.i through iv of the **Subpart ZZZZ, Reporting** section of this permit;

ii. The total operating time of the engine at which the deviation occurred during the reporting period; and

iii. Information on the number, duration, and cause of deviations (including unknown cause, if applicable), and the corrective action taken.

[40 CFR 63.6650(d)]

e. For each deviation from an emission or operating limitation that occurs for an engine where a CMS is being used to comply with the emission and operating limits, the compliance report must contain the following information:

i. Information required in Permit Conditions II.D.11.c.i through iv of the **Subpart ZZZZ, Reporting** section of this permit;

ii. The date and time that each malfunction started and stopped;

iii. The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks;

iv. The date, time, and duration that each CMS was out-of-control, including the information in §63.8(c)(8);

v. The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction of during another period;

vi. A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period;

vii. A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes;

viii. A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the engine at which the CMS downtime occurred during the reporting period;

ix. An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the engine;

x. A brief description of the engine;

xi. A brief description of the CMS;

xii. The date of the last CMS certification audit; and

xiii. A description of any changes in CMS, processes, or controls since the last reporting period.

[40 CFR 63.6650(e)]

Requirements for Dehydrators

II.E. 40 CFR Part 63, Subpart HH - National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities [40 CFR 63.760 - 63.774, RAC 4-103]

This facility is subject to the requirements of 40 CFR Part 63, Subpart HH. Notwithstanding conditions in this permit, the permittee shall comply with all applicable requirements of 40 CFR Part 63, Subpart HH.

1. **Affected Sources** [40 CFR 63.760(a) through (e)]

a. The following units are affected sources for purposes of 40 CFR Part 63, Subpart HH:

i. Emission Unit D1, a 60MMscf/day TEG dehydration unit with an actual annual average natural gas flowrate equal to or greater than 85,000 standard cubic meters per day and actual annual average benzene emissions equal to or greater than 0.90 Mg/yr (1 tpy), as determined according to §63.772(b) located at an area source of Hazardous Air Pollutants (HAPs).

[40 CFR 63.760(b)(2)]

ii. For an area source having actual emissions of 5 tons per year or more of any single HAP, or 12.5 tons per year or more of a combination of HAP, the permittee shall update its major source determination within 1 year of the prior determination or October 15, 2012, whichever is later, and each year thereafter, using gas composition data measured during the preceding 12 months.

[40 CFR 63.760(c)]

2. General Standards

a. Table 2 of 40 CFR Part 63, Subpart HH specifies the General Provisions of 40 CFR Part 63, Subpart A that apply.

[40 CFR 63.764(a)]

b. All reports required under 40 CFR Part 63, Subpart A shall be sent to the Tribe and Administrator at the following addresses:

Part 70 Program
Environmental Programs Division
Air Quality Program
P.O. Box 737 MS #84
Ignacio, CO 81137

and

Director, Air and Toxics Technical Enforcement Program
Office of Enforcement, Compliance and Environmental Justice
1595 Wynkoop Street, Denver, CO 80202–1129
Mail Code 8ENF–AT

Reports may be submitted on electronic media.

[40 CFR 63.764(b)]

c. The permittee shall comply with the following applicable standards §63.764(d)(2), as follows:

i. Determine the optimum glycol circulation rate using the equation specified in §63.764(d)(2)(i).

ii. Operate the dehydration unit such that the actual glycol circulation rate does not exceed the optimal glycol circulation rate determined in accordance with §63.764(d)(2)(i); Or

iii. If the dehydration unit is unable to meet the sales gas specification for moisture content using the glycol circulation rated determined in accordance with §63.764(d)(2)(i), the permittee must:

A. Calculate an alternate circulation rate using GRI-GLYCalc, Version 3.0 or higher; and

B. Document why the dehydration unit must be operated using the alternate circulation rate; and

C. Submit this documentation with the initial notification in accordance with §63.775(c)(7).

iv. Maintain a record of the determination required in §63.764(d)(2)(ii) in accordance with the requirements in §63.774(f) and submit the Initial Notification in accordance with the requirements in §63.775(c)(7).

v. If operating conditions change and a modification to the optimal glycol circulation rate is required, the permittee shall prepare a new determination in accordance with §§63.764(d)(2)(i) or (ii) and submit the information specified under §63.775(c)(7)(ii) through (v).

[40 CFR 63.764(d)(2)]

d. At all times the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

[40 CFR 63.764(j)]

e. The permittee shall comply with all provisions for affirmative defense for violations of emission standards during malfunctions as specified in §63.762.

[40 CFR 63.762]

3. Test Methods, Compliance Procedures and Compliance Determinations

a. The permittee shall determine the glycol dehydration unit natural gas flow rate and benzene emissions in accordance with the requirements specified in §63.772(b).

[40 CFR 63.772]

4. **Record Keeping Requirements**

   a. The permittee must keep the records required by the recordkeeping provisions of 40 CFR Part 63, Subpart A, as specified in Table 2 of 40 CFR Part 63, Subpart HH.

   b. The permittee shall maintain records as specified in §63.774(b).

   c. The permittee shall keep records as specified in §63.774(f) of the calculation used to determine the optimum glycol circulation rate in accordance with §63.764(d)(2)(i) or §63.764(d)(2)(ii).

   d. The permittee shall, as specified in §63.774(g), maintain records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) and maintain records of actions taken during periods of malfunction to minimize emissions in accordance with §63.764(j).

[40 CFR 63.774]

5. **Reporting Requirements**

   a. The permittee must submit to the Administrator the reports required by the reporting provisions of Subpart A as specified in Table 2 of 40 CFR Part 63, Subpart HH. Reports not required to be submitted electronically under §63.775(g)(1) may be requested by the Administrator in any form suitable for the specific case.

[40 CFR 63.764(b) and 40 CFR 63.775(a)]

   b. The permittee shall submit reports and notifications as specified in §63.775(c).

40 CFR Part 49 Requirements

II.F. Synthetic Minor New Source Review Permit Requirements [#SMNSR-SU-000053-2013.001]

South Ignacio Central Delivery Point is subject to the requirements of permit #SMNSR-SU-000053-2013.001. Notwithstanding conditions in this permit, the permittee must comply with all requirements of permit #SMNSR-SU-000053-2013.001.

1. **Construction and Operational Limits**

   a. The permittee may install and operate no more than nine (9) reciprocating internal combustion engines used for compression, each meeting the following specifications:

      i. Operated as a 4-stroke lean-burn engine;
      ii. Fired with natural gas; and

iii. Limited to a maximum site rating of 1,092 horsepower (hp).

b. The permittee shall install, operate, and maintain an AFR control system, as specified in the TMNSR permit, on each of the nine (9) engines.

c. Only the natural gas-fired engines that are operated and controlled as specified in this permit are approved for installation under the TMNSR permit.

2. Emission Limits

a. NO_X emissions from each of the nine (9) engines equipped with AFR control systems, shall not exceed:

i. 2.3 grams per horsepower-hour (g/hp-hr); and

ii. 24.8 tons in any consecutive 12-month period.

b. Emission limits shall apply at all times, unless otherwise specified in the TMNSR permit.

3. Control and Operational Requirements

a. The permittee shall ensure that the AFR control system on each of the nine (9) engines is capable of reducing uncontrolled emissions of NO_X to meet the emission limits specified in the TMNSR permit.

b. The permittee shall install, operate, and maintain either a NO_X sensor or an oxygen (O_2) sensor with a display for the NO_X or O_2 set point for the AFR controller on each of the nine (9) engines. Each NO_X sensor or O_2 sensor shall be calibrated and operated by the permittee according to manufacturer specifications or equivalent specifications developed by the permittee or vendor.

c. The permittee shall determine a NO_X or O_2 set point for the AFR controller on each of the nine (9) engines that ensures compliance with the NO_X emission limits specified in the TMNSR permit. The set points shall be determined by developing a correlation between the NO_X or O_2 set point on the engine control panel and the post-catalyst engine exhaust NO_X emissions measured during the initial performance test required under the TMNSR permit. The permittee shall operate the AFR control system on each of the nine (9) engines at that NO_X or O_2 set point at all times.

d. The NO_X or O_2 set points on each AFR controller shall only be adjusted through the use of a computer equipped with manufacturer-supplied software that is physically connected to the control panel. The set points shall only be changed by mechanics employed or hired by the permittee, not by operations personnel at the facility.

e. The permittee shall only fire the nine (9) engines with natural gas. The natural gas shall be pipeline-quality in all respects except that the CO_2 concentration in the gas shall not be required to be within pipeline-quality.

f. The permittee shall follow, for each engine and AFR control system, the manufacturer's recommended maintenance schedule and procedures, or equivalent procedures developed by the permittee or vendor, to ensure optimum performance of each engine and its respective AFR control system.

g. The permittee may rebuild an existing permitted engine or replace an existing permitted engine with an engine of the same horsepower rating, and configured to operate in the same manner as the engine being rebuilt or replaced. Any emission limits, requirements, control technologies, testing or other provisions that apply to the permitted engines that are rebuilt or replaced shall also apply to the rebuilt or replaced engines.

h. The permittee may resume operation without the AFR control system during an engine break-in period, which shall not exceed 200 operating hours, for rebuilt and replaced engines.

4. Performance Testing Requirements

a. Performance tests shall be conducted on all nine (9) engines at the facility for measuring NO_X emissions to demonstrate compliance with the NO_X emission limits specified in the TMNSR permit. The performance tests shall be conducted in accordance with the EPA Reference Method 7E, specified in 40 CFR Part 60, Appendix A, or an appropriate EPA-approved American Society for Testing and Materials (ASTM) Method D-6438-03. The permittee may submit to the EPA a written request for approval of an alternate test method, but shall only use that alternate test method after obtaining approval from the EPA.

   i. The initial performance tests shall be conducted within 90 calendar days of startup of a new engine.

   ii. Subsequent performance tests shall be conducted within 180 calendar days of the most recent performance test.

   iii. Performance tests shall be conducted within 90 calendar days of startup of all rebuilt engines and replaced engines.

b. Performance tests for NO_X emissions shall meet the following requirements:

   i. A post-catalyst exhaust NO_X ceiling monitoring value shall be established during the performance test for each of the controlled engines at the facility that are equipped with a NO_X sensor. This monitoring value shall be established by determining the NO_X set point in parts per million (ppm) that is required for the engine to demonstrate compliance with the NO_X emission limits specified in the TMNSR permit.

   ii. A post-catalyst exhaust O_2 concentration floor monitoring value shall be established during the performance test for each of the controlled engines at the facility that are equipped with an O_2 sensor. This monitoring value shall be established by determining the O_2 % in the exhaust that is required for the engine to

demonstrate compliance with the NO_X emission limits specified in the TMNSR permit.

iii. All tests shall be performed at a maximum operating rate (90% to 110% of the maximum achievable load available at the time of the test). The permittee may submit to the EPA a written request for approval of an alternate load level for testing, but shall only test at that alternate load level after obtaining written approval from the EPA.

iv. During each test run, data shall be collected on all parameters necessary to document how emissions were measured or calculated (such as test run length, minimum sample volume, volumetric flow rate, moisture and oxygen corrections, etc.).

v. Each test shall consist of at least three 1-hour or longer valid test runs. Emission results shall be reported as the arithmetic average of all valid test runs and shall be in terms of the emission limits.

vi. Performance test plans shall be submitted to the EPA for approval 60 calendar days prior to the date the test is planned.

vii. Performance test plans that have already been approved by the EPA for the emission units approved in the TMNSR permit may be used in lieu of new test plans unless the EPA requires the submittal and approval of new test plans. The permittee may submit new test plans for EPA approval at any time.

viii. The test plans shall include and address the following elements:

A. Purpose of the test;
B. Engines and any respective AFR control systems to be tested;
C. Expected engine operating rate(s) during the test;
D. Sampling and analysis procedures (sampling locations, test methods, laboratory identification);
E. Quality assurance plan (calibration procedures and frequency, sample recovery and field documentation, chain of custody procedures); and
F. Data processing and reporting (description of data handling and quality control procedures, report content).

c. The permittee shall not perform engine tuning or make any adjustments to engine settings, AFR control system settings, processes, or operational parameters the day of or during the engine testing. Any such tuning or adjustments may result in a determination by the EPA that the test is invalid. Artificially increasing an engine load to meet testing requirements is not considered engine tuning or adjustments.

d. The permittee shall not abort any engine tests that demonstrate non-compliance with the

NO_X emission limits specified in the TMNSR permit.

e. The permittee shall notify the EPA at least 30 calendar days prior to scheduled performance testing. The permittee shall notify the EPA at least 1 week prior to scheduled performance testing if the testing cannot be performed.

f. If the results of a complete and valid performance test of the emissions from any of the nine (9) engines demonstrate noncompliance with the emission limits specified in the TMNSR permit, the engine shall be shut down as soon as safely possible, and appropriate corrective action shall be taken (e.g., repairs, catalyst cleaning, catalyst replacement). The permittee shall notify the EPA in writing within 24 hours of each such shut down. The engine must be retested within 7 days of being restarted and the emissions must meet the applicable limits in the TMNSR permit. If the retest shows that the emissions continue to exceed the limits specified in the TMNSR permit, the engine shall again be shut down as soon as safely possible, and the engine may not operate, except for purposes of startup and testing, until the permittee demonstrates through testing that the emissions do not exceed the emission limits specified in the TMNSR permit.

g. If a permitted engine is not operating, the permittee does not need to start up the engine solely to conduct a performance test. The permittee may conduct the performance test when the engine is started up again.

h. Upon change out of the NO_X or O_2 sensor on any engine, the permittee shall measure NO_X emissions from the post-catalyst engine exhaust using a portable analyzer and the protocol specified in the Monitoring Requirements section of the TMNSR permit in order to calibrate the set-point for the new sensor to ensure compliance with the NO_X emission limits specified in the TMNSR permit.

5. Monitoring Requirements

a. The permittee shall monitor NO_X emissions from the post-catalyst exhaust of each of the nine (9) engines at least quarterly, to confirm the unit's respective AFR set point is adequate to achieve compliance with the NO_X emission limits specified in the TMNSR permit. To meet this requirement, the permittee shall:

i. Measure NO_X emissions at the normal operating load using a portable analyzer in accordance with the following protocol, or conduct a performance test as specified in the TMNSR permit:

A. Measure NOX concentration in parts per million (ppm) and the O2 concentration in % O_2 for 20 minutes, recording the NO_X and O_2 concentrations once every minute;

B. Calculate and record the average NO_X and O_2 concentrations over the 20-minute period; and

C. Calculate and record the average NO_X emission rate (EF) in g/hp-hr using the

following equation[1]:

$$EF\ (g/hp\text{-}hr) = \frac{[(NO_X\ ppm)\ (1.19x10^7\ lb\ NO_X/scf\text{-}ppm)\ (454\ g/lb)\ (8{,}710\ dscf/MMBtu)\ (20.9/20.9\text{-}\%O_2)\ (8{,}367\ Btu/hp\text{-}hr)]}{(10^6\ Btu/MMBtu)}$$

Note: scf-ppm = standard cubic feet-parts per million; g/lb = grams per pound; dscf/MMBtu = dry standard cubic feet per million British thermal units; Btu/hp-hr = British thermal units per horsepower-hour; Btu/MMBtu = British thermal units per British thermal units.

ii. Commence monitoring for NO_X emissions within 180 calendar days of the permittee's submittal of the initial performance test results for NO_X emissions to the EPA.

b. The permittee shall not perform engine tuning or make any adjustments to engine settings, AFR control system settings, processes or operational parameters the day of or during measurements. Any such tuning or adjustments may result in a determination by the EPA that the result is invalid. Artificially increasing an engine load to meet testing requirements is not considered engine tuning or adjustments.

c. The permittee is not required to conduct emissions monitoring on engines that have not operated during the monitoring period. The permittee shall certify that the engine(s) did not operate during the monitoring period in the annual report.

6. Recordkeeping Requirements

a. Records shall be kept of manufacturer specifications and maintenance requirements developed by the manufacturer, vendor, or permittee for each engine, and each AFR control system, NO_X sensor, and O_2 sensor required in the TMNSR permit.

b. Records shall be kept of all calibration and maintenance conducted for each engine, and each AFR control system, NO_X sensor, and O_2 sensor required in the TMNSR permit.

c. Records shall be kept that are sufficient to demonstrate that the fuel used for each engine is pipeline quality natural gas in all respects, with the exception of CO_2 concentrations.

d. Records shall be kept of all required testing and monitoring in the TMNSR permit. The

[1] Equation originates from the May 1, 2014 CAFO

records shall include the following:

i. The date, place, and time of sampling or measurements;
ii. The date(s) analyses were performed;
iii. The company or entity that performed the analyses;
iv. The analytical techniques or methods used;
v. The results of such analyses or measurements; and
vi. The operating conditions as existing at the time of sampling or measurement.

e. Records shall be kept of all AFR control system or NO_X or O_2 sensor replacements or repairs, engine rebuilds, and engine replacements.

f. Records shall be kept of each rebuilt or replaced engine break-in period for the nine (9) engines equipped with AFR control systems, pursuant to the requirements of the TMNSR permit, where an existing engine that has been rebuilt or replaced resumes operation without the AFR control system, for a period not to exceed 200 hours.

g. Records shall be kept of each time any of the nine (9) engines equipped with AFR control systems is shut-down due to a deviation in the NO_X or O_2 set point. The Permittee shall include in the record the cause of the problem, the corrective action taken, and the timeframe for bringing the NO_X or O_2 set point into compliance.

7. Records Retention Requirements

a. The permittee shall retain all records required by the TMNSR permit for a period of at least five (5) years from the date the record was created.

b. Records shall be kept in the vicinity of the facility, such as at the facility, the location that has day-to-day operational control over the facility, or the location that has day-to-day responsibility for compliance of the facility.

8. Reporting Requirements

a. <u>Annual Emission Reports</u>

i. The permittee shall submit a written annual report of the actual annual emissions from all emission units at the facility each year no later than April 1st. The annual report shall cover the period for the previous calendar year. All reports must be certified to truth and accuracy by the person primarily responsible for Clean Air Act compliance for the permittee.

ii. The report shall include NO_X emissions.

iii. The report shall be submitted to:

U.S. Environmental Protection Agency, Region 8

Office of Partnerships and Regulatory Assistance
Tribal Air Permitting Program, 8P-AR
1595 Wynkoop Street
Denver, Colorado 80202

The report may be submitted via electronic mail to r8AirPermitting@epa.gov.

b. All other documents required to be submitted under the TMNSR permit, with the exception of the Annual Emission Reports, shall be submitted to:

U.S. Environmental Protection Agency, Region 8
Office of Enforcement, Compliance & Environmental Justice
Air Toxics and Technical Enforcement Program, 8ENF-AT
1595 Wynkoop Street
Denver, Colorado 80202

Documents may be submitted electronically to r8airreportenforcement@epa.gov.

c. The permittee shall promptly submit to the EPA a written report of any deviations of permit requirements, a description of the probable cause of such deviations and any corrective actions or preventative measures taken. A "prompt" deviation report is one that is post marked or submitted via electronic mail to r8airreportenforcement@epa.gov as follows:

i. Within 30 days from the discovery of any deviation of the emission limits or operational limits that are left un-corrected for more than 5 days after discovering the deviation; and

ii. By April 1st for the discovery of a deviation of recordkeeping or other permit conditions during the preceding calendar year that do not affect the permittee's ability to meet the emission limits.

d. The permittee shall submit a written report for any required performance tests to the EPA within 60 days after completing the tests.

e. The permittee shall submit any record or report required by the TMNSR permit upon EPA request.

9. General Provisions

a. Conditional Approval**:**

i. Document *Retention and Availability:* The TMNSR permit and any required attachments shall be retained and made available for inspection upon request at the location set forth herein.

ii. *Permit Application:* The permittee shall abide by all representations, statements of intent and agreements contained in the application submitted by the permittee. The EPA shall be notified 10 days in advance of any significant deviation from the TMNSR permit application as well as any plans, specifications or supporting data furnished.

iii. *Permit Deviations:* The issuance of the TMNSR permit may be suspended or revoked if the EPA determines that a significant deviation from the permit application, specifications, and supporting data furnished has been or is to be made. If the proposed source is constructed, operated, or modified not in accordance with the terms of the TMNSR permit, the permittee will be subject to appropriate enforcement action.

iv. *Compliance with Permit:* The permittee shall comply with all conditions of the TMNSR permit, including emission limitations that apply to the affected emissions units at the permitted facility/source. Noncompliance with any permit term or condition is a violation of the TMNSR permit and may constitute a violation of the Clean Air Act and is grounds for enforcement action and for a permit termination or revocation.

v. *Fugitive Emissions:* The permittee shall take all reasonable precautions to prevent and/or minimize fugitive emissions during the construction period.

vi. *National Ambient Air Quality Standard and PSD Increment:* The permitted source shall not cause or contribute to a National Ambient Air Quality Standard violation or a PSD increment violation.

vii. *Compliance with Federal and Tribal Rules, Regulations, and Orders:* Issuance of the TMNSR permit does not relieve the permittee of the responsibility to comply fully with all other applicable federal and tribal rules, regulations, and orders now or hereafter in effect.

viii. *Enforcement:* It is not a defense, for the permittee, in an enforcement action, to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the TMNSR permit.

ix. *Modifications to Existing Permitted Emissions Units/Limits:* For proposed modifications, as defined at 40 CFR 49.152(d), that would increase an emissions unit allowable emissions of pollutants above its existing permitted annual allowable emissions limit, the permittee shall first obtain a permit modification pursuant to the MNSR regulations approving the increase. For a proposed modification that is not otherwise subject to review under the PSD or MNSR regulations, such proposed increase in the annual allowable emissions limit shall be approved through an administrative permit revision as provided at 40 CFR 49.159(f).

x. *Relaxation of Legally and Practically Enforceable Limits:* At such time that a new

or modified source within the TMNSR permitted facility/source or modification of the TMNSR permitted facility/source becomes a major *stationary* source or major modification solely by virtue of a relaxation in any legally and practically enforceable limitation which was established after August 7, 1980, on the capacity of the permitted facility/source to otherwise emit a pollutant, such as a restriction on hours of operation, then the requirements of the PSD regulations shall apply to the source or modification as though construction had not yet commenced on the source or modification.

xi. *Revise, Reopen, Revoke and Reissue, or Terminate for Cause:* The TMNSR permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by the permittee, for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. The EPA may reopen the TMNSR permit for a cause on its own initiative, e.g., if the TMNSR permit contains a material mistake or the permittee fails to assure compliance with the applicable requirements.

xii. *Severability Clause:* The provisions of the TMNSR permit are severable, and in the event of any challenge to any portion of the TMNSR permit, or if any portion is held invalid, the remaining permit conditions shall remain valid and in force.

xiii. *Property Rights:* The TMNSR permit does not convey any property rights of any sort or any exclusive privilege.

xiv. *Information Requests:* The permittee shall furnish to the EPA, within a reasonable time, any information that the EPA may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating the TMNSR permit or to determine compliance with the TMNSR permit. For any such information claimed to be confidential, you shall also submit a claim of confidentiality in accordance with 40 CFR Part 2, Subpart B.

xv. *Inspection and Entry:* The EPA or its authorized representatives may inspect the TMNSR permitted facility/source during normal business hours for the purpose of ascertaining compliance with all conditions of the TMNSR permit. Upon presentation of proper credentials, the permittee shall allow the EPA or its authorized representative to:

A. Enter upon the premises where the TMNSR permitted facility/source is located or emissions-related activity is conducted, or where records are required to be kept under the conditions of the TMNSR permit;

B. Have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the TMNSR permit;

C. Inspect, during normal business hours or while the TMNSR permitted facility/source is

in operation, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the TMNSR permit;

D. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the TMNSR permit or other applicable requirements; and

E. Record any inspection by use of written, electronic, magnetic and photographic media.

xvi. *Permit Effective Date:* The TMNSR permit is effective immediately upon issuance unless comments resulted in a change in the proposed permit, in which case the permit is effective 30 days after issuance. The permittee may notify the EPA, in writing, that the TMNSR permit or a term or condition of it is rejected. Such notice should be made within 30 days of receipt of the TMNSR permit and should include the reason or reasons for rejection.

xvii. *Permit Transfers:* Permit transfers shall be made in accordance with 40 CFR 49.159(f). The Air Program Director shall be notified in writing at the address shown below if the company is sold or changes its name.

U.S. Environmental Protection Agency, Region 8
Office of Partnerships and Regulatory Assistance
Tribal Air Permitting Program, 8P-AR
1595 Wynkoop Street
Denver, Colorado 80202

xviii. *Invalidation of Permit:* The TMNSR permit becomes invalid if construction is not commenced within 18 months after the effective date of the TMNSR permit, construction is discontinued for 18 months or more, or construction is not completed within a reasonable time. The EPA may extend the 18-month period upon a satisfactory showing that an extension is justified. This provision does not apply to the time period between the construction of the approved phases of a phased construction project. The permittee shall commence construction of each such phase within 18 months of the projected and approved commencement date.

xix. *Notification of Start-Up:* The permittee shall submit a notification of the anticipated date of initial start-up of the TMNSR permitted source to the EPA within 60 days of such date, unless the TMNSR permitted source is an existing source.

Consent Agreement Requirements

II.F. Consent Agreement CAA-08-2013-0015 Requirements

This source is subject to the requirements of Consent Agenda Case Docket Number CAA-08-2013-0015 filed effective on May 1, 2014. Notwithstanding the conditions in the TMNSR permit, the permittee shall comply with all terms of the Consent Agreement.

III. Facility-Wide Requirements

Conditions in this section of the permit apply to all emissions units located at the facility, including any units not specifically listed in Table 1 or Table 2 of the Source Emission Points section of this permit.

[RAC 2-110(1)(d)]

III.A. General Recordkeeping Requirements [RAC 2-110(6)]

The permittee shall comply with the following generally applicable recordkeeping requirements:

1. If the permittee determines that his or her stationary source that emits (or has the potential to emit, without federally recognized controls) one or more hazardous air pollutants is not subject to a relevant standard or other requirement established under 40 CFR part 63, the permittee shall keep a record of the applicability determination, for a period of five years after the determination, or until the source changes its operations to become an affected source, whichever comes first. Each of these records shall be made available to the Tribe upon request. The record of the applicability determination shall include an analysis (or other information) that demonstrates why the permittee believes the source is unaffected (e.g., because the source is an area source).

   [40 CFR 63.10(b)(3)]

2. Records shall be kept of off permit changes made, as required by the Off Permit Changes section of this permit.

III.B. General Reporting Requirements

1. The permittee shall submit to the Tribe all reports of any required monitoring under this permit semiannually, by April 1 and October 1of each year. The report due on April 1shall cover the July 1 - December 31 reporting period of the previous calendar year. The report due on October 1 shall cover the January 1 - June 30 reporting period of the current calendar year. All instances of deviations from permit requirements shall be clearly identified in such reports. All required reports shall be certified by a responsible official consistent with the **Submissions** section of this permit.

   [RAC 2-110(7)(a)]

2. "Deviation" means any situation in which an emissions unit fails to meet a permit term or condition. A deviation is not always a violation. A deviation can be determined by observation or through review of data obtained from any testing, monitoring, or recordkeeping established in accordance with RAC 2-110(5) and (6). For a situation lasting more than 24 hours which constitutes a deviation, each 24 hour period is considered a separate deviation. Included in the meaning of deviation are any of the following:

   a. A situation where emissions exceed an emission limitation or standard;

b. A situation where process or emissions control device parameter values indicate that an emission limitation or standard has not been met; or

c. A situation in which observations or data collected demonstrate noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit.

d. A situation in which an exceedance or an excursion, as defined in 40 CFR Part 64 occurs.

[RAC 1-103(21)]

3. The permittee shall promptly report to the Tribe deviations from permit requirements, (including emergencies), including the date, time, duration, and the probable cause of such deviations, the quantity and pollutant type of excess emissions resulting from the deviation, and any preventative, mitigation, or corrective actions or measures taken. "Prompt" is defined as follows:

   a. Where the underlying applicable requirement contains a definition of "prompt" or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern.

   b. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations will be submitted based on the following schedule:

      i. For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in the applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made by email, telephone, verbal, or facsimile communication by the close of business the next working day, upon discovery of the occurrence, and in writing within 10 working days from the occurrence;

      ii. For emissions of any regulated air pollutant, excluding those listed in RAC § 2-110(7)(b)(i), that continue for more than 2 hours in excess of permit requirements, the report must be made by email, telephone, verbal, or facsimile communication by the close of business the next working day, upon discovery of the occurrence, and in writing within 10 working days from the occurrence;

      iii. For all other deviations from permit requirements, the report shall be contained in the report submitted with the semi-annual monitoring report.

[RAC 2-110(7)(b)]

III.C. Alternative Operating Scenarios [RAC 2-110(8)]

1. Replacement of an existing engine identified in this permit shall be allowed as an off-permit change pursuant to the Off Permit Changes provisions of this permit provided all of the following conditions are met:

a. The engine replacement is not subject to any requirements under Title IV of the Clean Air Act and is not a modification under Title I of the Clean Air Act;

b. The replacement engine is of the same make, model, horsepower rating, and configured to operate in the same manner as the engine being replaced.

c. The replacement engine meets all applicable requirements identified in this permit that apply to the existing engine being replaced.

d. All applicable requirements that apply to the replacement engine are already identified in the permit. Replacement of an existing engine identified in this permit with a new, modified, or reconstructed engine must utilize a Minor Permit Revision as specified in RAC 2-111(3) or a Significant Permit Revision as specified in RAC 2-111(4) to incorporate any new applicable requirements. The applicable requirements include, but may not be limited to:

i. Standards of Performance for Stationary Spark Ignition Internal Combustion Engines at 40 CFR Part 60, Subpart JJJJ;

ii. Standards of Performance for Stationary Compression Ignition Internal Combustion at 40 CFR Part 60, Subpart IIII;

iii. National Emission Standard for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines at 40 CFR Part 63, Subpart ZZZZ;

iv. Requirements established in a permit or permits issued pursuant to the Federal Minor New Source Review Program in Indian Country at 40 CFR Part 49;

v. Requirements established in a permit or permits issued pursuant to the Prevention of Significant Deterioration of Air Quality Program at 40 CFR Part 52; or

vi. Requirements established in any promulgated Federal Implementation Plan that may apply to engines located on the Southern Ute Indian Reservation.

2. The Permittee shall provide contemporaneous written notice to the Tribe and the Administrator of any replacement of an existing engine identified in this permit. Such notice shall state when the replacement occurred and shall describe the replacement and any applicable requirement that would apply as a result of the replacement.

3. The Permittee shall keep a record of the engine replacement.

III.D. Permit Shield [RAC 2-110(10)(c)]

Nothing in this permit shall alter or affect the following:

1. The provisions of Section 303 of the Clean Air Act, 42 U.S.C. § 7603 concerning emergency powers, including the respective authorities of the Administrator under those sections;

2. The liability of a permittee for any violation of applicable requirements prior to or at the time of permit issuance;

3. The applicable requirements of the acid rain program consistent with section 408(a) of the Act; or

4. The ability of the Administrator respectively to obtain information from a source pursuant to Section 114 of the Clean Air Act, 42 U.S.C. § 7414.

IV. Part 70 Administrative Requirements

IV.A. Annual Fee Payment [RAC 2-110(1)(h) and RAC 2-118]

1. An annual operating permit emission fee shall be paid to the Tribe by the permittee.

[RAC 2-118(2)]

2. The permittee shall pay the annual permit fee each year no later than April 1st for the preceding calendar year, except that the first annual permit fee will cover the period from the issuance date of this permit through December 31 of the same year.

[RAC 2-118(2)]

3. Fee payments shall be remitted in the form of a money order, bank draft, certified check, corporate check, or electronic funds transfer payable to the Southern Ute Indian Tribe and sent or delivered by the United States Postal Service c/o Environmental Programs Division Part 70 Program, P.O. Box 737 MS #84, Ignacio, Colorado 81137; or by common carrier (such as UPS or FedEx) c/o Environmental Programs Division Part 70 Program, 398 Ouray Drive, Ignacio, Colorado 81137.

[RAC 2-118(4)(a)]

4. The permittee shall send an updated fee calculation worksheet submitted annually by the same deadline as required for fee payment to the address listed in the **Submissions** section of this permit.

[RAC 2-118]

5. Basis for calculating annual fee:

   a. Subtotal annual fees shall be calculated by multiplying the applicable emission fee set pursuant to RAC § 2-119(1) times the total tons of actual emissions for each fee pollutant. In absence of actual emissions data, calculate the annual fee based on the potential to emit (as defined at RAC 1-103(51)) for each fee pollutant. Emissions of any regulated air pollutant that already are included in the fee calculation under a category of regulated pollutant, such as a federally

listed hazardous air pollutant that is already accounted for as a VOC or as PM10, shall be counted only once in determining the source's actual emissions.

[RAC 2-119(2)(a)]

i. "Actual emissions" means the actual rate of emissions in tpy of any fee pollutant (for fee calculation) emitted from a title V source over the preceding calendar year or any other period determined by the Tribe to be more representative of normal operation and consistent with the fee schedule adopted by the Tribe and approved by the Administrator. Actual emissions shall be calculated using each emissions units actual operating hours, production rates, in-place control equipment, and types of materials processed, stored, or combusted during the preceding calendar year or other period used for this calculation.

[RAC 1-103(2)]

ii. Actual emissions shall be computed using compliance methods required by the permit.

[RAC 2-118(1)(b)]

iii. If actual emissions cannot be determined using the compliance methods in the permit, the permittee shall use other federally recognized procedures.

[RAC 2-118(1)(b)]

b. The total annual fee submitted shall be the greater of the applicable minimum fee or the sum of subtotal annual fees for all fee pollutants emitted from the source.

[RAC 2-119(2)(b)]

[Explanatory note: The applicable emission fee amount and applicable minimum fee (if necessary) are revised each calendar year to account for inflation, and they are available from AQP prior to the start of each calendar year.]

c. The permittee shall exclude the following emissions from the calculation of fees:

i. The amount of actual emissions of any one fee pollutant that the source emits in excess of 4,000 tons per year

ii. Any emissions that come from insignificant activities not required in a permit application pursuant to RAC § 2-106(4).

[RAC 1-103(2)(c)]

6. Annual fee calculation worksheets shall be certified as to truth, accuracy, and completeness by a responsible official.

[RAC 2-105 and RAC 2-118(2)(c)]

7. Failure of the permittee to pay fees by the due date shall subject the permittee to assessment of penalties and interest in accordance with RAC § 2-118(6).

[RAC 2-118(6)]

8. When notified by the Tribe of underpayment of fees, the permittee shall remit full payment within 30 days of receipt of an invoice from the Tribe.

[RAC 2-119(3)(b)]

9. A permittee who thinks a Tribe assessed fee is in error and who wishes to challenge such fee shall provide a written explanation of the alleged error to the Tribe along with full payment of the assessed fee.

[RAC 2-119(3)(c)]

IV.B. Compliance Requirements

1. Compliance with the Permit

   a. The permittee must comply with all conditions of this part 70 permit. Any permit noncompliance with federally enforceable or Commission-only permit conditions constitutes a violation of the RAC and Clean Air Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.

   [RAC 2-110(3)(a)]

   b. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

   [RAC 2-110(3)(b)]

   c. All terms and conditions of this permit which are required under the Clean Air Act or under any of its applicable requirements, including any provisions designed to limit a source's potential to emit, are enforceable by the Administrator and citizens under the Clean Air Act, except terms and conditions the permit specifically designates as not being federally enforceable under the Clean Air Act that are not required under the Clean Air Act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements of RAC §§ 2-108, 2-111, 2-112, other than those contained in this paragraph.

   [RAC 2-110(3)(f)]

d. This permit, or the filing or approval of a compliance plan, does not relieve any person from civil or criminal liability for failure to comply with the provisions of the RAC and the Clean Air Act, applicable regulations thereunder, and any other applicable law or regulation.

[RAC 2-110(3)(g)]

e. For the purpose of submitting compliance certifications in accordance with the Compliance Certifications condition below of this permit, or establishing whether or not a person has violated or is in violation of any requirement of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[Section 113(a) and 113(e)(1) of the Act, 40 CFR §§ 51.212, 52.12, 52.33, 60.11(g), and 61.12]

2. Compliance Certifications

a. The permittee shall submit to the Tribe and the Administrator an annual certification of compliance which shall certify the source's compliance status with all permit terms and conditions and all applicable requirements relevant to the source, including those related to emission limitations, standards, or work practices. The compliance certification shall be certified as to truth, accuracy, and completeness by a responsible official consistent with RAC § 2-110(9)(a). The certification of compliance shall be submitted annually by April 1st and shall cover the preceding calendar year in which the certification of compliance is due, except that the first annual certification of compliance will cover the period from the issuance date of this permit through December 31st of the same year.

[RAC 2-110(9)(c)]

3. Compliance Schedule

a. For applicable requirements with which the source is in compliance, the source will continue to comply with such requirements.

[RAC 2-106(4)(l)(ii)]

b. For applicable requirements that will become effective during the permit term, the source shall meet such requirements on a timely basis.

[RAC 2-106(4)(l)(iii)]

IV.C. Duty to Provide and Supplement Information [RAC 2-110(7)(e), 2-106(5), and 2-124]

1. The permittee shall furnish to the Tribe, within the period specified by the Tribe, any information that the Tribe request in writing to determine whether cause exists for reopening and revising, revoking, and reissuing, or terminating the permit, or to determine compliance with the permit.

Upon request, the permittee shall also furnish to the Tribe copies of records that are required to be kept by the permit, including information claimed to be confidential. Information claimed to be confidential must be accompanied by a claim of confidentiality according to the provisions of RAC 2-124.

[RAC 2-110(7)(e) and RAC 2-124]

2. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application or in a supplemental submittal, shall promptly submit such supplementary facts or corrected information. In addition, a permittee shall provide additional information as necessary to address any requirements that become applicable after the date a complete application is filed, but prior to release of a draft permit.

[RAC 2-106(5)]

IV.D. Submissions [RAC 2-105]

1. Any application, form, report, compliance certification, or other document submitted by the permittee under this permit shall contain a certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

   [Explanatory Note: The Tribe has developed a reporting form "CTAC" for certifying truth, accuracy and completeness of part 70 submissions. The form may be found on the AQP's website (http://www.southernute-nsn.gov/environmental-programs/air-quality).]

2. Except where otherwise noted, any documents required to be submitted under this permit, including reports, test data, monitoring data, notifications, compliance certifications, fee calculation worksheets, and applications for renewals and permit modifications shall be submitted:

by United States Postal Service:	or by Common Carrier:
Part 70 Program	Part 70 Program
Environmental Programs Division	Environmental Programs Division
Air Quality Program	Air Quality Program
P.O. Box 737 MS #84	398 Ouray Drive
Ignacio, Colorado 81137	Ignacio, CO 81137

IV.E. Severability Clause [RAC 1-106 and RAC 2-110(1)(f)]

The provisions of this permit are severable, and in the event of any challenge to any portion of this permit, or if any provision is held invalid, the remaining permit conditions shall remain valid and in force.

IV.F. Permit Actions [RAC 2-110(3)]

1. This permit may be modified, reopened and revised, revoked and reissued, or terminated for cause.

[RAC 2-110(3)(c)]

2. The filing by the permittee of a request for a permit revision, reissuance, or termination, or of a notification of planned changes or anticipated noncompliance shall not stay any permit condition.

[RAC 2-110(3)(d)]

IV.G. Administrative Permit Revision [RAC 2-111(2)]

1. The permittee may submit an application for an administrative permit revision as defined in RAC § 1-103.

[RAC 2-111(2)(a)]

2. The permittee may implement an administrative permit revision immediately upon submittal of the request for the administrative revision.

[RAC 2-111(2)(c)]

[Note to permittee: If the provisions allowing for an administrative permit revision do not apply, please contact the Air Quality Program for a determination of similarity prior to submitting your request for an administrative permit revision.]

IV.H. Minor Permit Revisions [RAC 2-111(3)]

1. The permittee may submit an application for a minor permit revision as defined in RAC § 1-103.

2. An application requesting the use of minor permit revision procedures shall meet the requirements of RAC § 2-106(4) and shall include the following:

   a. A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;

   b. If changes are requested to the permit language, the permittee's suggested draft permit changes;

   c. Certification by a responsible official, consistent with RAC § 2-105, that the proposed revision meets the criteria for use of minor permit revision procedures and a request that such procedures be used; and

   d. Completed forms for the Tribe to use to notify the Administrator and affected programs as required under RAC § 2-108

e. If the requested permit revision would affect existing compliance plans or schedules, related progress reports, or certification of compliance requirements, and an outline of such effects.

[RAC 2-111(3)(a)]

3. The permittee shall not submit multiple minor permit revision applications that may conceal a larger revision that would not constitute a minor permit revision.

[RAC 2-111(3)(b)]

4. The permittee may make the change proposed in its minor permit revision application immediately after it files such application, provided, however, for sources that have previously utilized this provision during the term of the permit and, on two or more occasions have failed to file a complete application, may thereafter make the change only after the application is deemed complete. After the permittee makes the change and until the Tribe takes any of the actions specified in the following subsection, the permittee must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this period, the permittee need not comply with the existing permit terms and conditions it seeks to modify. If the permittee fails to comply with its proposed permit terms and conditions during this period, however, the existing permit terms and conditions it seeks to modify may be enforced against it.

[RAC 2-111(3)(e)]

5. The permit shield under RAC § 2-110(10) does not extend to minor permit revisions.

[RAC 2-110(10)(d)]

IV.I. Significant Permit Revisions [RAC 2-111(4)]

1. The permittee must request the use of significant permit revision procedures as defined in RAC § 1-103.

2. Significant permit revisions shall meet all requirements of the RAC for permit issuance and renewal, including those for applications, review by the Administrator and affected programs, and public participation.

[RAC 2-111(4), 2-109, and 2-106(3)]

IV.J. Permit Reopenings, Revocations and Reissuances, and Terminations [RAC 2-112]

1. The permit may be reopened and revised for any of the reasons listed in paragraphs (a) through (d) below. Alternatively, the permit may be revoked and reissued for the reasons listed in paragraphs (c) and (d) below:

a. Additional requirements under the Clean Air Act become applicable to a major source with a remaining permit term of 3 or more years, provided that the Tribe shall revise such permits to incorporate such additional requirements no later than 18 months after promulgation of such requirements, and no such reopening is required if the effective date of the requirement is later than the permit expiration date unless the original permit or any of its terms or conditions have been extended past the permit expiration date pursuant to RAC § 2-104(2)(b)(iii);

b. Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit;

c. The Tribe or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the terms or conditions of the permit; or

d. The Tribe or the Administrator determines that the permit must be revised or revoked and reissued to assure compliance with applicable requirements.

2. The permit may be terminated for any of the reasons in (a) through (g) below:

a. The permittee fails to meet the requirements of an approved compliance plan;

b. The permittee has been in significant or repetitious noncompliance with the operating permit terms or conditions;

c. The permittee has exhibited a history of willful disregard for environmental laws of any tribal or state authority, or of the United States;

d. The permittee has knowingly misrepresented a material fact in any application, record, report, plan, or other document filed or required to be maintained under the permit;

e. The permittee falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under the permit;

f. The permittee fails to pay fees required under RAC§§ 2-118 and 2-119; or

g. The Administrator has found that cause exists to terminate the permit.

IV.K. Property Rights [RAC 2-110(3)(e)]

This permit does not convey any property rights of any sort, or any exclusive privilege.

IV.L. Inspection and Entry [RAC 2-110(9)(b)]

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized representatives of the Tribe or other authorized representative to perform the following:

1. Enter upon the permittee's premises where a source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

4. As authorized by the Clean Air Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

IV.M. Emergency Situations [RAC 2-117]

1. The permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency as defined in RAC § 1-103. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:

   a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;

   b. The permitted facility was at the time being properly operated;

   c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and

   d. The permittee reported the emergency to the Tribe in compliance with RAC § 2-110(7).

[RAC 2-117(1)]

2. In any enforcement preceding the permittee attempting to establish the occurrence of an emergency has the burden of proof.

[RAC 2-117(2)]

3. This emergency situation provision is in addition to any emergency or upset provision contained in any applicable requirement.

[RAC 2-117(3)]

IV.N. Permit Transfers [RAC 2-113]

1. This permit shall not be transferable, by operation of law or otherwise, from one location to another or from one source to another, except that a permit may be transferred from one location to another in the case of a portable source that has notified the Tribe in advance of the transfer, pursuant to the RAC. A permit for a source may be transferred from one person to another if the Tribe finds that the transferee is capable of operating the source in compliance with the permit.

This transfer must be accomplished through an administrative permit revision in accordance with the Administrative Permit Revisions section of this permit.

IV.O. Off-Permit Changes [RAC 2-116(2)]

1. The permittee is allowed to make, without a permit revision, certain changes that are not addressed or prohibited by this permit provided that the following requirements are met:

   a. Each such change meets all applicable requirements and shall not violate any existing permit term or condition;

   b. Such changes are not subject to any requirements under title IV of the Clean Air Act and are not modifications under title I of the Clean Air Act;

   c. Such changes are not subject to permit revision procedures under RAC § 2-111; and

   d. The permittee provides contemporaneous written notice to the Tribe and the Administrator of each such change, except for changes that qualify as insignificant activities. Such notice shall state when the change occurred and shall describe the change, any resulting emissions change, pollutants emitted, and any applicable requirement that would apply as a result of the change.

[RAC 2-116(2)(a)]

2. The permit shield does not apply to changes made under this provision.

[RAC 2-110(10)(d)]

3. The permittee shall keep a record describing changes made at the source that result in emissions of any regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

[RAC 2-116(2)(b)]

4. A copy of each off-permit change notification shall be made available to the Tribe upon request.

[RAC 2-110(6)]

IV.P. Permit Expiration and Renewal [RAC §§ 2-104(3), 2-106(2)(b), 2-107(7)(a), 2-107(7)(b), 2-110(1)(a), and 2-106(3)]

1. This permit shall expire five years from the effective date of this permit.

[RAC 2-110(1)(a)]

2. Expiration of this permit terminates the permittee's right to operate unless a timely and complete permit renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration of this permit.

[RAC 2-107(7)(b)]

3. If the permittee submits a timely and complete permit application for renewal, consistent with RAC § 2-106 but the Tribe has failed to issue or disapprove a renewal permit before the end of the permit term, then the permit shall not expire and all its terms and conditions shall remain in effect until the renewal permit has been issued or disapproved.

[RAC 2-104(2)(b)]

4. The ability to operate under this permit shall cease if (1) the Tribe takes final action to issue the permittee a renewal permit or deny the permittee a permit or (2) the permittee fails to submit by the deadline specified in writing by the Tribe any additional information identified as being needed to process the application.

[RAC 2-104(3)]

5. Renewal of this permit is subject to the same procedures, including those for public participation and affected program and EPA review, as those that apply to initial permit issuance.

[RAC 2-107(7)(a)]

6. The application for renewal shall include the current permit number, description of permit revisions and off permit changes that occurred during the permit term, any applicable requirements that were promulgated and not incorporated into the permit during the permit term, and other information required by the application form.

[RAC 2-106(4)(e)(ix)]

V. Appendix

V.A. Inspection Information

1. Driving Directions to the facility:

   The Spring Creek Compressor Station is located southeast of Ignacio, Colorado. To get to the facility from Ignacio, go east on County Road 151 at the intersection of Highway 172 and County Road 151. Follow County Road 151 east for 3.3 miles and turn south onto County Road 324. Follow County Road 324 for approximately 0.9 miles. The facility is located on the east side of the road at 1000 County Road 324.

2. Global Positioning System (GPS):

   Latitude: N 37.092389

   Longitude: W 107.576028

3. Safety Considerations:

   Samson Resources requires persons entering the site to wear a hard hat, safety glasses, safety toe footwear, hearing protection, and fire retardant clothing.