

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
Treating Site #1 Compressor Station**

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

This source is authorized to operate at the following location:

**Southern Ute Indian Reservation
Section 13, T32N, R8W
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, Air Quality Division Head
Environmental Programs Department
Southern Ute Indian Tribe

**AIR POLLUTION CONTROL
TITLE V PERMIT TO OPERATE
SIMCOE, LLC
Treating Site #1 Compressor Station**

SUIT Account Identification Code: 2-001

Permit Number: V-SUIT-0001-2024.00

[Replaces Permit No.: V-SUIT-0001-2019.01]

Issue Date: XXXX

Revised Date: N/A

Expiration Date: XXXX

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
September 1999	Permit Issued	Initial Part 71 Permit Issued	# V-SU-0001-00.00
September 2007	Permit Issued	1st Part 71 Permit Renewal Issued	# V-SU-0001-05.00
September 2008	Permit Revision	Administrative Amendment	# V-SU-0001-05.01
February 21, 2014	Permit Issued	Initial Part 70 Permit Issued	# V-SUIT-0001-2014.00
February 4, 2020	Permit Issued	1st Part 70 Permit Renewal Issued	# V-SUIT-0001-2019.00
December 30, 2020	Permit Revision	Administrative Revision Change of ownership from BP America Production Company to SIMCOE, LLC.	# V-SUIT-0001-2019.01
XXXX	Permit Renewal	2 nd Part 70 Permit Renewal Issued	# V-SUIT-0001-2024.00

Table of Contents

Abbreviations and Acronyms	3
Section I – Source Information and Emission Unit Identification.....	6
1. <i>Source Information</i>	<i>6</i>
2. <i>Source Emission Points</i>	<i>7</i>
Section II – General Requirements.....	8
1. <i>Title V Administrative Requirements</i>	<i>8</i>
1.1. Annual Fee Payment [RAC 2-110(1)(h) and RAC 2-118]	8
1.2. Compliance Requirements	10
1.3. Duty to Provide and Supplement Information [RAC 2-110(7)(e), 2-106(5), and 2-124]	11
1.4. Submissions [RAC 2-105]	12
1.5. Severability Clause [RAC 1-106 and RAC 2-110(1)(f)]	12
1.6. Permit Actions [RAC 2-110(3)]	13
1.7. Administrative Permit Revision [RAC 2-111(2)]	13
1.8. Minor Permit Revisions [RAC 2-111(3)]	13
1.9. Significant Permit Revisions [RAC 2-111(4)]	14
1.10. Permit Reopenings, Revocations and Reissuances, and Terminations [RAC 2-112]	15
1.11. Property Rights [RAC 2-110(3)(e)]	16
1.12. Inspection and Entry [RAC 2-110(9)(b)]	16
1.13. <i>[Reserved]</i>	16
1.14. Permit Transfers [RAC 2-113]	16
1.15. Off-Permit Changes [RAC 2-116(2)]	17
1.16. Permit Expiration and Renewal	17
2. <i>Facility-Wide Requirements.....</i>	<i>18</i>
2.1. General Recordkeeping Requirements [RAC 2-110(6)]	18
2.2. General Reporting Requirements	19
2.3. Alternative Operating Scenarios [RAC 2-110(8)]	20
2.4. Permit Shield [RAC 2-110(10)(c)]	22
2.5. Stratospheric Ozone and Climate Protection [40 CFR Part 82]	23
Section III – Site Specific Permit Terms	23
1. <i>Reserved - New Source Performance Standards (NSPS) and 40 CFR Part 60</i>	<i>23</i>
2. <i>National Emission Standards for Hazardous Air Pollutants (NESHAP) and 40 CFR Part 63.....</i>	<i>23</i>
2.1. 40 CFR Part 63, Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines [40 CFR 63.6580 – 63.6675, RAC 4-103]	23
3. <i>Reserved – Tribal Minor New Source Review</i>	<i>30</i>
4. <i>Prevention of Significant Deterioration Requirements.....</i>	<i>30</i>
4.1. 40 CFR Part 52.21 PSD Engine Requirements [PSD Permit # PSD-SU-0006-95.01 and RAC 2-110(6) and RAC 2-110(6) and (7)]	30
5. <i>Reserved – Consent Decree Requirements</i>	<i>37</i>
6. <i>Reserved – Compliance Assurance Monitoring (CAM) Requirements</i>	<i>37</i>

7.	<i>Enhanced Monitoring, Recordkeeping, and Reporting</i>	37
Section IV – Appendix		39
1.	<i>Inspection Information</i>	39
1.1.	Driving Directions:	39
1.2.	Global Positioning System (GPS):	39
1.3.	Safety Considerations:	39

Abbreviations and Acronyms

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

US EPA
VOC

United States Environmental Protection Agency
Volatile Organic Compounds

Table of Figures

Table 1 - Emission Units.....	7
Table 2 - Insignificant Emission Units	7

Section I – Source Information and Emission Unit Identification

1. Source Information

Owner Name:	SIMCOE, LLC
Facility Name:	Treating Site #1 Compressor Station
Facility Location:	Section 13, T32N, R8W
Latitude:	37.015784 °N
Longitude:	-107.664496 °W
State:	Colorado
County:	La Plata
Responsible Official:	Midstream Superintendent
SIC Code:	1311
ICIS Identification Number:	SU00000000806U0008
EPA Facility Registry ID:	110007077304
Other Clean Air Act Permits	PSD Permit # PSD-SU-0006-95.01

Process Description:

Treating Site #1 was a central facility used to separate and dry the gas and water recovered from the coal matrix reservoirs of the San Juan Basin of the Ignacio Blanco Fruitland field. On November 4, 2014, the compression side of the facility was air gapped. In 2020, the saltwater disposal well pump was air gapped.

At the current Treating Site #1, produced water is piped into tanks at the location. The water is then transferred offsite for disposal. The facility's primary pollutant-emitting source is a rich burn generator engine fueled by natural gas.

2. Source Emission Points

Table 1 - Emission Units

Emission Unit ID	Description				Control Equipment
	Waukesha L5790GSI (4SRB SI) Compressor Engine 1215 Nameplate Rated HP				NSCR AFRC
TS1-1 ¹	Serial No.	401228	Install Date:	10/11/2010	
TS1-2 ¹	Serial No.	400296	Install Date:	7/14/2011	
	Waukesha VRG330 (4SRB SI) Generator Engine 68 Nameplate Rated HP				None
TS1-3	Serial No.	387850	Install Date:	4/23/2019	
	Waukesha F11G (4SRB SI) Pump Engine 105 Nameplate Rated HP				None
TS1-4 ³	Serial No.	5299365	Install Date:	1989	
	Tri-ethylene Glycol Dehydrator 12.5 MMscf/d				None
TS1-7b ¹	Serial No.	N/A	Install Date:	N/A	
TS1-10b ¹	Serial No.	N/A	Install Date:	N/A	
	Waukesha F18-GL Pump Engine 375 Nameplate Rated HP				None
TS1-9 ²	Serial No.	N/A	Install Date:	N/A	

¹ TS1-1, TS1-2, TS1-7b, and TS1-10b have been disconnected from the process since 2014. These units remain on site. These units remain in the Part 70 permit as they are still listed in the PSD permit for this facility.

² TS1-9 has been shut down and permanently removed from the facility. However, this engine remains in the Part 70 permit as it is still listed in the PSD permit for this facility.

³ TS1-4 has been air gapped since 2020. However, this engine remains in the Part 70 permit as it is still listed in the PSD permit for this facility.

Table 1 - Insignificant Emission Units

Emission Unit ID	Amount	Description	Size	Units
TS1-5, TS1-6	2	Tank Heaters	500	MMBtu/hr
TS1-7 ¹	1	Glycol Reboiler	500	MMBtu/hr
TS1-8	N/A	Fugitive Emissions	N/A	N/A
NA	4	Catalytic Space Heaters	12	MMBtu/hr
TS1-11	1	Tank Heater	375	MMBtu/hr

TS1-12	1	Used Oil Sump	≤ 95	bbl
TS1-12	1	Oily Water Tank	300	bbl
TS1-12	2	Produced Water Tanks	500	bbl
TS1-12	1	Produced Water Pit Tank	500	bbl
TS1-12	1	Lube Oil Tank	500	gal

¹ TS1-7 has been permanently disconnected from the process since 2014.

Section II – General Requirements

1. Title V Administrative Requirements

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

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

[RAC 2-118(2)]

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

[RAC 2-118(2)]

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

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

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

[RAC 2-118]

- 1.1.5. The permittee shall submit the initial fee calculation work sheet using the most recent form provided by the Tribe.

[RAC 2-118(2)(c)]

- 1.1.6. Basis for calculating annual fee:

- 1.1.6.1. Subtotal annual fees shall be calculated by multiplying the applicable emission fee set pursuant to RAC §2-119(1) of this code times the total tons of actual emissions for each fee pollutant. In lieu of actual emissions, annual fees may be calculated based on the potential to emit for each fee pollutant. Emissions of any regulated air pollutant that already are

included in the fee calculation under a category of regulated pollutant, such as a federally listed hazardous air pollutant that is already accounted for as a VOC or as PM10, shall be counted only once in determining the source's actual emissions.

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

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

[RAC 1-103(2)]

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

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

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

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

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

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

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

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

- 1.1.6.3.1. The amount of actual emissions of any one fee pollutant that the source emits in excess of 4,000 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 1st and shall cover the preceding calendar year in which the certification of compliance is due, except that the first annual certification of compliance will cover the period from the issuance date of this permit through December 31st of the same year.

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

1.2.3. Compliance Schedule

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

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

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

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

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

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

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

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

[RAC 2-106(5)]

1.4. Submissions [RAC 2-105]

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

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

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

by email at: airquality@southernute-nsn.gov

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 1.8.1. The permittee may submit an application for a minor permit revision as defined in RAC §1-103.

- 1.8.2. An application requesting the use of minor permit revision procedures shall meet the requirements of RAC §2-106(4) and shall include the following:

- 1.8.2.1. A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;

- 1.8.2.2. If changes are requested to the permit language, the permittee's suggested draft permit changes;

1.8.2.3. Certification by a responsible official, consistent with RAC §2-105, that the proposed revision meets the criteria for use of minor permit revision procedures and a request that such procedures be used; and

1.8.2.4. Completed forms for the Tribe to use to notify the Administrator and affected programs as required under RAC §2-108.

1.8.2.5. If the requested permit revision would affect existing compliance plans or schedules, related progress reports, or certification of compliance requirements, and an outline of such effects.

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

1.8.3. The permittee shall not submit multiple minor permit revision applications that may conceal a larger revision that would not constitute a minor permit revision.

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

1.8.4. The permittee may make the change proposed in its minor permit revision application immediately after it files such application, provided, however, for sources that have previously utilized this provision during the term of the permit and, on two or more occasions have failed to file a complete application, may thereafter make the change only after the application is deemed complete. After the permittee makes the change and until the Tribe takes any of the actions specified in the following subsection, the permittee must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this period, the permittee need not comply with the existing permit terms and conditions it seeks to modify. If the permittee fails to comply with its proposed permit terms and conditions during this period, however, the existing permit terms and conditions it seeks to modify may be enforced against it. The filing of a minor permit revision application does not authorize construction or modification of a source under the NSR preconstruction permit program. It is the permittee's responsibility to determine if a preconstruction permit is required prior to commencing construction, modification, or reconstruction.

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

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

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

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

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

- 1.9.2. Significant permit revisions shall meet all requirements of the RAC for permit issuance and renewal, including those for applications, review by the Administrator and affected programs, and public participation.
[RAC 2-111(4), 2-109, and 2-106(3)]

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

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

- 1.10.1.1. Additional requirements under the Clean Air Act become applicable to a major source with a remaining permit term of 3 or more years, provided that the Tribe shall revise such permits to incorporate such additional requirements no later than 18 months after promulgation of such requirements, and no such reopening is required if the effective date of the requirement is later than the permit expiration date unless the original permit or any of its terms or conditions have been extended past the permit expiration date pursuant to RAC §2-104(2)(b)(iii);
- 1.10.1.2. Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit;
- 1.10.1.3. The Tribe or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the terms or conditions of the permit; or
- 1.10.1.4. The Tribe or the Administrator determines that the permit must be revised or revoked and reissued to assure compliance with applicable requirements.

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

- 1.10.2.1. The permittee fails to meet the requirements of an approved compliance plan;
- 1.10.2.2. The permittee has been in significant or repetitious noncompliance with the operating permit terms or conditions;
- 1.10.2.3. The permittee has exhibited a history of willful disregard for environmental laws of any tribal or state authority, or of the United States;

- 1.10.2.4. The permittee has knowingly misrepresented a material fact in any application, record, report, plan, or other document filed or required to be maintained under the permit;
- 1.10.2.5. The permittee falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under the permit;
- 1.10.2.6. The permittee fails to pay fees required under RAC §§2-118 and 2-119; or
- 1.10.2.7. The Administrator has found that cause exists to terminate the permit.

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

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

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

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

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

1.13. *[Reserved]*

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

- 1.14.1. This permit shall not be transferable, by operation of law or otherwise, from one location to another or from one source to another, except that a permit may be transferred from one location to another in the case of a portable source that has notified the Tribe in advance of the transfer, pursuant to the RAC. A permit for a source may be transferred from one person to another if the Tribe finds that the

transferee is capable of operating the source in compliance with the permit. This transfer must be accomplished through an administrative permit revision in accordance with the Administrative Permit Revisions section of this permit.

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

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

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

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

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

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

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

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

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

[RAC 2-110(6)]

1.16. Permit Expiration and Renewal

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

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

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

1.16.2. Expiration of this permit terminates the permittee's right to operate unless a timely and complete permit renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration of this permit.
[RAC 2-107(7)(b)]

1.16.3. If the permittee submits a timely and complete permit application for renewal, consistent with RAC §2-106 but the Tribe has failed to issue or disapprove a renewal permit before the end of the permit term, then the permit shall not expire and all its terms and conditions shall remain in effect until the renewal permit has been issued or disapproved.
[RAC 2-104(2)(b)]

1.16.4. The ability to operate under this permit shall cease if (1) the Tribe takes final action to issue the permittee a renewal permit or deny the permittee a permit or (2) the permittee fails to submit by the deadline specified in writing by the Tribe any additional information identified as being needed to process the application.
[RAC 2-104(3)]

1.16.5. Renewal of this permit is subject to the same procedures, including those for public participation and affected program and EPA review, as those that apply to initial permit issuance.
[RAC 2-107(7)(a)]

1.16.6. The application for renewal shall include the current permit number, description of permit revisions and off permit changes that occurred during the permit term, any applicable requirements that were promulgated and not incorporated into the permit during the permit term, and other information required by the application form.
[RAC 2-106(4)(e)(ix)]

2. Facility-Wide Requirements

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

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

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

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

2.1.1. If the permittee determines that his or her stationary source that emits (or has the potential to emit, without federally recognized controls) one or more hazardous air pollutants is not subject to a relevant standard or other requirement established

under 40 CFR part 63, the permittee shall keep a record of the applicability determination, for a period of five years after the determination, or until the source changes its operations to become an affected source, whichever comes first. Each of these records shall be made available to the Tribe upon request. The record of the applicability determination shall include an analysis (or other information) that demonstrates why the permittee believes the source is unaffected (e.g., because the source is an area source).

[40 CFR 63.10(b)(3)]

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

2.2. General Reporting Requirements

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

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

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

2.2.2.1. A situation where emissions exceed an emission limitation or standard;

2.2.2.2. A situation where process or emissions control device parameter values indicate that an emission limitation or standard has not been met; or

2.2.2.3. A situation in which observations or data collected demonstrate noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit.

2.2.2.4. A situation in which an exceedance or an excursion, as defined in 40 CFR Part 64 occurs.

[RAC 1-103(21)]

2.2.3. The permittee shall promptly report to the Tribe deviations from permit requirements, (including emergencies), including the date, time, duration, and the probable cause of such deviations, the quantity and pollutant type of excess emissions resulting from the deviation, and any preventative, mitigation, or corrective actions or measures taken. Prompt deviation reports shall be submitted to the following email address: airquality@southernute-nsn.gov

2.2.4. “Prompt” is defined as follows:

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

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

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

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

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

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

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

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

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

- 2.3.1.4.8. Requirements established in a permit or permits issued pursuant to the Prevention of Significant Deterioration of Air Quality Program at 40 CFR Part 52; or
 - 2.3.1.4.9. Requirements established in any promulgated Federal Implementation Plan that may apply to engines located on the Southern Ute Indian Reservation.
- 2.3.2. The permittee shall provide contemporaneous written notice to the Tribe and the Administrator of any replacement of an existing engine or turbine identified in this permit. Such notice shall state when the replacement occurred and shall describe the replacement and any applicable requirement that would apply as a result of the replacement.
- 2.3.3. The permittee shall keep a record of the engine or turbine replacement.
- 2.3.4. The use of a backup thermal oxidizer with equivalent capacity and emission destruction efficiency and configured to operate in the same manner as the primary thermal oxidizer shall be an allowed alternative operating scenario under this permit provided that the following conditions are met:
- 2.3.4.1. Any emission limits, requirements, testing or other provisions that apply to the primary thermal oxidizer shall also apply to the backup thermal oxidizer except that an annual performance test shall only be conducted on the backup thermal oxidizer if the unit operates for more than 500 hours in any calendar year.
 - 2.3.4.2. At no time shall the backup thermal oxidizer operate at the same time the primary thermal oxidizer is operating except periods of transition between the primary and backup thermal oxidizers. Transition events shall be documented, last no more than 30 minutes in duration, and will be reported as excess emission events.

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

Nothing in this permit shall alter or affect the following:

- 2.4.1. The provisions of Section 303 of the Clean Air Act, 42 U.S.C. §7603 concerning emergency powers, including the respective authorities of the Administrator under those sections;
- 2.4.2. The liability of a permittee for any violation of applicable requirements prior to or at the time of permit issuance;

- 2.4.3. The applicable requirements of the acid rain program consistent with section 408(a) of the Act; or
- 2.4.4. The ability of the Administrator respectively to obtain information from a source pursuant to Section 114 of the Clean Air Act, 42 U.S.C. §7414.

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

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

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

Section III – Site Specific Permit Terms

- 1. Reserved - New Source Performance Standards (NSPS) and 40 CFR Part 60**
- 2. National Emission Standards for Hazardous Air Pollutants (NESHAP) and 40 CFR Part 63**

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

This facility is subject to the requirements of 40 CFR Part 63, Subpart ZZZZ for existing 4SRB stationary reciprocating internal combustion engines (RICE) with a site rating of equal to or less than 500 brake horsepower located at an area source of hazardous air pollutants (HAPs). Notwithstanding conditions in this permit, the permittee shall comply with all applicable requirements of 40 CFR Part 63, Subpart A and Subpart ZZZZ.

2.1.1. Affected Sources

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

**TS1-3 – Waukesha VRG330 4SRB SI Natural Gas-Fired Generator Engine, 68
Nameplate Rated HP**

[40 CFR 63.6585]

2.1.2. Emission and Operating Limitations

- 2.1.2.1. You must comply with the requirements in Table 2d to this subpart that apply to you.

Table 2d to Subpart ZZZZ of Part 63—Requirements for Existing Stationary RICE Located at Area Sources of HAP Emissions		
As stated in §§63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:		
For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
10. Non-emergency, non-black start 4SRB stationary RICE ≤500 HP	a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; ¹	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.
	b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	
	c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.	

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

[40 CFR 63.6603(a)]

2.1.3. General Compliance Requirements

- 2.1.3.1. You must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to you at all times.

[40 CFR 63.6605(a)]

- 2.1.3.2. At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not

limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[40 CFR 63.6605(b)]

2.1.4. Testing and Initial Compliance Requirements

- 2.1.4.1. You must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

[40 CFR 63.6625(e)]

- 2.1.4.2. You must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Table 2d to this subpart apply.

[40 CFR 63.6625(h)]

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

[40 CFR 63.6625(j)]

2.1.5. Continuous Compliance Requirements

- 2.1.5.1. You must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.

[40 CFR 63.6640(a)]

Table 6 to Subpart ZZZZ of Part 63 - Continuous Compliance with Emission Limitations, and Other Requirements		
As stated in §63.6640, you must continuously comply with the emissions and operating limitations and work or management practices as required by the following:		
For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
9.Existing non-emergency 4SRB stationary RICE ≤500 HP located at an area source of HAP	a. Work or Management practices	i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

- 2.1.5.2. You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you.

[40 CFR 63.6640]

2.1.6. Notifications, Reports, and Records

- 2.1.6.1. You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan.

[40 CFR 63.6655(e)]

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

2.1.6.1.1.1. Date the maintenance activity occurred

2.1.6.1.1.2. Hours of engine operation

2.1.6.1.1.3. Engine serial number

- 2.1.6.1.1.4. If an engine oil sample was pulled (if the engine oil analysis program is allowed under §63.6625(j))
- 2.1.6.1.1.5. If the engine oil was replaced
- 2.1.6.1.1.6. If the engine oil filter was replaced
- 2.1.6.1.1.7. If the belts were inspected or replaced
- 2.1.6.1.1.8. If the hoses were inspected or replaced
- 2.1.6.1.1.9. If the sparkplugs were inspected or replaced
[RAC 2-110(6)]

2.1.6.2. Your records must be in a form suitable and readily available for expeditious review according to §63.10(b)(1).
[40 CFR 63.6660(a)]

2.1.6.3. As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
[40 CFR 63.6660(b)]

2.1.6.4. You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1).
[40 CFR 63.6660(c)]

2.1.7. Other Requirements and Information

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

Table 8 to Subpart ZZZZ of Part 63—Applicability of General Provisions to Subpart ZZZZ			
General provisions citation	Subject of citation	Applies to subpart	Explanation
§63.1	General applicability of the General Provisions	Yes.	
§63.2	Definitions	Yes	Additional terms defined in §63.6675.
§63.3	Units and abbreviations	Yes.	
§63.4	Prohibited activities and circumvention	Yes.	
§63.5	Construction and reconstruction	Yes.	

§63.6(a)	Applicability	Yes.	
§63.6(b)(1)-(4)	Compliance dates for new and reconstructed sources	Yes.	
§63.6(b)(5)	Notification	Yes.	
§63.6(b)(7)	Compliance dates for new and reconstructed area sources that become major sources	Yes.	
§63.6(c)(1)-(2)	Compliance dates for existing sources	Yes.	
§63.6(c)(5)	Compliance dates for existing area sources that become major sources	Yes.	
§63.6(f)(2)	Methods for determining compliance	Yes.	
§63.6(f)(3)	Finding of compliance	Yes.	
§63.6(g)(1)-(3)	Use of alternate standard	Yes.	
§63.6(i)	Compliance extension procedures and criteria	Yes.	
§63.6(j)	Presidential compliance exemption	Yes.	
§63.7(a)(1)-(2)	Performance test dates	Yes	Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.
§63.7(a)(3)	CAA section 114 authority	Yes.	
§63.7(b)(1)	Notification of performance test	Yes	Except that §63.7(b)(1) only applies as specified in §63.6645.
§63.7(b)(2)	Notification of rescheduling	Yes	Except that §63.7(b)(2) only applies as specified in §63.6645.
§63.7(c)	Quality assurance/test plan	Yes	Except that §63.7(c) only applies as specified in §63.6645.
§63.7(d)	Testing facilities	Yes.	
§63.7(e)(2)	Conduct of performance tests and reduction of data	Yes	Subpart ZZZZ specifies test methods at §63.6620.
§63.7(e)(3)	Test run duration	Yes.	
§63.7(e)(4)	Administrator may require other testing under section 114 of the CAA	Yes.	
§63.7(f)	Alternative test method provisions	Yes.	
§63.7(g)	Performance test data analysis, recordkeeping, and reporting	Yes.	
§63.7(h)	Waiver of tests	Yes.	
§63.8(a)(1)	Applicability of monitoring requirements	Yes	Subpart ZZZZ contains specific requirements for monitoring at §63.6625.
§63.8(a)(2)	Performance specifications	Yes.	
§63.8(b)(1)	Monitoring	Yes.	
§63.8(b)(2)-(3)	Multiple effluents and multiple monitoring systems	Yes.	

§63.8(c)(1)	Monitoring system operation and maintenance	Yes.	
§63.8(c)(1)(ii)	SSM not in Startup Shutdown Malfunction Plan	Yes.	
§63.8(c)(2)-(3)	Monitoring system installation	Yes.	
§63.8(c)(4)	Continuous monitoring system (CMS) requirements	Yes	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS).
§63.8(c)(6)-(8)	CMS requirements	Yes	Except that subpart ZZZZ does not require COMS.
§63.8(d)	CMS quality control	Yes.	
§63.8(e)	CMS performance evaluation	Yes	Except for §63.8(e)(5)(ii), which applies to COMS.
			Except that §63.8(e) only applies as specified in §63.6645.
§63.8(f)(1)-(5)	Alternative monitoring method	Yes	Except that §63.8(f)(4) only applies as specified in §63.6645.
§63.8(f)(6)	Alternative to relative accuracy test	Yes	Except that §63.8(f)(6) only applies as specified in §63.6645.
§63.8(g)	Data reduction	Yes	Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at §§63.6635 and 63.6640.
§63.9(a)	Applicability and State delegation of notification requirements	Yes.	
§63.9(b)(1)-(5)	Initial notifications	Yes	Except that §63.9(b)(3) is reserved.
			Except that §63.9(b) only applies as specified in §63.6645.
§63.9(c)	Request for compliance extension	Yes	Except that §63.9(c) only applies as specified in §63.6645.
§63.9(d)	Notification of special compliance requirements for new sources	Yes	Except that §63.9(d) only applies as specified in §63.6645.
§63.9(e)	Notification of performance test	Yes	Except that §63.9(e) only applies as specified in §63.6645.
§63.9(g)(1)	Notification of performance evaluation	Yes	Except that §63.9(g) only applies as specified in §63.6645.
§63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded	Yes	If alternative is in use.
			Except that §63.9(g) only applies as specified in §63.6645.
§63.9(h)(1)-(6)	Notification of compliance status	Yes	Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. §63.9(h)(4) is reserved.
			Except that §63.9(h) only applies as specified in §63.6645.

§63.9(i)	Adjustment of submittal deadlines	Yes.	
§63.9(j)	Change in previous information	Yes.	
§63.9(k)	Electronic reporting procedures	Yes.	Only as specified in §§ 63.9 (j), 63.6620, 63.6625, 63.6645, and 63.6650.
§63.10(a)	Administrative provisions for recordkeeping/reporting	Yes.	
§63.10(b)(1)	Record retention	Yes	Except that the most recent 2 years of data do not have to be retained on site.
§63.10(b)(2)(vi)-(xi)	Records	Yes.	
§63.10(b)(2)(xii)	Record when under waiver	Yes.	
§63.10(b)(2)(xiii)	Records when using alternative to RATA	Yes	For CO standard if using RATA alternative.
§63.10(b)(2)(xiv)	Records of supporting documentation	Yes.	
§63.10(b)(3)	Records of applicability determination	Yes.	
§63.10(c)	Additional records for sources using CEMS	Yes	Except that §63.10(c)(2)-(4) and (9) are reserved.
§63.10(d)(1)	General reporting requirements	Yes.	
§63.10(d)(2)	Report of performance test results	Yes.	
§63.10(d)(4)	Progress reports	Yes.	
§63.10(e)(1) and (2)(i)	Additional CMS Reports	Yes.	
§63.10(e)(3)	Excess emission and parameter exceedances reports	Yes.	Except that §63.10(e)(3)(i) (C) is reserved.
§63.10(f)	Waiver for recordkeeping/reporting	Yes.	
§63.12	State authority and delegations	Yes.	
§63.13	Addresses	Yes.	
§63.14	Incorporation by reference	Yes.	
§63.15	Availability of information	Yes.	

3. Reserved – Tribal Minor New Source Review

4. Prevention of Significant Deterioration Requirements

4.1. 40 CFR Part 52.21 PSD Engine Requirements [PSD Permit # PSD-SU-0006-95.01 and RAC 2-110(6) and RAC 2-110(6) and (7)]

Notwithstanding the conditions in this permit, the permittee shall comply with all conditions of the PSD Permit #PSD-SU-0006-95.01.

4.1.1. PSD Permit #PSD-SU-006-95.01 applies to the following emission units:

TS1-1¹ – Waukesha L5790-GSI (4SRB SI) Natural Gas-Fired Compressor Engine, 1,215 Nameplate Rated HP

TS1-2¹ – Waukesha L5790-GSI (4SRB SI) Natural Gas-Fired Compressor Engine, 1,215 Nameplate Rated HP

TS1-3 – Waukesha VRG-330 (4SRB SI) Natural Gas-Fired Generator Engine, 68 Nameplate Rated HP

TS1-4³ – Waukesha F11G (4SRB SI) Natural Gas-Fired Pump Engine, 105 Nameplate Rated HP

TS1-5 – Tank Heater #1, 500 MBtu/hr

TS1-6 – Tank Heater #2, 500 MBtu/hr

TS1-7¹ – Tank Reboiler #1, 500 MBtu/hr

TS1-8 – Fugitives

TS1-9² – Waukesha F18-GL Pump Engine, 375 Nameplate Rated HP

¹ Emission units TS1-1, TS1-2, TS1-7 have been permanently disconnect from the process since 2014.

² Emission unit TS1-9 has been shut down and permanently removed from the facility.

³ Emission unit TS1-4 has been air gapped since 2020. However, this engine remains in the Part 70 permit as it is still listed in the PSD permit for this facility.

4.1.2. Emission Limitations

4.1.2.1. The Applicant shall limit emissions from the source to those in the table below.

PSD Emission Limits

Unit ID	NO _x			CO			VOC		
	Emission Factor	(lbs/hr)	(tpy)	Emission Factor	(lbs/hr)	(tpy)	Emission Factor	(lbs/hr)	(tpy)
TS1-1 ¹	1.0 g/hp-hr	2.7	11.7	2.0 g/hp-hr	5.4	23.5	0.013 g/hp-hr	0.03	0.15
TS1-2 ¹	1.0 g/hp-hr	2.7	11.7	2.0 g/hp-hr	5.4	23.5	0.013 g/hp-hr	0.03	0.15
TS1-3	7.5 g/hp-hr	1.1	4.9	45.0 g/hp-hr	6.7	29.5	0.036 g/hp-hr	<0.01	0.02
TS1-4 ³	20.7 g/hp-hr	4.8	21.0	34.0 g/hp-hr	7.9	34.5	0.053 g/hp-hr	0.01	0.05
TS1-5	95.0 lb/MMscf	0.05	0.22	19.95 lb/MMscf	0.01	0.05	0.101 lb/MMscf	<0.01	<0.01
TS1-6	95.0 lb/MMscf	0.05	0.22	19.95 lb/MMscf	0.01	0.05	0.101 lb/MMscf	<0.01	<0.01
TS1-7 ¹	95.0 lb/MMscf	0.05	0.22	19.95 lb/MMscf	0.01	0.05	0.101 lb/MMscf	<0.01	<0.01
TS1-8								0.4	1.74
TS1-9 ²	2.6 g/hp-hr	2.1	9.4	1.75 g/hp-hr	1.4	6.3	0.013 g/hp-hr	0.01	0.05
Totals		13.55	59.36		26.83	117.45		0.48	2.15

¹ Emission units TS1-1, TS1-2, TS1-7 have been permanently disconnected from the process since 2014.

² Emission unit TS1-9 has been shut down and permanently removed from the facility.

³ Emission unit TS1-4 has been air gapped since 2020. However, this engine remains in the Part 70 permit as it is still listed in the PSD permit for this facility.

PSD Emission Limits (Continued)

Unit ID	SO ₂			PM ₁₀		
	Emission Factor	(lbs/hr)	(tpy)	Emission Factor	(lbs/hr)	(tpy)
TS1-1 ¹	0.002 g/hp-hr	<0.01	0.02	0.01 g/hp-hr	0.03	0.12
TS1-2 ¹	0.002 g/hp-hr	<0.01	0.02	0.01 g/hp-hr	0.03	0.12
TS1-3	0.002 g/hp-hr	<0.01	<0.01	0.01 g/hp-hr	<0.01	0.01
TS1-4 ³	0.002 g/hp-hr	<0.01	<0.01	0.01 g/hp-hr	<0.01	0.01
TS1-5	0.57 lb/MMscf	<0.01	<0.01	11.4 lb/MMscf	0.01	0.03
TS1-6	0.57 lb/MMscf	<0.01	<0.01	11.4 lb/MMscf	0.01	0.03
TS1-7 ¹	0.57 lb/MMscf	<0.01	<0.01	11.4 lb/MMscf	0.01	0.03
TS1-8						
TS1-9 ²	0.002 g/hp-hr	<0.01	0.01	0.01 g/hp-hr	0.01	0.04
Totals		<0.01	0.04		0.1	0.39

¹ Emission units TS-1, TS1-2, TS1-7 have been permanently disconnected from the process since 2014.

² Emission unit TS1-9 has been shut down and permanently removed from the facility.

³ Emission Unit TS1-4 has been air gapped since 2020. However, this engine remains in the Part 70 permit as it is still listed in the PSD permit for this facility.

4.1.3. Maintenance and Operation Requirements

- 4.1.3.1. At all times, including periods of startup (except for replacement / overhauled engines), shut-down, and equipment malfunction, the Source, to the extent practical, shall be maintained and operated in a manner consistent with good air pollution control practices 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 not be limited to monitoring results, review of operating and maintenance procedures, manufacturer's specifications, industry practices, or inspection of the Source.

4.1.4. Testing Requirements

- 4.1.4.1. Compliance with emissions limits of PSD Permit #PSD-SU-0006-95.01 for any engine type (except for the Waukesha VRG330 model for which testing is not required) may be determined by emission tests, when required by EPA. The engine testing protocol approved by EPA and used for the initial compliance tests shall be used by the Applicant during and emission tests, unless the Applicant chooses to use a different engine Testing Protocol. Any other engine Testing Protocols, not approved by EPA, must be submitted to EPA for approval prior to performing emissions tests.

- 4.1.4.2. These emission tests shall be performed in accordance with the test methods specified in 40 CFR Part 60, Appendix A. EPA Reference Method 7 shall be used to measure NO_x emissions and EPA Reference Method 10 shall be used to measure CO emissions, unless alternative methods are approved by the Administrator.
- 4.1.4.3. The Applicant shall provide EPA and the Tribe with at least 30 (thirty) calendar days prior notice (in writing) of any emissions test required by this permit, in order to give EPA the opportunity to observe the test; unless a shorter timeframe is agreed upon by the Applicant and EPA.

4.1.5. Monitoring Requirements

- 4.1.5.1. The Applicant shall measure NO_x and CO emissions from the controlled (Units TS1-1, TS1-2, and TS1-9) compressor engines at least once every calendar quarter beginning the first calendar quarter after the Applicant's submittal of initial compliance test results to EPA. Upon demonstration of compliance with the permit limits set forth in Table I of PSD Permit #PSD-SU-0006-95.01 for six consecutive calendar quarters, the Applicant may conduct the NO_x and CO monitoring for these engines on a semi-annual basis.
- 4.1.5.2. The Applicant shall measure NO_x and CO emissions from the uncontrolled Waukesha F11-G engine (Unit TS1-4) at least once every semi-annual period (January 1 – June 30 and July 1 – December 31). Beginning the first semi-annual period after the Applicant's submittal of initial compliance test results to EPA.
- 4.1.5.3. To meet the monitoring requirements above, the Applicant shall measure the NO_x and CO emissions from the engine using a portable analyzer and the monitoring protocol approved by EPA.
- 4.1.5.4. The Applicant shall not conduct NO_x and CO emissions monitoring on the engines that have not been operated during the specified monitoring period. The Applicant must certify that the engine(s) did not operate during the specified monitoring period and maintain this certification in accordance with the recordkeeping requirements listed in Permit #PSD-SU-0006-95.01.

4.1.6. Recordkeeping Requirements

- 4.1.6.1. The Applicant shall keep a record of all emissions monitoring and compliance tests required by Permit #PSD-SU-0006-95.01. The record shall include:
 - 4.1.6.1.1. The date, place, and time of sampling or monitoring;

- 4.1.6.1.2. The date(s) the analyses were performed;
- 4.1.6.1.3. The company of entity that performed the analyses;
- 4.1.6.1.4. The analytical techniques or methods used;
- 4.1.6.1.5. The results of such analyses; and
- 4.1.6.1.6. The operating conditions that existed at the time of sampling or monitoring.

4.1.6.2. The Applicant shall retain records of all required monitoring data and support information, reports, notifications, testing, monitoring, measurements, observations, and maintenance activities compiled in accordance with this permit for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or record. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. This data must be available upon request for inspection by the Tribe and EPA and must be submitted to the Tribe and EPA.

4.1.7. Reporting Requirements

- 4.1.7.1. The Applicant shall submit a written report of any initial compliance test results for replacement / overhauled engines installed at the Source and for any engine compliance tests required by EPA. This emissions test report shall be submitted to EPA along with the next semiannual monitoring results report due to be submitted and referenced in the section below.
- 4.1.7.2. The Applicant shall submit a written report containing the emissions monitoring results for Units TS1-1, TS1-2, TS1-4, and TS1-9. This report shall be submitted semi-annually to the Tribe and EPA by April 1 and October 1 of each year. The reporting period for the April 1 report is July 1 – December 31 and the reporting period for the October 1 report is January 1 – June 30. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with the **Submissions** section of this permit.
- 4.1.7.3. Except for replacement / overhauled engines, the Applicant shall keep a record of any excess emissions that occur during periods of startup, shut-down, equipment malfunction, or upset conditions, for any reason. Malfunction is defined as any sudden, infrequent, and not reasonably

preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions. For each occurrence of excess emissions, all of the following shall be provided to EPA and the Tribe in writing and submitted with the semi-annual reports:

- 4.1.7.3.1. The identity of the stack or emission point where excess emissions occurred;
 - 4.1.7.3.2. The magnitude of excess emissions expressed in terms of this permit condition
 - 4.1.7.3.3. The time and duration of excess emissions;
 - 4.1.7.3.4. The reason(s) for the excess emissions;
 - 4.1.7.3.5. Steps and procedures taken to minimize excess emissions;
 - 4.1.7.3.6. Steps and procedures taken or anticipated to be taken to prevent reoccurrence of excess emissions.
- 4.1.7.4. Even if the reporting and other requirements of this section are satisfied, the Source will be considered to be in violation of the permit if EPA or the Tribe determines that the information submitted does not evidence a malfunction, upset condition, startup, or shut-down and the Source exceeded the emission limits of the permit.

4.1.8. Emission Inventory

- 4.1.8.1. The Applicant shall submit an annual emission inventory for the Source to EPA and the Tribe by March 1 of each year for all point source air emissions released during the period of January 1 to December 31 of the previous year.
- 4.1.8.2. The emissions inventory shall contain the information listed below:
 - 4.1.8.2.1. Year of record for emissions
 - 4.1.8.2.2. Plant name
 - 4.1.8.2.3. Plant location/street address
 - 4.1.8.2.4. City, State, and zip code
 - 4.1.8.2.5. Plant latitude

- 4.1.8.2.6. Plant longitude
- 4.1.8.2.7. UTM description (section, township, range)
- 4.1.8.2.8. Primary SIC code
- 4.1.8.2.9. SCC number
- 4.1.8.2.10. Principal product
- 4.1.8.2.11. Plant contact and telephone number
- 4.1.8.2.12. Estimated hours of operation per year of each point source
- 4.1.8.2.13. Estimated amount of fuel consumed by each point source
- 4.1.8.2.14. Stack height (ft) of each point source
- 4.1.8.2.15. Stack diameter (ft) of each point source
- 4.1.8.2.16. Temperatures of exit gases (degrees F) from engine stacks
- 4.1.8.2.17. Exhaust gas flow rate (ACFM) from each engine stack
- 4.1.8.2.18. Exit gas velocity (ft/sec) from each engine stack
- 4.1.8.2.19. CAS code for each pollutant
- 4.1.8.2.20. Measured emissions (lbs/day and TPY) for each point source that is tested
- 4.1.8.2.21. Calculated emissions (lbs/day and TPY) for each point source not tested
- 4.1.8.2.22. Emission factors used to calculate emissions
- 4.1.8.2.23. Permit emission limits (lbs/day and TPY) for each point source
- 4.1.8.2.24. Point source design capacity (i.e. engine brake horsepower and burner Btu rating)
- 4.1.8.2.25. Actual average point source capacity operation (i.e. engine's derated brake horsepower)

4.1.8.2.26. Type of control device and its efficiency for each point source (if applicable)

4.1.8.2.27. Hours of uncontrolled operation of engines due to engine replacement/overhaul

4.1.9. Compressor Engine Replacement / Overhaul

4.1.9.1. The Applicant may replace an existing permitted engine requiring a complete overhaul with a new or overhauled engine of the same make, model, horsepower rating, and configuration. Such a like-kind replacement engine will be configured for operation in the same manner as the engine being replaced. Each like-kind replacement engine shall have equivalent types of air emissions control devices installed as the engine being replaced including, but not limited to, non-selective catalytic reduction (NSCR) devices and air-to-fuel ratio controllers.

4.1.9.2. The Applicant shall be allowed to operate the replacement / overhauled engine without the use of the catalytic converter assembly for a period not to exceed 200 hours from engine startup, unless a longer time period has been approved by EPA or the Tribe, in writing. The applicant shall keep a record of the number of hours of operation of the uncontrolled replacement / overhauled engine and submit this information to EPA and the Tribe with the initial compliance demonstration test report.

4.1.9.3. The Applicant shall conduct a compliance demonstration test on the replacement / overhauled engine. The compliance demonstration shall measure NO_x and CO emissions from the replaced / overhauled engine using a portable analyzer and monitoring protocol approved by EPA. This demonstration shall be conducted within 60 (sixty) calendar days of engine startup.

4.1.9.4. The Applicant shall provide notice to EPA and the Tribe of such compliance demonstration testing in accordance with the conditions of this permit. The Applicant shall adhere to the recordkeeping and reporting requirements of this permit for the compliance demonstration of the replacement / overhauled engine.

5. Reserved – Consent Decree Requirements

6. Reserved – Compliance Assurance Monitoring (CAM) Requirements

7. Enhanced Monitoring, Recordkeeping, and Reporting

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

by email at: airquality@southernute-nsn.gov

or by United States Postal Service:

Part 70 Program
Environmental Programs Department
Air Quality Division
P.O. Box 737 MS #84
Ignacio, Colorado 81137

or by Common Carrier:

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

Section IV – Appendix

1. Inspection Information

1.1. Driving Directions:

Drive north on NM 511 past Navajo Dam to approximately mile marker 28.6. Turn left at cattle guard (near the top of La Boca hill). Drive approximately 1.6 miles and turn right immediately crossing the cattle guard, which is the New Mexico – Colorado State line. Drive approximately ¼ mile to “Y” in road and keep left. Travel approximately one mile going down a very steep hill and turn right. Travel approximately ½ mile to the Treating Site #1 Compressor Station.

1.2. Global Positioning System (GPS):

Latitude: 37.015784 °N

Longitude: -107.664496 °W

1.3. Safety Considerations:

All visitors to the Treating Site #1 Compressor Station wear a hard hat, safety glasses, safety footwear, hearing protection, and fire-retardant clothing.