



**Air Pollution Control
Title V Permit to Operate
Statement of Basis for Permit No V-SUIT-0050-2019.02
Administrative Permit Revision
December 30, 2020**

**SIMCOE, LLC
Iron Horse Central Delivery Point
Southern Ute Indian Reservation
La Plata County, Colorado**

Description of Permit Revision

On February 28, 2020 SIMCOE, LLC (SIMCOE) purchased assets from BP America Production Company (BP) and assumed ownership on December 1, 2020. BP submitted an administrative permit revision request on November 19, 2020 to the Southern Ute Indian Tribe Air Quality Program (AQP) to transfer ownership of AQP-permitted BP Title V facilities to SIMCOE.

In accordance with the administrative permit revision requirements of RAC 1-103(3)(c), BP provided the following information to the AQP:

- Cover letter outlining the administrative permit revision request.
- A list of the Title V facilities to be transferred.
- The sales agreement for the facilities.

The AQP made the following revisions to the permit:

- Updated all permit references to accurately reflect SIMCOE as the owner and operator of the Iron Horse Central Delivery Point, previously owned and operated by BP.
- Updated Permitting Issuance History table.
- Removed “According to BP America Production Company (BP)” from the Process Description.
- Removed “BP recommends” from Safety Considerations.

The revised facility contact and responsible official are:

Facility Contact:

Erin Dunman
Environmental Engineer
SIMCOE, LLC
1199 Main Ave. Suite 101
Durango, CO 81301
(970) 852-0037

Responsible Official:

Gavin Tweedie
Area Manager, Midstream
SIMCOE, LLC
1199 Main Ave. Suite 101
Durango, CO 81301
(505) 320-3359

The AQP is making this revision as an administrative permit revision in accordance with RAC 2-111(2). The permit will be reissued as permit number V-SUIT-0050-2019.02.

For specific applicability information regarding the Title V permit for this facility, please reference the Statement of Basis for permit number V-SUIT-0050-2019.00.

**Air Pollution Control
Title V Permit to Operate
Statement of Basis for Permit No. V-SUIT-0050-2019.01
Minor Permit Revision
November 23, 2020**



**BP America Production Company
Iron Horse Central Delivery Point
Southern Ute Indian Reservation
La Plata County, Colorado**

Description of Permit Revision

On August 17, 2020, BP America Production Company (BP) submitted a Title V minor permit revision application for the Iron Horse Central Delivery Point (Iron Horse) on behalf of SIMCOE LLC. BP conducted a non-like-kind engine replacement on August 18, 2020. The new engine is of the same make and model, but with a lower nameplate horsepower. BP requested the following revisions:

- Update permit Section I.2 – Table 1 – Emission Units with new horsepower, serial number, and installation date.
- Update permit Section III.2.2.1.1. -40 CFR Part 63, Subpart ZZZ with new site-rated horsepower.

In addition to the revisions requested by BP, the Air Quality Program (AQP) identified the following non-requested revisions:

- BP listed SIMCOE LLC as the new owner of Iron Horse in the General Information Summary (GIS) form.
- On August 21, 2020, BP notified the AQP of a new contact person for BP. The new contact is as follows:

Dr. Faye Gerard
Regulatory Compliance & Environmental Manager
BP America Production Company
15377 Memorial Dr.
Houston, TX 77079
(281) 716-5934

In accordance with the minor permit revision requirements of RAC § 2-111(3)(a), BP provided the following information to the Southern Ute Indian Tribe's AQP:

- An email revision request outlining the revisions requested.
- A completed GIS Form.
- An EUD-1 – Emission Unit Description For Internal Combustion Sources form for emission unit IH2.
- Updated PTE emission summary.
- Engine specification sheet and emission factors.
- Signed certificate of truth, accuracy, and completeness (CTAC) from BP.

The AQP has made the following requested permit revisions:

Section I.2. Source Information and Emission Unit Identification – Source Emission Points

- Updated permit Section I.2 – Table 1 – Emission Units with new horsepower, serial number, and installation date.

Section III. Site Specific Permit Terms

- Updated permit Section III.2.2.1.1. - 40 CFR Part 63, Subpart ZZZ with new site-rated horsepower.

The AQP made the following non-requested permit revision:

Section I.1. Source Information and Emission Unit Identification - Source Information

- Updated the owner name to SIMCOE LLC

The change of contact person for Iron Horse has been noted in this SOB. No changes were made to the permit.

Engine specifications for the original and replacement engine are listed in Table 1 below. The replacement of IH2 resulted in a decrease to Iron Horse’s PTE. The new PTE for Iron Horse is outlined in Table 2 and the resulting decrease in PTE in Table 3 below.

Table 1: Comparison of Emission Units

Emission Unit	Horsepower	Manufacture Date	ZZZZ Applicability	JJJJ Applicability
Original	2520	10/4/2005	New 4SLB stationary RICE located at a major source	Not subject
Replacement	2370	12/21/2006	New 4SLB stationary RICE located at a major source	Not subject

Table 2: Potential to Emit

Emission Unit ID	Regulated Air Pollutants in tpy								
	NO _x	VOC	SO ₂	PM ₁₀	CO	Lead	Total HAPs	Largest Single HAP (CH ₂ O)	GHGs (CO ₂ e tpy)
IH1	24.3	20.7	0.0	0.7	60.8	0.0	6.8	6.8	8,679.8
IH2	22.9	20.1	0.0	0.7	57.2	0.0	6.4	6.4	8,216.5
Dehy-1	0	1.3	0.0	0.0	0.0	0.0	0.0	0.0	14,663.7
Total IEUs	0.5	0.2	0.0	0.0	0.4	0.0	0.0	0.0	16,493.4
TOTAL	47.7	42.3	0.0	1.4	118.4	0.0	13.2	13.2	48,053.4

Table 3: Decrease in Potential to Emit

Regulated Air Pollutants in tpy								
NO _x	VOC	SO ₂	PM ₁₀	CO	Lead	Total HAPs	Largest Single HAP (CH ₂ O)	GHGs (CO ₂ e tpy)
-1.4	-0.6	0.0	0.0	-3.6	0.0	-0.4	-0.4	-463.3

AQP is making this revision as a minor permit revision in accordance with RAC 2-111(3). The permit will be reissued as permit number V-SUIT-0050-2019.01

For specific applicability information regarding the Title V permit for this facility, please reference the Statement of Basis for permit number V-SUIT-0050-2019.00



**Air Pollution Control
Title V Permit to Operate
Statement of Basis for Permit No. V-SUIT-0050-2019.00
August 12, 2019**

**BP America Production Company
Iron Horse Central Delivery Point
Southern Ute Indian Reservation
La Plata County, Colorado**

1. Facility Information

a. Location

The Iron Horse Central Delivery Point, owned and operated by BP America Production Company (BP), is located within the exterior boundary of the Southern Ute Indian Reservation. The exact location is SW ¼ NW ¼, Section 7 T33N R7W in La Plata County, at latitude North 37.121639 and longitude West -107.65885. The mailing address is:

BP America Production Company
Iron Horse Central Delivery Point
1199 Main Ave. Suite 101
Durango, CO 81301

b. Contacts

Facility Contact:

Erin Dunman
Environmental Advisor
BP America Production Company
1199 Main Ave. Suite 101
Durango, CO 81301
(281) 810-2578

Responsible Official:

Gavin Tweedie
Area Manager, Midstream – West Business Unit
BP America Production Company
1199 Main Ave. Suite 101
Durango, CO 81301
(505) 320-3359

c. Description of Operations

The Iron Horse Central Delivery Point (Iron Horse CDP) is a natural gas production field facility prior to the point of custody transfer. Fruitland coal bed methane wells feed into a gathering pipeline system leading to the inlet of the facility. The gas does not contain any condensate or natural gas liquids.

Upon entering the compressor station, the gas first passes through an inlet separator vessel to remove any free liquids in the gas stream by gravity. The gas then passes to a filter vessel, which serves to filter out any solids such as coal dust in the gas. The gas is then compressed, dehydrated by a triethylene glycol (TEG) dehydration process and finally passes through an outlet scrubber vessel which removes any TEG carryover before being metered and sent to a medium pressure pipeline.

The facility’s primary pollutant-emitting sources are two natural gas-fired 4-stroke lean burn (4SLB) spark ignition (SI) reciprocating internal combustion engines (RICE) used to compress the gas and one tri-ethylene glycol dehydrator regenerator and associated flash tank vent. Engine unit IH2 is equipped with oxidation catalyst controls to comply with the associated regulatory requirement to reduce the concentration of carbon monoxide (CO) or formaldehyde (CH₂O) exhausted from the stacks.

Other pollutant emitting sources at the facility include several heaters and tanks, which all qualify as insignificant emission units (IEUs). The facility does not extract natural gas liquids (NGLs) from field gas nor does it fractionate mixed NGLs to natural gas products. The Iron Horse CDP does not engage in pigging operations.

d. List of all Units and Emission-Generating Activities

BP provided the information contained in Tables 1 and 2 in its Part 70 permit renewal application. Table 1 lists emission units and emission generating activities, including any air pollution control devices. Emission units identified as “insignificant” emitting units (IEUs) are listed separately in Table 2.

**Table 1 – Emission Units
BP America Production Company, Iron Horse Central Delivery Point**

Emission Unit ID	Description				Control Equipment
	Caterpillar G3608 (4SLB SI) Natural Gas-Fired Compressor Engine 2,520 Nameplate Rated HP				None
IH1	Serial No.	BEN/4WF00102	Install Date:	10/10/2017	
	Caterpillar G3608 (4SLB SI) Natural Gas-Fired Compressor Engine 2,520 Nameplate Rated HP				Air to Fuel Ratio Controller and Oxidation Catalyst
IH2	Serial No.	BEN00346	Install Date:	4/11/2008	
	Tri-Ethylene Glycol (TEG) Dehydrator Regenerator and Flash Tank Vent 50 MMscf/d				None
Dehyl1	Serial No.	N/A	Install Date:	N/A	

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

BP stated in its Part 70 permit renewal application the emission units in Table 2, below, are insignificant. BP provided emission estimates and example calculations for each storage tank using EPA Tanks 4.0.9d,

combustion units using emission factors from AP-42, Table 1.4-2, and process fugitive emissions using emission factors from the EPA’s *Protocol for Equipment Leak Emission Estimates, Table 2-4* (November 1995). This data supports the source’s claim that these units qualify as insignificant.

**Table 2 – Insignificant Emission Units
BP America Production Company, Iron Horse Central Delivery Point**

Emission Unit ID	Amount	Description	Size	Units
Recip1	1	Ariel JGD-4 Reciprocating Compressor – Frame Number F23233	N/A	N/A
Recip2	1	Ariel JGD-4 Reciprocating Compressor – Frame Number F24283	N/A	N/A
N/A	1	Atmospheric Drain Tank	9,744	gal
N/A	1	Produced Water Tank	300	bbl
N/A	1	Oily Water Tank	300	bbl
N/A	1	Lube Oil Storage Tank	1,500	gal
N/A	1	Used Oil Storage Tank	1,500	gal
N/A	1	Engine Coolant Storage Tank (50/50 Ethylene Glycol (EG) / Water Mix)	1,000	gal
N/A	1	Engine Coolant Storage Tank (Maintenance) (50/50 Ethylene Glycol (EG) / Water Mix)	1,000	gal
N/A	1	Triethylene Glycol (TEG) Makeup Tank	500	gal
N/A	6	Compressor Building Catalytic Heaters	48	MBtu/hr
N/A	1	Process Fugitive Emissions	N/A	N/A
N/A	2	Tank Heaters	0.325	MMBtu/hr

e. Facility Construction and Permitting History

Iron Horse CDP commenced operation on April 11, 2008. The EPA issued the initial part 71 permit (No. V-SU-0050-09.00) on October 23, 2009. The EPA reopened the permit for cause in February 2011 to revise the start-up, shutdown and malfunction and Continuous Parameter Monitoring requirements for reciprocating internal combustion engines under 40 CFR Part 63, Subpart ZZZZ. Subsequently, a revised Part 71 permit (No. V-SU-00050-2009.01) was issued on February 22, 2011. The permit was replaced by Part 70 permit, No. V-SUIT-0050-2014.00. The permit was revised March 1, 2016 after a minor revision and issued as V-SUIT-0050-2014.01. The permit was revised again June 8, 2018 after a significant revision and issued as V-SUIT-0050-2014.02. The first Part 70 renewal permit, V-SUIT-0050-2019.00, was issued on August 12, 2019.

f. Potential to Emit

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

The PTE for Iron Horse CDP was listed by BP in Forms “GIS”, “PTE”, and the various forms “EMISS” of the Part 70 operating permit renewal application. Table 3 shows PTE data broken down by each individual emission unit, as well as the total facility-wide PTE.

**Table 3 - Potential to Emit
BP America Production Company, Iron Horse Central Delivery Point**

Emission Unit ID	Regulated Air Pollutants in tpy								
	NO _x	VOC	SO ₂	PM ₁₀	CO	Lead	Total HAPs	Largest Single HAP (CH ₂ O)	GHGs (CO ₂ e tpy)
IH1	24.3	20.7	0.0	0.7	60.8	0.0	6.81	6.81	8,679.8
IH2	24.3	20.7	0.0	0.7	60.8	0.0	6.81	6.81	8,679.8
Dehy-1	0	1.3	0.0	0.0	0.0	0.0	0.0	0.0	14,663.7
Total IEUs	0.5	0.2	0.0	0.0	0.4	0.0	0.0	0.0	16,493.4
TOTAL	49.1	42.9	0.0	1.4	122.0	0.0	13.62	13.62	48,516.7

2. Tribal Authority

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

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

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

Tribal Minor New Source Review Program: Minor sources of air pollution located within the Southern Ute Indian Reservation exterior boundaries must comply with either the “Federal Implementation Plan for Managing Air Emissions from True Minor Sources in Indian Country in the Oil and Natural Gas Production and Natural Gas Processing Segments of the Oil and Natural Gas Sector” listed at 40 CFR §49.101 – 105 or the “Federal Minor New Source Review Program in Indian Country” listed at 40 CFR §49.151 – 164.

3. Applicable Requirements

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

Prevention of Significant Deterioration (PSD) - 40 CFR 52.21

PSD is a preconstruction review requirement of the CAA that applies to proposed projects that are sufficiently large (in terms of emissions) to be considered a major stationary source or a major modification of an existing stationary source as defined in 40 CFR §52.21 (b)(1)(i) and (b)(2)(i). A new stationary source or a modification to an existing stationary source is major if the proposed project has the PTE any pollutant regulated under the CAA in amounts equal to or exceeding specified major source thresholds, which are 100 tpy for 28 listed industrial sources (named source) and 250 tpy for all other sources. PSD also applies to modifications at existing major sources that cause a “significant net emissions increase” at that source. Significance levels for each pollutant are defined in the PSD regulations at 40 CFR §52.21 (b)(23). A modification is a physical change or change in the method of operation.

Iron Horse CDP is not a PSD named source. Therefore, the PTE threshold for determining PSD applicability for this source is 250 tpy for criteria pollutants. The PTE of regulated pollutants at this facility are currently below major source thresholds, therefore, this site is not subject to the requirements of PSD.

New Source Performance Standards (NSPS)

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

As explained below, Iron Horse CDP is subject to specific subparts under 40 CFR part 60. **Therefore, the General Provisions of Part 60 do apply.**

40 CFR Part 60, Subpart Db: Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units. This rule applies to steam generating units with a heat input capacity of greater than 100 MMBtu/hr and commenced construction, modification, or reconstruction after June 19, 1984

According to BP, Iron Horse CDP has no steam generating units with a heat input capacity greater than 100 MMBtu/hr at the facility. **Therefore, Subpart Db does not apply.**

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

According to BP, Iron Horse CDP has no steam generating units with a maximum heat input capacity of 100 MMBtu/hr or less, but greater than or equal to 10 MMBtu/hr at the at the facility. **Therefore, Subpart Dc does not apply.**

40 CFR Part 60, Subpart K: Standards of performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978. This rule applies to storage vessels for petroleum liquids with a storage capacity greater than 40,000 gallons. 40 CFR Part 60, Subpart K does not apply to storage vessels for petroleum or condensate stored, processed, and/or treated at a drilling and production facility prior to custody transfer.

According to BP, Iron Horse CDP is a drilling and production facility prior to custody transfer. **Therefore, Subpart K does not apply.**

40 CFR Part 60, Subpart Ka: Standards of Performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to June 23, 1984. This rule applies to storage vessels for petroleum liquids with a storage capacity greater than 40,000 gallons. Subpart Ka does not apply to petroleum storage vessels with a capacity of less than 420,000 gallons used for petroleum or condensate stored, processed, or treated prior to custody transfer.

According to BP, Iron Horse CDP is a drilling and production facility prior to custody transfer. **Therefore, Subpart Ka does not apply.**

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

According to BP, all tanks storing volatile organic liquids at Iron Horse CDP are less than 75 m³ (472 bbl or 19,813 gal). **Therefore, Subpart Kb does not apply.**

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

According to BP, there are no stationary gas turbines located at Iron Horse CDP. **Therefore, Subpart GG does not apply.**

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

According to BP, Iron Horse CDP does not extract natural gas liquids from field gas, nor does it fractionate mixed NGLs to natural gas products, and thus does not meet the definition of a natural gas processing plant under this subpart. **Therefore, subpart KKK does not apply.**

40 CFR Part 60, Subpart LLL: Standards of Performance for SO₂ Emissions from Onshore Natural Gas Processing for which construction, reconstruction, or modification commenced after January 20, 1984, and on or before August 23, 2011. This rule applies to sweetening units and sulfur recovery units at onshore natural gas processing facilities. As defined in this subpart, sweetening units are process devices that separate hydrogen sulfide (H₂S) and carbon dioxide (CO₂) from a sour natural gas stream. Sulfur recovery units are defined as process devices that recover sulfur from the acid gas (consisting of H₂S and CO₂) removed by a sweetening unit.

According to BP, Iron Horse CDP does not perform sweetening or sulfur recovery at the facility. **Therefore, subpart LLL does not apply.**

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

According to BP, there are no stationary compression ignition (CI) internal combustion engines (ICE) located at Iron Horse CDP. **Therefore, Subpart IIII does not apply.**

40 CFR Part 60, Subpart JJJJ: Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. This subpart establishes emission standards and compliance requirements for the

control of emissions from stationary spark ignition (SI) internal combustion engines (ICE) that commenced construction, modification or reconstruction after June 12, 2006, where the SI ICE are manufactured on or after specified manufacture trigger dates. The manufacture trigger dates are based on the engine type, fuel used, and maximum engine horsepower.

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

BP provided the following information:

**Table 4 - NSPS Subpart JJJJ Applicability Determination
BP America Production Company, Iron Horse Central Delivery Point**

Unit	Serial No	Unit Description	BHP	Manufacture Date	Modification Date	Commenced Construction Date	Subpart JJJJ Trigger Date - Manufactured on or after	Subpart JJJJ Trigger Date - Modified on or after
IH1	BEN/4WF00102	Caterpillar G3608 4SLB SI Compressor Engine	2,520	10/5/1998	June 2017	Prior to 6/12/2006	7/1/2007	June 12, 2006
IH2	BEN00346	Caterpillar G3608 4SLB SI Compressor Engine	2,520	10/04/2005	N/A	Prior to 6/12/2006	7/1/2007	June 12, 2006

According to BP, Units IH1 and IH2 were manufactured prior to July 1, 2007 (trigger date for engines with a maximum engine power greater than or equal to 500 hp. IH1 was modified in June 2017, after the modification trigger date. IH2 has not been reconstructed or modified (as defined in §60.15) since June 12, 2006. **Therefore, Subpart JJJJ applies to IH1.**

Should BP propose to install replacement engines for Units IH1 or IH2 that are subject to Subpart JJJJ, BP will not be allowed to use the off permit changes provision, and will be required to submit a minor permit modification application to incorporate Subpart JJJJ requirements into the permit.

40 CFR Part 60, Subpart KKKK: Standards of Performance for Stationary Combustion Turbines. This subpart establishes emission standards and compliance schedules for the control of emissions from stationary combustion turbines that commenced construction, modification, or reconstruction after February 18, 2005. The rule applies to stationary combustion turbines with a heat input at peak load equal to or greater than 10.7 gigajoules (10 MMBtu) per hour.

According to BP, there are no stationary gas turbines located at Iron Horse CDP. **Therefore, Subpart KKKK does not apply.**

40 CFR Part 60, Subpart OOOO: Standards of Performance for Crude Oil and Natural Gas Production, Transmission, and Distribution. This subpart establishes emission standards and compliance schedules for the control of VOC and SO₂ emissions from affected facilities that commence construction,

modification or reconstruction after August 23, 2011. Affected facilities under this subpart include gas wells, compressors, pneumatic controllers, storage vessels, process unit equipment, and sweetening units.

According to BP, Iron Horse CDP has two reciprocating compressors (Recip 1, Recip 2) which were reconstructed November 30, 2015, after the applicability trigger date. **Therefore, Subpart OOOO applies to Recip1 and Recip2.**

40 CFR Part 60, Subpart OOOOa: Standards of Performance for Crude Oil and Natural Gas Facilities. This subpart establishes emission standards and compliance schedules for the control of the pollutant greenhouse gases (GHG) from affected facilities in the crude oil and natural gas source category that commence construction, modification or reconstruction after September 18, 2015. Affected facilities under this subpart include gas wells, compressors, pneumatic controllers, pneumatic pumps, storage vessels, and the collection of fugitive emission components at well sites and compressor stations.

According to BP, the Iron Horse CDP is not a natural gas processing plant and does not have gas wells, storage vessels, continuous-bleed pneumatic devices, or compressors that have been constructed, modified, or reconstructed after September 18, 2015. **Therefore, the facility is not subject to Subpart OOOOa.**

National Emission Standards for Hazardous Air Pollutants (NESHAP)

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

As explained below, Iron Horse CDP is subject to the recordkeeping requirements of 40 CFR 63 Subparts HH and to 40 CFR part 63, subpart ZZZZ (as revised January 30, 2013). Therefore, the General Provisions of Part 63 apply. Additionally, though emission unit Dehy1 is not subject to the general standards for area sources outlined in subpart HH, a record of an applicability determination demonstrating the emission unit is not subject to the relevant Part 63 standards must be kept (per § 63.10(b)(3)) at BP's Durango Operations Center for 5 years after the determination or until a source changes its operations to become an affected source.

40 CFR Part 63, Subpart HH: National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities. This subpart applies to the owners and operators of affected units located at natural gas production facilities that are area or major sources of HAPs, as defined by §63.761, and that process, upgrade, or store natural gas prior to the point of custody transfer, or that process, upgrade, or store natural gas prior to the point at which natural gas enters the natural gas transmission and storage source category or is delivered to a final end user. The affected units are glycol dehydration units, storage vessels and the group of ancillary equipment, and compressors intended to operate in volatile hazardous air pollutant service, which are located at natural gas processing plants.

Facility

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

Production Field Facility

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

Natural Gas Processing Plant

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

Throughput Exemption

Those sources whose maximum natural gas throughput, as appropriately calculated per §63.760(a)(1)(i) through (a)(1)(iii), is less than 18,400 standard cubic meters per day and a facility-wide actual annual average hydrocarbon liquid throughput less than 39,700 liters per day are exempt from the requirements of this subpart.

Major Source Determination for Production Field Facilities

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

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

Area Source Applicability

40 CFR Part 63, Subpart HH applies also to area sources of HAPs. An area source is a HAP source whose total HAP emissions are less than 10 tpy of any single HAP or 25 tpy for all HAPs in aggregate.

This subpart requires different emission reduction requirements for glycol dehydration units found at oil and gas production facilities based on their geographical location.

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

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

Applicability of Subpart HH to Iron Horse CDP

According to BP, the Iron Horse CDP is located prior to the point of custody transfer and is therefore considered a production field facility and not a natural gas transmission or storage facility. Potential HAP emissions from the glycol dehydration units and storage vessels at the facility are less than the major source thresholds of 25 tpy total HAPS and 10 tpy of a single HAP. Therefore, Iron Horse CDP is considered an area source of HAPs according to 40 CFR part 63, subpart HH. Uncontrolled actual benzene emissions from the dehydration unit at the facility is less than 0.9 megagrams. Per 40 CFR 63.764(e)(1)(ii), the dehydration unit is exempt from the 40 CFR 63.764(d) general standards for area sources. **Therefore, only recordkeeping requirements apply to the facility.**

40 CFR Part 63, Subpart HHH: National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities. This subpart applies to natural gas transmission and storage facilities that transport or store natural gas prior to entering the pipeline to a local distribution company or to a final end user, and that are a major source of hazardous air pollutant (HAP) emissions. Natural gas transmission means the pipelines are used for long distance transport (excluding processing).

According to BP, Iron Horse CDP is a natural gas production facility and not a natural gas transmission or storage facility. **Therefore, Subpart HHH does not apply.**

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

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

Summary of Applicability to Engines at Major HAP Sources

Major HAP Sources			
Engine Type	Horse Power Rating	New / Existing	Applicability Trigger Date
SI ICE – All1	≥ 500 hp	New	On or After: 12/19/2002
SI ICE – 4SRB	> 500 hp	Existing	Before: 12/19/2002
SI ICE – All1	≤ 500 hp	New	On or After: 6/12/2006
SI ICE - All1	≤ 500 hp	Existing	Before: 6/12/2006
CI ICE - All2	≥ 500 hp	New	On or After: 12/19/2002
CI ICE – Non Emergency	> 500 hp	Existing	Before: 12/19/2002
CI ICE – All2	≤ 500 hp	New	On or After: 6/12/2006
CI ICE – All2	≤ 500 hp	Existing	Before: 6/12/2006

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

Summary of Applicability to Engines at Area Hap Sources

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

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

Applicability of 40 CFR 63, Subpart ZZZZ to Iron Horse Central Delivery Point:

Unit	Serial Number	Unit Description	Fuel	BHP	Commenced Construction, Reconstruction, or Modification Date	Installation Date
IH1	BEN/4WF00102	Caterpillar G3608 4SLB SI Compressor Engine	Natural Gas	2,495	After 12/19/2002	10/10/2017
IH2	BEN00346	Caterpillar G3608 4SLB SI Compressor Engine	Natural Gas	2,495	After 12/19/2002	04/11/2008

According to BP, the Iron Horse CDP is a major source of HAPs as defined in subpart ZZZZ. Emission unit IH1 was constructed prior to 12/19/2002 and has not been reconstructed since that date. Therefore, IH1 is considered existing 4SLB RICE under Subpart ZZZZ. In accordance with §63.6590(b)(3)(ii), existing 4SLB RICE with a site-rated horse power greater than 500 located at a major source of HAP emissions do not have to meet the requirements of Subpart ZZZZ or 40 CFR Part 63, Subpart A, including initial notification requirements. Emission unit IH2 was constructed after December 19, 2002 and has not been reconstructed since that date. Therefore, emission unit IH2 is considered a new four-stroke lean burn stationary spark ignition RICE > 500 site rated horsepower located at a major source of HAP. **Therefore, IH2 is subject to the applicable requirements of Subpart ZZZZ.**

40 CFR Part 63, Subpart DDDDD (Boiler MACT): National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters. This rule establishes national emission limitations and work practice standards for HAPs emitted from new and existing industrial boilers, institutional boilers, commercial boilers, and process heaters that are located at major sources of HAPs. Boilers or process heaters that combust natural gas for fuel or have a maximum designed heat input capacity less than 10 MMBtu/hr are subject to work practice standards in lieu of

emission limits. For the purposes of this Subpart, an affected unit is an existing unit if it was constructed prior to June 4, 2010.

According to BP, Iron Horse CDP is not a major source as defined in this subpart, or in 40 CFR Part 63, Subpart HH. **Therefore, Subpart DDDDD does not apply.**

40 CFR Part 63, Subpart JJJJJ: National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers. This rule establishes national emission standards and operating limitations for HAPs emitted from new and existing industrial boilers, institutional boilers, and commercial boilers, as defined in §63.11237 and are located at area sources of HAPs, as defined in § 63.2, except as specified in §63.11195. For the purposes of this Subpart, an affected unit is an existing unit if it was constructed prior to June 4, 2010.

According to BP, Iron Horse CDP does not have any coal, oil, or biomass boilers at the facility. **Therefore, JJJJJ does not apply.**

Compliance Assurance Monitoring (CAM) Rule

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

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

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

- (i) Emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to Section 111 or 112 of the Act;*
- (ii) Stratospheric ozone protection requirements under Title VI of the Act;*
- (iii) Acid Rain Program requirements pursuant to Sections 404, 405, 406, 407(a), 407(b) or 410 of the Act;*
- (iv) Emissions limitations or standards or other applicable requirements that apply solely under an emissions trading program approved or promulgated by the Administrator under the Act that allows for trading emissions with a source or between sources;*
- (v) An emissions cap that meets the requirements specified in §70.4(b)(12) or §71.6(a)(13)(iii) of this chapter;*
- (vi) Emission limitations or standards for which a Part 70 or 71 permit specifies a continuous compliance determination method, as defined in §64.1.”*

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

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

- 2) The unit uses a control device to achieve compliance with any such limit or standard; and
- 3) The unit has pre-control device emissions of the applicable regulated pollutant that are equal to or greater than 100% of the amount, in tons per year, required for a source to be classified as a major source.

According to BP’s application, emission units IH1 and IH2 are subject to an emission limitation or standard (RICE MACT) and will both be equipped with a control device (oxicat) to reduce carbon monoxide and formaldehyde emissions. However, since these emission limitations or standards were proposed by the administrator after November 15, 1990, according to 40 CFR 64.2(b)(1)(i), these emission limitations or standards are exempt from CAM requirements. The pre-control emissions for each unit are less than major source thresholds. **Therefore, CAM does not apply.**

Chemical Accident Prevention Program

40 CFR Part 68: Chemical Accident Prevention Provisions. This rule applies to stationary sources that manufacture, process, use, store, or otherwise handle more than the threshold quantity of a regulated substance in a process. Regulated substances include 77 toxic and 63 flammable substances which are potentially present in the natural gas stream entering the facility and in the storage vessels located at the facility. The quantity of a regulated substance in a process is determined according to the procedures presented under §68.115. The regulations at §68.115(b)(1) and (2)(i) indicate that toxic and flammable substances in a mixture do not need to be considered when determining whether more than a threshold quantity is present at a stationary source if the concentration of the substance is below one percent by weight of the mixture. The regulations at §68.115(b)(2)(iii) indicates that prior to entry into a natural gas processing plant, regulated substances in naturally occurring hydrocarbon mixtures need not be considered when determining whether more than a threshold quantity is present at a stationary source. Naturally occurring hydrocarbon mixtures include condensate, field gas, and produced water.

Based on BP’s application, Iron Horse CDP does not have regulated substances above the threshold quantities in this rule. **Therefore, the facility is not subject to the requirement to develop and submit a risk management plan.**

Stratospheric Ozone and Climate Protection

40 CFR Part 82, Subpart F: Air Conditioning Units. According to BP’s application, there are no air conditioning units at the Iron Horse CDP that contain Class I or Class II refrigerants (chlorofluorocarbons (CFCs)). However, should BP obtain any air conditioning units at the Iron Horse CDP that contain Class

I or Class II refrigerants then it must comply with the standards of Part 82 Subpart F for recycling and emissions reduction if they service, maintain, or repair the air conditioning units in any way or if they dispose of the units.

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

Mandatory Greenhouse Gas Reporting

40 CFR Part 98: Mandatory Greenhouse Gas Reporting. This rule requires sources above certain emission thresholds to calculate, monitor, and report greenhouse gas emissions. The requirements of 40 CFR Part 98 and CAA §307(d)(1)(V), the CAA authority under which 40 CFR Part 98 was promulgated, however, need not be included in a part 70 permit because those requirements are not included in the definition of “applicable requirement” in either 40 CFR part 70 or RAC 1-103(11). Although the rule is not an applicable requirement under 40 CFR Part 70 or the RAC, the source is not relieved from the requirement to comply with the rule separately from compliance with its Part 70 operating permit. It is the responsibility of each source to determine whether Part 98 is applicable and to comply, if necessary.

4. Public Participation

a. Public Notice

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

by United State Postal Service to:

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

by any other delivery service to:

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

Public notice for the draft permit was published in the Durango Herald and the Southern Ute Drum on May 17, 2019 in order to provide opportunity for public comment on the draft permit and the opportunity to request a public hearing.

b. Opportunity for Comment

Members of the public were given an opportunity to review a copy of the draft permit prepared by the Tribe, the application, the statement of basis for the draft permit, and all supporting materials for the draft permit. Copies of these documents were on the Southern Ute Air Quality Program webpage at <https://www.southernute-nsn.gov/justice-and-regulatory/epd/air-quality/>, and at:

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

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

Any interested person was given the opportunity to submit written comments on the draft Part 70 operating permit during the public comment period. The Tribe has considered and addressed comments in making a final decision on the permit. The Tribe keeps a record of the commenters and of the issues raised during the public participation process.

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

c. Opportunity to Request a Hearing

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

d. Public Petitions to the Administrator

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

e. Appeal of Permits

Within 60 days after the Tribe's final permit action, an applicant, any person who filed comments on the draft permit or participated in the public hearing, and any other person who could obtain judicial review of that action under applicable law, may appeal to the Environmental Commission in accordance with RAC 2-109(8) and the Commission's Procedural Rules.

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

f. Notice to Affected States/Tribes

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

- State of Colorado, Department of Public Health and Environment
- State of New Mexico, Environment Department
- Ute Mountain Ute Tribe, Environmental Programs Department
- Navajo Tribe, Navajo Nation EPA
- Jicarilla Tribe, Environmental Protection Office
- National Park Service, Air Resources Division, Denver, CO
- U.S. Department of Agriculture, United States Forest Service, Rocky Mountain Region