Air Pollution Control
Title V Permit to Operate
Statement of Basis for Permit No V-SUIT-0010-2019.00
March 2, 2021

Red Cedar Gathering Company
Arkansas Loop and Simpson Treating Plants
Southern Ute Indian Reservation
La Plata County, Colorado

1. Facility Information

a. Location

The Arkansas Loop and Simpson Treating Plants (Arkansas Loop), owned and operated by Red Cedar Gathering Company (Red Cedar), is located within the exterior boundary of the Southern Ute Indian Reservation. The exact location is Section 1, T32N, R9W, in La Plata County, at latitude North 37.053195 and longitude West 107.785518. The Mailing address is:

Red Cedar Gathering Company
Arkansas Loop and Simpson Treating Plants
125 Mercado St., Suite 201
Durango, CO 81301

b. Contacts

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c. Description of Operations

The Arkansas Loop and Simpson Treating Plants, owned and operated by Red Cedar Gathering Company, are located in southwestern Colorado within the exterior boundaries of the Southern Ute Indian Reservation. These treating plants are considered a production field facility prior to the point of custody transfer. Upstream of the facilities there are production (coal-bed methane) wells and compressor stations connected to a gathering pipeline system to the inlet of the facilities. The Arkansas Loop and Simpson Treating Plants provide natural gas field compression, CO_2 removal, and dehydration to remove entrained water vapor from the gas stream. The facilities are comprised of 6 reciprocating internal combustion engines (RICE) for gas compression, 5 RICE for electric generation, 3 amine plants for CO_2 removal, 6 TEG dehydration units for gas dehydration, and 3

heaters associated with the amine plants. The facilities have several other heaters, tanks, and miscellaneous equipment that qualify as insignificant emission units.

The process at Arkansas Loop begins with compressing gas wet natural gas to high pressure (approximately 900 - 1000 psig) from the field pipeline and compressor stations. This gas is then mixed with other gas (already at high pressure) and treated through the amine trains (Amine 1 & 2). The gas is then sent through 4 glycol dehydrators to remove entrained water vapor from the gas stream. The treated gas is then mixed with untreated gas so that the gas leaving the plant is less than 2% CO_2.

The process at Simpson does not include compression of the natural gas. The gas comes into the plant at high pressure and is treated to remove CO_2 and then water, similar to Arkansas Loop. Like Arkansas Loop the treated gas is then mixed with untreated gas to achieve a CO_2 percentage of less than 2%.

The facilities do not extract natural gas liquids from field gas nor fractionate mixed NGL's to natural gas products. The facilities have storage vessels, but none with the potential for flash emissions. The facilities have various heaters, tanks and pigging units that qualify as insignificant emission units. Insignificant emissions for the pigging units occur only during launch and retrieval operations.

The facilities are scheduled to operate 24 hours per day, 7 days per week, 365 days per year. Fuel used for all combustion units is pipeline quality natural gas from the facility process after compression, CO_2 removal and dehydration.

Arkansas Loop uses approximately 1,500 MMscf of fuel per year (4.0 MMscf/day, with a maximum fuel use of approximately 0.2 MMscf/hr). Total natural gas processed through the facility (including gas that bypasses the amine trains) is approximately 210 - 230 MMscf/day.

Simpson uses approximately 600 MMscf of fuel per year (1,680 scf/day, with a maximum fuel use of approximately 0.1 MMscf/hr). Total natural gas processed through the facility is approximately 100 - 110 MMscf/day.

Two of the generator engines at Simpson are 4SLB SI RICE and are subject to 40 CFR 63 Subpart ZZZZ and/or 40 CFR 60 Subpart JJJJ regulations (see applicability determination for specific details). Red Cedar has selected oxidation catalyst as the means to satisfy the regulatory requirements for Carbon Monoxide (CO) reduction.

All TEG dehydrators are controlled using a combination of condensers and vapors being routed to the reboiler burner with the main fuel gas.

d. List of All Emission Units and Emission-Generating Activities

Red Cedar 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
Red Cedar Gathering Company, Arkansas Loop and Simpson Treating Plants

Emission Unit ID	Description				Control Equipment
	Waukesha L5790GL (4SLB SI) Natural Gas-Fired Generator Engine 1,272 Nameplate Rated HP				
E-001	Serial No.	C-12105/3	Install Date:	12/5/2016	AFRC
E-002	Serial No.	C-12002/1	Install Date:	9/6/2017	
E-003	Serial No.	WP1754A	Install Date:	11/18/2013	
	Ajax / Superior 16SGTB (4SLB SI) Natural Gas-Fired Compressor Engine 2,650 Nameplate Rated HP				
E-301	Serial No.	314849-S	Install Date:	5/24/2016	AFRC
E-401	Serial No.	323799	Install Date:	3/25/2013	
E-501	Serial No.	311459-S	Install Date:	5/16/2018	
E-601	Serial No.	314839-S	Install Date:	5/10/2010	
	Caterpillar G3606 (4SLB SI) Natural Gas-Fired Compressor Engine 1,775 Nameplate Rated HP				
E-701	Serial No.	3XF00162	Install Date:	10/1/2014	AFRC
E-801	Serial No.	3XF00252	Install Date:	10/1/2014	
	Caterpillar G3516B LE (4SLB SI) Natural Gas-Fired Generator Engine 1,622 Nameplate Rated HP				Miratech Oxidation Catalyst with AFRC
X-1003	Serial No.	ZBC00211	Install Date:	12/1/2010	
X-1004	Serial No.	ZBC00212	Install Date:	12/1/2010	
	Optimized Process Furnaces, INC. Natural Gas-Fired Heat Medium Heater (Process Heater) 31.3 MMBtu/hr Maximum Design Heat Input Capacity				
H-450	Serial No.	J-89-455	Install Date:	1/1/1989	None

	Optimized Process Furnaces, INC. Natural Gas-Fired Heat Medium Heater (Process Heater) 36.7 MMBtu/hr Maximum Design Heat Input Capacity				
H-701	Serial No.	J-90-476	Install Date:	1/1/1990	None
	Optimized Process Furnaces, INC. Natural Gas-Fired Heat Medium Heater (Process Heater) 80 MMBtu/hr Maximum Design Heat Input Capacity				
H-781	Serial No.	2009-022-Alt1	Install Date:	12/1/2010	None
	J.W. Williams Triethylene Glycol (TEG) Dehydrator 37 MMscf/day				
R-002	Serial No.	N/A	Install Date:	1/1/1989	Condenser with vapor routed to reboiler
R-003	Serial No.	N/A	Install Date:	1/1/1992	
R-004	Serial No.	N/A	Install Date:	1/1/1989	
	J.W. Williams Triethylene Glycol (TEG) Dehydrator 30 MMscf/day				Condenser with vapor routed to reboiler
RB-050	Serial No.	N/A	Install Date:	1/1/1993	
	Q.B. Johnson Triethylene Glycol (TEG) Dehydrator 70 MMscf/day				Condenser with vapor routed to reboiler
X-1001	Serial No.	N/A	Install Date:	3/22/2011	
X-1002	Serial No.	N/A	Install Date:	3/22/2011	
	Propak Systems, Amine Plant 65 MMscf/day				
Amine 1	Serial No.	N/A	Install Date:	1/1/1989	None
	Propak Systems, Amine Plant 75 MMscf/day				
Amine 2	Serial No.	N/A	Install Date:	1/1/1990	None
	Thomas Russell Co., Amine Plant 140 MMscf/day				
Amine 3	Serial No.	N/A	Install Date:	12/1/2010	None
	Fugitive Emissions				
FUG	Serial No.	N/A	Install Date:	N/A	None

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

Red Cedar stated in its Part 70 permit renewal application that the emission units in Table 2, below, are insignificant. The application provided calculations for heater/reboiler emissions based on EPA's AP-42 emission factors. Red Cedar provided sufficient information, including EPA Tanks 4.0.9d calculations, to verify any emissions from liquids in the tanks were insignificant. This data supports Red Cedar's claim that these units qualify as insignificant.

Table 2 – Insignificant Emission Units
Red Cedar Gathering Company, Arkansas Loop and Simpson Treating Plants

Emission Unit ID	Amount	Description	Size	Units
R-002 – 050	4	TEG Reboiler	0.6	MMBtu/hr
H-001 – 020	5	Catalytic Heater	0.012	MMBtu/hr
CATH16	1	Catalytic Heater (Oil Separator Building)	0.012	MMBtu/hr
H-850	1	Evaporation Pond Heater	2.6	MMBtu/hr
TK-510, 511	2	Glycol Storage Tank	750	gal
TK-180	1	Glycol Recovery Tank	4,200	gal
TK-901 – 903	3	Waste Oil Sump Tank	300	gal
TK-980	1	Generator Oil Makeup Tank	1,001	gal
TK-981, 982	2	Generator Coolant Tank	500	gal
TK-506	1	Compressor Oil Makeup Tank (South)	1,600	gal
TK-506A	1	Compressor Oil Makeup Tank (North)	1,650	gal
TK-508	1	Coolant Storage Tank	1,000	gal
TK-508A	1	Compressor Coolant Drain Tank	300	gal
T-804	1	Waste Oil Tank	8,820	gal
GT-1	1	Gasoline Tank	1,000	gal
V-409	1	Amine Storage Tank	3,000	gal
BGS-2	1	Below Grade Sump Tank	7,481	gal
V-487, 488	2	TEG Reboiler	1.2	MMBtu/hr
TK-801	1	Inlet Coalescing Filter Dump Tank	8,820	gal
TK-881	1	Heat Medium Makeup Storage Tank	125	gal
TK-882	1	Heat Medium PSV Blowdown Tank	8,820	gal
TK-884	1	TEG Makeup Storage Tank	2,100	gal
TK-886	1	Dehy Still Vent Tank	1,316	gal
TK-887, 888	2	Coolant Tank	542	gal
TK-889	1	Used Engine Oil Tank	542	gal
TK-890	1	Engine Oil Tank	542	gal
TK-893	1	TEG Recovery Tank	2,100	gal
TK-894	1	Process and Oily Water Drain Tank	3,780	gal
TK-895	1	Oily Water Sump Tank	3,780	gal

e. Facility Construction and/or Permitting History

The Arkansas Loop and Simpson Treating Plants commenced operations in 1989. The initial Part 71 operating permit, V-SU-0010-00.00 was issued on March 2000. A minor modification was made to the initial permit and the permit was reissued on May 1, 2001 as V-SU-0010-00.01. A renewal permit, V-SU-0010-05.00, was issued on April 17, 2007. The permit was administratively amended three times: August 17, 2007 (#V-SU-0010-05.01), February 5, 2008 (#V-SU-0010-05.02), and July 3, 2008 (#V-SU-0010-05.03). A minor permit revision request was replaced by a significant permit revision request and the permit was issued in October 2010 as V-SU-0010-05.04. The Part 71 operating permit was revised again and reissued as V-SU-00010-2005.05. A minor new source review permit, SMNSR-SU-000010-2011.001, was issued on June 6, 2014. A minor new source review permit, MNSR-SU-000010-2014.002, was issued on August 28, 2014. An initial Part 70 operating permit replaced the Part 71 operating permit on January 6, 2015 as V-SUIT-0010-2015.00. A minor new source review permit, SMNSR-SU-000010-2017.003, was issued on November 16, 2018. SMNSR-SU-000010-2017.003 was revised and reissued as SMNSR-SU-000010-2019.004. The Part 70 operating permit was renewed on March 2, 2021 and issued as V-SUIT-0010-2019.00.

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 Arkansas Loop and Simpson Treating Plants was listed by Red Cedar 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
Red Cedar Gathering Company, Arkansas Loop and Simpson Treating Plants

Emission Unit ID	Regulated Air Pollutants in tpy								
	NO_X	VOC	SO_2	PM_{10}	CO	Lead	Total HAPs	Largest *Single* HAP (CH_2O)	GHGs (CO_2e mtpy)
E-001	21.7	9.8	0.0	0.4	32.0	0.0	3.8	3.2	4,634.4
E-002	21.7	9.8	0.0	0.4	32.0	0.0	3.8	3.2	4,634.4
E-003	21.7	9.8	0.0	0.4	32.0	0.0	3.8	3.2	4,634.4
E-301	36.5	6.1	0.0	0.8	38.9	0.0	6.0	4.4	10,705.9
E-401	36.5	6.1	0.0	0.8	38.9	0.0	6.0	4.4	10,705.9
E-501	36.5	6.1	0.0	0.8	38.9	0.0	6.0	4.4	10,705.9
E-601	36.5	6.1	0.0	0.8	38.9	0.0	6.0	4.4	10,705.9
E-701	11.9	15.2	0.0	0.6	42.7	0.0	5.5	4.4	8,495.6
E-801	11.9	15.2	0.0	0.6	42.7	0.0	5.5	4.4	8,495.6
X-1003	12.0	9.4	0.0	0.5	42.8	0.0	5.5	4.5	8,366.7
X-1004	12.0	9.4	0.0	0.5	42.8	0.0	5.5	4.5	8,366.7
H-450	14.1	0.8	0.0	1.1	11.9	0.0	0.0	0.0	15,367.4
H-701	16.3	0.9	0.0	1.2	13.7	0.0	0.0	0.0	17.773.2
H-781	36.1	2.0	0.0	2.7	30.3	0.0	0.0	0.0	39,277.7
R-002	0.0	4.3	0.0	0.0	0.0	0.0	2.0	0.0	1,720.5
R-003	0.0	3.7	0.0	0.0	0.0	0.0	1.8	0.0	1,720.5
R-004	0.0	0.7	0.0	0.0	0.0	0.0	0.3	0.0	1,720.5
RB-050	0.0	2.4	0.0	0.0	0.0	0.0	1.1	0.0	1,727.3
X-1001	0.0	6.6	0.0	0.0	0.0	0.0	1.1	0.0	5,705.1
X-1002	0.0	2.6	0.0	0.0	0.0	0.0	0.4	0.0	5,705.1
Amine1	0.0	2.1	0.0	0.0	0.0	0.0	1.5	0.0	83,120.9
Amine 2	0.0	2.5	0.0	0.0	0.0	0.0	1.8	0.0	95,908.7
Amine 3	0.0	3.0	0.0	0.0	0.0	0.0	2.7	0.0	127,878.3
Fugitives	0.0	3.9	0.0	0.00.0	0.0	0.0	0.0	0.0	5,300.0
Total IEUs	3.4	0.8	0.0	0.2	2.8	0.0	1.0	0.0	3,690.8
Total	**328.8**	**139.3**	**0.0**	**11.8**	**481.3**	**0.0**	**71.1**	**45.0**	**479,294.2**

2. Tribal Authority

Arkansas Loop and Simpson Treating Plants are 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. Note that this discussion does not include the full spectrum of potentially applicable regulations and is not intended to represent official applicability determinations. These discussions are based on the information provided by Red Cedar 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.

Tribal Minor New Source Review (TMNSR) - 40 CFR 49

EPA promulgated the federal rule "Review of New Sources and Modifications in Indian Country", otherwise known as the Tribal Minor New Source Review Rule (TMNSR), on July 1, 2011 (76 FR 38748). The TMNSR rule applies to all new or modified industrial facilities in Indian country with a potential to emit equal to or greater than the minor NSR thresholds but less than the major source thresholds, which are generally 100 to 250 tons per year (tpy). The minor NSR thresholds for attainment/unclassifiable areas are displayed in the table below:

40 CFR 49.153 Minor NSR Thresholds

Regulated NSR pollutant	Minor NSR thresholds for attainment areas (tpy)
Carbon monoxide (CO)	10
Nitrogen oxides (NO_x)	10
Sulfur dioxide (SO_2)	10
Volatile Organic Compounds (VOC)	5
PM	10
PM_{10}	5
$PM_{2.5}$	3
Lead	0.1
Fluorides	1
Sulfuric acid mist	2
Hydrogen sulfide (H_2S)	2
Total reduced sulfur (including H_2S)	2
Reduced sulfur compounds (including H_2S)	2
Municipal waste combustor emissions	2
Municipal solid waste landfill emissions (measured as nonmethane organic compounds)	10

Starting August 30, 2011 all minor modifications at existing major NSR sources, requests for synthetic minor limitations, and the transferring of all previously established synthetic minor limits from Part 71 permits into minor NSR permits, became subject to the TMNSR rule. All existing true minor sources were required to register with EPA by no later than March 1, 2013. All new minor sources constructed between August 30, 2011 and September 2, 2014 were required to submit a registration form within 90 days of beginning operation and obtain a permit if a general permit is available for that source category. All new true minor sources which are not in the oil and natural gas sector and intend to construct after September 2, 2014 are required to apply for a preconstruction permit. After March 2, 2016 all true minor sources and minor modifications in the oil and natural gas sector that intend to construct or modify will have to apply for a preconstruction permit.

On June 5, 2014 EPA issued Arkansas Loop and Simpson Treating Plant synthetic minor new source review permit #SMNSR-SU-000010-2011.001 to retain legally and practically enforceable emission limits previously established in the source's Part 71 permit. The requirements of the new source review permit have been incorporated as applicable requirements into this Part 70 operating permit. On August 28, 2014 EPA issued Arkansas Loop and Simpson Treating Plants the minor new source review permit #MNSR-SU-000010-2014.002 to authorize construction of two (2) 1,767 horsepower 4-stroke lean-burn (4SLB) natural gas-fired reciprocating internal combustion engines to provide additional natural gas compression at the Arkansas Loop portion of the facility.

On November 16, 2018 EPA issued a synthetic minor new source review permit #SMNSR-SU-000010-2017.003 to establish permanent legally and practically enforceable requirements for benzene emissions from the TEG dehydration units. That permit was revised and reissued as #SMNSR-SU-000010-2019.004 on May 26, 2020. **Therefore, Arkansas Loop and Simpson Treating Plant are subject to the Tribal Minor New Source Review Rule.**

Prevention of Significant Deterioration (PSD) - 40 CFR 52.21

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

Arkansas Loop and Simpson Treating Plants are not a PSD named source. Therefore, the PTE threshold for determining PSD applicability for this source is 250 tpy for criteria pollutants. The PTE for CO, VOC, and NOx at Arkansas Loop and Simpson Treating Plants are above the major source thresholds, and the facility is classified as major for PSD permitting purposes. **Therefore, any project or major modification at the site resulting in an increase of any regulated NSR pollutant must be compared to the PSD significance levels rather than major source thresholds when determining PSD applicability.**

New Source Performance Standards (NSPS)

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

As explained below, the Arkansas Loop and Simpson Treating Plants are subject to 40 CFR Part 60, Subpart Dc and Subpart JJJJ. **Therefore, the General Provisions of Part 60 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 Red Cedar, units H-450, H-701, and H-781 located at the Arkansas Loop and Simpson Treating Plants, are potentially subject to this subpart. However, unit H-450 was

constructed prior to June 9, 1989, and is therefore not subject to the subpart. Units H-701 and H-781 are steam generating units with a maximum design heat input capacity between 10 MMBtu/hr and 100 MMBtu/hr that were constructed after June 9, 1989. **Therefore, Subpart Dc applies to units H-701 and H-781.**

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 Red Cedar, the Arkansas Loop and Simpson Treating Plants have no tanks that were constructed, reconstructed, or modified after June 11, 1973 and prior to May 19, 1978. **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 Red Cedar, the Arkansas Loop and Simpson Treating Plants have no tanks that were constructed, reconstructed, or modified after May 18, 1978 and prior to June 23, 1984. **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 Red Cedar, the Arkansas Loop and Simpson Treating Plants have no tanks with a capacity greater than 75 m^3 (~472 bbl or 19,813 gal) that are used to store volatile organic liquids. **Therefore, Subpart Kb does not apply.**

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

According to Red Cedar, the Arkansas Loop and Simpson Treating Plants do not extract natural gas liquids from field gas, nor do they 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 SO_2 emissions from Onshore Natural Gas Processing for which construction, reconstruction, or modification commenced after January 20, 1984, and on or before August 23, 2011. This rule applies to sweetening units and sulfur recovery units at onshore natural gas processing facilities. As defined in this subpart, sweetening units are process devices that separate hydrogen sulfide (H_2S) and carbon dioxide (CO_2) from a sour natural gas stream. Sulfur recovery units are defined as process devices that recover sulfur from the acid gas (consisting of H_2S and CO_2) removed by a sweetening unit.

According to Red Cedar, there are no sweetening or sulfur recovery units at the Arkansas Loop and Simpson Treating Plants. **Therefore, Subpart LLL does not apply.**

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

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

Red Cedar provided the following information:

Table 4 - NSPS Subpart JJJJ Applicability Determination
Red Cedar Gathering Company, Arkansas Loop and Simpson Treating Plants

Unit	Serial No	Unit Description	Fuel	Maximum HP	Commence Construction, Modification, or Reconstruction Date	Manufacture Date	Trigger Date for Applicability-Manufactured on or after	Subject to NSPS Subpart JJJJ
E-001	C-12105/3	Waukesha L5790GL SI 4SLB Power Generator	Natural Gas	1,272	7/1/1996	Prior to 1/1/2008	1/1/2008	No
E-002	C-12002/1	Waukesha L5790GL SI 4SLB Power Generator	Natural Gas	1,272	3/1/1996	Prior to 1/1/2008	1/1/2008	No
E-003	WP1754A	Waukesha L5790GL SI 4SLB Power Generator	Natural Gas	1,272	12/13/1990	Prior to 1/1/2008	1/1/2008	No
E-301	314849-S	Ajax/Superior 16SGTB SI 4SLB Compressor Engine	Natural Gas	2,650	4/25/1991	Prior to 7/1/2007	7/1/2007	No
E-401	323799	Ajax/Superior 16SGTB SI 4SLB Compressor Engine	Natural Gas	2,650	9/3/1993	Prior to 7/1/2007	7/1/2007	No
E-501	311459-S	Ajax/Superior 16SGTB SI 4SLB Compressor Engine	Natural Gas	2,650	9/3/1993	Prior to 7/1/2007	7/1/2007	No
E-601	314839-S	Ajax/Superior 16SGTB SI 4SLB Compressor Engine	Natural Gas	2,650	9/1/1989	Prior to 7/1/2007	7/1/2007	No
E-701	3XF00162	Caterpillar G3606 SI 4SLB Compressor Engine	Natural Gas	1,775	3/31/1998	Prior to 7/1/2007	7/1/2007	No
E-801	3XF00252	Caterpillar G3606 SI 4SLB Compressor Engine	Natural Gas	1,775	5/25/2001	Prior to 7/1/2007	7/1/2007	No
X-1003	ZBC00211	Caterpillar G3516B LE SI 4SLB Power Generator	Natural Gas	1,622	7/27/2010	After 7/1/2007	7/1/2007	Yes
X-1004	ZBC00212	Caterpillar G3516B LE SI 4SLB Power Generator	Natural Gas	1,622	8/3/2010	After 7/1/2007	7/1/2007	Yes

According to Red Cedar, this subpart potentially applies to units: E-301, E-401, E-501, E-601, E-701, E-801, E-001, E-002, E-003, X-1003, and X-1004. However, because units: E-001, E-002 and E-003 are 4SLB engines ≥ 500 hp but ≤ 1,350 hp and were manufactured prior to January 1, 2008 (the trigger date for 4SLB engines with maximum engines ≥ 500 hp but ≤ 1,350 hp as defined in §60.4230) these engines are not subject to Subpart JJJJ. Units E-301, E-401, E-501, E-601, E-701, and E-801 are > 500 hp, were manufactured prior to July 1, 2007 (the trigger date for SI engines > 500 hp) and have not been reconstructed or modified (as defined in §60.15) since June 12, 2006. Therefore, these engines are not subject to this subpart.

Units X-1003 and X-1004 are 4SLB engines > 500 hp that were manufactured after July 1, 2007. **Therefore, the requirements of Subpart JJJJ apply to units X-1003 and X-1004**.

Should Red Cedar propose to install a replacement engine for E-301, E-401, E-501, E-601, E-701, E-801, E-001, E-002, or E-003, which is subject to Subpart JJJJ, Red Cedar will not be allowed to

use the off permit changes provision, and will be required to submit a minor permit modification application to incorporate Subpart JJJJ requirements into the permit.

40 CFR Part 60, Subpart OOOO: Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution. This subpart establishes emission standards and compliance schedules for the control of VOC and SO_2 emissions from affected facilities that commence construction, modification or reconstruction after August 23, 2011. Affected facilities under this subpart include gas wells, compressors, pneumatic controllers, storage vessels, process unit equipment, and sweetening units. The effective date for this subpart is October 15, 2012.

According to Red Cedar's application, there are no affected facilities that commenced construction, modification, or reconstruction after August 23, 2011 and on or before September 18, 2015. **Therefore, the requirements of Subpart OOOO do not apply**.

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 methane, VOC, and SO_2 emissions from affected facilities that commence construction, modification or reconstruction after September 18, 2015. Affected facilities and equipment under this subpart include wells, compressors, storage vessels, process unit equipment, sweetening units, pneumatic pumps and pneumatic controllers.

According to Red Cedar, the Arkansas Loop and Simpson Treating Plants does not have any affected facilities under the rule that commenced construction after September 18, 2015. **Therefore, Subpart OOOOa does not apply**.

National Emission Standards for Hazardous Air Pollutants (NESHAP)

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

According to Red Cedar's application, the Arkansas Loop and Simpson Treating Plants are subject to 40 CFR Part 63, Subpart A. The facility has equipment subject to the requirements of subparts HH, ZZZZ, and DDDDD. **Therefore, the General Provisions of Part 63 apply as specified in the relevant subparts.**

40 CFR Part 63, Subpart HH: National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities. This subpart applies to the owners and operators of affected units located at natural gas production facilities that are area or major sources of HAPs, and that process, upgrade, or store natural gas prior to the point of custody transfer, or that process, upgrade, or store natural gas prior to the point at which natural gas enters the natural gas transmission and storage source category or is delivered to a final end user. The affected units are glycol dehydration units, storage

vessels, and the group of ancillary equipment, and compressors intended to operate in volatile hazardous air pollutant service, which are located at natural gas processing plants.

Throughput Exemption

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

Source Aggregation

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

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

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

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

Facility

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

Production Field Facility

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

Natural Gas Processing Plant

A natural gas processing plant is defined in 40 CFR 63.761 as any processing site engaged in the extraction of NGLs from field gas, or the fractionation of mixed NGLs to natural gas products, or a

combination of both. A treating plant or gas plant that does not engage in these activities is considered to be a production field facility.

Major Source Determination for Production Field Facilities

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

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

Major Source Glycol Dehydrator Applicabilities

For facilities that are determined to be major HAP sources, each glycol dehydration unit is subject to the glycol dehydration unit process vent standards of 40 CFR 63.765 for small or large dehydration units, defined, as follows, in 40 CFR 63.760:

Small Glycol Dehydration Unit: a glycol dehydration unit, located at a major source, with an actual annual average natural gas flowrate less than 85 thousand standard cubic meters per day or actual annual average benzene emissions less than 0.90 Mg/yr, determined according to §63.772(b).

Large Glycol Dehydration Unit*:* a glycol dehydration unit with an actual annual average natural gas flowrate equal to or greater than 85 thousand standard cubic meters per day and actual annual average benzene emissions equal to or greater than 0.90 Mg/yr, determined according to §63.772(b). A glycol dehydration unit complying with the 0.9 Mg/yr control option under §63.765(b)(1)(ii) is considered to be a large dehydrator.

Area Source Dehydrator Applicabilities

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

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

Any source that determines that it is not a major source but has actual emissions of 5 tons per year of a single HAP or 12.5 tons per year of a combination of HAP (i.e. 50 percent of the major source

thresholds), shall update its major source determination within 1 year of the prior determination and each year thereafter, using gas composition data measured during the preceding 12 months.

Applicability of Subpart HH to the Arkansas Loop and Simpson Treating Plants

According to Red Cedar, Arkansas Loop and Simpson Treating Plants have affected sources under this subpart, upgrade natural gas, and are located prior to the point of custody transfer (and therefore prior to the point at which natural gas leaves the natural gas production category and enters the natural gas transmission and storage category). Because the facility is in the natural gas production category only emissions from dehydration units and storage vessels need to be aggregated when determining major source status. The total HAP emissions from the glycol dehydrators and storage vessels are below major source thresholds.

Dehydration units R-002, R-003, R-004, RB-050, X-1001, and X-1002 are affected sources under this rule. Red Cedar determined that actual annual average benzene emissions from each dehydration unit were less than 0.90 megagrams per year using the procedures specified in 40 CFR 63.772(b)(2). Per §63.764(e), the dehydration units at Arkansas Loop and Simpson Treating Plants are exempt from the requirements of §63.764(d). **However, Red Cedar must keep records of the exemption determination as specified in §63.774(d)(1) of Subpart HH.**

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 Red Cedar, the Arkansas Loop and Simpson Treating Plants are not part of the natural gas transmission and storage source category. **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 (RICE). This rule establishes national emission limitations and operating limitations for HAPs emitted from stationary spark-ignition reciprocating internal combustion engines (SI RICE) and stationary compression ignition reciprocating internal combustion engines (CI RICE).

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

Summary of Applicability to Engines at Major Sources of HAPs

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

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

Summary of Applicability to Engines at Area Sources of HAPs

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

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

Applicability of 40 CFR 63, Subpart ZZZZ to the Arkansas Loop and Simpson Treating Plants:

Unit	Serial Number	Unit Description	Fuel	Site Rated HP	Commenced Construction or Reconstruction Date	Trigger Date for Major Source Standards	Subject to Major Source Standards
E-001	C-12105/3	Waukesha L5790GL SI 4SLB Power Generator	Natural Gas	1,124	7/1/1996	12/19/2002	No
E-002	C-12002/1	Waukesha L5790GL SI 4SLB Power Generator	Natural Gas	1,124	3/1/1996	12/19/2002	No
E-003	WP1754A	Waukesha L5790GL SI 4SLB Power Generator	Natural Gas	1,124	12/13/1990	12/19/2002	No
E-301	314849-S	Ajax/Superior 16SGTB SI 4SLB Compressor Engine	Natural Gas	2,518	4/25/1991	12/19/2002	No
E-401	323799	Ajax/Superior 16SGTB SI 4SLB Compressor Engine	Natural Gas	2,518	9/3/1993	12/19/2002	No
E-501	311459-S	Ajax/Superior 16SGTB SI 4SLB Compressor Engine	Natural Gas	2,518	9/3/1993	12/19/2002	No
E-601	314839-S	Ajax/Superior 16SGTB SI 4SLB Compressor Engine	Natural Gas	2,518	9/1/1989	12/19/2002	No
E-701	3XF00162	Caterpillar G3606 SI 4SLB Compressor Engine	Natural Gas	1,767	3/31/1998	12/19/2002	No
E-801	3XF00252	Caterpillar G3606 SI 4SLB Compressor Engine	Natural Gas	1,767	5/25/2001	12/19/2002	No
X-1003	ZBC00211	Caterpillar G3516B LE SI 4SLB Power Generator	Natural Gas	1,622	7/27/2010	12/19/2002	Yes
X-1004	ZBC00212	Caterpillar G3516B LE SI 4SLB Power Generator	Natural Gas	1,622	8/3/2010	12/19/2002	Yes

The Arkansas Loop and Simpson Treating Plant is a major source of HAP under 40 CFR Part 63, Subpart ZZZZ. Units E-301, E-401, E-501, E-601, E-701, E-801, E-001, E-002, and E-003 are four-stroke lean-burn (4SLB) stationary RICE > 500 site-rated HP constructed prior to December 19, 2002 and have not been reconstructed since this date. These units are therefore considered existing 4SLB stationary RICE. According to §63.6590(b)(3)(ii), these units have no requirements under this part or 40 CFR Part 63, Subpart A, including initial notification requirements. **Therefore, Units E-301, E-401, E-501, E-601, E-701, E-801, E-001, E-002, and E-003 are not subject to Subpart ZZZZ.**

However, Red Cedar must keep a record of an applicability determination demonstrating that these sources are not subject to Part 63, Subpart ZZZZ per §63.10(b)(3). These records must be kept at Red Cedar's headquarters in Durango, CO for a period of 5 years, or until the unit(s) becomes an affected source(s).

Units X-1003 and X-1004 are four-stroke lean-burn (4SLB) stationary RICE > 500 site rated HP constructed after December 19, 2002. These units are therefore considered new 4SLB stationary RICE. **Therefore, Units X-1003 and X-1004 are subject to the major source requirements for new 4SLB engines.**

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

The Arkansas Loop and Simpson Treating Plants are a major source as defined in §63.7575. This subpart potentially applies to the triethylene glycol (TEG) reboilers and heat medium heaters at the facility because these units are considered process heaters under the subpart. However, the TEG reboilers are not subject to this subpart as they are listed as an affected source under Subpart HH, per §63.7491(h). According to Red Cedar, units H-450 and H-701 are existing natural gas-fired process heaters and H-781 is a new natural gas-fired process heater. All three units have a heat input capacity greater than 10 MMBtu/hr. **Therefore, units H-450, H-701, and H-781 are subject to Subpart DDDDD.**

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: <u>Continuous compliance method</u> means a method, specified by the applicable standard or an applicable permit condition, which:

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

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

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

According to Red Cedar, the CAM rule does not apply to any of the units at the Arkansas Loop and Simpson Treating Plants as the pre-controlled emissions for each unit are less than the major source threshold. **Therefore, CAM does not apply.**

Chemical Accident Prevention Program

<u>40 CFR Part 68</u>: Chemical Accident Prevention Provisions. This rule applies to stationary sources that manufacture, process, use, store, or otherwise handle more than the threshold quantity of a regulated substance in a process. Regulated substances include 77 toxic and 63 flammable substances which are potentially present in the natural gas stream entering the facility and in the storage vessels located at the

facility. The quantity of a regulated substance in a process is determined according to the procedures presented under §68.115. §68.115(b)(l) and (2)(i) indicate that toxic and flammable substances in a mixture do not need to be considered when determining whether more than a threshold quantity is present at a stationary source if the concentration of the substance is below one percent by weight of the mixture. §68.115(b)(2)(iii) indicates that prior to entry into a natural gas processing plant, regulated substances in naturally occurring hydrocarbon mixtures need not be considered when determining whether more than a threshold quantity is present at a stationary source. Naturally occurring hydrocarbon mixtures include condensate, field gas, and produced water.

> According to Red Cedar, the Arkansas Loop and Simpson Treating Plants do have regulated substances above the threshold quantities in this rule. **Therefore, the facility is subject to the requirement to develop and submit a risk management plan.**

Stratospheric Ozone and Climate Protection

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

40 CFR Part 82, Subpart H: Halon Fire Extinguishers. According to Red Cedar, there are no halon fire extinguishers at the Arkansas Loop and Simpson Treating Plants. However, should Red Cedar obtain any halon fire extinguishers, then it must comply with the standards of 40 CFR Part 82, Subpart H for halon emissions reduction, if it services, maintains, tests, repairs, or disposes of equipment that contains halon or uses such equipment during technician training. Specifically, Red Cedar would be required to comply with 40 CFR Part 82 and submit an application for a 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 tribal-issued part 70 permit because those requirements are not included in the definition of "applicable requirement" in either 40 CFR part 70 or RAC 1-103(11). Although the rule is not an applicable requirement under 40 CFR Part 70 or the RAC, the source is not relieved from the requirement to comply with the rule separately from compliance with its Part 70 operating permit. It is the responsibility of each source to determine whether Part 98 is applicable and to comply, if necessary.

4. Public Participation

a. Public Notice

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

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

Public notice for the draft permit was published in the Durango Herald on July 15, 2020 and Southern Ute Drum on July 17, 2020 in order to provide opportunity for public comment on the draft permit and the opportunity to request a public hearing. The AQP received significant comments during the public comment period and the permit was revised. Public notice for the draft permit was published for a second time in the Durango Herald on November 4, 2020 and the Southern Ute Drum on November 6, 2020.

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

d. Public Petitions to the Administrator

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

e. Appeal of Permits

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