



AIR QUALITY DIVISION  
Environmental Programs Department  
Southern Ute Indian Tribe  
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Phone 970-563-4705

<http://www.southernute-nsn.gov/environmental-programs/air-quality>

February 12, 2024

Mr. Chad Campbell  
Manager, Air and Water Compliance  
Public Service Company of Colorado  
1800 Larimer Street, Suite 1300  
Denver, CO 80202

Re: Final Part 70 Operating Permit  
Title V Permit #V-SUIT-0023-2022.00  
Public Service Company of Colorado  
Tiffany Compressor Station

Dear Mr. Campbell:

The Southern Ute Indian Tribe Air Quality Division (Tribe) has completed its review of Public Service Company of Colorado (PSCo) request to renew a Title V Permit to Operate pursuant to the Title V Operating Permit Program at 40 CFR Part 70, for the Tiffany Compressor Station.

Based on the information submitted in the company's application, and the comments received during the public comment period, the Tribe hereby issues the enclosed Title V Permit to Operate. The final permit will become effective on February 12, 2024.

A 30-day public comment period was held from November 22, 2023 to December 22, 2023. The Tribe received no comments from PSCo during this time and no comments were received from the public, affected states, or tribes.

A 45-day Administrative Review period at EPA Region 8 was held from December 27, 2023 to February 10, 2024. No comments were received from EPA Region 8 during this review period.

During the Administrative Review period, the Tribe identified the need to remove the emergency affirmative defense provisions from the permit, due to the EPA's finalization on August 21, 2023, of the rulemaking titled *Removal of Title V Emergency Affirmative Defense Provisions From State Operating Permit Programs and Federal Operating Permit Program*. The final rulemaking required permitting authorities with affirmative defense permit terms based on 40 CFR 70.6(g), to remove the affirmative defense provisions from Title V operating permits by the next permit renewal that occurs following the effective date of the EPA rulemaking. EPA Region 8 was notified of this change to the draft permit.

Pursuant to RAC § 2-109(8), within 60 days after the final permit has been issued, the applicant, any person who participated in the public comment process and is aggrieved by the action, and any other person who could obtain judicial review of that action under applicable law, may appeal to the Environmental Commission in accordance with the Southern Ute Indian Tribe/State of Colorado Environmental Commission's Reservation Air Code (RAC) and the Commission's Procedural Rules. Additionally, the regulations at RAC § 2-109(7) specify that any person may petition the EPA Administrator within 60 days after the expiration of the Administrator's 45-day review period to make an

objection that the permit would not be in compliance with applicable requirements. Any such petition must be based only on objections to the permit that were raised with reasonable specificity during the public comment period unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objections arose after such period.

If you have any questions concerning the enclosed permit, please contact Matt Wampler at 970-563-2202.

Sincerely,

Matt Wampler  
Air Quality Program Manager – Permitting & Regulatory  
Southern Ute Indian Tribe

# Southern Ute Indian Tribe

## *Air Quality Division*



## **Title V Operating Permit**

**Southern Ute Indian Tribe  
Environmental Programs Department  
Air Quality Division  
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,

**Public Service Company of Colorado  
Tiffany Compressor Station**

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

This source is authorized to operate at the following location:

**Southern Ute Indian Reservation  
Section 4, T32N R6W  
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.

*Danny J Powers*  
\_\_\_\_\_

Daniel Powers, Air Quality Division Head  
Environmental Programs Department  
Southern Ute Indian Tribe

**AIR POLLUTION CONTROL  
TITLE V PERMIT TO OPERATE  
Public Service Company of Colorado  
Tiffany Compressor Station**

SUIT Account Identification Code: 2-037

Permit Number: V-SUIT-0023-2022.00

[Replaces Permit No.: V-SUIT-0023-2018.01]

Issue Date: February 12, 2024

Effective Date: February 12, 2024

Expiration Date: February 12, 2029

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>
November 22, 2000	Initial Part 71 Permit Issued		# V-SU-0023-00.00
December 6, 2005	1 <sup>st</sup> Renewal Permit Issued		# V-SU-0023.05.00
November 2007	Minor Modification, Administrative Amendments		# V-SU-0023-05.01
January 30, 2008	Administrative Amendments		# V-SU-0023-05.02
May 18, 2011	2 <sup>nd</sup> Renewal Permit Issued		# V-SU-0023-2010.00
September 13, 2013	Initial Part 70 Permit Issued	Replace EPA –issued permit # V-SU-0023-2010.00	# V-SUIT-0023-2013.00
August 17, 2018	Part 70 Renewal Permit Issued	Replaces # V-SUIT-0023-2013.00	# V-SUIT-0023.2018.00
November 30, 2021	Minor Modification	<ul style="list-style-type: none"> <li>• Removed emission units D001, D002, and D003.</li> <li>• Incorporated emission in D004</li> </ul>	# V-SUIT-0023.2018.01
February 12, 2024	2 <sup>rd</sup> Part 70 Renewal Permit Issued	<ul style="list-style-type: none"> <li>• Incorporated emission units D001, D002, D003</li> <li>• Removed emission unit D004 and E005</li> <li>• Added emission unit E006</li> <li>• Removed affirmative defense provisions (Section II.1.13)</li> </ul>	#V-SUIT-0023.2022.00

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## Abbreviations and Acronyms

4SLB	Four-Stroke Lean-Burn
4SRB	Four-Stroke Rich-Burn
AFS	Air Facility System database
AQD	Southern Ute Indian Tribe's Air Quality Division
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>	Public Service Company of Colorado
<b>Facility Name:</b>	Tiffany Compressor Station
<b>Facility Location:</b>	Section 4, T32N R6W
Latitude:	37.05054° N
Longitude:	-107.5121694° W
<b>State:</b>	Colorado
<b>County:</b>	La Plata
<b>Responsible Official:</b>	Chad Campbell – Manager, Environmental Services
<b>SIC Code:</b>	4922
<b>ICIS Identification Number:</b>	SU00000008067U0007
<b>EPA Facility Registry ID:</b>	110055558962
<b>Other Clean Air Act Permits</b>	None

#### Process Description:

The Tiffany Compressor Station conditions natural gas to pipeline quality for delivery to Xcel Energy, Public Service Company of Colorado (PSCo) customers. The facility compresses natural gas using three compressor engines and removes water from the gas stream using three dehydrators. The gas is then odorized and delivered into a PSCo pipeline that provides gas to Pagosa Springs, the San Luis Valley, and the PSCo mountain customers. This facility is classified as a natural gas transmission facility defined under Standard Industrial Classification 4922.

The primary emission sources are three natural gas-fired four-stroke rich-burn (4SRB) spark ignition (SI) compressor engines and three triethylene glycol (TEG) dehydrators.

## 2. Source Emission Points

**Table 1 - Emission Units**

<b>Emission Unit ID</b>	<b>Description</b>				<b>Control Equipment</b>
	3 – White Superior 8G-825 (4SRB SI) Compressor Engines, 800 nameplate rated hp				None
E001	Serial No.	21086	Install Date:	11/15/1974	
E002	Serial No.	286139	Install Date:	01/01/1977	
E003	Serial No.	274239	Install Date:	01/01/1980	
	2 – Triethylene Glycol (TEG) Dehydration Unit, 14 MMscf/day				None
D001	Serial No.	N/A	Install Date:	01/01/1974	
D002	Serial No.	N/A	Install Date:	01/01/1974	
	1 – Triethylene Glycol (TEG) Dehydration Unit, 10 MMscf/day				
D003	Serial No.	N/A	Install Date:	01/01/2003	

**Table 2 - Insignificant Emission Units**

<b>Emission Unit ID</b>	<b>Amount</b>	<b>Description</b>	<b>Size</b>	<b>Units</b>
D001, D002	2	Glycol Reboiler Burners for D001 and D002	0.625	MMBtu/hr
N/A	2	Plastic Triethylene Glycol Above Ground Storage Tank	500	gal
N/A	1	Oil Tank	1,100	gal
N/A	1	Underground Used Oil Tank	560	gal
N/A	1	Water / Oil Tank	2,000	gal
N/A	1	Elastec Inc. Smart Ash Burner	N/A	N/A
D003	1	TEG Reboiler for D003	0.35	MMBtu/hr
N/A	1	Ethylene Glycol Coastal 50 Coolant Above Ground Tank	1,057	gal
E006	1	Generac Emergency Generator, (4SRB) 374 site rated hp	250	KW
N/A	5	Separator Radiant Heaters	0.025	MMBtu/hr
N/A	2	Window Mounted Air Conditioner	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 Department 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 Department 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. The permittee shall submit the initial fee calculation work sheet using the most recent form provided by the Tribe. [RAC 2-118(2)(c)]
- 1.1.6. Basis for calculating annual fee:
- 1.1.6.1. Subtotal annual fees shall be calculated by multiplying the applicable emission fee set pursuant to RAC § 2-119(1) of this code times the total tons of actual emissions for each fee pollutant. In lieu of actual emissions, annual fees may be calculated based on the potential to emit 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)]

1.1.6.1.1. “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)]

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

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

1.1.6.1.3. 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)]

1.1.6.2. 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 AQD prior to the start of each calendar year.]*

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

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

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

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

1.1.7. 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)]

- 1.1.8. 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)]
- 1.1.9. 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)]
- 1.1.10. 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 AQD’s website (<https://www.southernute-nsn.gov/government/departments/epd/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 Department  
Air Quality Division  
P.O. Box 737 MS #84  
Ignacio, Colorado 81137

or by Common Carrier:  
Part 70 Program  
Environmental Programs Department  
Air Quality Division  
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 Division 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.

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

- 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)(b)]

- 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. The filing of a minor permit revision application does not authorize construction or modification of a source under the NSR preconstruction permit program. It is the permittee's responsibility to determine if a preconstruction permit is required prior to commencing construction, modification, or reconstruction.

[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.** [Reserved]

**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 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 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 (Unit 22a) with equivalent capacity and emission destruction efficiency and configured to operate in the same manner as the primary thermal oxidizer (Unit 22) 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 Unit 22a 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 in accordance with the PSD Permit deviation reporting requirements outlined in this permit.

#### **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 JJJJ – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines [40 CFR 60.4230 – 60.4248, RAC 4-103]

This facility is subject to the requirements of 40 CFR Part 60, Subpart JJJJ for four-stroke rich burn (4SRB) emergency stationary spark ignition (SI) internal combustion engines (ICE) with a maximum engine power greater than or equal to 100 brake horsepower (HP) commenced construction after June 12, 2006 and manufactured after January 1, 2009. Notwithstanding conditions in this permit, the permittee shall comply with all applicable requirements of 40 CFR Part 60, Subpart JJJJ.

##### 1.1.1. Affected Sources

The following emission units are considered affected sources under 40 CFR Part 60, Subpart JJJJ:

E006 – Generac SG-250 Emergency Generator (4SRB), 374 Nameplate Rated HP

[40 CFR 60.4230]

##### 1.1.2. Emission Standards for Owners and Operators

- 1.1.2.1. Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn

engines that use LPG) must comply with the emission standards in Table 1 to this subpart for their stationary SI ICE.

[40 CFR 60.4233]

<b>Table 1 to Subpart JJJJ of Part 60—NO<sub>x</sub>, CO, and VOC Emission Standards Stationary Emergency Engines &gt;25 HP</b>								
<b>Engine type and fuel</b>	<b>Maximum engine power</b>	<b>Manufacture date</b>	<b>Emission standards<sup>a</sup></b>					
			<b>g/HP-hr</b>			<b>ppmvd at 15% O<sub>2</sub></b>		
			<b>NO<sub>x</sub></b>	<b>CO</b>	<b>VOC<sup>d</sup></b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>VOC<sup>d</sup></b>
Emergency	HP≥130		2.0	4.0	1.0	160	540	86

<sup>a</sup>Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/HP-hr or ppmvd at 15 percent O<sub>2</sub>.

<sup>d</sup>For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

- 1.1.2.2. Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in §60.4233 over the entire life of the engine.

[40 CFR 60.4234]

**1.1.3. Other Requirements for Owners and Operators**

- 1.1.3.1. For emergency stationary SI ICE with a maximum engine power of greater than 19 KW (25 HP), owners and operators may not install engines that do not meet the applicable requirements in §60.4233 after January 1, 2011.

[40 CFR 60.4236(c)]

- 1.1.3.2. If the emergency stationary SI internal combustion engine that is greater than or equal to 130 HP and less than 500 HP that was built on or after January 1, 2011, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.

[40 CFR 60.4237]

**1.1.4. Compliance Requirements for Owners and Operators**

- 1.1.4.1. If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in §

60.4233(d) or (e), you must demonstrate compliance according to the method specified in paragraph (b)(1) below.

- 1.1.4.1.1. Purchasing an engine certified according to procedures specified in this subpart, for the same model year and demonstrating compliance according to paragraph § 60.4243(a)(1) as specified in the subparagraph below.

[40 CFR 60.4243(b)(1)]

- 1.1.4.1.1.1. If you operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, you must keep records of conducted maintenance to demonstrate compliance, but no performance testing is required if you are an owner or operator. You must also meet the requirements as specified in 40 CFR part 1068, subparts A through D, as they apply to you. If you adjust engine settings according to and consistent with the manufacturer's instructions, your stationary SI internal combustion engine will not be considered out of compliance.

[40 CFR 60.4243(a)(1)]

- 1.1.4.2. If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs in the section below. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs of the section below, is prohibited. If you do not operate the engine according to the requirements in paragraphs of the section below, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

[40 CFR 60.4243(d)]

- 1.1.4.2.1. There is no time limit on the use of emergency stationary ICE in emergency situations.

[40 CFR 60.4243(d)(1)]

- 1.1.4.2.2. You may operate your emergency stationary ICE for any combination of the purposes specified in paragraphs of the section below for a maximum of 100 hours per calendar year. Any

operation for non-emergency situations as allowed by paragraph discussing non-emergency operations below counts as part of the 100 hours per calendar year allowed by this paragraph.

[40 CFR 60.4243(d)(2)]

- 1.1.4.2.2.1. Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

[40 CFR 60.4243(d)(2)(i)]

- 1.1.4.2.3. Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph of this section above discussing maximum hourly usage. Except as provided in the paragraph of this section below, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

[40 CFR 60.4243(d)(3)]

- 1.1.4.2.3.1. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

[40 CFR 60.4243(d)(3)(i)]



- 1.1.4.2.3.1.1. The engine is dispatched by the local balancing authority or local transmission and distribution system operator;
- 1.1.4.2.3.1.2. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.
- 1.1.4.2.3.1.3. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.
- 1.1.4.2.3.1.4. The power is provided only to the facility itself or to support the local transmission and distribution system.
- 1.1.4.2.3.1.5. The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

[40 CFR 60.4243(d)(3)(A)-(D)]

- 1.1.4.3. Owners and operators of stationary SI natural gas fired engines may operate their engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the owners and operators are required to conduct a performance test to demonstrate compliance with the emission standards of § 60.4233.

[40 CFR 60.4243(e)]

- 1.1.4.4. If you are an owner or operator of a stationary SI internal combustion engine that is less than or equal to 500 HP and you purchase a non-certified engine or you do not operate and maintain your certified stationary SI internal combustion engine and control device according to the manufacturer's written emission-related instructions, you are required to perform initial performance testing as indicated in this section, but you

are not required to conduct subsequent performance testing unless the stationary engine undergoes rebuild, major repair or maintenance. Engine rebuilding means to overhaul an engine or to otherwise perform extensive service on the engine (or on a portion of the engine or engine system). For the purpose of this paragraph (f), perform extensive service means to disassemble the engine (or portion of the engine or engine system), inspect and/or replace many of the parts, and reassemble the engine (or portion of the engine or engine system) in such a manner that significantly increases the service life of the resultant engine.

[40 CFR 60.4243(f)]

- 1.1.4.4.1. It is expected that air-to-fuel ratio controllers will be used with the operation of three-way catalysts/non-selective catalytic reduction. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times.

[40 CFR 60.4243(g)]

- 1.1.4.5. If you are an owner or operator of a modified or reconstructed stationary SI internal combustion engine and must comply with the emission standards specified in § 60.4233(f), you must demonstrate compliance according to one of the methods specified in paragraphs (i)(1) or (2) of this section.

- 1.1.4.5.1. Purchasing, or otherwise owning or operating, an engine certified to the emission standards in § 60.4233(f), as applicable.
- 1.1.4.5.2. Conducting a performance test to demonstrate initial compliance with the emission standards according to the requirements specified in § 60.4244. The test must be conducted within 60 days after the engine commences operation after the modification or reconstruction.

[40 CFR 60.4243(i)]

#### **1.1.5. Notification, Reports, and Records for Owners and Operators**

- 1.1.5.1. Owners or operators of stationary SI ICE must meet the following notification, reporting and recordkeeping requirements.
  - 1.1.5.1.1. Owners and operators of all stationary SI ICE must keep records of the information in the three paragraphs of the section below.

- 1.1.5.1.1.1. All notifications submitted to comply with this subpart and all documentation supporting any notification.
- 1.1.5.1.1.2. Maintenance conducted on the engine.
- 1.1.5.1.1.3. If the stationary SI internal combustion engine is not a certified engine, documentation that the engine meets the emission standards.

[40 CFR 60.4245(a)]

- 1.1.5.1.2. For all stationary SI emergency ICE greater than or equal to 130 HP and less than 500 HP manufactured on or after July 1, 2011 that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.

[40 CFR 60.4245(b)]

**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>Table 3 to Subpart JJJJ of Part 60—Applicability of General Provisions to Subpart JJJJ</b>			
<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 §60.4248.
§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 Recordkeeping	Yes	Except that §60.7 only applies as specified in §60.4245.
§60.8	Performance tests	Yes	Except that §60.8 only applies to owners and operators who are subject to performance testing in subpart JJJJ.
§60.9	Availability of information	Yes	
§60.10	State Authority	Yes	
§60.11	Compliance with standards and maintenance requirements	Yes	Requirements are specified in subpart JJJJ.
§60.12	Circumvention	Yes	
§60.13	Monitoring requirements	No	
§60.14	Modification	Yes	
§60.15	Reconstruction	Yes	
§60.16	Priority list	Yes	
§60.17	Incorporations by reference	Yes	
§60.18	General control device requirements	No	
§60.19	General notification and reporting requirements	Yes	

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

**2.1. 40 CFR Part 63, Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines [40 CFR 63.6580 – 63.6675, RAC 4-103]**

This facility is subject to the requirements of 40 CFR Part 63, Subpart ZZZZ for existing remote stationary reciprocating internal combustion engines (RICE) with a site rating of greater than 500 brake horsepower and for existing emergency stationary RICE with a site-rating of less than 500 brake horsepower located at an area source of hazardous air pollutants (HAPs). Notwithstanding conditions in this permit, the permittee shall comply with all applicable requirements of 40 CFR Part 63, subparts A and ZZZZ.

**2.1.1. Affected Sources**

The following emission units are considered affected sources under 40 CFR Part 63, Subpart ZZZZ:

E001 – 658 bhp, White Superior 8G-825 4SRB SI natural gas-fired non-emergency compressor engine constructed or reconstructed before June 12, 2006.

E002 – 658 bhp, White Superior 8G-825 4SRB SI natural gas-fired non-emergency compressor engine constructed or reconstructed before June 12, 2006.

E003 – 658 bhp, White Superior 8G-825 4SRB SI natural gas-fired non-emergency compressor engine constructed or reconstructed before June 12, 2006.

[40 CFR 63.6585]

**2.1.2. Emission and Operating Limitations**

2.1.2.1. If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in this subpart that apply to you.

[40 CFR 63.6603]

<p><b>Table 2d to Subpart ZZZZ of Part 63 – Requirements for Existing Stationary RICE Located at Area Sources of HAP Emissions</b></p>
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As stated in §63.6603 and §63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:

For Each...	You must meet the following emission limitation, except during periods of startup...	During periods of start up you must...
11. Non-emergency, non-black start 4SRB remote stationary RICE >500 HP	a. Change oil and filter every 2,160 hours of operation or annually, whichever comes first <sup>1</sup> ;	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.
	b. Inspect spark plugs every 2,160 hours of operation or annually, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 2,160 hours of operation or annually, whichever comes first, and replace as necessary.	

<sup>1</sup>Sources have the option to utilize an oil analysis program as described in §63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2d of this subpart.

<sup>2</sup>If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

2.1.2.2. For emission units E001, E002 and E003: you must evaluate the status of their stationary RICE every 12 months. Owners and operators must keep records of the initial and annual evaluation of the status of the engine. If the evaluation indicates that the stationary RICE no longer meets the definition of remote stationary RICE in §63.6675 of this subpart, the owner or operator must comply with all of the requirements for existing non-emergency SI 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that are not remote stationary RICE within 1 year of the evaluation.

[40 CFR 63.6603]

2.1.2.2.1. In accordance with §63.6675, for stationary RICE located on a pipeline segment, *Remote Stationary RICE* must meet the criteria listed below:

- 2.1.2.2.1.1. A pipeline segment with 10 or fewer buildings intended for human occupancy and no buildings with four or more stories within 220 yards (200 meters) on either side of the centerline of any continuous 1-mile (1.6 kilometers) length of pipeline. Each separate dwelling unit in a multiple dwelling unit building is counted as a separate building intended for human occupancy.
- 2.1.2.2.1.2. The pipeline segment does not lie within 100 yards (91 meters) of either a building or a small, well-defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by 20 or more persons on at least 5 days a week for 10 weeks in any 12-month period. The days and weeks need not be consecutive. The building or area is considered occupied for a full day if it is occupied for any portion of the day.
- 2.1.2.2.1.3. For purposes of this section, the term pipeline segment means all parts of those physical facilities through which gas moves in transportation, including but not limited to pipe, valves, and other appurtenance attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies. Stationary RICE located within 50 yards (46 meters) of the pipeline segment providing power for equipment on a pipeline segment are part of the pipeline segment. Transportation of gas means the gathering, transmission, or distribution of gas by pipeline, or the storage of gas. A building is intended for human occupancy if its primary use is for a purpose involving the presence of a humans.  
[40 CFR 63.6603 and 63.6675]

### **2.1.3. General Compliance Requirements**

- 2.1.3.1. You must be in compliance with operating limitations and other requirements in this subpart that apply to you at all times.
- 2.1.3.2. At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based

on information available to the Administrator which may include but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[40 CFR 63.6605]

#### **2.1.4. Testing and Initial Compliance Requirements**

2.1.4.1. For emission units E001, E002 and E003: you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Table 2d to subpart ZZZZ apply.

2.1.4.2. For emission units E001, E002 and E003: you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Table 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

[40 CFR 63.6625]

#### **2.1.5. Continuous Compliance Requirements**

2.1.5.1. For E001, E002 and E003: you must demonstrate continuous compliance with each operating limitation and other requirements in Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.

<b>Table 6 to Subpart ZZZZ of Part 63 – Continuous Compliance with Emission Limitations and other Requirements</b>
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As stated in §63.6640, you must continuously comply with the emissions and operating limitations and work or management practices as required by the following:

For Each...	Complying with the requirement to...	You must demonstrate continuous compliance by...
9. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are remote stationary RICE and existing emergency and black start stationary RICE located at an area source of HAP	a. Work or Management practices	i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

2.1.5.2. For E001, E002 and E003: you must report each instance in which you did not meet each operating limitation in Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in §63.6650.

2.1.5.3. For E001, E002 and E003: you must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you.

**2.1.6. Notifications, Reports, and Records**

2.1.6.1 For E001, E002, and E003, you must submit all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply by the dates specified.

[40 CFR 63.6645]

2.1.6.2. You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.

[40 CFR 63.6655(d)]

2.1.6.3. For E001, E002 and E003: you must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan.

[40 CFR 63.6655(e)]

2.1.6.3.1. In order to demonstrate compliance with the maintenance requirements, maintenance records will record the information including, but not limited to, the following:

2.1.6.3.1.1. Date the maintenance activity occurred

2.1.6.3.1.2. Hours of engine operation

2.1.6.3.1.3. Engine serial number

2.1.6.3.1.4. If an engine oil sample was pulled, if the engine oil analysis program is allowed under §63.6625(j)

2.1.6.3.1.5. If the engine oil was replaced

2.1.6.3.1.6. If the engine oil filter was replaced

2.1.6.3.1.7. If the belts were inspected or replaced

2.1.6.3.1.8. If the hoses were inspected or replaced

2.1.6.3.1.9. If the sparkplugs were inspected or replaced

[40 CFR 63.6655 and RAC 2-110(6)]

2.1.6.4. Records must be kept in a form suitable and readily available for expeditious review according to §63.10(b)(1).

2.1.6.5. As specified in §63.10(b)(1), the permittee must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

2.1.6.6. The permittee must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1).

[40 CFR 63.6660]

## **2.1.7. Other Requirements and Information**

2.1.7.1. Table 8 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to the permittee.

[40 CFR 63.6665]

<b>Table 8 to Subpart ZZZZ of Part 63—Applicability of General Provisions to Subpart ZZZZ</b>			
<b>General provisions citation</b>	<b>Subject of citation</b>	<b>Applies to subpart</b>	<b>Explanation</b>
§63.1	General applicability of the General Provisions	Yes.	
§63.2	Definitions	Yes	Additional terms defined in §63.6675.
§63.3	Units and abbreviations	Yes.	
§63.4	Prohibited activities and circumvention	Yes.	
§63.5	Construction and reconstruction	Yes.	
§63.6(a)	Applicability	Yes.	
§63.6(b)(1)-(4)	Compliance dates for new and reconstructed sources	Yes.	
§63.6(b)(5)	Notification	Yes.	
§63.6(b)(7)	Compliance dates for new and reconstructed area sources that become major sources	Yes.	
§63.6(c)(1)-(2)	Compliance dates for existing sources	Yes.	
§63.6(c)(5)	Compliance dates for existing area sources that become major sources	Yes.	
§63.6(f)(2)	Methods for determining compliance	Yes.	
§63.6(f)(3)	Finding of compliance	Yes.	
§63.6(g)(1)-(3)	Use of alternate standard	Yes.	
§63.6(i)	Compliance extension procedures and criteria	Yes.	
§63.6(j)	Presidential compliance exemption	Yes.	
§63.7(a)(1)-(2)	Performance test dates	Yes	Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.
§63.7(a)(3)	CAA section 114 authority	Yes.	
§63.7(b)(1)	Notification of performance test	Yes	Except that §63.7(b)(1) only applies as specified in §63.6645.
§63.7(b)(2)	Notification of rescheduling	Yes	Except that §63.7(b)(2) only applies as specified in §63.6645.
§63.7(c)	Quality assurance/test plan	Yes	Except that §63.7(c) only applies as specified in §63.6645.
§63.7(d)	Testing facilities	Yes.	

§63.7(e)(2)	Conduct of performance tests and reduction of data	Yes	Subpart ZZZZ specifies test methods at §63.6620.
§63.7(e)(3)	Test run duration	Yes.	
§63.7(e)(4)	Administrator may require other testing under section 114 of the CAA	Yes.	
§63.7(f)	Alternative test method provisions	Yes.	
§63.7(g)	Performance test data analysis, recordkeeping, and reporting	Yes.	
§63.7(h)	Waiver of tests	Yes.	
§63.8(a)(1)	Applicability of monitoring requirements	Yes	Subpart ZZZZ contains specific requirements for monitoring at §63.6625.
§63.8(a)(2)	Performance specifications	Yes.	
§63.8(b)(1)	Monitoring	Yes.	
§63.8(b)(2)-(3)	Multiple effluents and multiple monitoring systems	Yes.	
§63.8(c)(1)	Monitoring system operation and maintenance	Yes.	
§63.8(c)(1)(ii)	SSM not in Startup Shutdown Malfunction Plan	Yes.	
§63.8(c)(2)-(3)	Monitoring system installation	Yes.	
§63.8(c)(4)	Continuous monitoring system (CMS) requirements	Yes	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS).
§63.8(c)(6)-(8)	CMS requirements	Yes	Except that subpart ZZZZ does not require COMS.
§63.8(d)	CMS quality control	Yes.	
§63.8(e)	CMS performance evaluation	Yes	Except for §63.8(e)(5)(ii), which applies to COMS.
		Except that §63.8(e) only applies as specified in §63.6645.	
§63.8(f)(1)-(5)	Alternative monitoring method	Yes	Except that §63.8(f)(4) only applies as specified in §63.6645.
§63.8(f)(6)	Alternative to relative accuracy test	Yes	Except that §63.8(f)(6) only applies as specified in §63.6645.
§63.8(g)	Data reduction	Yes	Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at §§63.6635 and 63.6640.
§63.9(a)	Applicability and State delegation of notification requirements	Yes.	
§63.9(b)(1)-(5)	Initial notifications	Yes	Except that §63.9(b)(3) is reserved.

		Except that §63.9(b) only applies as specified in §63.6645.	
§63.9(c)	Request for compliance extension	Yes	Except that §63.9(c) only applies as specified in §63.6645.
§63.9(d)	Notification of special compliance requirements for new sources	Yes	Except that §63.9(d) only applies as specified in §63.6645.
§63.9(e)	Notification of performance test	Yes	Except that §63.9(e) only applies as specified in §63.6645.
§63.9(g)(1)	Notification of performance evaluation	Yes	Except that §63.9(g) only applies as specified in §63.6645.
§63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded	Yes	If alternative is in use.
		Except that §63.9(g) only applies as specified in §63.6645.	
§63.9(h)(1)-(6)	Notification of compliance status	Yes	Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. §63.9(h)(4) is reserved.
			Except that §63.9(h) only applies as specified in §63.6645.
§63.9(i)	Adjustment of submittal deadlines	Yes.	
§63.9(j)	Change in previous information	Yes.	
§63.10(a)	Administrative provisions for recordkeeping/reporting	Yes.	
§63.10(b)(1)	Record retention	Yes	Except that the most recent 2 years of data do not have to be retained on site.
§63.10(b)(2)(vi)-(xi)	Records	Yes.	
§63.10(b)(2)(xii)	Record when under waiver	Yes.	
§63.10(b)(2)(xiii)	Records when using alternative to RATA	Yes	For CO standard if using RATA alternative.
§63.10(b)(2)(xiv)	Records of supporting documentation	Yes.	
§63.10(b)(3)	Records of applicability determination	Yes.	
§63.10(c)	Additional records for sources using CEMS	Yes	Except that §63.10(c)(2)-(4) and (9) are reserved.
§63.10(d)(1)	General reporting requirements	Yes.	
§63.10(d)(2)	Report of performance test results	Yes.	
§63.10(d)(4)	Progress reports	Yes.	

§63.10(e)(1) and (2)(i)	Additional CMS Reports	Yes.	
§63.10(e)(3)	Excess emission and parameter exceedances reports	Yes.	Except that §63.10(e)(3)(i)(C) is reserved.
§63.10(f)	Waiver for recordkeeping/reporting	Yes.	
§63.12	State authority and delegations	Yes.	
§63.13	Addresses	Yes.	
§63.14	Incorporation by reference	Yes.	
§63.15	Availability of information	Yes.	

[75 FR 9688, Mar. 3, 2010, as amended at 78 FR 6720, Jan. 30, 2013]

[40 CFR 63.6670]

**3. Reserved – Tribal Minor New Source Review**

**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 Department  
Air Quality Division  
P.O. Box 737 MS #84  
Ignacio, Colorado 81137

or by Common Carrier:

Part 70 Program Environmental  
Programs Department  
Air Quality Division  
398 Ouray Drive  
Ignacio, CO 81137

**Section IV – Appendix**

**1. Inspection Information**

**1.1. Driving Directions:**

From Ignacio, go south on state highway 151 past mile marker 9 to county road 330. Travel approximately 1 mile east on county road 330 to the Tiffany Compressor Station.

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

Latitude: 37.05054° N  
Longitude: -107.5121694° W

**1.3. Safety Considerations:**

PSCO requires all visitors to the Tiffany Compressor Station to be escorted and wear a hard hat, eye protection, safety shoes, and hearing protection. No smoking is allowed on the property.