



**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>**

July 15, 2025

Ms. Julie Best  
Environmental Specialist  
SIMCOE, LLC  
1199 Main Ave, Suite 101  
Durango, CO 81301

RE: Part 70 Operating Permit – Initial Permit  
Title V Permit # V-SUIT-0059-2024.00  
SIMCOE, LLC  
Tiffany 5 Pad

Ms. Best,

The Southern Ute Indian Tribe Air Quality Division (AQD) has completed its review of SIMCOE, LLC's (SIMCOE) request for an initial Title V Permit to Operate, pursuant to the Title V Operating Permit Program at 40 CFR Part 70, for the Tiffany 5 Pad.

Based on the information submitted in SIMCOE's application, the AQD hereby issues the enclosed Title V Permit to Operate. The final permit will become effective on **July 15, 2025**.

A 30-day public comment period was held from April 18, 2025, to May 18, 2025. The AQD received no comments from SIMCOE 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 May 27, 2025, to July 11, 2025. 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 II - Permitting  
Southern Ute Indian Tribe  
(970) 563-2273  
[mlamoreaux@southernute-nsn.gov](mailto:mlamoreaux@southernute-nsn.gov)

# **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,

**SIMCOE, LLC  
Tiffany 5 Pad**

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 20, T33N, 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.

*Daniel Powers*

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

**AIR POLLUTION CONTROL  
TITLE V PERMIT TO OPERATE  
SIMCOE, LLC  
Tiffany 5 Pad**

SUIT Account Identification Code: 2-041  
Permit Number: V-SUIT-0059-2024.00  
[Replaces Permit No.: N/A]

Issue Date: July 15, 2025  
Revised Date: N/A  
Expiration Date: July 15, 2030

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
May 19, 2022	Registration	Completed Part 1 Registration Requirements (40 CFR 49.101 - 49.105)	# SU-000485
March 9, 2023	Startup	Commenced Operation	N/A
May 8, 2023	Registration	Completed Part 2 Registration Requirements (40 CFR 49.101 - 49.105)	# SU-000485
February 5, 2024	Application	Submitted Initial Part 70 Permit Application	N/A
July 15, 2025	Permit Issued	Initial Part 70 Permit Issued	# V-SUIT-0059-2024.00

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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
bb1	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	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

<b>Owner Name:</b>	SIMCOE, LLC
<b>Facility Name:</b>	Tiffany 5 Pad
<b>Facility Location:</b>	Section 20, T33N, R6W
<b>Latitude:</b>	37.084837 °N
<b>Longitude:</b>	-107.520356 °W
<b>State:</b>	Colorado
<b>County:</b>	La Plata
<b>Responsible Official:</b>	Area Manager, Midstream
<b>SIC Code:</b>	1311
<b>ICIS Identification Number:</b>	COR425767
<b>EPA Facility Registry ID:</b>	110071879367
<b>Other Clean Air Act Permits</b>	Federal Implementation Plan: # SU-000485

### Process Description:

The Tiffany 5 Pad produces coalbed methane natural gas. The two wells on this pad include Tiffany 5-2 and Tiffany 5-3. Both wells currently utilize artificial lift to optimize production. The well streams are routed through fired separators to separate natural gas and produced water. The gas is compressed and then sent through a tri-ethylene glycol dehydrator unit to remove entrained water.

These wells do not produce any condensate or natural gas liquids, and the VOC content of the produced gas is less than 0.1 percent by weight. Current production at this facility is about 12 million cubic feet per day with compressor inlet at about 90 pounds per square inch gauge and compressor discharge at about 400 pounds per square inch gauge.

Emission sources at the Tiffany 5 Pad include one natural gas fired compressor engine, two natural gas fired artificial lift engines, one microturbine, two natural gas fired separator heaters, one tri-ethylene glycol dehydrator, one natural gas fired glycol reboiler, chemical storage tanks, one produced water storage tank, one natural gas fired tank heater, and fugitive components. The engines constructed at the facility are one 1,215 nameplate-rated horsepower Waukesha L5790 GSI compressor engine and two 24.5 nameplate-rated horsepower Arrow C101 artificial lift engines. The compressor engine is a rich burn engine equipped with an air to fuel ratio controller and non-selective catalytic reduction.

### 2. Source Emission Points

**Table 1 - Emission Units**

<b>Emission Unit ID</b>	<b>Description</b>				<b>Control Equipment</b>
	Waukesha L5790 GSI (4SRB SI) Natural Gas-Fired Compressor Engine 1,215 Name Plate Rated HP				NSCR Catalyst w/ AFRC
C100	Serial No.	401236	Install Date:	2023	
	Arrow C101 (4SRB SI) Natural Gas-Fired Artificial Lift Engine 24.5 Name Plate Rated HP				N/A
AL1	Serial No.	KEC101017	Install Date:	2023	
AL2	Serial No.	KEC101019	Install Date:	2023	

**Table 2 - Insignificant Emission Units**

<b>Emission Unit ID</b>	<b>Amount</b>	<b>Description</b>	<b>Size</b>	<b>Units</b>
IEU-1	1	Tri-ethylene Glycol Dehydrator Still Column Vent and Flash Tank Vent	17	MMscf/d
IEU-2	1	Tri-ethylene Glycol Dehydrator Reboiler	0.50	MMBtu/hr
IEU-3	1	Capstone C30 Microturbine	25	kW
IEU-4, 5	2	Separator Heater	0.125	MMBtu/hr
IEU-6	1	Tank Heater	0.25	MMBtu/hr
IEU-7	1	Produced Water Tank	400	bbl
IEU-8	1	Oily Water Sump Tank	95	bbl
IEU-9	1	Lube Oil Tank	500	gal
IEU-10	1	Ethylene Glycol/Water (50/50) Tank	500	gal
IEU-11	1	Tri-ethylene Glycol Tank	500	gal
IEU-12, 13	2	Lube Oil Tank	55	gal
IEU-14	N/A	Fugitives	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 tpy.

- 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 (<http://www.southernute-nsn.gov/environmental-programs/air-quality>).]*

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

by email at: <a href="mailto:airquality@southernute-nsn.gov">airquality@southernute-nsn.gov</a>  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
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**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 or turbine being replaced.

2.3.1.3. The replacement engine or turbine meets all applicable requirements identified in this permit that apply to the existing engine or turbine being replaced.

2.3.1.4. All applicable requirements that apply to the replacement engine or turbine are already included in the permit. Replacement of an existing engine or turbine identified in this permit with a new, modified, or reconstructed engine must utilize a Minor Permit Revision as specified in RAC 2-111(3) or a Significant Permit Revision as specified in RAC 2-111(4) to incorporate any new applicable requirements. The applicable requirements include, but may not be limited to:

2.3.1.4.1. Standards of Performance for Stationary Compression Ignition Internal Combustion at 40 CFR Part 60, Subpart III;

- 2.3.1.4.2. Standards of Performance for Stationary Spark Ignition Internal Combustion Engines at 40 CFR Part 60, Subpart JJJJ;
  - 2.3.1.4.3. National Emission Standard for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines at 40 CFR Part 63, Subpart ZZZZ;
  - 2.3.1.4.4. Standards of Performance for Stationary Gas Turbines at 40 CFR Part 60, Subpart GG;
  - 2.3.1.4.5. Standards of Performance for Stationary Combustion Turbines at 40 CFR Part 60, Subpart KKKK;
  - 2.3.1.4.6. National Emission Standard for Hazardous Air Pollutants for Stationary Combustion Turbines at 40 CFR Part 63, Subpart YYYY;
  - 2.3.1.4.7. Requirements established in a permit or permits issued pursuant to the Federal Minor New Source Review Program in Indian Country at 40 CFR Part 49;
  - 2.3.1.4.8. Requirements established in a permit or permits issued pursuant to the Prevention of Significant Deterioration of Air Quality Program at 40 CFR Part 52; or
  - 2.3.1.4.9. Requirements established in any promulgated Federal Implementation Plan that may apply to engines located on the Southern Ute Indian Reservation.
- 2.3.2. The permittee shall provide contemporaneous written notice to the Tribe and the Administrator of any replacement of an existing engine or turbine identified in this permit. Such notice shall state when the replacement occurred and shall describe the replacement and any applicable requirement that would apply as a result of the replacement.
- 2.3.3. The permittee shall keep a record of the engine or turbine replacement.
- 2.3.4. The use of a backup thermal oxidizer with equivalent capacity and emission destruction efficiency and configured to operate in the same manner as the primary thermal oxidizer shall be an allowed alternative operating scenario under this permit provided that the following conditions are met:
- 2.3.4.1. Any emission limits, requirements, testing or other provisions that apply to the primary thermal oxidizer shall also apply to the backup thermal

oxidizer except that an annual performance test shall only be conducted on the backup thermal oxidizer if the unit operates for more than 500 hours in any calendar year.

- 2.3.4.2. At no time shall the backup thermal oxidizer operate at the same time the primary thermal oxidizer is operating except periods of transition between the primary and backup thermal oxidizers. Transition events shall be documented, last no more than 30 minutes in duration, and will be reported as excess emission events.

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

Nothing in this permit shall alter or affect the following:

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

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

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

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

## Section III – Site Specific Permit Terms

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

#### 1.1. 40 CFR Part 60, Subpart JJJJ – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines [40 CFR 60.4230 – 60.4248, RAC 3-102]

This facility is subject to the requirements of 40 CFR Part 60, Subpart JJJJ non-emergency stationary spark ignition (SI) internal combustion engines (ICE) with a maximum engine power less than 25 brake horsepower (HP) manufactured on or after July 1, 2008, and with a maximum engine power greater than 25 brake horsepower (HP) reconstructed after June 12, 2006. Notwithstanding conditions in this permit, the permittee shall comply with all applicable requirements of 40 CFR Part 60, Subpart A and Subpart JJJJ.

##### 1.1.1. Affected Sources

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

**C100** – Reconstructed Waukesha L5790 GSI (4SRB SI) Compressor Engine, 1,215 Nameplate Rated HP

**AL1** – Arrow C101 (4SRB SI) Artificial Lift Engine, 24.5 Nameplate Rated HP

**AL2** – Arrow C101 (4SRB SI) Artificial Lift Engine, 24.5 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 less than or equal to 25 HP manufactured on or after July 1, 2008, must comply with the emission standards in §60.4231(a) for their stationary SI ICE

[40 CFR 60.4233(a)]

- 1.1.2.2. Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power less than or equal to 25 HP manufactured on or after July 1, 2008, to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1054, as follows:

Engine Displacement	Manufacturing Dates	The engine must meet the following non-handheld emission standards identified in 40 CFR part 1054 and related requirements:
(4) At or above 225 cc	January 1, 2011, or later	Phase 3.

[40 CFR 60.4231(a)]

- 1.1.2.3. Owners and operators of stationary SI natural gas engines that have been modified or reconstructed after June 12, 2006, with a maximum engine power greater than or equal to 130 HP must meet a nitrogen oxides (NO<sub>x</sub>) emission standard of 3.0 grams per HP-hour (g/HP-hr), a CO emission standard of 4.0 g/HP-hr (5.0 g/HP-hr for non-emergency engines less than 100 HP), and a volatile organic compounds (VOC) emission standard of 1.0 g/HP-hr, or a NO<sub>x</sub> emission standard of 250 ppmvd at 15 percent oxygen (O<sub>2</sub>), a CO emission standard 540 ppmvd at 15 percent O<sub>2</sub> (675 ppmvd at 15 percent O<sub>2</sub> for non-emergency engines less than 100 HP), and a VOC emission standard of 86 ppmvd at 15 percent O<sub>2</sub>, where the date of manufacture of the engine is:

[40 CFR 60.4233(f)(4)]

- 1.1.2.3.1. Prior to July 1, 2007, for non-emergency engines with a maximum engine power greater than or equal to 500 HP.

[40 CFR 60.4233(f)(4)(i)]

- 1.1.2.4. After July 1, 2010, owners and operators may not install stationary SI ICE with a maximum engine power of less than 500 HP that do not meet the applicable requirements in §60.4233.

[40 CFR 60.4236(a)]

### **1.1.3. Compliance Requirements for Owners and Operators**

- 1.1.3.1. If you are an owner or operator of a stationary SI internal combustion engine that is manufactured after July 1, 2008, and must comply with the emission standards specified in §60.4233(a), you must also comply by purchasing an engine certified to the emission standards in §60.4231(a), as applicable, for the same engine class and maximum engine power. In addition, you must meet one of the requirements specified in §60.4243(a)(1) and §60.4243(a)(2).

[40 CFR 60.4243(a)]

- 1.1.3.1.1. 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)]

- 1.1.3.1.2. If you do not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, your engine will be considered a non-certified engine, and you must demonstrate compliance according to §60.4243(a)(2)(i).

[40 CFR 60.4243(a)(2)]

- 1.1.3.1.2.1. If you are an owner or operator of a stationary SI internal combustion engine less than 100 HP, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions, but no performance testing is required if you are an owner or operator.

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

- 1.1.3.2. If you are an owner or operator of a stationary SI internal combustion engine that must comply with the emission standards specified in §60.4233(f), you must demonstrate compliance according to §60.4243(b)(2)(ii).

[40 CFR 60.4243(c)]

- 1.1.3.2.1. If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

[40 CFR 60.4243(b)(2)(ii)]

- 1.1.3.3. 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)]

- 1.1.3.4. 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 §60.4243(i)(1) or (2).  
[40 CFR 60.4243(i)]

- 1.1.3.4.1. Purchasing, or otherwise owning or operating, an engine certified to the emission standards in §60.4233(f), as applicable.  
[40 CFR 60.4243(i)(1)]

- 1.1.3.4.2. 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)(2)]

#### **1.1.4. Notifications, Reports, and Records for Owners and Operators**

- 1.1.4.1. Owners and operators of all stationary SI ICE must keep records of the information specified in §60.4245(a)(1) through (4).

- 1.1.4.1.1. All notifications submitted to comply with this subpart and all documentation supporting any notification.

- 1.1.4.1.2. Maintenance conducted on the engine.

- 1.1.4.1.3. If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 1048, 1054, and 1060, as applicable.

- 1.1.4.1.4. If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject (a)(2), documentation that the engine meets the emission standards.

[40 CFR 60.4245(a)(1-4)]

- 1.1.4.1.5. Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in §60.4244 within 60 days after the test has been completed. Performance test reports using EPA Method 18, EPA Method 320, or ASTM D6348-03 (incorporated by reference - see 40 CFR 60.17) to measure VOC require reporting of all QA/QC data. For Method 18, report results from sections 8.4 and 11.1.1.4;

for Method 320, report results from sections 8.6.2, 9.0, and 13.0; and for ASTM D6348-03 report results of all QA/QC procedures in Annexes 1-7. Beginning on February 26, 2025, performance tests must be reported electronically according to §60.4245(f).

[40 CFR 60.4245(d)]

- 1.1.4.1.6. Beginning on February 26, 2025, within 60 days after the date of completing each performance test, you must submit the results following the procedures specified in §60.4245(g). Data collected using test methods that are supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test must be included as an attachment in the ERT or an alternate electronic file.

[40 CFR 60.4245(f)]

- 1.1.4.1.7. You must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in §60.4245(g)(1) and (2). Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must



submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX

[40 CFR 60.4245(g)]

- 1.1.4.1.7.1. The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address *oaqpscbi@epa.gov*, and as described in §60.4245(g), should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Stationary Spark Ignition Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email *oaqpscbi@epa.gov* to request a file transfer link.
- [40 CFR 60.4245(g)(1)]

- 1.1.4.1.7.2. If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711. ERT files should be sent to the attention of the Group Leader, Measurement Policy Group, and all other files should be sent to the attention of the Stationary Spark Ignition Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.
- [40 CFR 60.4245(g)(2)]

#### 1.1.5. General Provisions

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

Table 3 to Subpart JJJJ of Part 60—Applicability of General Provisions to Subpart JJJJ			
General provisions citation	Subject of citation	Applies to subpart	Explanation
§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	

[40 CFR 60.4246]

**1.2. 40 CFR Part 60, Subpart OOOOb – Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After December 6, 2022** [40 CFR 60.5360b - 60.5439b, RAC 3-102]

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

**1.2.1. Affected Sources**

Each well affected facility, which is a single well drilled for the purpose of producing oil or natural gas.

[40 CFR 60.5365b(a)]

Each fugitive emissions components affected facility, which is the collection of fugitive emissions components at a well site.

[40 CFR 60.5365b(i)]

**1.2.2. General Requirements**

- 1.2.2.1. At all times, including periods of startup, shutdown, and malfunction, owners and operators shall maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating 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, opacity observations, review of operating and maintenance procedures, and inspection of the source. The provisions for exemption from compliance during periods of startup, shutdown and malfunctions provided for in 40 CFR 60.8(c) do not apply to this subpart. [40 CFR 60.5370b(b)]

### 1.2.3. Super-Emitter Events

This section applies to super-emitter events. For purposes of this section, a super-emitter event is defined as any emissions event that is located at or near an oil and natural gas facility (e.g., individual well site, centralized production facility, natural gas processing plant, or compressor station) and that is detected using remote detection methods and has quantified emission rate of 100 kg/hr of methane or greater. Paragraph §60.5371b(a) describes the qualifications one must meet to apply to be a third-party notifier of super-emitter events. Paragraph §60.5371b(b) describes the procedures for certifying third-party notifiers, as well as the procedures for petitioning the Agency for removal of a third-party notifier from the list of certified notifiers. Paragraph §60.5371b(c) contains the required information that must be included in any notification submitted to the EPA from a certified third-party notifier and a timetable for notifications. The EPA shall review these notifications and if the EPA determines the notification is complete and does not contain information that the EPA finds to be erroneous or inaccurate to a reasonable degree of certainty, the EPA shall assign the notification a unique notification identification number, provide the notification to the owner or operator of the oil and natural gas facility identified in the notification, and post the notification, except for the owner/operator attribution, at [www.epa.gov/super-emitter](http://www.epa.gov/super-emitter). Upon receiving such notification, owners or operators must take the actions listed in paragraphs §60.5371b(d) and §60.5371b(e). The EPA shall post the reports submitted under paragraph §60.5371b(e), §60.5371(b) and §60.5371a(b) of subparts OOOO and OOOOa of this part, and applicable State or Federal plan implementing §60.5388c(b) of subpart OOOOc of this part, including owner/operator attributions that have been confirmed by the reports; where the reporting deadlines have passed but no reports have been received, the EPA intends to post owner/operator attributions that the EPA reasonably believes to be accurate. The reports will be publicly available at [www.epa.gov/super-emitter](http://www.epa.gov/super-emitter).

[40 CFR 60.5371b]

- 1.2.3.1. ***Identification of super-emitter events.*** Within 5 calendar days of receiving a notification from the EPA of a super-emitter event, the owner or operator of an oil and natural gas facility (e.g., a well site, centralized production facility, natural gas processing plant, or compressor station) must initiate a super-emitter event investigation. The investigation must be conducted in accordance with this paragraph §60.5371b(d) and completed within 15 days of receiving the notification from the EPA. The owner or operator must maintain records of its super-emitter event investigations and report the findings from the investigation according to the requirements in paragraph §60.5371b(e).

[40 CFR 60.5371b(d)]

- 1.2.3.1.1. If you do not own or operate an oil and natural gas facility within 50 meters from the latitude and longitude provided in the notification, report this result to the EPA under paragraph §60.5371a(e). Your super-emitter event investigation is deemed complete.

[40 CFR 60.5371b(d)(1)]

- 1.2.3.1.2. If you own or operate an oil and natural gas facility within 50 meters from the latitude and longitude provided in the notification, you must investigate to determine the source of super-emitter event. The investigation may include but is not limited to the actions specified below in paragraphs §60.5371b(d)(2)(i) through (v).

[40 CFR 60.5371b(d)(2)]

- 1.2.3.1.2.1. Review any maintenance activities (e.g., liquids unloading) or process activities from the affected facilities subject to regulation under this subpart, starting from the date of detection of the super-emitter event as identified in the notification, until the date of investigation, to determine if the activities indicate any potential source(s) of the super-emitter event emissions.

[40 CFR 60.5371b(d)(2)(i)]

- 1.2.3.1.2.2. Review all monitoring data from control devices (e.g., flares) from the affected facilities subject to regulation under this subpart from the initial date of detection of the super-emitter event as identified in the notification until the date of receiving the notification from the EPA. Identify any malfunctions of control devices or periods when the control devices were not in compliance with applicable

requirements and that indicate a potential source of the super-emitter event emissions.

[40 CFR 60.5371b(d)(2)(ii)]

- 1.2.3.1.2.3. If you conducted a fugitive emissions survey or periodic screening event in accordance with §60.5397b or §60.5398b(b) between the initial date of detection of the super-emitter event as identified in the notification and the date the notification from the EPA was received, review the results of the survey to identify any potential source(s) of the super-emitter event emissions.

[40 CFR 60.5371b(d)(2)(iii)]

- 1.2.3.1.2.4. If you conduct continuous monitoring with advanced methane detection technology in accordance with §60.5398b(c), review the monitoring data collected on or after the initial date of detection of the super-emitter event as identified in the notification, until the date of receiving the notification from the EPA.

[40 CFR 60.5371b(d)(2)(iv)]

- 1.2.3.1.2.5. Screen the entire oil and natural gas facility with OGI, Method 21 of appendix A-7 to this part, or an alternative test method(s) approved per §60.5398b(d), to determine if a super-emitter event is present.

[40 CFR 60.5371b(d)(2)(v)]

- 1.2.3.1.3. If the source of the super-emitter event was found to be from fugitive emission components at a well site, centralized production facility, or compressor station subject to this subpart, you must comply with the repair requirements under §60.5397b and the associated recordkeeping and reporting requirements under §60.5420b(b)(9) and (c)(14).

[40 CFR 60.5371b(a)(3)]

- 1.2.3.2. ***Super-emitter event report.*** You must submit the results of the super-emitter event investigation conducted under paragraph §60.5371b(d) to the EPA in accordance with paragraph §60.5371b(e)(1). If the super-emitter event (i.e., emission at 100 kg/hr of methane or more) is ongoing at the time of the initial report, submit the additional information in accordance with paragraph §60.5371b(e)(2). You must attest to the information included in the report as specified in paragraph §60.5371b(e)(3).

[40 CFR 60.5371b(e)]

- 1.2.3.2.1. Within 15 days of receiving a notification from the EPA under paragraph §60.5371b(c), you must submit a report of the super-emitter event investigation conducted under paragraph §60.5371b(d) through the Super-Emitter Program Portal. You must include the applicable information in paragraphs §60.5371b(e)(1)(i) through (viii) in the report. If you have identified a demonstrable error in the notification, the report may include a statement of the demonstrable error.  
[40 CFR 60.5371b(e)(1)]
- 1.2.3.2.1.1. Notification Report ID of the super-emitter event notification.  
[40 CFR 60.5371b(e)(1)(i)]
- 1.2.3.2.1.2. Identification of whether you are the owner or operator of an oil and natural gas facility within 50 meters from the latitude and longitude provided in the EPA notification. If you do not own or operate an oil and natural gas facility within 50 meters from the latitude and longitude provided in the EPA notification, you are not required to report the information in paragraphs §60.5371b(e)(1)(iii) through (viii).  
[40 CFR 60.5371b(e)(1)(ii)]
- 1.2.3.2.1.3. General identification information for the facility, including, facility name, the physical address, applicable ID Number (e.g., EPA ID Number, API Well ID Number), the owner or operator or responsible official (where applicable) and their email address.  
[40 CFR 60.5371b(e)(1)(iii)]
- 1.2.3.2.1.4. Identification of whether there is an affected facility or associated equipment subject to regulation under this subpart at this oil and natural gas facility.  
[40 CFR 60.5371b(e)(1)(iv)]
- 1.2.3.2.1.5. Indication of whether you were able to identify the source of the super-emitter event. If you indicate you were unable to identify the source of the super-emitter event, you must certify that all applicable investigations specified in paragraphs §60.5371b(d)(2)(i) through (v) have been conducted for all affected facilities and associated equipment subject to this subpart that are at this oil and natural gas facility, and you have determined that the affected facilities and associated equipment are not the

source of the super-emitter event. If you indicate that you were not able to identify the source of the super-emitter event, you are not required to report the information in paragraphs §60.5371b(e)(1)(vi) through (viii).

[40 CFR 60.5371b(e)(1)(v)]

1.2.3.2.1.6. The source(s) of the super-emitter event.

[40 CFR 60.5371b(e)(1)(vi)]

1.2.3.2.1.7. Identification of whether the source of the super-emitter event is equipment subject to regulation under this subpart. If the source of the super-emitter event is equipment subject to regulation under this subpart, identify the applicable regulation(s) under this subpart.

[40 CFR 60.5371b(e)(1)(vii)]

1.2.3.2.1.8. Indication of whether the super-emitter event is ongoing at the time of the initial report submittal (i.e., emissions at 100 kg/hr of methane or more).

[40 CFR 60.5371b(e)(1)(viii)]

1.2.3.2.1.8.1. If the super-emitter event is not ongoing at the time of the initial report submittal, provide the actual (or if not known) estimated date and time the super-emitter event ended.

[40 CFR 60.5371b(e)(1)(viii)(A)]

1.2.3.2.1.8.2. If the super-emitter event is ongoing at the time of the initial report submittal, provide a short narrative of your plan to end the super-emitter event, including the targeted end date for the efforts to be completed and the super-emitter event ended.

[40 CFR 60.5371b(e)(1)(viii)(B)]

1.2.3.2.2. If the super-emitter event is ongoing at the time of the initial report submittal, within 5 business days of the date the super-emitter event ends you must update your initial report through the Super-Emitter Program Portal to provide the end date and time of the super-emitter event.

[40 CFR 60.5371b(e)(2)]

1.2.3.2.3. You must sign the following attestation when submitting data into the Super-Emitter Program Portal: “I certify that the information provided in this report regarding the specified super-emitter event was prepared under my direction or supervision. I further certify

that the investigations were conducted, and this report was prepared pursuant to the requirements of §60.5371b(d) and (e). Based on my professional knowledge and experience, and inquiry of personnel involved in the assessment, the certification submitted herein is true, accurate, and complete. I am aware that knowingly false statements may be punishable by fine or imprisonment.”

[40 CFR 60.5371b(e)(3)]

**1.2.4. GHG and VOC standards to well completions at well affected facilities**

*[The provisions of 40 CFR §60.5375 are incorporated by reference into this permit. Please reference the CFR for an unabridged list of requirements]*

- 1.2.4.1. You must comply with the requirements of paragraphs §60.5375b(a)(1) through (3) for each well completion operation with hydraulic fracturing and refracturing at a well affected facility, except as provided in paragraph §60.5375b(h). You must maintain a log as specified in paragraph § 60.5375b(b).

[40 CFR 60.5375b(a)]

- 1.2.4.2. You must maintain a log for each well completion operation at each well affected facility. The log must be completed on a daily basis for the duration of the well completion operation and must contain the records specified in §60.5420b(c)(1)(iii).

[40 CFR 60.5375b(b)]

- 1.2.4.3. You must demonstrate initial compliance with the well completion operation standards that apply to well affected facilities as required by §60.5410b(a).

[40 CFR 60.5375b(c)]

- 1.2.4.4. You must demonstrate continuous compliance with the well completion operation standards that apply to well affected facilities as required by §60.5415b(a).

[40 CFR 60.5375b(d)]

- 1.2.4.5. You must perform the required notification, reporting and recordkeeping as required by §60.5420b(a)(2), (b)(1) and (2), and (c)(1).

[40 CFR 60.5375b(e)]

- 1.2.4.6. A well modified in accordance with §60.5365b(a)(1)(ii) (i.e., an existing well that is hydraulically refractured) is exempt from the well completion operation standards in paragraphs §60.5375b(b) through (d), when the requirements of paragraphs §60.5375b(a)(1) through (3) are met.

[40 CFR 60.5375b(h)]



### 1.2.5. Standards for Gas Well Liquids Unloading Operations at Well Affected Facilities

- 1.2.5.1. **General Requirements.** You must comply with the requirements of this section for each gas well liquids unloading operation at your gas well affected facility as specified by paragraphs §60.5376b (a)(2). You have a general duty to safely maximize resource recovery and minimize releases to the atmosphere during gas well liquids unloading operations.  
[40 CFR 60.5376b(a)]
- 1.2.5.1.1. If a gas well liquids unloading operation technology or technique vents methane and VOC emissions to the atmosphere, you must comply with the requirements specified in paragraphs §60.5376b(b) and (c), or paragraph (g).  
[40 CFR 60.5376b(a)(2)]
- 1.2.5.2. **Work Practice Standards.** If a gas well liquids unloading operation employs a technology or technique that vents methane and VOC emissions to the atmosphere, you must comply with the requirements in paragraphs §60.5376b(b)(1) through (3) and paragraphs (c) through (f).  
[40 CFR 60.5376b(b)]
- 1.2.5.2.1. Employ best management practices to minimize venting of methane and VOC emissions as specified in paragraph §60.5376b (c) for each gas well liquids unloading operation.  
[40 CFR 60.5376b(b)(1)]
- 1.2.5.2.2. Comply with the recordkeeping requirements specified in §60.5420b(c)(2)(ii).  
[40 CFR 60.5376b(b)(2)]
- 1.2.5.2.3. Submit the information specified in §60.5420b(b)(1) and (b)(3)(ii) in the annual report.  
[40 CFR 60.5376b(b)(3)]
- 1.2.5.3. **Best management practice requirements.** For each gas well liquids unloading operation complying with paragraphs §60.5376b(a)(2) and (b), you must develop, maintain, and follow a best management practice plan to minimize venting of methane and VOC emissions to the maximum extent possible from each gas well liquids unloading operation. This best management practice plan must meet the minimum criteria specified in paragraphs §60.5376b(c)(1) through (4).  
[40 CFR 60.5376b(c)]

- 1.2.5.3.1. Include steps that create a differential pressure to minimize the need to vent a well to unload liquids, [40 CFR 60.5376b(c)(1)]
- 1.2.5.3.2. Include steps to reduce wellbore pressure as much as possible prior to opening the well to the atmosphere, [40 CFR 60.5376b(c)(2)]
- 1.2.5.3.3. Unload liquids through the separator where feasible, and [40 CFR 60.5376b(c)(3)]
- 1.2.5.3.4. Close all wellhead vents to the atmosphere and return the well to production as soon as practicable. [40 CFR 60.5376b(c)(4)]
- 1.2.5.4. **Initial compliance.** You must demonstrate initial compliance with the standards that apply to well liquids unloading operations at your well affected facilities as required by §60.5410b(b). [40 CFR 60.5376b(d)]
- 1.2.5.5. **Continuous compliance.** You must demonstrate continuous compliance with the standards that apply to well liquids unloading operations at your well affected facilities as required by §60.5415b(b). [40 CFR 60.5376b(e)]
- 1.2.5.6. **Recordkeeping and reporting.** You must perform the required notification, recordkeeping and reporting requirements as specified in §60.5420b(b)(3) and (c)(2). [40 CFR 60.5376b(f)]

## 1.2.6. Standards for Fugitive Emissions Components Affected Facilities

This section applies to fugitive emissions components affected facilities. You must comply with the requirements of paragraphs §60.5397b(a) through (k) to reduce fugitive emissions of methane and VOC.

- 1.2.6.1. **General requirements.** You must monitor all fugitive emissions components affected facilities in accordance with paragraphs §60.5397b(b) through (g). You must repair all sources of fugitive emissions in accordance with paragraph §60.5397b(h). You must demonstrate initial compliance in accordance with paragraph §60.5397b(i). You must keep records in accordance with paragraph §60.5397b(j) and report in accordance with paragraph §60.5397b(k). [40 CFR 60.5397b(a)]

- 1.2.6.2. ***Develop fugitive emissions monitoring plan.*** You must develop a fugitive emissions monitoring plan that covers all fugitive emissions components affected facilities within each company-defined area in accordance with paragraphs §60.5397b(c) and (d).  
[40 CFR 60.5397b(b)]
- 1.2.6.3. ***Elements of fugitive emissions monitoring plan.*** Your fugitive emissions monitoring plan must include the elements specified in paragraphs §60.5397b(c)(1) through (8), at a minimum.  
[40 CFR 60.5397b(c)]
- 1.2.6.3.1. Frequency for conducting surveys. Surveys must be conducted at least as frequently as required by paragraphs §60.5397b(f) and (g).  
[40 CFR 60.5397b(c)(1)]
- 1.2.6.3.2. Technique for determining fugitive emissions (i.e., AVO or other detection methods, Method 21 of appendix A-7 to this part, and/or OGI and meeting the requirements of paragraphs §60.5397b(c)(7)(i) through (vii)).  
[40 CFR 60.5397b(c)(2)]
- 1.2.6.3.3. Manufacturer and model number of fugitive emissions detection equipment to be used, if applicable.  
[40 CFR 60.5397b(c)(3)]
- 1.2.6.3.4. Procedures and timeframes for identifying and repairing fugitive emissions components from which fugitive emissions are detected, including timeframes for fugitive emission components that are unsafe to repair. Your repair schedule must meet the requirements of paragraph §60.5397b(h) at a minimum.  
[40 CFR 60.5397b(c)(4)]
- 1.2.6.3.5. Procedures and timeframes for verifying fugitive emission component repairs.  
[40 CFR 60.5397b(c)(5)]
- 1.2.6.3.6. Records that will be kept and the length of time records will be kept.  
[40 CFR 60.5397b(c)(6)]
- 1.2.6.3.7. If you are using OGI, your plan must also include the elements specified in paragraphs §60.5397b(c)(7)(i) through (vii).  
[40 CFR 60.5397b(c)(7)]

- 1.2.6.3.7.1. Verification that your OGI equipment meets the specifications of paragraphs §60.5397b(c)(7)(i)(A) and (B). This verification is an initial verification, and may either be performed by the facility, by the manufacturer, or by a third party. For the purposes of complying with the fugitive emissions monitoring program with OGI, fugitive emissions are defined as any visible emissions observed using OGI.  
[40 CFR 60.5397b(c)(7)(i)]
- 1.2.6.3.7.1.1. Your OGI equipment must be capable of imaging gases in the spectral range for the compound of highest concentration in the potential fugitive emissions.  
[40 CFR 60.5397b(c)(7)(i)(A)]
- 1.2.6.3.7.1.2. Your OGI equipment must be capable of imaging a gas that is half methane, half propane at a concentration of 10,000 ppm at a flow rate of  $\leq 60$  g/hr from a quarter inch diameter orifice.  
[40 CFR 60.5397b(c)(7)(i)(B)]
- 1.2.6.3.7.2. Procedure for a daily verification check.  
[40 CFR 60.5397b(c)(7)(ii)]
- 1.2.6.3.7.3. Procedure for determining the operator's maximum viewing distance from the equipment and how the operator will ensure that this distance is maintained.  
[40 CFR 60.5397b(c)(7)(iii)]
- 1.2.6.3.7.4. Procedure for determining maximum wind speed during which monitoring can be performed and how the operator will ensure monitoring occurs only at wind speeds below this threshold.  
[40 CFR 60.5397b(c)(7)(iv)]
- 1.2.6.3.7.5. Procedures for conducting surveys, including the items specified in paragraphs §60.5397b(c)(7)(v)(A) through (C).  
[40 CFR 60.5397b(c)(7)(v)]
- 1.2.6.3.7.5.1. How the operator will ensure an adequate thermal background is present in order to view potential fugitive emissions.  
[40 CFR 60.5397b(c)(7)(v)(A)]

- 1.2.6.3.7.5.2. How the operator will deal with adverse monitoring conditions, such as wind.  
[40 CFR 60.5397b(c)(7)(v)(B)]
- 1.2.6.3.7.5.3. How the operator will deal with interferences (e.g., steam).  
[40 CFR 60.5397b(c)(7)(v)(C)]
- 1.2.6.3.7.6. Training and experience needed prior to performing surveys.  
[40 CFR 60.5397b(c)(7)(vi)]
- 1.2.6.3.7.7. Procedures for calibration and maintenance. At a minimum, procedures must comply with those recommended by the manufacturer.  
[40 CFR 60.5397b(c)(7)(vii)]
- 1.2.6.3.8. If you are using Method 21 of appendix A-7 to this part, your plan must also include the elements specified in paragraphs §60.5397b(c)(8)(i) through (iv). For the purposes of complying with the fugitive emissions monitoring program using Method 21 of appendix A-7 to this part a fugitive emission is defined as an instrument reading of 500 ppmv or greater.  
[40 CFR 60.5397b(c)(8)]
- 1.2.6.3.8.1. ***Verification that your monitoring equipment meets the requirements specified in Section 6.0 of Method 21 of appendix A-7 to this part.*** For purposes of instrument capability, the fugitive emissions definition shall be 500 ppmv or greater methane using a FID-based instrument. If you wish to use an analyzer other than an FID-based instrument, you must develop a site-specific fugitive emission definition that would be equivalent to 500 ppmv methane using a FID-based instrument (e.g., 10.6 eV PID with a specified isobutylene concentration as the fugitive emission definition would provide equivalent response to your compound of interest).  
[40 CFR 60.5397b(c)(8)(i)]
- 1.2.6.3.8.2. ***Procedures for conducting surveys.*** At a minimum, the procedures shall ensure that the surveys comply with the relevant sections of Method 21 of appendix A-7 to this part, including Section 8.3.1.  
[40 CFR 60.5397b(c)(8)(ii)]

1.2.6.3.8.3. ***Procedures for calibration.*** The instrument must be calibrated before use each day of its use by the procedures specified in Method 21 of appendix A-7 to this part. At a minimum, you must also conduct precision tests at the interval specified in Method 21 of appendix A-7 to this part, Section 8.1.2, and a calibration drift assessment at the end of each monitoring day. The calibration drift assessment must be conducted as specified in paragraph §60.5397b(c)(8)(iii)(A). Corrective action for drift assessments is specified in paragraphs §60.5397b(c)(8)(iii)(B) and (C).

[40 CFR 60.5397b(c)(8)(iii)]

1.2.6.3.8.3.1. Check the instrument using the same calibration gas that was used to calibrate the instrument before use. Follow the procedures specified in Method 21 of appendix A-7 to this part, Section 10.1, except do not adjust the meter readout to correspond to the calibration gas value. If multiple scales are used, record the instrument reading for each scale used. Divide the arithmetic difference of the initial and post-test calibration response by the corresponding calibration gas value for each scale and multiply by 100 to express the calibration drift as a percentage.

[40 CFR 60.5397b(c)(8)(iii)(A)]

1.2.6.3.8.3.2. If a calibration drift assessment shows a negative drift of more than 10 percent, then all equipment with instrument readings between the fugitive emission definition multiplied by (100 minus the percent of negative drift) divided by 100 and the fugitive emission definition that was monitored since the last calibration must be re-monitored.

[40 CFR 60.5397b(c)(8)(iii)(B)]

1.2.6.3.8.3.3. If any calibration drift assessment shows a positive drift of more than 10 percent from the initial calibration value, then, at the owner/operator's discretion, all equipment with instrument readings above the fugitive emission definition and below the fugitive emission definition multiplied by (100 plus the percent of positive drift) divided by 100 monitored since the last calibration may be re-monitored.

[40 CFR 60.5397b(c)(8)(iii)(C)]

- 1.2.6.3.8.4. ***Procedures for monitoring yard piping (other than buried yard piping).*** At a minimum, place the probe inlet at the surface of the yard piping and run the probe down the length of the piping. Connection points on the piping must be monitored following the procedures specified in Method 21 of appendix A-7 to this part.  
[40 CFR 60.5397b(c)(8)(iv)]
- 1.2.6.4. ***Additional elements of fugitive emissions monitoring plan.*** Each fugitive emissions monitoring plan must include the elements specified in paragraphs §60.5397b(d)(1) through (2), at a minimum, as applicable.  
[40 CFR 60.5397b(d)]
- 1.2.6.4.1. If you are using OGI, your plan must include procedures to ensure that all fugitive emissions components, except buried yard piping and associated components (e.g., connectors), are monitored during each survey. Example procedures include, but are not limited to, a sitemap with an observation path, a written narrative of where the fugitive emissions components are located and how they will be monitored, or an inventory of fugitive emissions components.  
[40 CFR 60.5397b(d)(1)]
- 1.2.6.4.2. If you are using Method 21 of appendix A-7 to this part, your plan must include a list of fugitive emissions components to be monitored and method for determining the location of fugitive emissions components to be monitored in the field (e.g., tagging, identification on a process and instrumentation diagram, etc.). Your fugitive emissions monitoring plan must include the written plan developed for all of the fugitive emissions components designated as difficult-to-monitor in accordance with paragraph §60.5397b(g)(2), and the written plan for fugitive emissions components designated as unsafe-to-monitor in accordance with paragraph §60.5397b(g)(3).  
[40 CFR 60.5397b(d)(2)]
- 1.2.6.5. ***Monitoring of fugitive emissions components.*** Each fugitive emissions component, except buried yard piping and associated components (e.g., connectors), shall be observed or monitored for fugitive emissions during each monitoring survey.  
[40 CFR 60.5397b(e)]
- 1.2.6.6. ***Initial monitoring survey.*** You must conduct initial monitoring surveys according to the requirements specified in paragraphs §60.5397b(f)(2).

[40 CFR 60.5397b(f)]

- 1.2.6.6.1. For multi-wellhead only well sites, or well sites that contain the major production and processing equipment specified in paragraphs §60.5397b(g)(1)(iv) (B) or (D), you must conduct an initial monitoring survey using OGI or Method 21 of appendix A-7 to this part within 90 days of the startup of production, for each fugitive emissions components affected facility or by June 6, 2024 whichever date is later.

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

- 1.2.6.7. **Monitoring frequency.** A monitoring survey of each fugitive emissions components affected facility must be performed as specified in paragraph §60.5397b(g)(1), with the exceptions noted in paragraphs §60.5397b(g)(2) and (3). Monitoring for fugitive emissions components affected facilities located at well sites must continue at the specified frequencies in paragraphs §60.5397b(g)(1)(iv) until the well closure requirements of paragraph §60.5397b(l) are completed.

[40 CFR 60.5397b(g)]

- 1.2.6.7.1. A monitoring survey of the fugitive emissions components affected facilities must be conducted using the methods and at the frequencies specified in paragraphs §60.5397b(g)(iv).

[40 CFR 60.5397b(g)(1)]

- 1.2.6.7.1.1. A monitoring survey of the fugitive emissions components affected facilities located at well sites that contain the major production and processing equipment specified in paragraphs §60.5397b(g)(1)(iv)(B), (C), or (D) must be conducted at the frequencies in paragraphs §60.5397b(g)(1)(iv)(E) and (F).

[40 CFR 60.5397b(g)(1)(iv)]

- 1.2.6.7.1.1.1. One or more control devices.

[40 CFR 60.5397b(g)(1)(iv)(B)]

- 1.2.6.7.1.1.2. One or more natural gas-driven process controllers.

[40 CFR 60.5397b(g)(1)(iv)(C)]

- 1.2.6.7.1.1.3. Two or more pieces of major production and processing equipment not specified in paragraphs §60.5397b(g)(1)(iv)(B) and (C).

[40 CFR 60.5397b(g)(1)(iv)(D)]



1.2.6.7.1.1.4. A monitoring survey must be conducted at least bimonthly using AVO, or any other detection method, after the initial survey. Any indications of fugitive emissions using these methods are considered fugitive emissions that must be repaired in accordance with paragraph §60.5397b(h). A visual inspection of all thief hatches and other openings on storage vessels (or tank batteries) that are fugitive emissions components must be conducted in conjunction with the monitoring survey to ensure that they are kept closed and sealed at all times except during times of adding or removing material, inspecting or sampling material, or during required maintenance operations. If evidence of a deviation from this requirement is found, you must take corrective action. A visual inspection must be conducted of all separator dump valves to ensure the dump valve is free of debris and not stuck in an open position must be conducted in conjunction with the monitoring survey. Any dump valve not operating as designed must be repaired.

[40 CFR 60.5397b(g)(1)(iv)(E)]

1.2.6.7.1.1.5. A monitoring survey must be conducted at least quarterly using OGI or Method 21 of appendix A-7 to this part after the initial survey. Consecutive quarterly monitoring surveys must be conducted at least 60 calendar days apart.

[40 CFR 60.5397b(g)(1)(iv)(F)]

1.2.6.7.1.2. If you are using Method 21 of appendix A-7 to this part, fugitive emissions components that cannot be monitored without elevating the monitoring personnel more than 2 meters above the surface may be designated as difficult-to-monitor. Fugitive emissions components that are designated difficult-to-monitor must meet the specifications of paragraphs §60.5397b(g)(2)(i) through (iv).

[40 CFR 60.5397b(g)(2)]

1.2.6.7.1.2.1. A written plan must be developed for all the fugitive emissions components designated difficult-to-monitor. This written plan must be incorporated into the fugitive emissions monitoring plan required by paragraphs §60.5397b(b), (c), and (d).

[40 CFR 60.5397b(g)(2)(i)]

1.2.6.7.1.2.2. The plan must include the identification and location of each fugitive emissions component designated as difficult-to-monitor.  
[40 CFR 60.5397b(g)(2)(ii)]

1.2.6.7.1.2.3. The plan must include an explanation of why each fugitive emissions component designated as difficult-to-monitor is difficult-to-monitor.  
[40 CFR 60.5397b(g)(2)(iii)]

1.2.6.7.1.2.4. The plan must include a schedule for monitoring the difficult-to-monitor fugitive emissions components at least once per calendar year.  
[40 CFR 60.5397b(g)(2)(iv)]

1.2.6.7.1.3. If you are using Method 21 of appendix A-7 to this part, fugitive emissions components that cannot be monitored because monitoring personnel would be exposed to immediate danger while conducting a monitoring survey may be designated as unsafe-to-monitor. Fugitive emissions components that are designated unsafe-to-monitor must meet the specifications of paragraphs §60.5397b(g)(3)(i) through (iv).  
[40 CFR 60.5397b(g)(3)]

1.2.6.7.1.3.1. A written plan must be developed for all the fugitive emissions components designated unsafe-to-monitor. This written plan must be incorporated into the fugitive emissions monitoring plan required by paragraphs §60.5397b(b), (c), and (d).  
[40 CFR 60.5397b(g)(3)(i)]

1.2.6.7.1.3.2. The plan must include the identification and location of each fugitive emissions component designated as unsafe-to-monitor.  
[40 CFR 60.5397b(g)(3)(ii)]

1.2.6.7.1.3.3. The plan must include an explanation of why each fugitive emissions component designated as unsafe-to-monitor is unsafe-to-monitor.  
[40 CFR 60.5397b(g)(3)(iii)]

1.2.6.7.1.3.4. The plan must include a schedule for monitoring the fugitive emissions components designated as unsafe-to-monitor.

[40 CFR 60.5397b(g)(3)(iv)]

1.2.6.8. **Repairs.** Each identified source of fugitive emissions shall be repaired in accordance with paragraphs §60.5397b(h)(1) and (2).

[40 CFR 60.5397b(h)]

1.2.6.8.1. A first attempt at repair shall be made in accordance with paragraphs §60.5397b(h)(1)(i) and (ii).

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

1.2.6.8.1.1. A first attempt at repair shall be made no later than 15 calendar days after detection of fugitive emissions that were identified using AVO.

[40 CFR 60.5397b(h)(1)(i)]

1.2.6.8.1.2. If you are complying with paragraph §60.5397b(g)(1)(iii) and (iv) using OGI or Method 21 of appendix A-7 to this part, a first attempt at repair shall be made no later than 30 calendar days after detection of the fugitive emissions.

[40 CFR 60.5397b(h)(1)(ii)]

1.2.6.8.2. Repair shall be completed as soon as practicable, but no later than 15 calendar days after the first attempt at repair as required in paragraph §60.5397b(h)(1)(i), and 30 calendar days after the first attempt at repair as required in paragraph §60.5397b(h)(1)(ii).

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

1.2.6.8.3. Delay of repair will be allowed if the conditions in paragraphs §60.5397b(h)(3)(i) or (ii) are met.

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

1.2.6.8.3.1. If the repair is technically infeasible, would require a vent blowdown, a well shutdown or well shut-in, or would be unsafe to repair during operation of the unit, the repair must be completed during the next scheduled well shutdown, scheduled well shut-in, after a scheduled vent blowdown, or within 2 years of detecting the fugitive emissions, whichever is earliest. A vent blowdown is the opening of one or more blowdown valves to depressurize major production and processing equipment, other than a storage vessel.

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

- 1.2.6.8.3.2. If the repair requires replacement of a fugitive emissions component or a part thereof, but the replacement cannot be acquired and installed within the repair timelines specified in paragraphs §60.5397b(h)(1) and (2) due to either of the conditions specified in paragraph §60.5397b(h)(3)(ii)(A) or (B), the repair must be completed in accordance with paragraph §60.5397b(h)(3)(ii)(C) and documented in accordance with §60.5420b(c)(14)(v)(I).  
[40 CFR 60.5397b(h)(3)(ii)]
- 1.2.6.8.3.2.1. Valve assembly supplies had been sufficiently stocked but are depleted at the time of the required repair.  
[40 CFR 60.5397b(h)(3)(ii)(A)]
- 1.2.6.8.3.2.2. A replacement fugitive emissions component or a part thereof requires custom fabrication.  
[40 CFR 60.5397b(h)(3)(ii)(B)]
- 1.2.6.8.3.2.3. The required replacement must be ordered no later than 10 calendar days after the first attempt at repair. The repair must be completed as soon as practicable, but no later than 30 calendar days after receipt of the replacement component, unless the repair requires a compressor station or well shutdown. If the repair requires a compressor station or well shutdown, the repair must be completed in accordance with the timeframe specified in paragraph §60.5397b(h)(3)(i).  
[40 CFR 60.5397b(h)(3)(ii)(C)]
- 1.2.6.8.4. Each identified source of fugitive emissions must be resurveyed to complete repair according to the requirements of paragraphs §60.5397b(h)(4)(i) through (v), to ensure that there are no fugitive emissions.  
[40 CFR 60.5397b(h)(4)]
- 1.2.6.8.4.1. The operator may resurvey the fugitive emissions components to verify repair using either Method 21 of appendix A-7 to this part or OGI, except as specified in paragraph §60.5397b(h)(4)(v).  
[40 CFR 60.5397b(h)(4)(i)]

- 1.2.6.8.4.2. For each repair that cannot be made during the monitoring survey when the fugitive emissions are initially found, a digital photograph must be taken of that component, or the component must be tagged during the monitoring survey when the fugitive emissions were initially found for identification purposes and subsequent repair. The digital photograph must include the date that the photograph was taken and must clearly identify the component by location within the site (e.g., the latitude and longitude of the component or by other descriptive landmarks visible in the picture).  
[40 CFR 60.5397b(h)(4)(ii)]
- 1.2.6.8.4.3. Operators that use Method 21 of appendix A-7 to this part to resurvey the repaired fugitive emissions components are subject to the resurvey provisions specified in paragraphs §60.5397b(h)(4)(iii)(A) and (B).  
[40 CFR 60.5397b(h)(4)(iii)]
- 1.2.6.8.4.3.1. A fugitive emissions component is repaired when the Method 21 instrument indicates a concentration of less than 500 ppmv above background or when no soap bubbles are observed when the alternative screening procedures specified in section 8.3.3 of Method 21 of appendix A-7 to this part are used.  
[40 CFR 60.5397b(h)(4)(iii)(A)]
- 1.2.6.8.4.3.2. Operators must use the Method 21 monitoring requirements specified in paragraph §60.5397b(c)(8)(ii) or the alternative screening procedures specified in section 8.3.3 of Method 21 of appendix A-7 to this part.  
[40 CFR 60.5397b(h)(4)(iii)(B)]
- 1.2.6.8.4.4. Operators that use OGI to resurvey the repaired fugitive emissions components are subject to the resurvey provisions specified in paragraphs §60.5397b(h)(4)(iv)(A) and (B).  
[40 CFR 60.5397b(h)(4)(iv)]
- 1.2.6.8.4.4.1. A fugitive emissions component is repaired when the OGI instrument shows no indication of visible emissions.  
[40 CFR 60.5397b(h)(4)(iv)(A)]

1.2.6.8.4.4.2. Operators must use the OGI monitoring requirements specified in paragraph §60.5397b(c)(7).  
[40 CFR 60.5397b(h)(4)(iv)(B)]

1.2.6.8.4.5. For fugitive emissions identified using AVO detection methods, the operator may resurvey using those same methods, Method 21 of appendix A-7 to this part, or OGI. For operators that use AVO detection methods, a fugitive emissions component is repaired when there are no indications of fugitive emissions using these methods.  
[40 CFR 60.5397b(h)(4)(v)]

1.2.6.9. ***Initial compliance.*** You must demonstrate initial compliance with the standards that apply to fugitive emissions components affected facilities as required by §60.5410b(k).  
[40 CFR 60.5397b(i)]

1.2.6.10. ***Continuous compliance.*** You must demonstrate continuous compliance with the standards that apply to fugitive emissions components affected facilities as required by §60.5415b(l).  
[40 CFR 60.5397b(j)]

1.2.6.11. ***Reporting and recordkeeping.*** You must comply with the reporting requirements as specified in §60.5420b(b)(1) and (9), and the recordkeeping requirements as specified in §60.5420b(c)(16).  
[40 CFR 60.5397b(k)]

#### 1.2.7. Initial Compliance with Standards for Affected Facilities

You must determine initial compliance with the standards for each affected facility using the requirements of paragraphs §60.5410b(b), and (k). Except as otherwise provided in this section, the initial compliance period begins on the date specified in §60.5370b and ends no later than 1 year after that date. The initial compliance period may be less than 1 full year.

1.2.7.1. ***Gas well liquids unloading standards for well affected facility.*** To demonstrate initial compliance with the GHG and VOC standards for each gas well liquids unloading operation conducted at your gas well affected facility as required by §60.5376b, you must comply with paragraphs §60.5410b(b)(1) through (3), as applicable.  
[40 CFR 60.5410b(b)]

1.2.7.1.1. You must submit the initial annual report for your well affected facility as required in §60.5420b(b)(1) and (3).

[40 CFR 60.5410b(b)(1)]

- 1.2.7.1.2. If you comply by using a liquids unloading technology or technique that does not vent to the atmosphere according to §60.5376b(a)(1), you must maintain the records specified in §60.5420b(c)(2)(i).

[40 CFR 60.5410b(b)(2)]

- 1.2.7.1.3. If you comply by using a liquids unloading technology or technique that vents to the atmosphere according to §60.5376b(a)(2), (b) and (c), you must comply with paragraphs §60.5410b(b)(3)(i) and (ii).

[40 CFR 60.5410b(b)(3)]

- 1.2.7.1.3.1. Employ best management practices to minimize venting of methane and VOC emissions as specified in §60.5376b(c) for each gas well liquids unloading operation.

[40 CFR 60.5410b(b)(3)(i)]

- 1.2.7.1.3.2. Maintain the records specified in §60.5420b(c)(2)(ii).

[40 CFR 60.5410b(b)(3)(ii)]

- 1.2.7.2. ***Fugitive emission components affected facility.*** To achieve initial compliance with the GHG and VOC standards for fugitive emissions components affected facilities as required by §60.5397b, you must comply with paragraphs §60.5410b(k)(1) through (5).

[40 CFR 60.5410b(k)]

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

[40 CFR 60.5410b(k)(1)]

- 1.2.7.2.2. You must conduct an initial monitoring survey as required in §60.5397b(e) and (f).

[40 CFR 60.5410b(k)(2)]

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

[40 CFR 60.5410b(k)(3)]

- 1.2.7.2.4. You must submit the initial annual report for each fugitive emissions components affected facility as required in §60.5420b(b)(1) and (9).

[40 CFR 60.5410b(k)(4)]

- 1.2.7.2.5. You must maintain the records specified in §60.5420b(c)(14).  
[40 CFR 60.5410b(k)(5)]

**1.2.8. Demonstrating Continuous Compliance with the Standards for Affected Facilities.**

- 1.2.8.1. ***Gas well liquids unloading standards for well affected facility.*** For each well liquids unloading operation at your well affected facility, you must demonstrate continuous compliance with the requirements of §60.5376b by submitting the annual report information specified in §60.5420b(b)(1) and (3) and maintaining the records for each well liquids unloading event specified in §60.5420b(c)(2).  
[40 CFR 60.5415b(b)]
- 1.2.8.2. ***Continuous compliance.*** For each fugitive emissions components affected facility, you must demonstrate continuous compliance with the requirements of §60.5397b(a) according to paragraphs §60.5415b(l)(1) through (4).  
[40 CFR 60.5415b(l)]
- 1.2.8.2.1. ***Monitoring.*** You must conduct periodic monitoring surveys as required in §60.5397b(e) and (g).  
[40 CFR 60.5415b(l)(1)]
- 1.2.8.2.2. ***Repairs.*** You must repair each identified source of fugitive emissions as required in §60.5397b(h).  
[40 CFR 60.5415b(l)(2)]
- 1.2.8.2.3. ***Reports.*** You must submit annual reports for fugitive emissions components affected facilities as required in §60.5420b(b)(1) and (9).  
[40 CFR 60.5415b(l)(3)]
- 1.2.8.2.4. ***Records.*** You must maintain records as specified in §60.5420b(c)(16).  
[40 CFR 60.5415b(l)(4)]

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

- 1.2.9.1. ***Notifications.*** You must submit notifications according to paragraphs §60.5420b(a)(1) and (2) if you own or operate one or more of the affected facilities specified in §60.5365b that was constructed, modified, or reconstructed during the reporting period.  
[40 CFR 60.5420b(a)]



- 1.2.9.1.1. If you own or operate a well or collection of fugitive emissions components at a well site affected facility, you are not required to submit the notifications required in §§60.7(a)(1), (3), and (4) and 60.15(d).

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

- 1.2.9.1.2. If you own or operate a well affected facility, you must notify the Administrator no later than 2 days prior to the commencement of each well completion operation listing the anticipated date of the well completion operation. The notification shall include contact information for the owner or operator; the United States Well Number; the latitude and longitude coordinates for each well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983; and the planned date of the beginning of flowback. You may submit the notification in writing or in electronic format. If you are subject to state regulations that require advance notification of well completions and you have met those notification requirements, then you are considered to have met the advance notification requirements of this paragraph.

[40 CFR 60.5420b(a)(2)]

- 1.2.9.2. **Reporting requirements.** You must submit annual reports containing the information specified in paragraphs §60.5420b(b)(1), (3), (9), and (14) following the procedure specified in paragraph §60.5420b(b)(15). The initial annual report is due no later than 90 days after the end of the initial compliance period as determined according to §60.5410b. Subsequent annual reports are due no later than the same date each year as the initial annual report. If you own or operate more than one affected facility, you may submit one report for multiple affected facilities provided the report contains all of the information required as specified in paragraphs §60.5420b(b)(1), (9), and (14). Annual reports may coincide with title V reports as long as all the required elements of the annual report are included. You may arrange with the Administrator a common schedule on which reports required by this part may be submitted as long as the schedule does not extend the reporting period. You must submit the information in paragraph §60.5420b(b)(1)(v), as applicable, for your well affected facility which undergoes a change of ownership during the reporting period, regardless of whether reporting under paragraphs §60.5420b(b)(3) is required for the well affected facility.

[40 CFR 60.5420b(b)]

- 1.2.9.2.1. The general information specified in paragraphs §60.5420b(b)(1)(i) through (v) is required for all reports.

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

- 1.2.9.2.1.1. The company name, facility site name associated with the affected facility, U.S. Well ID or U.S. Well ID associated with the affected facility, if applicable, and address of the affected facility. If an address is not available for the site, include a description of the site location and provide the latitude and longitude coordinates of the site in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983.  
[40 CFR 60.5420b(b)(1)(i)]
- 1.2.9.2.1.2. An identification of each affected facility being included in the annual report.  
[40 CFR 60.5420b(b)(1)(ii)]
- 1.2.9.2.1.3. Beginning and ending dates of the reporting period.  
[40 CFR 60.5420b(b)(1)(iii)]
- 1.2.9.2.1.4. A certification by a certifying official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. If your report is submitted via CEDRI, the certifier's electronic signature during the submission process replaces the requirement in this paragraph §60.5420b(b)(1)(iv).  
[40 CFR 60.5420b(b)(1)(iv)]
- 1.2.9.2.2. For each well affected facility that is subject to §60.5376b(a)(2), your annual report is required to include the information specified in paragraphs §60.5420b(b)(3)(ii), as applicable.  
[40 CFR 60.5420b(b)(3)]
- 1.2.9.2.2.1. For each well affected facility where all gas well liquids unloading operations comply with §60.5376b(b) and (c) best management practices, your annual report must include the information specified in paragraphs §60.5420b(b)(3)(ii)(A) through (E).  
[40 CFR 60.5420b(b)(3)(ii)]
- 1.2.9.2.2.1.1. Identification of each well affected facility that conducts a gas well liquids unloading during the reporting period.  
[40 CFR 60.5420b(b)(3)(ii)(A)]

- 1.2.9.2.2.1.2. Number of liquids unloading events conducted during the reporting period.  
[40 CFR 60.5420b(b)(3)(ii)(B)]
- 1.2.9.2.2.1.3. Log of best management practice plan steps used during the reporting period to minimize emissions to the maximum extent possible.  
[40 CFR 60.5420b(b)(3)(ii)(C)]
- 1.2.9.2.2.1.4. The number of liquids unloading events during the year that best management practices were conducted according to your best management practice plan.  
[40 CFR 60.5420b(b)(3)(ii)(D)]
- 1.2.9.2.2.1.5. The number of liquids unloading events during the year where deviations from your best management practice plan occurred, the date and time the deviation began, the duration of the deviation in hours, documentation of why best management practice plan steps were not followed, and what steps, in lieu of your best management practice plan steps, were followed to minimize emissions to the maximum extent possible.  
[40 CFR 60.5420b(b)(3)(ii)(E)]
- 1.2.9.2.3. For the fugitive emissions components affected facility, report the information specified in paragraphs §60.5420b(b)(9)(i) and (ii), as applicable.  
[40 CFR 60.5420b(b)(9)]
- 1.2.9.2.3.1.1. Designation of the type of site (i.e., well site) at which the fugitive emissions components affected facility is located.  
[40 CFR 60.5420b(b)(9)(i)(A)]
- 1.2.9.2.3.1.2. For the fugitive emissions components affected facility at a well site that became an affected facility during the reporting period, you must include the date of the startup of production or the date of the first day of production after modification.  
[40 CFR 60.5420b(b)(9)(i)(B)]
- 1.2.9.2.3.1.3. For the fugitive emissions components affected facility at a well site, you must specify what type of

well site it is (i.e., single wellhead only well site, small wellsite, multi-wellhead only well site, or a well site with major production and processing equipment).

[40 CFR 60.5420b(b)(9)(i)(C)]

1.2.9.2.3.1.4. For the fugitive emissions components affected facility at a well site where during the reporting period you complete the removal of all major production and processing equipment such that the well site contains only one or more wellheads, you must include the date of the change to status as a wellhead only well site.

[40 CFR 60.5420b(b)(9)(i)(D)]

1.2.9.2.3.1.5. For the fugitive emissions components affected facility at a well site where you previously reported under paragraph §60.5420b(b)(9)(i)(D) the removal of all major production and processing equipment and during the reporting period major production and processing equipment is added back to the well site, the date that the first piece of major production and processing equipment is added back to the well site.

[40 CFR 60.5420b(b)(9)(i)(E)]

1.2.9.2.3.1.6. For the fugitive emissions components affected facility at a well site where during the reporting period you undertake well closure requirements, the date of the cessation of production from all wells at the well site, the date you began well closure activities at the well site, and the dates of the notifications submitted in accordance with paragraph §60.5420b(a)(4).

[40 CFR 60.5420b(b)(9)(i)(F)]

1.2.9.2.3.2. For each fugitive emissions monitoring survey performed during the annual reporting period, the information specified in paragraphs §60.5420b(b)(9)(ii)(A) through (G).

[40 CFR 60.5420b(b)(9)(ii)]

1.2.9.2.3.2.1. Date of the survey.

[40 CFR 60.5420b(b)(9)(ii)(A)]

- 1.2.9.2.3.2.2. Monitoring instrument or, if the survey was conducted by AVO methods, notation that AVO was used.  
[40 CFR 60.5420b(b)(9)(ii)(B)]
- 1.2.9.2.3.2.3. Any deviations from the monitoring plan elements under §60.5397b(c)(1), (2), and (7), (c)(8)(i), or (d) or a statement that there were no deviations from these elements of the monitoring plan.  
[40 CFR 60.5420b(b)(9)(ii)(C)]
- 1.2.9.2.3.2.4. Number and type of components for which fugitive emissions were detected.  
[40 CFR 60.5420b(b)(9)(ii)(D)]
- 1.2.9.2.3.2.5. Number and type of fugitive emissions components that were not repaired as required in §60.5397b(h).  
[40 CFR 60.5420b(b)(9)(ii)(E)]
- 1.2.9.2.3.2.6. Number and type of fugitive emission components (including designation as difficult-to-monitor or unsafe-to-monitor, if applicable) on delay of repair and explanation for each delay of repair.  
[40 CFR 60.5420b(b)(9)(ii)(F)]
- 1.2.9.2.3.2.7. Date of planned shutdown(s) that occurred during the reporting period if there are any components that have been placed on delay of repair.  
[40 CFR 60.5420b(b)(9)(ii)(G)]
- 1.2.9.2.4. If you had a super-emitter event during the reporting period, the start date of the super-emitter event, the duration of the super-emitter event in hours, and the affected facility associated with the super-emitter event, if applicable.  
[40 CFR 60.5420b(b)(14)]
- 1.2.9.2.5. You must submit your annual report using the appropriate electronic report template on the Compliance and Emissions Data Reporting Interface (CEDRI) website for this subpart and following the procedure specified in §60.5420b(d). If the reporting form specific to this subpart is not available on the CEDRI website at the time that the report is due, you must submit the report to the Administrator at the appropriate address listed in §60.4. Once the form has been available on the CEDRI website for at least 90 calendar days, you must begin submitting all subsequent reports

via CEDRI. The date reporting forms become available will be listed on the CEDRI website. Unless the Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

[40 CFR 60.5420b(b)(15)]

- 1.2.9.3. ***Recordkeeping requirements.*** You must maintain the records identified as specified in §60.7(f) and in paragraphs §60.5420b(c)(2) and (14). All records required by this subpart must be maintained either onsite or at the nearest local field office for at least 5 years. Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

[40 CFR 60.5420b(c)]

- 1.2.9.3.1. For each gas well liquids unloading operation at your well affected facility that is subject to §60.5376b(a)(2), the records of each gas well liquids unloading operation conducted during the reporting period, including the information specified in paragraph §60.5420b(c)(2)(ii), as applicable.

[40 CFR 60.5420b(c)(2)]

- 1.2.9.3.1.1. For each gas well liquids unloading operation that complies with §60.5376b(b) and (c) best management practices, maintain records documenting information specified in paragraphs §60.5420b(c)(2)(ii)(A) through (D).

[40 CFR 60.5420b(c)(2)(ii)]

- 1.2.9.3.1.1.1. Identification of each well affected facility that conducts liquids unloading during the reporting period that employs best management practices to minimize emissions to the maximum extent possible.

[40 CFR 60.5420b(c)(2)(ii)(A)]

- 1.2.9.3.1.1.2. Documentation of your best management practice plan developed under paragraph §60.5376b(c). You may update your best management practice plan to include additional steps which meet the criteria in §60.5376b(c).

[40 CFR 60.5420b(c)(2)(ii)(B)]

- 1.2.9.3.1.1.3. A log of each best management practice plan step taken to minimize emissions to the maximum extent possible for each gas well liquids unloading event.  
[40 CFR 60.5420b(c)(2)(ii)(C)]
- 1.2.9.3.1.1.4. Documentation of each gas well liquids unloading event where deviations from your best management practice plan steps occurred, the date and time the deviation began, the duration of the deviation, documentation of best management practice plan steps not followed, and the steps taken in lieu of your best management practice plan steps during those events to minimize emissions to the maximum extent possible.  
[40 CFR 60.5420b(c)(2)(ii)(D)]
- 1.2.9.3.2. For the fugitive emissions components affected facility, maintain the records identified in paragraphs §60.5420b(c)(14)(i) through (v).  
[40 CFR 60.5420b(c)(14)]
- 1.2.9.3.2.1. The date of the startup of production or the date of the first day of production after modification for the fugitive emissions components affected facility at a well site.  
[40 CFR 60.5420b(c)(14)(i)]
- 1.2.9.3.2.2. For the fugitive emissions components affected facility at a well site, you must maintain records specifying what type of well site it is (i.e., single wellhead only well site, small well site, multi-wellhead only well site, or a well site with major production and processing equipment.)  
[40 CFR 60.5420b(c)(14)(ii)]
- 1.2.9.3.2.3. For the fugitive emissions components affected facility at a well site where you complete the removal of all major production and processing equipment such that the well site contains only one or more wellheads, record the date the well site completes the removal of all major production and processing equipment from the well site, and, if the well site is still producing, record the well ID or separate tank battery ID receiving the production from the well site. If major production and processing equipment is subsequently added back to the well site, record the date that the first

piece of major production and processing equipment is added back to the well site.

[40 CFR 60.5420b(c)(14)(iii)]

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

[40 CFR 60.5420b(c)(14)(iv)]

- 1.2.9.3.2.5. The records of each monitoring survey as specified in paragraphs §60.5420b(c)(14)(v)(A) through (I).

[40 CFR 60.5420b(c)(14)(v)]

- 1.2.9.3.2.5.1. Date of the survey.

[40 CFR 60.5420b(c)(14)(v)(A)]

- 1.2.9.3.2.5.2. Beginning and end time of the survey.

[40 CFR 60.5420b(c)(14)(v)(B)]

- 1.2.9.3.2.5.3. Name of operator(s), training, and experience of the operator(s) performing the survey.

[40 CFR 60.5420b(c)(14)(v)(C)]

- 1.2.9.3.2.5.4. Monitoring instrument or method used.

[40 CFR 60.5420b(c)(14)(v)(D)]

- 1.2.9.3.2.5.5. Fugitive emissions component identification when Method 21 of appendix A-7 to this part is used to perform the monitoring survey.

[40 CFR 60.5420b(c)(14)(v)(E)]

- 1.2.9.3.2.5.6. Ambient temperature, sky conditions, and maximum wind speed at the time of the survey. For compressor stations, operating mode of each compressor (i.e., operating, standby pressurized, and not operating-depressurized modes) at the station at the time of the survey.

[40 CFR 60.5420b(c)(14)(v)(F)]

- 1.2.9.3.2.5.7. Any deviations from the monitoring plan or a statement that there were no deviations from the monitoring plan.

[40 CFR 60.5420b(c)(14)(v)(G)]

- 1.2.9.3.2.5.8. Records of calibrations for the instrument used during the monitoring survey.



[40 CFR 60.5420b(c)(14)(v)(H)]

- 1.2.9.3.2.5.9. Documentation of each fugitive emission detected during the monitoring survey, including the information specified in paragraphs §60.5420b(c)(14)(v)(I)(1) through (9).  
[40 CFR 60.5420b(c)(14)(v)(I)]
- 1.2.9.3.2.5.9.1. Location of each fugitive emission identified.  
[40 CFR 60.5420b(c)(14)(v)(I)(1)]
- 1.2.9.3.2.5.9.2. Type of fugitive emissions component, including designation as difficult-to-monitor or unsafe-to-monitor, if applicable.  
[40 CFR 60.5420b(c)(14)(v)(I)(2)]
- 1.2.9.3.2.5.9.3. If Method 21 of appendix A-7 to this part is used for detection, record the component ID and instrument reading.  
[40 CFR 60.5420b(c)(14)(v)(I)(3)]
- 1.2.9.3.2.5.9.4. For each repair that cannot be made during the monitoring survey when the fugitive emissions are initially found, a digital photograph or video must be taken of that component or the component must be tagged for identification purposes. The digital photograph must include the date that the photograph was taken and must clearly identify the component by location within the site (e.g., the latitude and longitude of the component or by other descriptive landmarks visible in the picture). The digital photograph or identification (e.g., tag) may be removed after the repair is completed, including verification of repair with the resurvey.  
[40 CFR 60.5420b(c)(14)(v)(I)(4)]
- 1.2.9.3.2.5.9.5. The date of first attempt at repair of the fugitive emissions component(s).  
[40 CFR 60.5420b(c)(14)(v)(I)(5)]

- 1.2.9.3.2.5.9.6. The date of successful repair of the fugitive emissions component, including the resurvey to verify repair and instrument used for the resurvey.  
[40 CFR 60.5420b(c)(14)(v)(I)(6)]
- 1.2.9.3.2.5.9.7. Identification of each fugitive emission component placed on delay of repair and explanation for each delay of repair.  
[40 CFR 60.5420b(c)(14)(v)(I)(7)]
- 1.2.9.3.2.5.9.8. For each fugitive emission component placed on delay of repair for reason of replacement component unavailability, the operator must document: the date the component was added to the delay of repair list, the date the replacement fugitive component or part thereof was ordered, the anticipated component delivery date (including any estimated shipment or delivery date provided by the vendor), and the actual arrival date of the component.  
[40 CFR 60.5420b(c)(14)(v)(I)(8)]
- 1.2.9.3.2.5.9.9. Date of planned shutdowns that occur while there are any components that have been placed on delay of repair.  
[40 CFR 60.5420b(c)(14)(v)(I)(9)]
- 1.2.9.4. ***Electronic reporting.*** If you are required to submit notifications or reports following the procedure specified in §60.5420b(d), you must submit notifications or reports to the EPA via CEDRI, which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in this §60.5420b(d). Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted

using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in §60.5420b(d).

[40 CFR 60.5420b(d)]

- 1.2.9.5. ***Claims of EPA system outage.*** If you are required to electronically submit a notification or report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with that requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs §60.5420b(e)(1) through (7).

[40 CFR 60.5420b(e)]

- 1.2.9.5.1. You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.

[40 CFR 60.5420b(e)(1)]

- 1.2.9.5.2. The outage must have occurred within the period of time beginning five business days prior to the date that the submission is due.

[40 CFR 60.5420b(e)(2)]

- 1.2.9.5.3. The outage may be planned or unplanned.

[40 CFR 60.5420b(e)(3)]

- 1.2.9.5.4. You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

[40 CFR 60.5420b(e)(4)]

- 1.2.9.5.5. You must provide to the Administrator a written description identifying:

[40 CFR 60.5420b(e)(5)]

- 1.2.9.5.5.1. The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

[40 CFR 60.5420b(e)(5)(i)]

- 1.2.9.5.5.2. A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;

[40 CFR 60.5420b(e)(5)(ii)]

- 1.2.9.5.5.3. A description of measures taken or to be taken to minimize the delay in reporting; and  
[40 CFR 60.5420b(e)(5)(iii)]
- 1.2.9.5.5.4. The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.  
[40 CFR 60.5420b(e)(5)(iv)]
- 1.2.9.5.6. The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.  
[40 CFR 60.5420b(e)(6)]
- 1.2.9.5.7. In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.  
[40 CFR 60.5420b(e)(7)]
- 1.2.9.6. ***Claims of force majeure.*** If you are required to electronically submit a report or notification through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with that requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs §60.5420b(f)(1) through (5).  
[40 CFR 60.5420b(f)]
- 1.2.9.6.1. You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (e.g., hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (e.g., large scale power outage).  
[40 CFR 60.5420b(f)(1)]
- 1.2.9.6.2. You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

[40 CFR 60.5420b(f)(2)]

1.2.9.6.3. You must provide to the Administrator:

[40 CFR 60.5420b(f)(3)]

1.2.9.6.3.1. A written description of the force majeure event;  
[40 CFR 60.5420b(f)(3)(i)]

1.2.9.6.3.2. A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;  
[40 CFR 60.5420b(f)(3)(ii)]

1.2.9.6.3.3. A description of measures taken or to be taken to minimize the delay in reporting; and  
[40 CFR 60.5420b(f)(3)(iii)]

1.2.9.6.3.4. The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.  
[40 CFR 60.5420b(f)(3)(iv)]

1.2.9.6.3.5. The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.  
[40 CFR 60.5420b(f)(4)]

1.2.9.6.3.6. In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.  
[40 CFR 60.5420b(f)(5)]

#### 1.2.10. General Provisions

Table 5 to this subpart shows which parts of the General Provisions in §§60.1 through 60.19 apply to you.

[40 CFR 60.5425b]

Table 5 to Subpart OOOOb of Part 60 – Applicability of General Provisions to Subpart OOOOb			
General provisions citation	Subject of citation	Applies to subpart?	Explanation
§60.1	General applicability of the General Provisions	Yes	
§60.2	Definitions	Yes	Additional terms defined in §60.5430b.
§60.3	Units and	Yes	

	abbreviations		
§60.4	Address	Yes	
§60.5	Determination of construction or modification	Yes	
§60.6	Review of plans	Yes	
§60.7	Notification and record keeping	Yes	Except that §60.7 only applies as specified in §§60.5417b(c) and 60.5420b(a).
§60.8	Performance tests	Yes	Except that the format and submittal of performance test reports is described in §60.5420b(b) and (d). Performance testing is required for control devices used on storage vessels, centrifugal compressors, wells, reciprocating compressors, process controllers, and pumps, as applicable, except that performance testing is not required for a control device used solely on pump(s).
§60.9	Availability of information	Yes	
§60.10	State authority	Yes	
§60.11	Compliance with standards and maintenance requirements	No	Requirements are specified in subpart OOOOb.
§60.12	Circumvention	Yes	
§60.13	Monitoring requirements	Yes	
§60.14	Modification	Yes	To the extent any provision in §60.14 conflicts with specific provisions in subpart OOOOb, it is superseded by subpart OOOOb provisions.
§60.15	Reconstruction	Yes	Except that §60.15(d) does not apply to wells (i.e., well completions, well liquids unloading, associated gas wells), process controllers, pumps, centrifugal compressors, reciprocating compressors, storage vessels, or fugitive emissions components affected facilities.
§60.16	Priority list	Yes	
§60.17	Incorporations by reference	Yes	
§60.18	General control device and work practice requirements	Yes	
§60.19	General notification and reporting requirement	Yes	

## 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**

**3.1 Federal Implementation Plan for Managing Air Emissions from True Minor Sources in Indian Country in the Oil and Natural Gas Production and Natural Gas Processing Segments of the Oil and Natural Gas Sector [40 CFR 49.101 - 49.105] [SU-000485]**

**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 the intersection of CO 172 and CO 151 in Ignacio, head east on CO 151 for 6.5 miles. Turn east on SU 159, and the facility is 0.7 miles down on the south side of the road.

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

Latitude: 37.084837 °N

Longitude: -107.520356 °W

#### **1.3. Safety Considerations:**

SIMCOE recommends all visitors to the Tiffany 5 Pad wear a hard hat, safety glasses, safety footwear, hearing protection, and fire-retardant clothing