

# Southern Ute Indian Tribe

## *Air Quality Program*



## **Title V Operating Permit**

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



**AIR POLLUTION CONTROL  
TITLE V PERMIT TO OPERATE**

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

**SIMCOE, LLC  
Dry Creek Central Delivery Point**

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

This source is authorized to operate at the following location:

**Southern Ute Indian Reservation  
SW ¼, Section 5U, T34N R7W  
La Plata County, Colorado**

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

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Daniel Powers, Air Quality Program Manager  
Environmental Programs Division  
Southern Ute Indian Tribe

**AIR POLLUTION CONTROL  
TITLE V PERMIT TO OPERATE  
SIMCOE, LLC  
Dry Creek Central Delivery Point**

SUIT Account Identification Code: 2-009

Permit Number: V-SUIT-0038-2019.02

[Replaces Permit No.: V-SUIT-0038-2019.01]

Issue Date: January 31, 2023

Effective Date: January 31, 2023

Expiration Date: November 18, 2024

The SUIT account identification code and permit number cited above should be referenced in future correspondence regarding this facility.

**Permit Issuance History**

<b>DATE</b>	<b>TYPE OF ACTION</b>	<b>DESCRIPTION OF ACTION</b>	<b>PERMIT NUMBER</b>
January 2004	Permit Issued	Initial Part 71 Permit Issued	V-SU-0038-03.00
September 2005	Revision	Administrative Amendment	V-SU-0038-03.01
May 2006	Revision	Administrative Amendment	V-SU-0038-03.02
September 2006	Revision	Administrative Amendment	V-SU-0038-03.03
September 2007	Revision	Administrative Amendment	V-SU-0038-03.04
January 2008	Revision	Administrative Amendment	V-SU-0038-03.05
July 2008	Revision	Minor Modification	V-SU-0038-03.06
October 2009	Permit Issued	1 <sup>st</sup> Part 71 Renewal Permit Issued	V-SU-0038-08.00
January 31, 2014	Permit Issued	Initial Part 70 Permit Issued	V-SUIT-0038-2014.00
November 18, 2019	Permit Issued	1 <sup>st</sup> Part 70 Renewal Permit Issued	V-SUIT-0038-2019.00
December 30, 2020	Permit Revision	Administrative Revision <ul style="list-style-type: none"> <li>• Change of ownership from BP America Production Company to SIMCOE, LLC.</li> </ul>	V-SUIT-0038-2019.01
January 31, 2023	Permit Revision	Minor Permit Revision <ul style="list-style-type: none"> <li>• Added compressor engine C-500-updated affected units for 40 CFR 60, Subpart OOOOa.</li> <li>• Removed emission unit Dehy1 and reboiler</li> </ul>	V-SUIT-0038-2019.02

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## Abbreviations and Acronyms

4SLB	Four-Stroke Lean-Burn
4SRB	Four-Stroke Rich-Burn
AFS	Air Facility System database
AQP	Southern Ute Indian Tribe's Air Quality Program
bbf	Barrels
BACT	Best Available Control Technology
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAM	Compliance Assurance Monitoring
CEMS	Continuous Emission Monitoring System
CFR	Code of Federal Regulations
CMS	Continuous Monitoring System (includes COMS, CEMS and diluent monitoring)
COMS	Continuous Opacity Monitoring System
CO	Carbon monoxide
CO <sub>2</sub>	Carbon dioxide
dscf	Dry standard cubic foot
dscm	Dry standard cubic meter
EPA	United States Environmental Protection Agency
gal	Gallon
GPM	Gallons per minute
H <sub>2</sub> S	Hydrogen sulfide
HAP	Hazardous Air Pollutant
hr	Hour
ID	Identification Number
kg	Kilogram
lbs	Pounds
MACT	Maximum Achievable Control Technology
Mg	Megagram
MMBtu	Million British Thermal Units
MMSCFD	Million standard cubic feet per day
mo	Month
NESHAP	National Emission Standards for Hazardous Air Pollutants
NMHC	Non-methane hydrocarbons
NO <sub>x</sub>	Nitrogen Oxides
NSPS	New Source Performance Standard
NSR	New Source Review
pH	Negative logarithm of effective hydrogen ion concentration (acidity)
PM	Particulate Matter
PM <sub>10</sub>	Particulate matter less than 10 microns in diameter
ppbvd	Parts per billion by volume, dry
ppm	Parts per million
ppmvd	Parts per million by volume, dry
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
psi	Pounds per square inch
psia	Pounds per square inch absolute
RAC	Southern Ute Indian Tribe/State of Colorado Environmental Commission's Reservation Air Code
RICE	Reciprocating Internal Combustion Engine
RMP	Risk Management Plan
scf	Standard cubic feet
scfm	Standard cubic feet per minute
SI	Spark Ignition
SO <sub>2</sub>	Sulfur Dioxide
SUIT	Southern Ute Indian Tribe
tpy	Ton(s) Per Year

Tribe  
US EPA  
VOC

Southern Ute Indian Tribe  
United States Environmental Protection Agency  
Volatile Organic Compounds

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## Section I – Source Information and Emission Unit Identification

### 1. Source Information

<b>Owner Name:</b>	SIMCOE, LLC
<b>Facility Name:</b>	Dry Creek Central Delivery Point
<b>Facility Location:</b>	SW ¼, Section 5U, T34N R7W
Latitude:	37.213598° N
Longitude:	-107.640711° W
<b>State:</b>	Colorado
<b>County:</b>	La Plata
<b>Responsible Official:</b>	Area Manager, Midstream
<b>SIC Code:</b>	1311
<b>ICIS Identification Number:</b>	110020496239
<b>EPA Facility Registry ID:</b>	08-067-U0019
<b>Other Clean Air Act Permits</b>	Federal Implementation Plan: SU-000486

#### Process Description:

Dry Creek Central Delivery Point (Dry Creek CDP) is a natural gas compression facility located in southwestern Colorado within the exterior boundaries of the Southern Ute Indian Reservation. The facility compresses coal bed methane gas from wells in the fruitland formation. It should be noted that this facility does not handle any condensate or natural gas liquids.

The natural gas entering the facility first passes through an inlet separator vessel to remove any free liquid water in the gas stream by gravity. Next, there is a filter vessel on the inlet to each compressor, which serves to filter out any solids such as coal dust in the gas. The gas stream then passes to a distribution header, which distributes the gas to one of five compressors.

Each compressor package consists of a skid-mounted combination of engine and compressor. The five engines at Dry Creek CDP are Waukesha 7042 GL reciprocating engines fueled by natural gas and utilizing lean burn technology.

After compression the gas passes through an outlet coalesce vessel, which serves to remove any entrained droplets of lubricating oil carried over from the compressors. The gas then passes to one glycol absorber column where it contacts a tri-ethylene glycol solution. The purpose of this contact is to remove water vapor in the gas. The gas is then routed and metered into the medium pressure pipeline.

Pigging & Pipeline Clean-Out Information

The pigging system at the Dry Creek CDP consists of one pig launcher and two pig receivers. The pigging operation is not a closed loop system; therefore, venting emissions are associated with the operation. Calculations are included in the application and are based on the assumption that each pig is used twenty (20) times per year.

**2. Source Emission Points**

**Table 1 - Emission Units**

<b>Emission Unit ID</b>	<b>Description</b>				<b>Control Equipment</b>
	Waukesha L7042GL (4SLB) Natural Gas-Fired Compressor Engine 1,478 Nameplate Rated HP				None
C-100	Serial No.	C-11346/3	Install Date:	8/11/2022	
C-200	Serial No.	C-11346/1	Install Date:	9/11/2018	
C-300	Serial No.	295084	Install Date:	6/4/2019	
C-400	Serial No.	C-10607/10	Install Date:	6/29/2018	
C-500	Serial No.	335791	Install Date:	10/17/2022	
	Tri-Ethylene Glycol (TEG) Dehydrator Regenerators and Flash Tank Vents 18 MMscf/d				None
Dehy2	Serial No.	N/A	Install Date:	N/A	

**Table 2 - Insignificant Emission Units**

<b>Emission Unit ID</b>	<b>Amount</b>	<b>Description</b>	<b>Size</b>	<b>Units</b>
N/A	1	Used Oil Sump Tank	95	bbbl
N/A	4	Lube Oil Tank	500	gal
N/A	2	Tri-Ethylene Glycol (TEG) Storage Tank	300	gal
N/A	1	Ethylene Glycol (EG) Storage Tank	500	gal
N/A	2	Produced Water Tank	210	bbbl
N/A	2	Tank Heaters	250	Mbtu/hr
N/A	1	Water and Oil Sump	95	bbbl
N/A	1	Tri-Ethylene Glycol (TEG) Dehy Unit Reboiler	500	Mbtu/hr
N/A	1	Residual Tri-Ethylene Glycol (TEG) Sump Tank	95	bbbl
N/A	N/A	Pigging Operations	≈ 30	Mscf/yr
N/A	1	Fugitive Emissions	N/A	N/A

## Section II – General Requirements

### 1. Title V Administrative Requirements

#### 1.1. Annual Fee Payment *[RAC 2-110(1)(h) and RAC 2-118]*

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

[RAC 2-118(2)]

1.1.2. The permittee shall pay the annual permit fee each year no later than April 1<sup>st</sup> for the preceding calendar year.

[RAC 2-118(2)]

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

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

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

[RAC 2-118]

1.1.5. Basis for calculating annual fee:

1.1.5.1. Subtotal annual fees shall be calculated by multiplying the applicable emission fee set pursuant to RAC § 2-119(1) times the total tons of actual emissions for each fee pollutant. In absence of actual emissions data, calculate the annual fee based on the potential to emit (as defined at RAC 1-103(51)) for each fee pollutant. Emissions of any regulated air pollutant that already are included in the fee calculation under a category of regulated pollutant, such as a federally listed hazardous air pollutant that is already accounted for as a VOC or as PM10, shall be counted only once in determining the source's actual emissions.

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

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

[RAC 1-103(2)]

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

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

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

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

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

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

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

- 1.1.5.3. The permittee shall exclude the following emissions from the calculation of fees:
- 1.1.5.3.1. The amount of actual emissions of any one fee pollutant that the source emits in excess of 4,000 tons per year
  - 1.1.5.3.2. Any emissions that come from insignificant activities not required in a permit application pursuant to RAC § 2-106(4).  
[RAC 1-103(2)(c)]
- 1.1.6. Annual fee calculation worksheets shall be certified as to truth, accuracy, and completeness by a responsible official.  
[RAC 2-105 and RAC 2-118(2)(c)]
- 1.1.7. Failure of the permittee to pay fees by the due date shall subject the permittee to assessment of penalties and interest in accordance with RAC § 2-118(6).  
[RAC 2-118(6)]
- 1.1.8. When notified by the Tribe of underpayment of fees, the permittee shall remit full payment within 30 days of receipt of an invoice from the Tribe.  
[RAC 2-119(3)(b)]
- 1.1.9. A permittee who thinks a Tribe assessed fee is in error and who wishes to challenge such fee shall provide a written explanation of the alleged error to the Tribe along with full payment of the assessed fee.  
[RAC 2-119(3)(c)]

## 1.2. Compliance Requirements

### 1.2.1. Compliance with the Permit

- 1.2.1.1. The permittee must comply with all conditions of this part 70 permit. Any permit noncompliance with federally enforceable or Commission-only permit conditions constitutes a violation of the RAC and Clean Air Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.  
[RAC 2-110(3)(a)]
- 1.2.1.2. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.  
[RAC 2-110(3)(b)]
- 1.2.1.3. All terms and conditions of this permit which are required under the Clean Air Act or under any of its applicable requirements, including any

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

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

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

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

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

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

## 1.2.2. Compliance Certifications

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

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

## 1.2.3. Compliance Schedule

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

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

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

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

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

- 1.3.1. The permittee shall furnish to the Tribe, within the period specified by the Tribe, any information that the Tribe request in writing to determine whether cause exists for reopening and revising, revoking, and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Tribe copies of records that are required to be kept by the permit, including information claimed to be confidential. Information claimed to be confidential must be accompanied by a claim of confidentiality according to the provisions of RAC 2-124.

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

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

[RAC 2-106(5)]

**1.4. Submissions** [RAC 2-105]

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

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

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

by email at: [airquality@southernute-nsn.gov](mailto:airquality@southernute-nsn.gov)

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

or by Common Carrier:  
Part 70 Program  
Environmental Programs Division  
Air Quality Program  
398 Ouray Drive  
Ignacio, CO 81137

**1.5. Severability Clause** *[RAC 1-106 and RAC 2-110(1)(f)]*

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

**1.6. Permit Actions** *[RAC 2-110(3)]*

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

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

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

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

**1.7. Administrative Permit Revision** *[RAC 2-111(2)]*

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

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

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

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

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



**1.8. Minor Permit Revisions [RAC 2-111(3)]**

- 1.8.1. The permittee may submit an application for a minor permit revision as defined in RAC § 1-103.
- 1.8.2. An application requesting the use of minor permit revision procedures shall meet the requirements of RAC § 2-106(4) and shall include the following:
  - 1.8.2.1. A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
  - 1.8.2.2. If changes are requested to the permit language, the permittee's suggested draft permit changes;
  - 1.8.2.3. Certification by a responsible official, consistent with RAC § 2-105, that the proposed revision meets the criteria for use of minor permit revision procedures and a request that such procedures be used; and
  - 1.8.2.4. Completed forms for the Tribe to use to notify the Administrator and affected programs as required under RAC § 2-108
  - 1.8.2.5. If the requested permit revision would affect existing compliance plans or schedules, related progress reports, or certification of compliance requirements, and an outline of such effects.
- 1.8.3. The permittee shall not submit multiple minor permit revision applications that may conceal a larger revision that would not constitute a minor permit revision.

[RAC 2-111(3)(a)]
- 1.8.4. The permittee may make the change proposed in its minor permit revision application immediately after it files such application, provided, however, for sources that have previously utilized this provision during the term of the permit and, on two or more occasions have failed to file a complete application, may thereafter make the change only after the application is deemed complete. After the permittee makes the change and until the Tribe takes any of the actions specified in the following subsection, the permittee must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this period, the permittee need not comply with the existing permit terms and conditions it seeks to modify. If the permittee fails to comply with its proposed permit terms and conditions during this period, however, the existing permit terms and conditions it seeks to modify may be enforced against it.

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

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

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

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

**1.9. Significant Permit Revisions** [RAC 2-111(4)]

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

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

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

**1.10. Permit Reopenings, Revocations and Reissuances, and Terminations** [RAC 2-112]

1.10.1. The permit may be reopened and revised for any of the reasons listed in the paragraphs below. Alternatively, the permit may be revoked and reissued for the reasons listed in the paragraphs below:

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

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

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

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

1.10.2. The permit may be terminated for any of the reasons listed below:

- 1.10.2.1. The permittee fails to meet the requirements of an approved compliance plan;
- 1.10.2.2. The permittee has been in significant or repetitious noncompliance with the operating permit terms or conditions;
- 1.10.2.3. The permittee has exhibited a history of willful disregard for environmental laws of any tribal or state authority, or of the United States;
- 1.10.2.4. The permittee has knowingly misrepresented a material fact in any application, record, report, plan, or other document filed or required to be maintained under the permit;
- 1.10.2.5. The permittee falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under the permit;
- 1.10.2.6. The permittee fails to pay fees required under RAC §§ 2-118 and 2-119; or
- 1.10.2.7. The Administrator has found that cause exists to terminate the permit.

1.11. **Property Rights** [*RAC 2-110(3)(e)*]

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

1.12. **Inspection and Entry** [*RAC 2-110(9)(b)*]

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

- 1.12.1. Enter upon the permittee's premises where a source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- 1.12.2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- 1.12.3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- 1.12.4. As authorized by the Clean Air Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

1.13. **Emergency Situations** [RAC 2-117]

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

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

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

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

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

[RAC 2-117(1)]

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

[RAC 2-117(2)]

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

[RAC 2-117(3)]

1.14. **Permit Transfers** [RAC 2-113]

1.14.1. This permit shall not be transferable, by operation of law or otherwise, from one location to another or from one source to another, except that a permit may be transferred from one location to another in the case of a portable source that has notified the Tribe in advance of the transfer, pursuant to the RAC. A permit for a source may be transferred from one person to another if the Tribe finds that the transferee is capable of operating the source in compliance with the permit. This transfer must be accomplished through an administrative permit revision in accordance with the Administrative Permit Revisions section of this permit.

1.15. **Off-Permit Changes** *[RAC 2-116(2)]*

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

- 1.15.1.1. Each such change meets all applicable requirements and shall not violate any existing permit term or condition;
- 1.15.1.2. Such changes are not subject to any requirements under title IV of the Clean Air Act and are not modifications under title I of the Clean Air Act;
- 1.15.1.3. Such changes are not subject to permit revision procedures under RAC § 2-111; and
- 1.15.1.4. The permittee provides contemporaneous written notice to the Tribe and the Administrator of each such change, except for changes that qualify as insignificant activities. Such notice shall state when the change occurred and shall describe the change, any resulting emissions change, pollutants emitted, and any applicable requirement that would apply as a result of the change.

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

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

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

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

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

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

[RAC 2-110(6)]

1.16. **Permit Expiration and Renewal**

*[RAC §§ 2-104(3), 2-106(2)(b), 2-107(7)(a), 2-107(7)(b), 2-110(1)(a), and 2-106(3)]*

1.16.1. This permit shall expire five years from the issuance date of this permit.

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

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

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

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

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

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

[RAC 2-104(3)]

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

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

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

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

## **2. Facility-Wide Requirements**

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

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

### **2.1. General Recordkeeping Requirements [RAC 2-110(6)]**

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

2.1.1. If the permittee determines that his or her stationary source that emits (or has the potential to emit, without federally recognized controls) one or more hazardous air pollutants is not subject to a relevant standard or other requirement established under 40 CFR part 63, the permittee shall keep a record of the applicability determination, for a period of five years after the determination, or until the source changes its operations to become an affected source, whichever comes

first. Each of these records shall be made available to the Tribe upon request. The record of the applicability determination shall include an analysis (or other information) that demonstrates why the permittee believes the source is unaffected (e.g., because the source is an area source).

[40 CFR 63.10(b)(3)]

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

## 2.2. General Reporting Requirements

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

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

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

- 2.2.2.1. A situation where emissions exceed an emission limitation or standard;
- 2.2.2.2. A situation where process or emissions control device parameter values indicate that an emission limitation or standard has not been met; or
- 2.2.2.3. A situation in which observations or data collected demonstrate noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit.
- 2.2.2.4. A situation in which an exceedance or an excursion, as defined in 40 CFR Part 64 occurs.

[RAC 1-103(21)]

- 2.2.3. The permittee shall promptly report to the Tribe deviations from permit requirements, (including emergencies), including the date, time, duration, and the probable cause of such deviations, the quantity and pollutant type of excess

emissions resulting from the deviation, and any preventative, mitigation, or corrective actions or measures taken. Prompt deviation reports shall be submitted to the following email address: [airquality@southernute-nsn.gov](mailto:airquality@southernute-nsn.gov)

2.2.4. “Prompt” is defined as follows:

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

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

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

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

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

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

**2.3. Alternative Operating Scenarios [RAC 2-110(8)]**

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

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



- 2.3.1.2. The replacement engine or turbine is of the same make, model, horsepower rating, and configured to operate in the same manner as the engine or turbine being replaced.
- 2.3.1.3. The replacement engine or turbine meets all applicable requirements identified in this permit that apply to the existing engine or turbine being replaced.
- 2.3.1.4. All applicable requirements that apply to the replacement engine or turbine are already included in the permit. Replacement of an existing engine or turbine identified in this permit with a new, modified, or reconstructed engine must utilize a Minor Permit Revision as specified in RAC 2-111(3) or a Significant Permit Revision as specified in RAC 2-111(4) to incorporate any new applicable requirements. The applicable requirements include, but may not be limited to:
  - 2.3.1.4.1. Standards of Performance for Stationary Compression Ignition Internal Combustion at 40 CFR Part 60, Subpart IIII;
  - 2.3.1.4.2. Standards of Performance for Stationary Spark Ignition Internal Combustion Engines at 40 CFR Part 60, Subpart JJJJ;
  - 2.3.1.4.3. National Emission Standard for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines at 40 CFR Part 63, Subpart ZZZZ;
  - 2.3.1.4.4. Standards of Performance for Stationary Gas Turbines at 40 CFR Part 60, Subpart GG;
  - 2.3.1.4.5. Standards of Performance for Stationary Combustion Turbines at 40 CFR Part 60, Subpart KKKK;
  - 2.3.1.4.6. National Emission Standard for Hazardous Air Pollutants for Stationary Combustion Turbines at 40 CFR Part 63, Subpart YYYY;
  - 2.3.1.4.7. Requirements established in a permit or permits issued pursuant to the Federal Minor New Source Review Program in Indian Country at 40 CFR Part 49;
  - 2.3.1.4.8. Requirements established in a permit or permits issued pursuant to the Prevention of Significant Deterioration of Air Quality Program at 40 CFR Part 52; or

- 2.3.1.4.9. Requirements established in any promulgated Federal Implementation Plan that may apply to engines located on the Southern Ute Indian Reservation.
- 2.3.2. The permittee shall provide contemporaneous written notice to the Tribe and the Administrator of any replacement of an existing engine or turbine identified in this permit. Such notice shall state when the replacement occurred and shall describe the replacement and any applicable requirement that would apply as a result of the replacement.
- 2.3.3. The permittee shall keep a record of the engine or turbine replacement.
- 2.3.4. The use of a backup thermal oxidizer with equivalent capacity and emission destruction efficiency and configured to operate in the same manner as the primary thermal oxidizer shall be an allowed alternative operating scenario under this permit provided that the following conditions are met:
  - 2.3.4.1. Any emission limits, requirements, testing or other provisions that apply to the primary thermal oxidizer shall also apply to the backup thermal oxidizer except that an annual performance test shall only be conducted on the backup thermal oxidizer if the unit operates for more than 500 hours in any calendar year.
  - 2.3.4.2. At no time shall the backup thermal oxidizer operate at the same time the primary thermal oxidizer is operating except periods of transition between the primary and backup thermal oxidizers. Transition events shall be documented, last no more than 30 minutes in duration, and will be reported as excess emission events.

#### 2.4. **Permit Shield** [RAC 2-110(10)(c)]

Nothing in this permit shall alter or affect the following:

- 2.4.1. The provisions of Section 303 of the Clean Air Act, 42 U.S.C. § 7603 concerning emergency powers, including the respective authorities of the Administrator under those sections;
- 2.4.2. The liability of a permittee for any violation of applicable requirements prior to or at the time of permit issuance;
- 2.4.3. The applicable requirements of the acid rain program consistent with section 408(a) of the Act; or
- 2.4.4. The ability of the Administrator respectively to obtain information from a source pursuant to Section 114 of the Clean Air Act, 42 U.S.C. § 7414.

## 2.5. Stratospheric Ozone and Climate Protection [40 CFR Part 82]

The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F:

- 2.5.1. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR §82.156.
- 2.5.2. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR §82.158.
- 2.5.3. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR §82.161.

## Section III – Site Specific Permit Terms

### 1. New Source Performance Standards (NSPS) and 40 CFR Part 60

#### 1.1. 40 CFR Part 60, Subpart OOOOa – Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015 [40 CFR 60.5360a- 60.5499a]

This facility is subject to the requirements of 40 CFR Part 60, Subpart OOOOa for the collection of fugitive emissions components at a compressor station. Notwithstanding conditions in this permit, the permittee shall comply with all applicable requirements of 40 CFR Part 60, subparts A and OOOOa.

##### 1.1.1. Affected Sources

The collection of fugitive emissions components at Dry Creek Central Delivery Point is considered an affected facility under 40 CFR Part 60, Subpart OOOOa.

[40 CFR 60.5365a]

##### 1.1.2. Fugitive Emission VOC Standards for Collection of Fugitive Emissions Components

For each affected facility under §60.5365a(i) and (j), you must reduce VOC emissions by complying with the requirements of this section. These requirements are independent of the closed vent system and cover requirements in §60.5411a.

[40 CFR 60.5397a]

- 1.1.2.1. You must monitor all fugitive emission components, as defined in §60.5430a, in accordance with paragraphs §60.5397a(b) through (g). You must repair all sources of fugitive emissions in accordance with §60.5397a(h). You must keep records in accordance with §60.5397a(i) and report in accordance with §60.5397a(j). For purposes of this section, fugitive emissions are defined as: Any visible emission from a fugitive emissions component observed using optical gas imaging or an instrument reading of 500 ppm or greater using Method 21.  
[40 CFR 60.5397a(a)]
- 1.1.2.2. You must develop an emissions monitoring plan that covers the collection of fugitive emissions components at compressor stations within each company-defined area in accordance with §60.5397a(c) and (d).  
[40 CFR 60.5397a(b)]
- 1.1.2.3. Fugitive emissions monitoring plans must include the elements specified in §60.5397(c)(1) through (8), at a minimum.  
[40 CFR 60.5397a(c)]
- 1.1.2.3.1. Frequency for conducting surveys. Surveys must be conducted at least as frequently as required by paragraphs §60.5397a(f) and (g).  
[40 CFR 60.5397a(c)(1)]
- 1.1.2.3.2. Technique for determining fugitive emissions (*i.e.*, Method 21 at 40 CFR part 60, appendix A-7, or optical gas imaging).  
[40 CFR 60.5397a(c)(2)]
- 1.1.2.3.3. Manufacturer and model number of fugitive emissions detection equipment to be used.  
[40 CFR 60.5397a(c)(3)]
- 1.1.2.3.4. Procedures and timeframes for identifying and repairing fugitive emissions components from which fugitive emissions are detected, including timeframes for fugitive emission components that are unsafe to repair. Your repair schedule must meet the requirements of paragraph §60.5397a(h), at a minimum.  
[40 CFR 60.5397a(c)(4)]
- 1.1.2.3.5. Procedures and timeframes for verifying fugitive emission component repairs.  
[40 CFR 60.5397a(c)(5)]

- 1.1.2.3.6. Records that will be kept and the length of time records will be kept.  
[40 CFR 60.5397a(c)(6)]
- 1.1.2.3.7. If you are using optical gas imaging, your plan must also include the elements specified in paragraphs §60.5397a(c)(7)(i) through (vii).  
[40 CFR 60.5397a(c)(7)]
- 1.1.2.3.7.1. Verification that your optical gas imaging equipment meets the specifications of paragraphs §60.5397a(c)(7)(i)(A) and (B). This verification is an initial verification, and may either be performed by the facility, by the manufacturer, or by a third party. For the purposes of complying with the fugitives emissions monitoring program with optical gas imaging, a fugitive emission is defined as any visible emissions observed using optical gas imaging.  
[40 CFR 60.5397a(c)(7)(i)]
- 1.1.2.3.7.1.1. Your optical gas imaging equipment must be capable of imaging gases in the spectral range for the compound of highest concentration in the potential fugitive emissions.  
[40 CFR 60.5397a(c)(7)(i)(A)]
- 1.1.2.3.7.1.2. Your optical gas imaging equipment must be capable of imaging a gas that is half methane, half propane at a concentration of 10,000 ppm at a flow rate of  $\leq 60$ g/hr from a quarter inch diameter orifice.  
[40 CFR 60.5397a(c)(7)(i)(B)]
- 1.1.2.3.7.2. Procedure for a daily verification check.  
[40 CFR 60.5397a(c)(7)(ii)]
- 1.1.2.3.7.3. Procedure for determining the operator's maximum viewing distance from the equipment and how the operator will ensure that this distance is maintained.  
[40 CFR 60.5397a(c)(7)(iii)]
- 1.1.2.3.7.4. Procedure for determining maximum wind speed during which monitoring can be performed and how the operator will ensure monitoring occurs only at wind speeds below this threshold.

[40 CFR 60.5397a(c)(7)(iv)]

- 1.1.2.3.7.5. Procedures for conducting surveys, including the items specified in paragraphs §60.5397a(c)(7)(v)(A) through (C).  
[40 CFR 60.5397a(c)(7)(v)]
  - 1.1.2.3.7.5.1. How the operator will ensure an adequate thermal background is present in order to view potential fugitive emissions.  
[40 CFR 60.5397a(c)(7)(v)(A)]
  - 1.1.2.3.7.5.2. How the operator will deal with adverse monitoring conditions, such as wind.  
[40 CFR 60.5397a(c)(7)(v)(B)]
  - 1.1.2.3.7.5.3. How the operator will deal with interferences (e.g., steam).  
[40 CFR 60.5397a(c)(7)(v)(C)]
- 1.1.2.3.7.6. Training and experience needed prior to performing surveys.  
[40 CFR 60.5397a(c)(7)(vi)]
- 1.1.2.3.7.7. Procedures for calibration and maintenance. At a minimum, procedures must comply with those recommended by the manufacturer.  
[40 CFR 60.5397a(c)(7)(vii)]
- 1.1.2.3.8. If you are using Method 21 of appendix A-7 of this part, your plan must also include the elements specified in the following subparagraphs. For the purposes of complying with the fugitive emissions monitoring program using Method 21 a fugitive emission is defined as an instrument reading of 500 ppm or greater.  
[40 CFR 60.5397a(c)(8)]
  - 1.1.2.3.8.1. Verification that your monitoring equipment meets the requirements specified in Section 6.0 of Method 21 at 40 CFR part 60, appendix A-7. For purposes of instrument capability, the fugitive emissions definition shall be 500 ppm or greater methane using a FID-based instrument. If you wish to use an analyzer other than a FID-based instrument, you must develop a site-specific fugitive emission definition that would be equivalent to 500 ppm methane using a FID-based instrument (e.g., 10.6 eV PID with a specified isobutylene concentration as the fugitive

emission definition would provide equivalent response to your compound of interest).

[40 CFR 60.5397a(c)(8)(i)]

1.1.2.3.8.2. Procedures for conducting surveys. At a minimum, the procedures shall ensure that the surveys comply with the relevant sections of Method 21 at 40 CFR part 60, appendix A-7, including Section 8.3.1.

[40 CFR 60.5397a(c)(8)(ii)]

1.1.2.4. Each fugitive emissions monitoring plan must include the elements specified in paragraphs §60.5397a(d)(1) through (4), at a minimum, as applicable.

[40 CFR 60.5397a(d)]

1.1.2.4.1. Sitemap.

[40 CFR 60.5397a(d)(1)]

1.1.2.4.2. A defined observation path that ensures that all fugitive emissions components are within sight of the path. The observation path must account for interferences.

[40 CFR 60.5397a(d)(2)]

1.1.2.4.3. If you are using Method 21, your plan must also include a list of fugitive emissions components to be monitored and method for determining location of fugitive emissions components to be monitored in the field (*e.g.*, tagging, identification on a process and instrumentation diagram, etc.).

[40 CFR 60.5397a(d)(3)]

1.1.2.4.4. Your plan must also include the written plan developed for all of the fugitive emission components designated as difficult-to-monitor in accordance with §60.5397a(g)(3)(i), and the written plan for fugitive emission components designated as unsafe-to-monitor in accordance with §60.5397a(g)(4)(i).

[40 CFR 60.5397a(d)(4)]

1.1.2.5. Each monitoring survey shall observe each fugitive emissions component, as defined in §60.5430a, for fugitive emissions.

[40 CFR 60.5397a(e)]

1.1.2.6. For a modified collection of fugitive components at a compressor station, the initial monitoring survey must be conducted within 60 days of the modification.

[40 CFR 60.5397a(f)(2)]

- 1.1.2.7. A monitoring survey of each collection of fugitive emissions components at a compressor station must be performed at the frequencies specified in paragraph §60.5397a(g)(2), with the exceptions noted in paragraphs §60.5397a(g)(3) and (4).  
[40 CFR 60.5397a(g)]
- 1.1.2.7.1. A monitoring survey of the collection of fugitive emissions components at a compressor station within a company-defined area must be conducted at least quarterly after the initial survey. Consecutive quarterly monitoring surveys must be conducted at least 60 days apart.  
[40 CFR 60.5397a(g)(2)]
- 1.1.2.7.2. Fugitive emissions components that cannot be monitored without elevating the monitoring personnel more than 2 meters above the surface may be designated as difficult-to-monitor. Fugitive emissions components that are designated difficult-to-monitor must meet the specifications of paragraphs §60.5397a(g)(3)(i) through (iv).  
[40 CFR 60.5397a(g)(3)]
- 1.1.2.7.2.1. A written plan must be developed for all of the fugitive emissions components designated difficult-to-monitor. This written plan must be incorporated into the fugitive emissions monitoring plan required by paragraphs §60.5397a(b), (c), and (d).  
[40 CFR 60.5397a(g)(3)(i)]
- 1.1.2.7.2.2. The plan must include the identification and location of each fugitive emissions component designated as difficult-to-monitor.  
[40 CFR 60.5397a(g)(3)(ii)]
- 1.1.2.7.2.3. The plan must include an explanation of why each fugitive emissions component designated as difficult-to-monitor is difficult-to-monitor.  
[40 CFR 60.5397a(g)(3)(iii)]
- 1.1.2.7.2.4. The plan must include a schedule for monitoring the difficult-to-monitor fugitive emissions components at least once per calendar year.  
[40 CFR 60.5397a(g)(3)(iv)]



- 1.1.2.7.3. Fugitive emissions components that cannot be monitored because monitoring personnel would be exposed to immediate danger while conducting a monitoring survey may be designated as unsafe-to-monitor. Fugitive emissions components that are designated unsafe-to-monitor must meet the specifications of paragraphs §60.5397a(g)(4)(i) through (iv).  
[40 CFR 60.5397a(g)(4)]
- 1.1.2.7.3.1. A written plan must be developed for all of the fugitive emissions components designated unsafe-to-monitor. This written plan must be incorporated into the fugitive emissions monitoring plan required by §60.5397a(b), (c), and (d).  
[40 CFR 60.5397a(g)(4)(i)]
- 1.1.2.7.3.2. The plan must include the identification and location of each fugitive emissions component designated as unsafe-to-monitor.  
[40 CFR 60.5397a(g)(4)(ii)]
- 1.1.2.7.3.3. The plan must include an explanation of why each fugitive emissions component designated as unsafe-to-monitor is unsafe-to-monitor.  
[40 CFR 60.5397a(g)(4)(iii)]
- 1.1.2.7.3.4. The plan must include a schedule for monitoring the fugitive emissions components designated as unsafe-to-monitor.  
[40 CFR 60.5397a(g)(4)(iv)]
- 1.1.2.7.4. The requirements to conduct a monitoring survey are waived for any collection of fugitive emissions components at a compressor station located within an area that has an average calendar month temperature below 0° Fahrenheit for two of three consecutive calendar months of a quarterly monitoring period. The calendar month temperature average for each month within the quarterly monitoring period must be determined using historical monthly average temperatures over the previous three years as reported by a National Oceanic and Atmospheric Administration source or other source approved by the Administrator. The requirements to conduct a monitoring survey shall not be waived for two consecutive quarterly monitoring periods.  
[40 CFR 60.5397a(g)(5)]

1.1.2.8. Each identified source of fugitive emissions shall be repaired or replaced in accordance with paragraphs §60.5397(h)(1) and (2) and repaired or replaced fugitive emissions components must be resurveyed in accordance with §60.5397a(h)(3).

[40 CFR 60.5397a(h)]

1.1.2.8.1. Each identified source of fugitive emissions shall be repaired or replaced as soon as practicable, but no later than 30 calendar days after detection of the fugitive emissions.

[40 CFR 60.5397a(h)(1)]

1.1.2.8.2. If the repair or replacement is technically infeasible, would require a vent blowdown, a compressor station shutdown, a well shutdown or well shut-in, or would be unsafe to repair during operation of the unit, the repair or replacement must be completed during the next scheduled compressor station shutdown, well shutdown, well shut-in, after a planned vent blowdown or within 2 years, whichever is earlier.

[40 CFR 60.5397a(h)(2)]

1.1.2.8.3. Each repaired or replaced fugitive emissions component must be resurveyed as soon as practicable, but no later than 30 days after being repaired, to ensure that there are no fugitive emissions.

[40 CFR 60.5397a(h)(3)]

1.1.2.8.3.1. For repairs that cannot be made during the monitoring survey when the fugitive emissions are initially found, the operator may resurvey the repaired fugitive emissions components using either Method 21 or optical gas imaging within 30 days of finding such fugitive emissions.

[40 CFR 60.5397a(h)(3)(i)]

1.1.2.8.3.2. For each repair that cannot be made during the monitoring survey when the fugitive emissions are initially found, a digital photograph must be taken of that component or the component must be tagged for identification purposes. The digital photograph must include the date that the photograph was taken, must clearly identify the component by location within the site (*e.g.*, the latitude and longitude of the component or by other descriptive landmarks visible in the picture).

[40 CFR 60.5397a(h)(3)(ii)]

- 1.1.2.8.3.3. Operators that use Method 21 to resurvey the repaired fugitive emissions components are subject to the resurvey provisions specified in §60.5397a(h)(3)(iii)(A) and (B).  
[40 CFR 60.5397a(h)(3)(iii)]
- 1.1.2.8.3.3.1. A fugitive emissions component is repaired when the Method 21 instrument indicates a concentration of less than 500 ppm above background or when no soap bubbles are observed when the alternative screening procedures specified in section 8.3.3 of Method 21 are used.  
[40 CFR 60.5397a(h)(3)(iii)(A)]
- 1.1.2.8.3.3.2. Operators must use the Method 21 monitoring requirements specified in §60.5397a(c)(8)(ii) or the alternative screening procedures specified in section 8.3.3 of Method 21.  
[40 CFR 60.5397a(h)(3)(iii)(B)]
- 1.1.2.8.3.4. Operators that use optical gas imaging to resurvey the repaired fugitive emissions components, are subject to the resurvey provisions specified in paragraphs §60.5397a(h)(3)(iv)(A) and (B).  
[40 CFR 60.5397a(h)(3)(iv)]
- 1.1.2.8.3.4.1. A fugitive emissions component is repaired when the optical gas imaging instrument shows no indication of visible emissions.  
[40 CFR 60.5397a(h)(3)(iv)(A)]
- 1.1.2.8.3.4.2. Operators must use the optical gas imaging monitoring requirements specified in §60.5397a(c)(7).  
[40 CFR 60.5397a(h)(3)(iv)(B)]
- 1.1.2.9. Records for each monitoring survey shall be maintained as specified §60.5420a(c)(15).  
[40 CFR 60.5397a(i)]
- 1.1.2.10. Annual reports shall be submitted for each collection of fugitive emissions components at a compressor station that include the information specified in §60.5420a(b)(7). Multiple collection of fugitive emissions components at a compressor station may be included in a single annual report.

[40 CFR 60.5397a(j)]

**1.1.3. Initial Compliance for Collection of Fugitive Emissions Components at a Compressor Station**

You must determine initial compliance with the standards for each affected facility using the requirements in the following paragraphs of this section. The initial compliance period begins upon initial startup and ends no later than 1 year after the initial startup date for your affected facility. The initial compliance period may be less than one full year.

[40 CFR 60.5410a]

- 1.1.3.1. To achieve initial compliance with the fugitive emission standards for each collection of fugitive emissions components at a compressor station, you must comply with paragraphs §60.5410a(j)(1) through (5).

[40 CFR 60.5410a(j)]

- 1.1.3.1.1. You must develop a fugitive emissions monitoring plan as required in §60.5397a(b), (c), and (d).

[40 CFR 60.5410a(j)(1)]

- 1.1.3.1.2. You must conduct an initial monitoring survey as required in §60.5397a(f).

[40 CFR 60.5410a(j)(2)]

- 1.1.3.1.3. You must maintain the records specified in §60.5420a(c)(15).

[40 CFR 60.5410a(j)(3)]

- 1.1.3.1.4. You must repair each identified source of fugitive emissions for each affected facility as required in §60.5397a(h).

[40 CFR 60.5410a(j)(4)]

- 1.1.3.1.5. You must submit the initial annual report for each collection of fugitive emissions components at a compressor station as required in §60.5420a(b)(1) and (7).

[40 CFR 60.5410a(j)(5)]

**1.1.4. Continuous compliance with the standards for my collection of fugitive emissions components at a compressor station**

- 1.1.4.1. For each collection of fugitive emissions components at a compressor station, you must demonstrate continuous compliance with the fugitive emission standards specified in §60.5397a according to paragraphs §60.5415a(h)(1) through (4).

[40 CFR 60.5414a(h)]

- 1.1.4.1.1. You must conduct periodic monitoring surveys as required in §60.5397a(g). [40 CFR 60.5415a(h)(1)]
- 1.1.4.1.2. You must repair or replace each identified source of fugitive emissions as required in §60.5397a(h). [40 CFR 60.5415a(h)(2)]
- 1.1.4.1.3. You must maintain records as specified in §60.5420a(c)(15). [40 CFR 60.5415a(h)(3)]
- 1.1.4.1.4. You must submit annual reports for collection of fugitive emissions components at a compressor station as required in §60.5420a(b)(1) and (7). [40 CFR 60.5415a(h)(4)]

**1.1.5. Notification, Reporting, and Recordkeeping Requirements**

- 1.1.5.1. If you own or operate a collection of fugitive emissions components at a compressor station, you are not required to submit the notifications required in §60.7(a)(1), (3), and (4). [40 CFR 60.5420a(a)(1)]
- 1.1.5.2. *Reporting requirements.* You must submit annual reports containing the information specified in §60.5420a(b)(1), (4), (7), and (12). You must submit annual reports following the procedure specified in paragraph §60.5420a(b)(11). The initial annual report is due no later than 90 days after the end of the initial compliance period as determined according to §60.5410a. Subsequent annual reports are due no later than April 1 of each year. The report due on April 1 shall cover the reporting period of January 1 – December 31 of the previous calendar year. If you own or operate more than one affected facility, you may submit one report for multiple affected facilities provided the report contains all of the information required as specified in §60.5420a(b)(1), (4), (7), and (12). Annual reports may coincide with title V reports as long as all the required elements of the annual report are included. [40 CFR 60.5420a(b) and RAC 2-110(7)]
  - 1.1.5.2.1. The general information specified in §60.5420a(b)(1)(i) through (iv) for all reports. [40 CFR 60.5420a(b)(1)]
    - 1.1.5.2.1.1. The company name, facility site name associated with the affected facility, and address of the affected facility. If an

address is not available for the site, include a description of the site location and provide the latitude and longitude coordinates of the site in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983.

[40 CFR 60.5420a(b)(1)(i)]

1.1.5.2.1.2. An identification of each affected facility being included in the annual report.

[40 CFR 60.5420a(b)(1)(ii)]

1.1.5.2.1.3. Beginning and ending dates of the reporting period.

[40 CFR 60.5420a(b)(1)(iii)]

1.1.5.2.1.4. A certification by a certifying official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[40 CFR 60.5420a(b)(1)(iv)]

1.1.5.2.2. For the collection of fugitive emissions components at each compressor station within the company-defined area, the records of each monitoring survey including the information specified in the following twelve subparagraphs. For the collection of fugitive emissions components at a compressor station, if a monitoring survey is waived under §60.5397a(g)(5), you must include in your annual report the fact that a monitoring survey was waived and the calendar months that make up the quarterly monitoring period for which the monitoring survey was waived.

[40 CFR 60.5420a(b)(7)]

1.1.5.2.2.1. Date of the survey.

[40 CFR 60.5420a(b)(7)(i)]

1.1.5.2.2.2. Beginning and end time of the survey.

[40 CFR 60.5420a(b)(7)(ii)]

1.1.5.2.2.3. Name of operator(s) performing survey. If the survey is performed by optical gas imaging, you must note the training and experience of the operator.

[40 CFR 60.5420a(b)(7)(iii)]

1.1.5.2.2.4. Ambient temperature, sky conditions, and maximum wind speed at the time of the survey.

[40 CFR 60.5420a(b)(7)(iv)]

- 1.1.5.2.2.5. Monitoring instrument used. [40 CFR 60.5420a(b)(7)(v)]
- 1.1.5.2.2.6. Any deviations from the monitoring plan or a statement that there were no deviations from the monitoring plan. [40 CFR 60.5420a(b)(7)(vi)]
- 1.1.5.2.2.7. Number and type of components for which fugitive emissions were detected. [40 CFR 60.5420a(b)(7)(vii)]
- 1.1.5.2.2.8. Number and type of fugitive emissions components that were not repaired as required in §60.5397a(h). [40 CFR 60.5420a(b)(7)(viii)]
- 1.1.5.2.2.9. Number and type of difficult-to-monitor and unsafe-to-monitor fugitive emission components monitored. [40 CFR 60.5420a(b)(7)(ix)]
- 1.1.5.2.2.10. The date of successful repair of the fugitive emissions component. [40 CFR 60.5420a(b)(7)(x)]
- 1.1.5.2.2.11. Number and type of fugitive emission components placed on delay of repair and explanation for each delay of repair. [40 CFR 60.5420a(b)(7)(xi)]
- 1.1.5.2.2.12. Type of instrument used to resurvey a repaired fugitive emissions component that could not be repaired during the initial fugitive emissions finding. [40 CFR 60.5420a(b)(7)(xii)]
- 1.1.5.2.3. You must submit reports to the EPA via the CEDRI. (CEDRI can be accessed through the EPA's CDX (<https://cdx.epa.gov/>.) You must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www3.epa.gov/ttn/chief/cedri/>). If the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, you must submit the report to the Administrator at the appropriate address listed in §60.4. Once the form has been available in CEDRI for at least 90 calendar days, you must begin submitting all subsequent reports via CEDRI. The reports must be submitted by the deadlines specified in this

subpart, regardless of the method in which the reports are submitted.

[40 CFR 60.5420a(b)(11)]

- 1.1.5.3. *Recordkeeping requirements.* You must maintain the records identified as specified in §60.7(f) and in the subparagraphs below. All records required by this subpart must be maintained either onsite or at the nearest local field office for at least 5 years. Any records required to be maintained by this subpart that are submitted electronically via the EPA's CDX may be maintained in electronic format.

[40 CFR 60.5420a(c)]

- 1.1.5.3.1. For each collection of fugitive emissions components at a compressor station, the records identified in §60.5420a(c)(15)(i) through (ii).

[40 CFR 60.5420a(c)(15)]

- 1.1.5.3.1.1. The fugitive emissions monitoring plan as required in §60.5397a(b), (c), and (d).

[40 CFR 60.5420a(c)(15)(i)]

- 1.1.5.3.1.2. The records of each monitoring survey as specified in §60.5420a(c)(15)(ii)(A) through (I).

[40 CFR 60.5420a(c)(15)(ii)]

- 1.1.5.3.1.2.1. Date of the survey.

[40 CFR 60.5420a(c)(15)(ii)(A)]

- 1.1.5.3.1.2.2. Beginning and end time of the survey.

[40 CFR 60.5420a(c)(15)(ii)(B)]

- 1.1.5.3.1.2.3. Name of operator(s) performing survey. You must note the training and experience of the operator.

[40 CFR 60.5420a(c)(15)(ii)(C)]

- 1.1.5.3.1.2.4. Monitoring instrument used.

[40 CFR 60.5420a(c)(15)(ii)(D)]

- 1.1.5.3.1.2.5. When optical gas imaging is used to perform the survey, one or more digital photographs or videos, captured from the optical gas imaging instrument used for conduct of monitoring, of each required monitoring survey being performed. The digital photograph must include the date the photograph was taken and the latitude and longitude of the



collection of fugitive emissions components at a compressor station imbedded within or stored with the digital file. As an alternative to imbedded latitude and longitude within the digital file, the digital photograph or video may consist of an image of the monitoring survey being performed with a separately operating GPS device within the same digital picture or video, provided the latitude and longitude output of the GPS unit can be clearly read in the digital image.

[40 CFR 60.5420a(c)(15)(ii)(E)]

- 1.1.5.3.1.2.6. Fugitive emissions component identification when Method 21 is used to perform the monitoring survey.  
[40 CFR 60.5420a(c)(15)(ii)(F)]
- 1.1.5.3.1.2.7. Ambient temperature, sky conditions, and maximum wind speed at the time of the survey.  
[40 CFR 60.5420a(c)(15)(ii)(G)]
- 1.1.5.3.1.2.8. Any deviations from the monitoring plan or a statement that there were no deviations from the monitoring plan.  
[40 CFR 60.5420a(c)(15)(ii)(H)]
- 1.1.5.3.1.2.9. Documentation of each fugitive emission, including the information specified in §60.5240a(c)(15)(ii)(I)(1) through (12).  
[40 CFR 60.5420a(c)(15)(ii)(I)]
- 1.1.5.3.1.2.9.1. Location.  
[40 CFR 60.5420a(c)(15)(ii)(I)(1)]
- 1.1.5.3.1.2.9.2. Any deviations from the monitoring plan or a statement that there were no deviations from the monitoring plan.  
[40 CFR 60.5420a(c)(15)(ii)(I)(2)]
- 1.1.5.3.1.2.9.3. Number and type of components for which fugitive emissions were detected.  
[40 CFR 60.5420a(c)(15)(ii)(I)(3)]
- 1.1.5.3.1.2.9.4. Number and type of difficult-to-monitor and unsafe-to-monitor fugitive emission components monitored.

[40 CFR 60.5420a(c)(15)(ii)(I)(4)]

- 1.1.5.3.1.2.9.5. Instrument reading of each fugitive emissions component that requires repair when Method 21 is used for monitoring.  
[40 CFR 60.5420a(c)(15)(ii)(I)(5)]
- 1.1.5.3.1.2.9.6. Number and type of fugitive emissions components that were not repaired as required in §60.5397a(h).  
[40 CFR 60.5420a(c)(15)(ii)(I)(6)]
- 1.1.5.3.1.2.9.7. Number and type of components that were tagged as a result of not being repaired during the monitoring survey when the fugitive emissions were initially found as required in §60.5397a(h)(3)(ii).  
[40 CFR 60.5420a(c)(15)(ii)(I)(7)]
- 1.1.5.3.1.2.9.8. If a fugitive emissions component is not tagged, a digital photograph or video of each fugitive emissions component that could not be repaired during the monitoring survey when the fugitive emissions were initially found as required in §60.5397a(h)(3)(ii). The digital photograph or video must clearly identify the location of the component that must be repaired. Any digital photograph or video required under this paragraph can also be used to meet the requirements under paragraph (c)(15)(ii)(E) of this section, as long as the photograph or video is taken with the optical gas imaging instrument, includes the date and the latitude and longitude are either imbedded or visible in the picture.  
[40 CFR 60.5420a(c)(15)(ii)(I)(8)]
- 1.1.5.3.1.2.9.9. Repair methods applied in each attempt to repair the fugitive emissions components.  
[40 CFR 60.5420a(c)(15)(ii)(I)(9)]
- 1.1.5.3.1.2.9.10. Number and type of fugitive emission components placed on delay of repair and explanation for each delay of repair.

[40 CFR 60.5420a(c)(15)(ii)(I)(10)]

1.1.5.3.1.2.9.11. The date of successful repair of the fugitive emissions component.  
[40 CFR 60.5420a(c)(15)(ii)(I)(11)]

1.1.5.3.1.2.9.12. Instrumentation used to resurvey a repaired fugitive emissions component that could not be repaired during the initial fugitive emissions finding.  
[40 CFR 60.5420a(c)(15)(ii)(I)(12)]

1.1.5.3.1.3. For the collection of fugitive emissions components at a compressor station, if a monitoring survey is waived under §60.5397a(g)(5), you must maintain records of the average calendar month temperature, including the source of the information, for each calendar month of the quarterly monitoring period for which the monitoring survey was waived.  
[40 CFR 60.5420a(c)(15)(iii)]

**1.1.6. General Provisions**

1.1.6.1. Table 3 to this subpart shows which parts of the General Provisions in §§60.1 through 60.19 apply to you.

<b>General provisions citation</b>	<b>Subject of citation</b>	<b>Applies to subpart?</b>	<b>Explanation</b>
§60.1	General applicability of the General Provisions	Yes	
§60.2	Definitions	Yes	Additional terms defined in §60.5430a.
§60.3	Units and abbreviations	Yes	
§60.4	Address	Yes	
§60.5	Determination of construction or modification	Yes	
§60.6	Review of plans	Yes	
§60.7	Notification and record keeping	Yes	Except that §60.7 only applies as specified in §60.5420a(a).
§60.8	Performance tests	Yes	Performance testing is required for control devices used on storage vessels, centrifugal compressors and pneumatic pumps.
§60.9	Availability of information	Yes	
§60.10	State authority	Yes	
§60.11	Compliance with standards and maintenance requirements	No	Requirements are specified in subpart OOOOa.

§60.12	Circumvention	Yes	
§60.13	Monitoring requirements	Yes	Continuous monitors are required for storage vessels.
§60.14	Modification	Yes	To the extent any provision in §60.14 conflicts with specific provisions in subpart OOOOa, it is superseded by subpart OOOOa provisions.
§60.15	Reconstruction	Yes	Except that §60.15(d) does not apply to wells, pneumatic controllers, pneumatic pumps, centrifugal compressors, reciprocating compressors or storage vessels.
§60.16	Priority list	Yes	
§60.17	Incorporations by reference	Yes	
§60.18	General control device and work practice requirements	Yes	
§60.19	General notification and reporting requirement	Yes	

[40 CFR 60.5425a]

## 2. National Emission Standards for Hazardous Air Pollutants (NESHAP) and 40 CFR Part 63

### 2.1. 40 CFR Part 63, Subpart HH - National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities [40 CFR 63.760 – 63.774 and RAC 4-103]

The permittee is the owner or operator of glycol dehydration units that are exempt from the standards of 40 CFR §63.764(d). The permittee shall retain each determination used to demonstrate that the actual average benzene emissions from each dehydrator are below 0.90 megagram per year.

[40 CFR 63.764(e)(1), 63.772(b), and 63.774(d)(1)]

2.1.1. The permittee must obtain an extended wet gas analysis of the inlet gas stream at least once per calendar year. The gas sample shall be taken at a point prior to where the gas enters the dehydration system contact tower(s). The analysis shall include the gas temperature and pressure at which the sample was taken. This analysis must be used to determine the actual average benzene emissions annually, as determined in accordance with §63.772(b)(2)(i).

[RAC 2-110(5)(b)]

2.1.2. The permittee must conduct an annual source determination using the gas analysis outlined in the paragraph above. The source determination shall be made using the procedure outlined in §63.760(a)(1).

[RAC 2-110(5)(b)]

## 3. Tribal Minor New Source Review

### 3.1. 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 [40 CFR 49.101-49.105] [SU-000463]**

- 4. Reserved – Prevention of Significant Deterioration Requirements**
- 5. Reserved – Consent Decree Requirements**
- 6. Reserved – Compliance Assurance Monitoring (CAM) Requirements**
- 7. Enhanced Monitoring, Recordkeeping, and Reporting**

7.1. Any documents required to be submitted under this Title V operating permit, including but not limited to, reports, test data, monitoring data, notifications, compliance certifications, fee calculation worksheets, and applications for renewals and permit modifications shall be submitted to the Tribe:

by email at: [airquality@southernute-nsn.gov](mailto:airquality@southernute-nsn.gov)

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

### 1. Inspection Information

#### 1.1. Driving Directions:

Starting from the junction of U.S. Highway 160 east to Bayfield and U.S. Highway 550 south to Farmington, drive east on U.S. Highway 160 for 11.4 miles. Turn right on a gravel road that splits a yard with a corral on the left and a trailer on the right. Drive approximately 0.4 miles. Turn left and drive approximately 0.2 miles to a locked gate (key required). Pass through the gate and continue another 0.2 miles until you reach the Dry Creek Central Delivery Point Facility (CDP), which is located on the left.

#### 1.2. Global Positioning System (GPS):

Latitude: 37.213598° N

Longitude: -107.640711° W

#### 1.3. Safety Considerations:

All visitors to the Dry Creek CDP wear a hard hat, safety glasses, safety footwear, hearing protection, and fire retardant clothing.