



AIR QUALITY DIVISION
Environmental Programs Department
Southern Ute Indian Tribe
PO Box 737 MS#84
Ignacio, CO 81137
Phone 970-563-4705

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

November 6, 2024

Mr. Ethan Hinkley
Air Quality Compliance Manager
Red Cedar Gathering Company
125 Mercado Street; Suite 201
Durango, CO 81301

RE: Part 70 Operating Permit – Permit Renewal
Title V Permit # V-SUIT-0044-2023.00
Red Cedar Gathering Company
Elk Point Compressor Station

Mr. Hinkley,

The Southern Ute Indian Tribe Air Quality Division (AQD) has completed its review of Red Cedar Gathering Company's (Red Cedar) request to renew a Title V Permit to Operate, pursuant to the Title V Operating Permit Program at 40 CFR Part 70, for the Elk Point Compressor Station.

Based on the information submitted in Red Cedar's application, and the comments received during the public comment period, the AQD hereby issues the enclosed Title V Permit to Operate. The final permit will become effective on **November 6, 2024**.

A 30-day public comment period was held from May 1, 2024, to May 31, 2024. The AQD received comments from Red Cedar during this time and no comments were received from the public, affected states, or tribes. Following the 30-day public comment period, the AQD made the following changes:

1. Section III.2.2.1. – Reverted back to the requested language of "once per calendar year" from "once during each 12-month period".

For a more detailed discussion of these comments and the resultant changes, please review the Response to Comments document attached to this permit.

A 45-day Administrative Review period at EPA Region 8 was held from September 20, 2024, to November 4, 2024. No comments were received from EPA Region 8 during this review period.

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 feel free to contact me.

Sincerely,

Mark Lamoreaux
Air Quality Scientist I - Permitting
Southern Ute Indian Tribe
(970) 563-2273
mlamoreaux@southernute-nsn.gov



AIR QUALITY DIVISION

ENVIRONMENTAL PROGRAMS DEPARTMENT

SOUTHERN UTE INDIAN TRIBE

PO BOX 737, MS 84, IGNACIO, CO 81137

(970) 563 – 4705 • (970) 563 – 0384 FAX

September 20, 2024

Response to Comments Document

Operator: Red Cedar Gathering Company

Facility: Animas Compressor Station, Capote Compressor Station, Elk Point Compressor Station

Permit Action: Title V Operating Permit Renewals

Comments from Red Cedar Gathering Company received on Draft Title V Operating Permits V-SUIT-0035-2023.00, V-SUIT-0016-2023.00, and V-SUIT-0044-2023.00

I. Permit Provision III.2.: 40 CFR Part 63, Subpart HH – National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities [40 CFR 63.760-63.779 and RAC 4-103]

Comment:

Section III.2.2.1. 40 CFR Part 63, Subpart HH: Language was changed from the current permit (changes highlighted).

Current Permit:

2.2.1. 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. The analysis shall include the gas temperature and pressure at which the sample was taken. The analysis must be used to determine the actual average benzene emissions annually, as determined in accordance with §63.772(b)(2)(i).

Draft Permit:

*2.2.1. The permittee must obtain an extended wet gas analysis of the inlet gas stream at least once **during each 12-month period**. The gas sample shall be taken at a point prior to where the gas enters the dehydration system contact tower. The analysis shall include the gas temperature and pressure at which the sample was taken. The gas analysis **results and corresponding temperature and pressure documented during collection of the gas sample** must be used to determine the actual average benzene emissions annually, in accordance with §63.772(b)(2)(i) or (ii). **If electing to make this***

demonstration according to §63.772(b)(2)(i), using GRI-GLYCalc model, the permittee shall perform each model run using a single gas analysis and the corresponding temperature and pressure documented during collection of the gas sample. The permittee may elect to average the results for multiple GRI-GLYCalc model runs in determining actual average benzene emissions annually, if multiple gas samples are collected within a 12-month period.

Requested Change:

-In general, Red Cedar requests the permits retain the previous permit language for the sake of regulatory uniformity across all their facilities, to allow GRI-GLYCalc model inputs to best represent actual operating conditions, and because it better aligns with the referenced requirement at 40 CFR §63.772(b)(i).

AQD's Response:

The requested changes have been partially accepted. The reasons for accepting and not accepting the requested changes are detailed in AQD's responses below. The AQD has begun including this updated language in all applicable AQD permits with the goal of having uniformity across all permits. The Animas, Capote, and Elk Point Compressor Station Title V permits are the first Red Cedar Title V permits to be renewed in this cycle, therefore, uniformity across all Red Cedar permits will occur, at a minimum, through this renewal cycle. Furthermore, as explained below, the language in question does not create new requirements. The language was revised to provide clarification to the existing permit language contained in these Red Cedar permits.

Requested Change:

-The change from "once per calendar year" to "once during each 12-month period" introduces ambiguous language that is undefined, open for interpretation, and does not serve to improve air quality or the enforceability of the permit. Red Cedar requests retaining the "once per calendar year" language.

AQD's Response:

The requested change has been made. The AQD prefers the updated timeframe of "once during each 12-month period" and considers the timeframe to be better defined and less ambiguous than the timeframe of "annual." However, the AQD finds the timeframe of annual to be sufficient for the purposes of demonstrating compliance with the annual benzene emissions exemption at 40 CFR 63.764(e)(1).

Requested Change:

-The requirement to only use the temperature and pressure documented during the gas sample collection makes sense if no other data is available but does not account for instances where accurate annual average temperature and pressure data are available. Therefore, Red Cedar requests this sentence read; **"The gas analysis results and corresponding temperature and pressure documented during collection of the gas sample, or an annual average gas temperature and pressure, shall be used..."**

AQD's Response:

The requested change has not been made. The AQD is requiring the use of the temperature and pressure, and other parameters documented during the collection of the gas sample, because the AQD believes these data inputs are most “representative of actual operating conditions of the glycol dehydration unit”, as required by 40 CFR 63.772(b)(2)(i), and therefore most representative of actual benzene emissions. The AQD does not find Red Cedar’s proposed approach of averaging certain inputs into GRI-GLYCalc to be representative of actual operating conditions of the glycol dehydration unit, because averaged values would not at any time in the year match the actual operating conditions of the glycol dehydration unit. The AQD believes to obtain an accurate estimate of benzene emissions, it’s important that actual operating conditions of the glycol dehydration unit are used as inputs to the GRI-GLYCalc model. For example, the concentration of BTEX measured in a gas sample and the corresponding gas temperature of the sample have a strong correlation to emissions. The use of an averaged gas temperature with a single gas analysis would not represent actual operating conditions, or accurately estimate emissions during actual operations.

Red Cedar states in their next comment “A GRI-GLYCalc model run based on a gas sample is similar to a test report based on an emission test in that both represent operating conditions during a snapshot of time.” This comment is consistent with the AQD’s intent of requiring inputs to the model that represent actual operating conditions of the glycol dehydration unit during the time of the sampling events. Using these inputs would create a “snapshot in time” of emissions that are representative of actual operating conditions of the glycol dehydration unit, consistent with 40 CFR 63.772(b)(2)(i).

Requested Change:

-A GRI-GLYCalc model run based on a gas sample is similar to a test report based on an emission test in that both represent operating conditions during a snapshot of time. Just as engine tests are not averaged over a year, if multiple gas samples are used for a given calendar year, it is more accurate to apply emissions based on a given gas sample until the next sample is collected. Therefore, if the original permit language is not retained, we request removal of the sentence that begins with “The permittee may elect to average...”

AQD's Response:

The requested change has not been made. The AQD has provided the additional option of allowing the permittee to average the results of multiple GRI-GLYCalc runs to provide flexibility for permittees to use multiple gas analysis and corresponding GRI-GLYCalc runs, each of which represents actual emissions at a point within the year to determine their actual annual average benzene emissions. The AQD considers this approach to provide a standardized method for operators to estimate annual actual average benzene emissions in a way that the AQD interprets to be consistent with the rule, since inputs to each individual model run are representative of actual operating conditions of the glycol dehydration unit.

Requested Change:

-Red Cedar disagrees with AQD’s novel mandate to limit GRI-GLYCalc inputs to only the temperature and pressure of a gas sample and requests the permit condition maintain the same flexibility afforded to the operator in §63.772(b)(i) to use inputs “representative of actual operating conditions” (i.e., actual annual average temperature and pressure). To this end, we request the language from “If electing to make this demonstration...” to the

end of the requirement be removed. It does not align with §63.772(b)(2)(i), which states that “inputs to the model shall be representative of actual operating conditions of the glycol dehydration unit...”, by unnecessarily disallowing use of data that is more representative of actual annual operating conditions.

AQD’s Response:

The requested change has not been made. The AQD’s revised permit language is intended to align with the AQD’s interpretation of the language in §63.772(b)(2)(i), which requires inputs to the model to be representative of actual operating conditions of the glycol dehydration unit. Because there is a direct relationship between temperature and pressure, and this relationship has a direct correlation with emissions, for model inputs to be representative of emissions during actual operating conditions, these parameters must all be used together in the GRI-GLYCalc model. Averaging some, or all of these model parameters, would not produce emissions estimates that are representative of actual operating conditions.

As stated in the previous comment response above, the AQD does not find that averaged model input values would be representative of the actual operating conditions of the dehydration unit, because at no point during the year would the actual operating conditions of the dehydration unit match averaged operating data. Therefore, as stated in previous sections of this response to comments, the AQD is requiring that each GRI-GLYCalc report used to determine actual annual average benzene emissions be prepared using inputs to the model documented at the time of the gas analysis.

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,

**Red Cedar Gathering Company
Elk Point 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 25, T33N, R9W
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
Red Cedar Gathering Company
Elk Point Compressor Station**

SUIT Account Identification Code: 2-025

Permit Number: V-SUIT-0044-2023.00

[Replaces Permit No.: V-SUIT-0044-2018.00]

Issue Date: November 6, 2024

Effective Date: November 6, 2024

Expiration Date: November 6, 2029

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

Permit Issuance History

DATE	TYPE OF ACTION	DESCRIPTION OF ACTION	PERMIT NUMBER
June 2007	Initial Part 71 Permit Issued		# V-SU-0044-06.00
January 2008	Administrative Amendment		# V-SU-0044-06.01
June 2008	Administrative Amendment		# V-SU-0044-06.02
September 13, 2013	Initial Part 70 Permit Issued	Replaces EPA-issued permit # V-SU-0044-06.02	# V-SUIT-0044-2013.00
October 8, 2018	Renewal Part 70 Permit Issued		# V-SUIT-0044-2018.00
November 6, 2024	2 nd Renewal Part 70 Permit Issued		# V-SUIT-0044-2023.00

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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 ₂	Carbon dioxide
dscf	Dry standard cubic foot
dscm	Dry standard cubic meter
EPA	United States Environmental Protection Agency
gal	Gallon
GPM	Gallons per minute
H ₂ 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 _x	Nitrogen Oxides
NSPS	New Source Performance Standard
NSR	New Source Review
pH	Negative logarithm of effective hydrogen ion concentration (acidity)
PM	Particulate Matter
PM ₁₀	Particulate matter less than 10 microns in diameter
ppbvd	Parts per billion by volume, dry
ppm	Parts per million
ppmvd	Parts per million by volume, dry
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
psi	Pounds per square inch
psia	Pounds per square inch absolute
RAC	Southern Ute Indian Tribe/State of Colorado Environmental Commission's Reservation Air Code
RICE	Reciprocating Internal Combustion Engine
RMP	Risk Management Plan
scf	Standard cubic feet
scfm	Standard cubic feet per minute
SI	Spark Ignition
SO ₂	Sulfur Dioxide
SUIT	Southern Ute Indian Tribe
tpy	Ton(s) Per Year
Tribe	Southern Ute Indian Tribe

US EPA
VOC

United States Environmental Protection Agency
Volatile Organic Compounds

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Section I – Source Information and Emission Unit Identification

1. Source Information

Owner Name:	Red Cedar Gathering Company
Facility Name:	Elk Point Compressor Station
Facility Location:	Section 25, T33N R9W
Latitude:	37.074933 °N
Longitude:	-107.769018 °W
State:	Colorado
County:	La Plata
Responsible Official:	President - Chief Operating Officer
SIC Code:	1311
ICIS Identification Number:	SU000000008067U0003
EPA Facility Registry ID:	110020496337
Other Clean Air Act Permits	None

Process Description:

The Elk Point Compressor Station is a mid-stream boost compressor station capable of processing roughly 47-50 MMscf/day. The station receives inlet gas from Red Cedar's medium pressure pipeline, with an inlet pressure of approximately 300 psi. The gas is first compressed through 4 compressors driven by Caterpillar G3516LE lean burn compressor engines to approximately 900-950 psi. The gas is then processed through three tri-ethylene glycol dehydrators, set in parallel (the gas is split between the three dehydration units). The gas comes in saturated and leaves the station at less than 7 lbs H₂O/MMscf.

2. Source Emission Points

Table 1 - Emission Units

Emission Unit ID	Description				Control Equipment
	Caterpillar G3516LE (4SLB SI) Natural Gas-Fired Compressor Engine 1,340 Name Plate Rated HP				None
C-201	Serial No.	4EK02755	Install Date:	06/09/2009	
C-202	Serial No.	4EK02130	Install Date:	11/23/2021	
C-203	Serial No.	4EK00061	Install Date:	08/03/2019	
C-204	Serial No.	4EK03717	Install Date:	07/25/2024	
	PESCO Tri-ethylene Glycol Dehydrator and Flash Tank Vent 15 MMscf/day				
X-301	Serial No.	N/A	Install Date:	09/01/2000	
X-302	Serial No.	N/A	Install Date:	09/01/2000	
X-303	Serial No.	N/A	Install Date:	09/01/2000	

Table 2 - Insignificant Emission Units

Emission Unit ID	Amount	Description	Size	Units
H-301	1	Glycol Reboiler	0.200	MMBtu/hr
H-302	1	Glycol Reboiler	0.200	MMBtu/hr
H-303	1	Glycol Reboiler	0.200	MMBtu/hr
H-501	1	Tank Heater (TK-501)	0.325	MMBtu/hr
H-502	1	Tank Heater (TK-502)	0.325	MMBtu/hr
H-401, H-402	2	Catalytic Heater	0.018	MMBtu/hr
H-403	1	Catalytic Heater	0.005	MMBtu/hr
H-101	1	Catalytic Heater – Inlet Slug Catcher	0.002	MMBtu/hr
TK-501	1	Waste Water Tank	21,000	gal
TK-502	1	Waste Oil Tank	6,615	gal
TK-504	1	Engine Coolant Tank	1,820	gal
TK-505	1	TEG Storage Tank	1,000	gal
TK-506	1	Lube Oil Tank	1,600	gal
TK-509	1	Lube Oil Tank	1,300	gal
TK-510	1	Glycol Still Vent Tank	740	gal
TK-511	1	Glycol Still Vent Tank	740	gal

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 1st 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 1st and shall cover the preceding calendar year in which the certification of compliance is due, except that the first annual certification of compliance will cover the period from the issuance date of this permit through December 31st of the same year.

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

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

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

- 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 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. Reserved - New Source Performance Standards (NSPS) and 40 CFR Part 60**
- 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 – 63.779 and RAC 4-103]

The permittee is the owner or operator of a glycol dehydration unit that is 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. The analysis shall include the gas temperature and pressure at which the sample was taken. The gas analysis results and corresponding temperature and pressure documented during collection of the gas sample must be used to determine the actual average benzene emissions annually, in accordance with §63.772(b)(2)(i) or (ii). If electing to make this demonstration according §63.772(b)(2)(i), using the GRI-GLYCalc™ model, the permittee shall perform each model run using a single gas analysis and the corresponding temperature and pressure documented during collection of the gas sample. The permittee may elect to average the results of multiple GRI-GLYCalc™ model runs in determining actual average benzene emissions annually, if multiple gas samples are collected within a 12-month period.

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

- 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

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 Hwy 550 and CR 310/318 going east, travel approximately 10 miles and then right at the dirt road, traveling south approximately 1.5 miles up Herrera Hill, stay to the right at the top of the hill, continue approximately 2 miles, station is on your right. From Arkansas Loop or Trail Canyon, go north at the Crow's Foot for a couple of miles, station is on the left.

1.2. Global Positioning System (GPS):

Latitude: 37.074933 °N

Longitude: -107.769018 °W

1.3. Safety Considerations:

Red Cedar Gathering Company requires persons entering the site to wear a hard hat, safety glasses, safety toe footwear, hearing protection, and fire-retardant clothing. Red Cedar Gathering Company also requires a permit be issued prior to the performance of any Hot Work at the station.