



SOUTHERN UTE INDIAN TRIBE / STATE OF COLORADO ENVIRONMENTAL COMMISSION MEETING

October 29, 2025

AGENDA



SOUTHERN UTE INDIAN TRIBE/STATE OF COLORADO ENVIRONMENTAL COMMISSION MEETING AGENDA



October 29, 2025.
1:00 p.m. – 3:00 P.M.
EPD Large Conference Room
71 Mike Frost Way
Ignacio, CO 81137
and Remote Platform

For information, call Danny Powers at (970) 563-2265
Or email dpowers@southernute-nsn.gov

1:00 – 1:05

Call to Order/Introductions

- Introduce new Tribal Appointed Environmental Commissioners
- Introduce new AQD staff

1:05 – 1:10

New Business

- Appointment of New Commission Chair (*Action Item*)
- Review and Approve October 29, 2025, Agenda (*Action Item*)
- Review and Approve November 20, 2024, Meeting Minutes (*Action Item*)

1:10– 1:50

Air Quality Division Updates

- Ambient Monitoring Program Updates
- Title V Updates
- Minor Source Updates
- Emissions Inventory Summary
- CPRG Updates
- NSPS OOOOb Updates
- NSPS OOOOc Updates

1:50 - 2:00

Incorporation of OOOOb into RAC (*Action Item*)

2:00 - 2:45

CDPHE Updates

- State Air Quality Regulations for the Oil and Gas Sector
- Overview of New State Air Quality Regulations for Other Sources
- Federal Regulatory Changes

2:45 – 2:55

Open Discussion/Questions and Public Comment

2:55 – 3:00

Schedule Next Meeting

3:00

Adjourn

Commissioners

Beth Santistevan
Nathan Strong Elk
Cheryl Frost

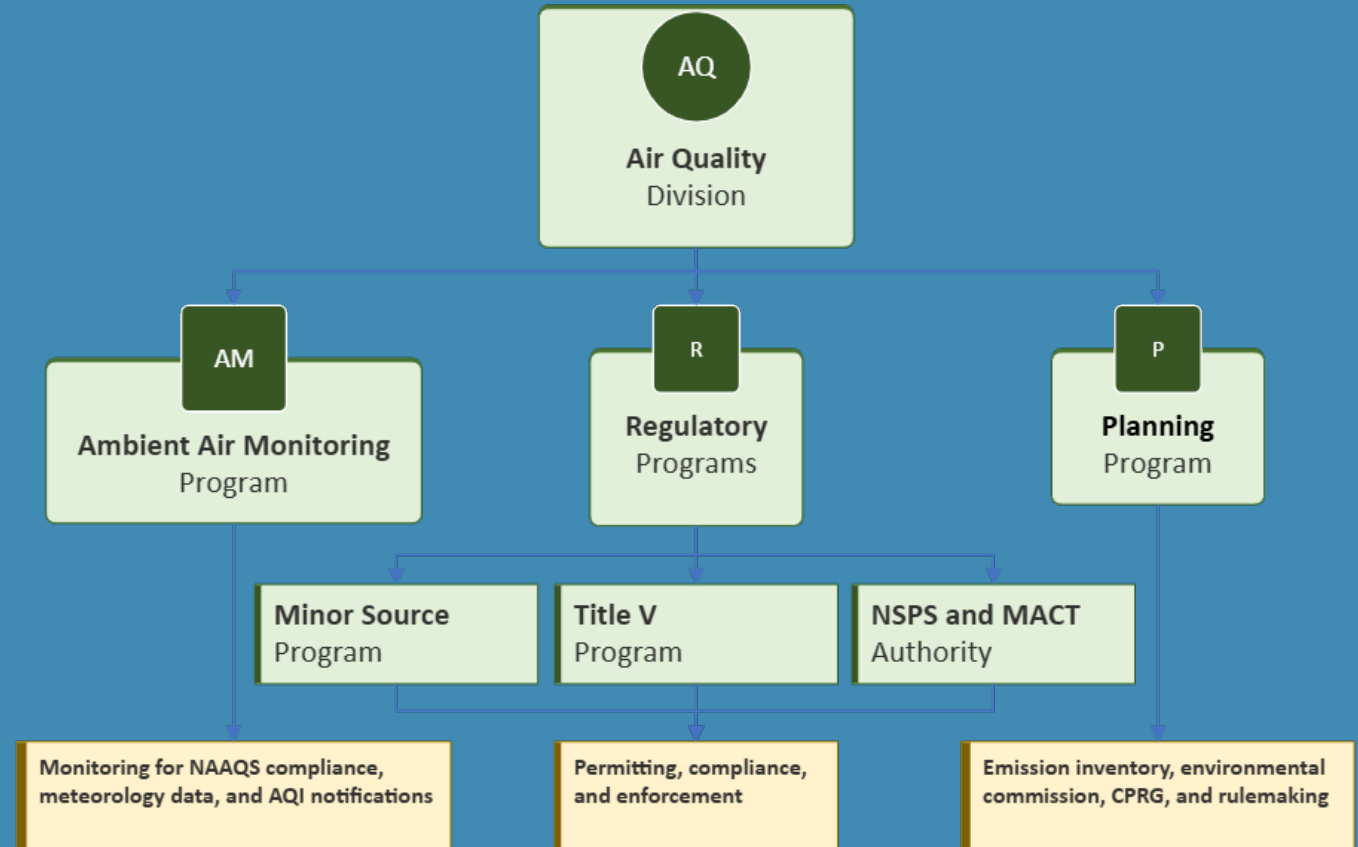
Dr. Peter McCormick
Rolfe Spiegel
Dr. Rebecca Austin

NEW BUSINESS

- Elect new Chairman for Environmental Commission (Tribal appointed)
- Approval of October 29, 2025 Meeting Agenda.
- Approval of November 20, 2024 Meeting Minutes

AIR QUALITY DIVISION UPDATES

- Ambient Monitoring Updates
- Regulatory Updates
 - Title V
 - Minor Source Programs
- Planning Updates
 - Emission Inventory Summary
 - Climate Pollution Reduction Grant
 - NSPS Rules Updates
 - OOOOb
 - OOOOc



AMBIENT AIR MONITORING PROGRAM UPDATES



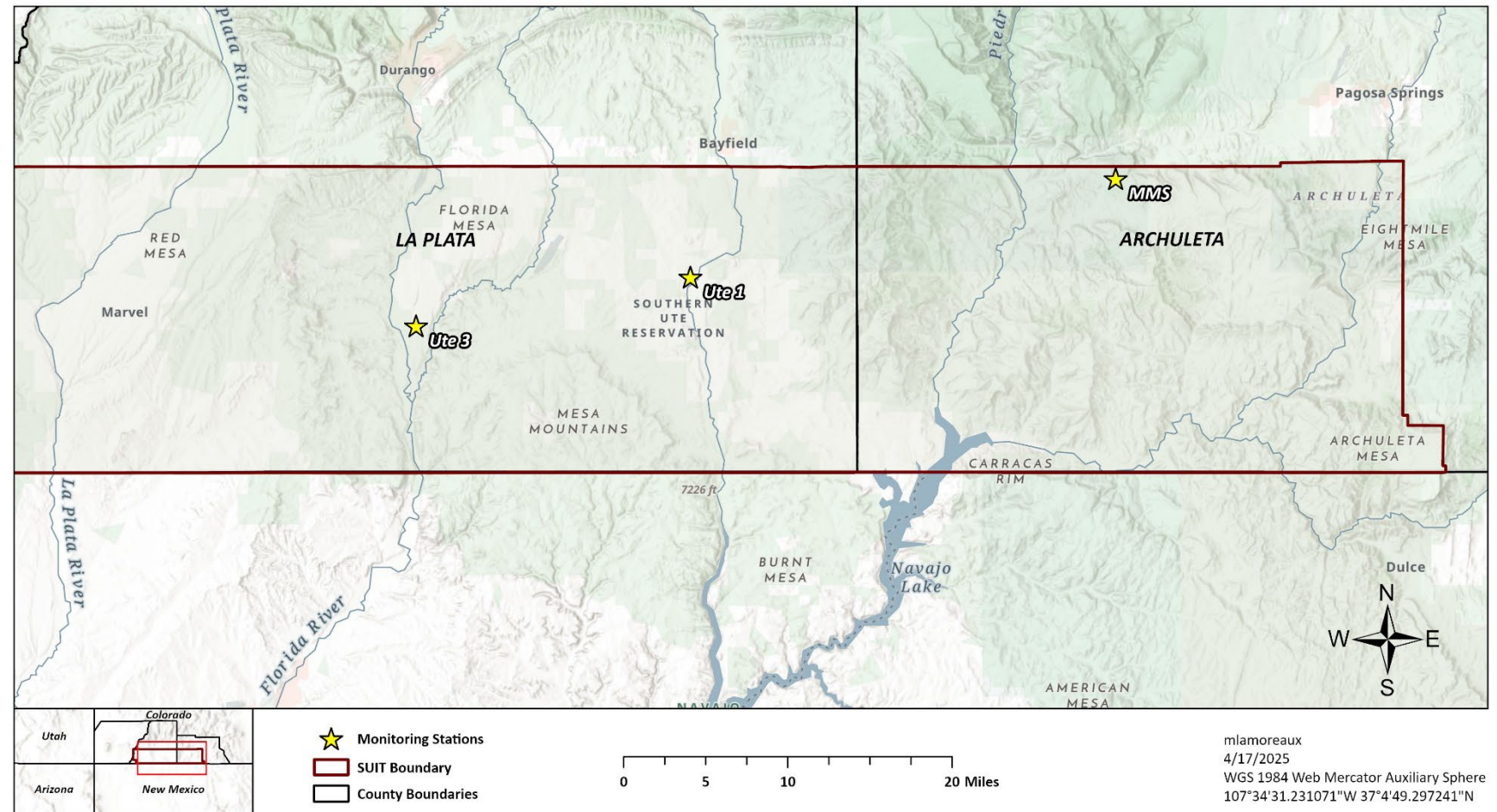
AMBIENT MONITORING PROGRAM

MONITORING SITES

	Ute 1 (Ignacio)	Ute 3 (Bondad)	MMS (Lake Capote)
Ozone	X	X	X
Nitrogen Dioxide	X	X	X
PM ₁₀	X	X	
PM _{2.5}	X	X	
Visibility		X	
Wind Speed/Direction	X	X	X
Relative Humidity	X	X	X
Ambient Temperature	X	X	X
Solar Radiation	X	X	
Precipitation	X	X	



Southern Ute Indian Tribe Air Quality Division Monitoring Stations



AMBIENT MONITORING PROGRAM

MONITORING SITES

2025 Teledyne was installed at all sites along with new Meteorological Towers.



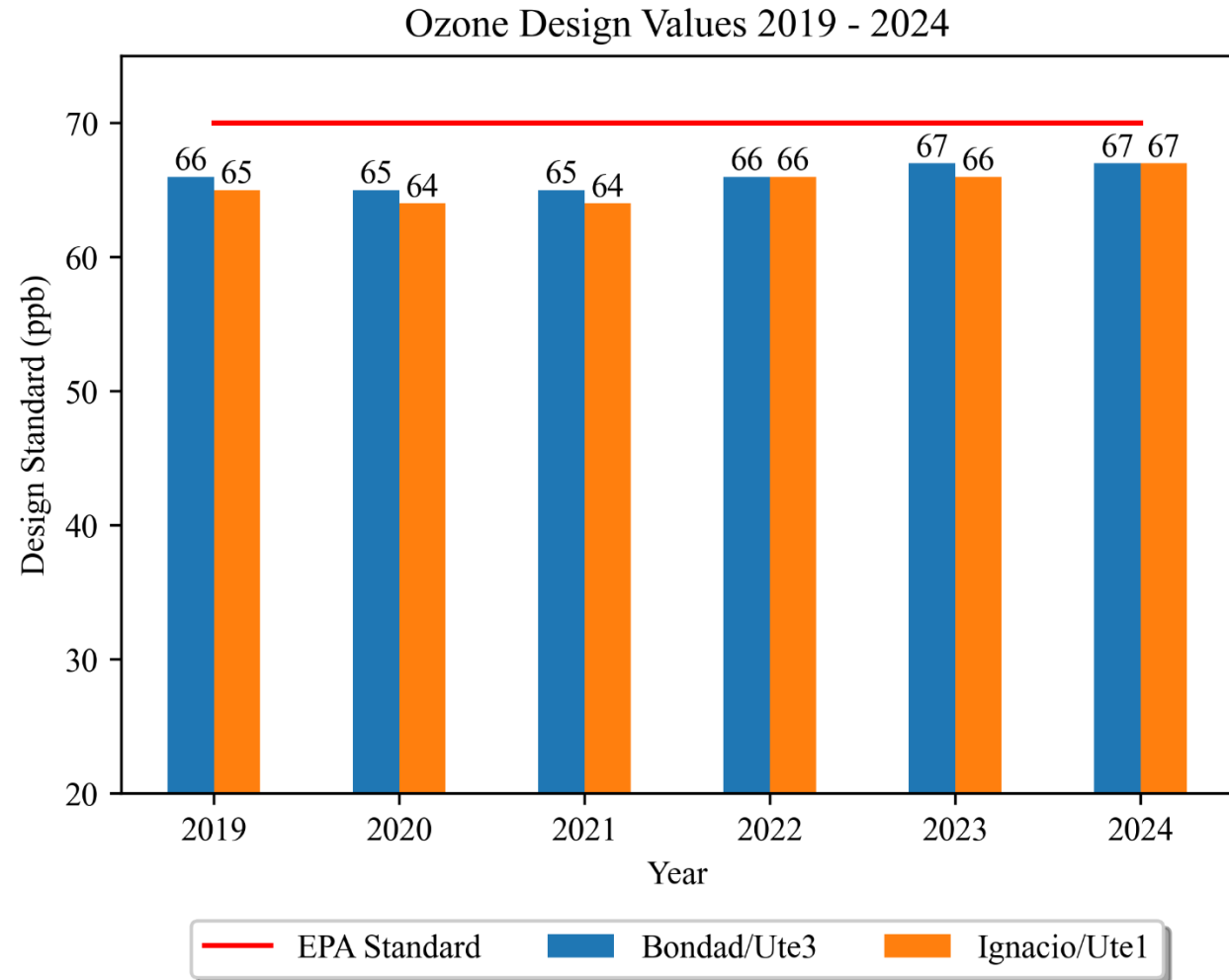
Ute 1 and 3: Installed NO_x, O₃, Particulate Matter _{10-2.5}, Zero Air, and Calibration.

MMS: NO_x, O₃, Zero Air and Calibration.

AMBIENT MONITORING PROGRAM

OZONE

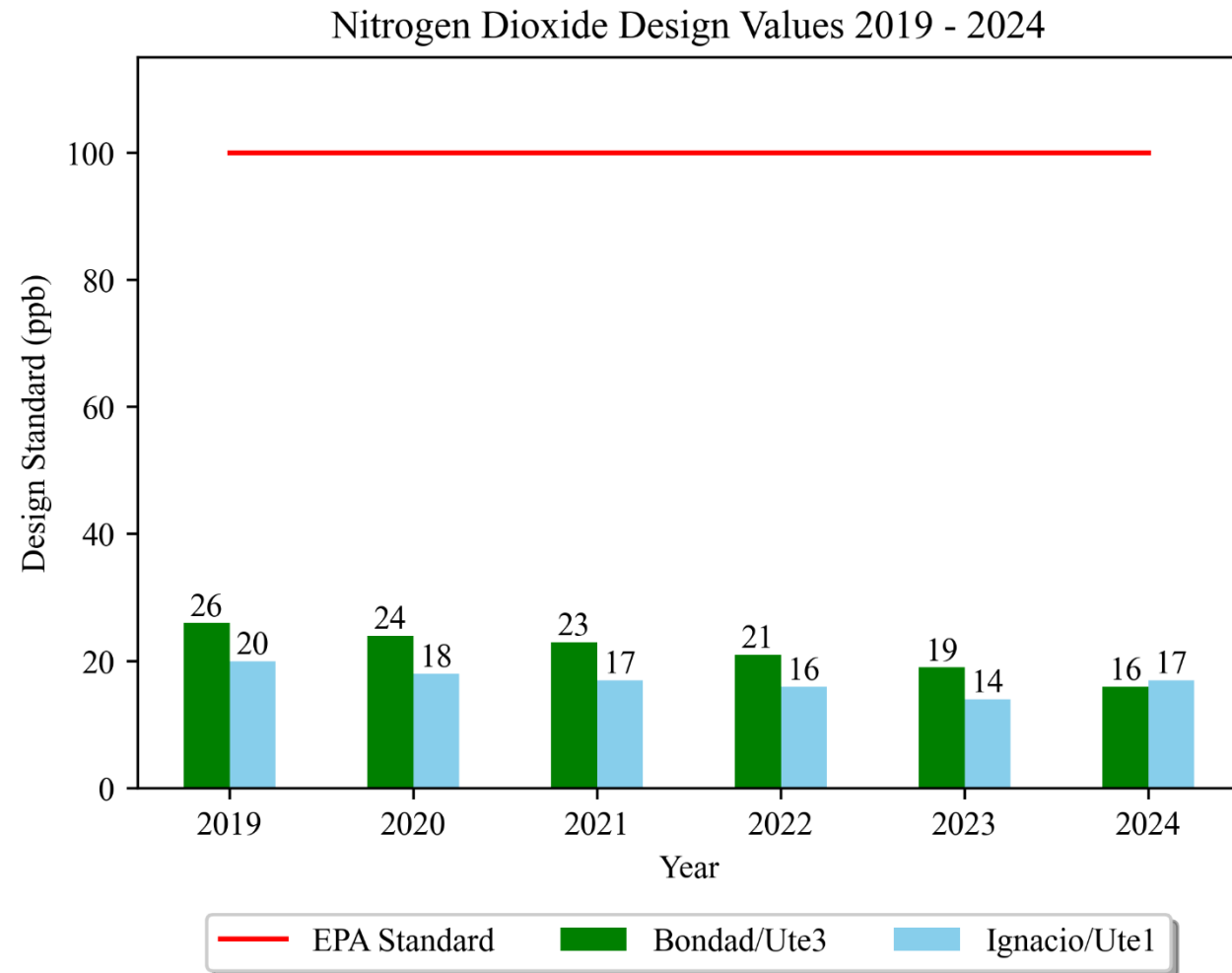
Ozone Standard : 70 ppb



AMBIENT MONITORING PROGRAM

Nitrogen Dioxide

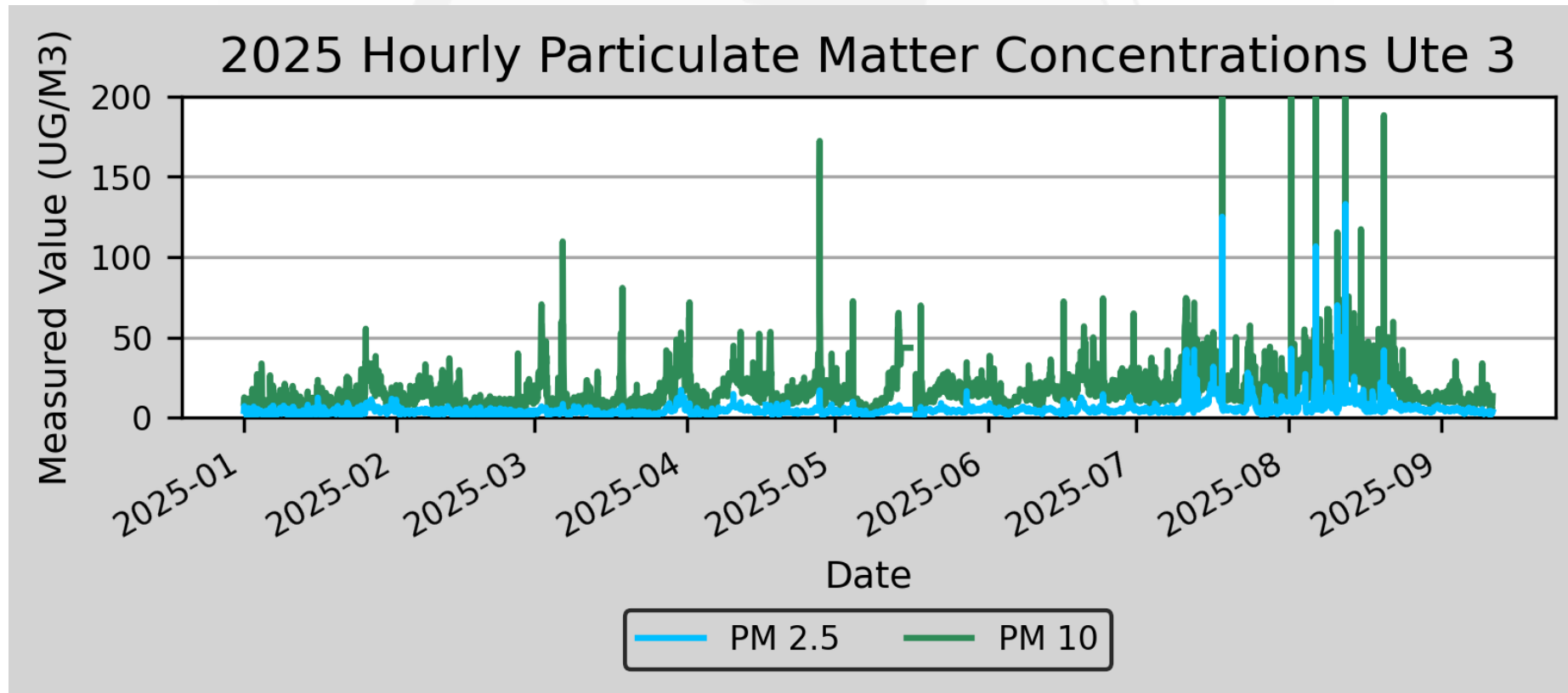
Nitrogen Dioxide
Standard : 100 ppb



AMBIENT MONITORING PROGRAM

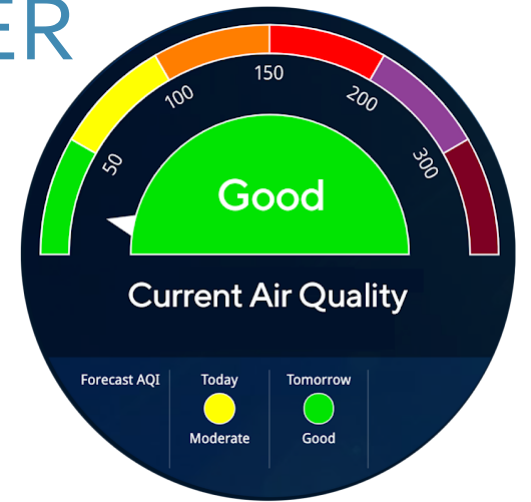
PARTICULATE MATTER

- Continuous PM_{2.5} & PM₁₀ monitoring at Ignacio and Bondad (Ute 3) stations (see figure below).
- PM Monitoring on the Reservation is non-regulatory because high values are from “exceptional events”.
- Data is collected for the purpose of informing citizens in real-time of hazardous PM levels due to naturally occurring forest fires, prescribed burns, and dust storms.



REAL TIME AIR QUALITY AND WEATHER RESOURCES

The AQD reports ambient air monitoring data to its webpage in real-time so Tribal members and area residents can be informed of current air quality conditions and potential health risks.



Southern Ute Monitoring- Current Conditions

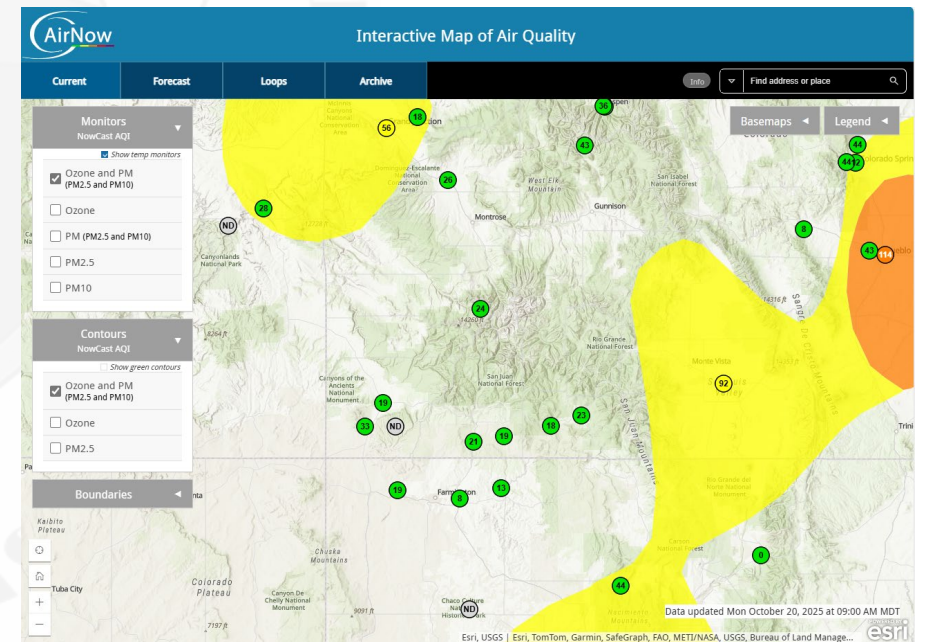
Air Quality Health Notifications

Southern Ute E.P.D. Air Quality Measurements

Ignacio Air Monitoring Station



EPA Air Now Interactive Map- Forecasts



TITLE V AND MINOR SOURCE PROGRAM UPDATES



TITLE V OPERATING PERMIT PROGRAM

In 2012, the Tribe received full EPA delegation of Title V operating permit program at 40 CFR Part 70

- AQD responsible for permitting, compliance, and civil enforcement
- Permits are required for operating major sources of air pollution over the following thresholds:
 - 100 tons per year of any criteria air pollutant; or
 - 10 tons per year of any single HAP or 25 tons per year in combination.



TITLE V PERMITTING

The AQD currently permits 32 Title V sources on the Reservation (approximately 13% of the Title V sources in Colorado).

Title V Permitting Summary				
Title V Sources	Currently Processing Permits	Initial Permits Issued*	Renewal Permits Issued*	Permit Revisions Issued*
32	12	3	9	6

* Issuances that took place since the last EC meeting on November 20, 2024.



MINOR SOURCE PROGRAM

On June 11, 2024, the Tribe received EPA delegation of two additional Clean Air Act Programs:

- **The Tribal Minor New Source Review Program (TMNSR program)** – 40 CFR §§49.151 through 49.164
 - Pre-construction site-specific permits
 - Can be used to establish emissions limitations
- **Oil and Gas Federal Implementation Plan (FIP)** – 40 CFR §§49.101 through 49.105.
 - Streamlined pre-construction program for true minor oil and gas sources

AQD responsible for permitting and compliance. EPA responsible for enforcement

Regulated NSR pollutant	Minor NSR thresholds for attainment areas (tpy)
Carbon monoxide (CO)	10
Nitrogen oxides (NO _x)	10
Sulfur dioxide (SO ₂)	10
Volatile Organic Compounds (VOC)	5
PM	10
PM ₁₀	5
PM _{2.5}	3

MINOR SOURCES ON THE RESERVATION

Source Type	Facility Types	Amount
FIP Registered Sources	natural gas and oil production well sites, central delivery points, water injection facilities	160+
TMNSR Permitted Sources	natural gas compression facilities, natural gas treatment plants	12



MINOR SOURC PERMITTING

Current and Recently Completed Permitting

Minor Source Permitting Summary	
Number of TMNSR Permit Revisions Completed	Number of Initial TMNSR Permits Issued
5	0

FIP Registration and General Permit Processing		
Part 1 Registrations Processed	Part 2 Registrations Processed	General Permits
3	2	0

TITLE V COMPLIANCE

Compliance Monitor Strategy (CMS) Progress:

- Each Title V source must be inspected every other year
- Fiscal Year 2025 (October 1, 2024 - September 30, 2025):
 - 19 of 19 Title V facility on-site inspections conducted
 - Eleven (11) inspection reports finalized
- Fiscal Year 2026 (October 1, 2025 - September 30, 2026):
 - 17 Title V facility inspections scheduled



MINOR SOURCE INSPECTION PROCESS

TMNSR minor source inspections:

- Inspection process similar to Title V source inspections
- There is a total of eight (8) standalone TMNSR permitted minor sources with two (2) scheduled for inspection in FY2026

FIP sources inspections:

- More streamlined inspection process than for Title V/TMNSR sources
- AQD created a Pre-Inspection Form for operators to complete. Includes inputs for:
 - Emissions units and site parameters
 - Applicability determinations for New Source Performance Standard (NSPS) and Maximum Achievable Control Technology (MACT) standard applicability to streamline records requests
 - Increases AQD understanding of sources prior to on-site inspection

Findings of Non-Compliance

- Non-compliance of TMNSR or FIP specific requirements will be referred to EPA for enforcement.
- AQD has primacy for civil enforcement of NSPS/MACT violations

MINOR SOURCE COMPLIANCE

TMNSR & Oil and Gas FIP

Inspection

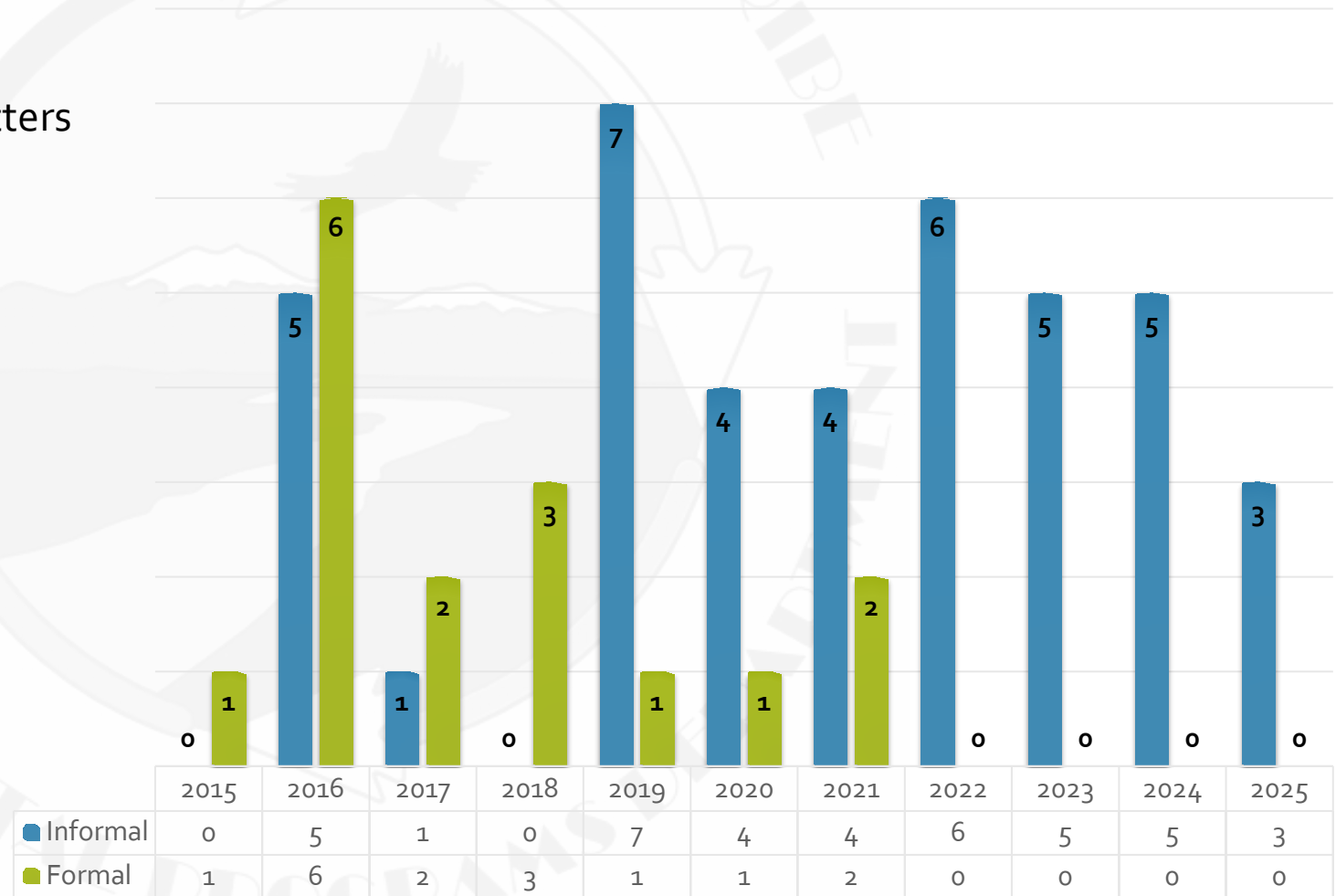
- EPA approved Compliance Monitoring Strategy requires AQD to inspect 160+ minor sources over five-year period

Minor Source Inspection Schedule				
	FY25		FY26	
Inspection Type	FIP Sources	TMNSR Sources	FIP Sources	TMNSR Sources
Scheduled	32	0	32	2
Inspections Completed	33	0	0	0

ENFORCEMENT

Informal and Formal Enforcement

- Informal enforcement actions
 - Compliance Advisories/Warning letters
 - 2023= 5
 - 2024=5
 - 2025=3
- Formal enforcement actions
 - Notices of Violation
 - 2023= 0
 - 2024= 0
- Total enforcement cases = 52
 - Informal = 36
 - Formal = 16



EMISSION INVENTORY SUMMARY



EMISSION INVENTORY SUMMARY

Overview of Source Categories



Point Sources (Stationary)

Clean Air Act
permitted stationary
sources (Oil and Gas,
Landfills, and Airports)



Non-Point Sources (Area)

Small Oil and Gas,
Fruitland Outcrop, Gas
Stations, Aviation
Gasoline, Gravel Pits,
Residential Heating,
Fire Events, Ag
Burning



Mobile Sources (Mobile)

On-Road (Vehicles
Traveling on Public
Roads) and
Non-Road (Farm
Equipment, ATV,
Construction
Equipment, etc.)



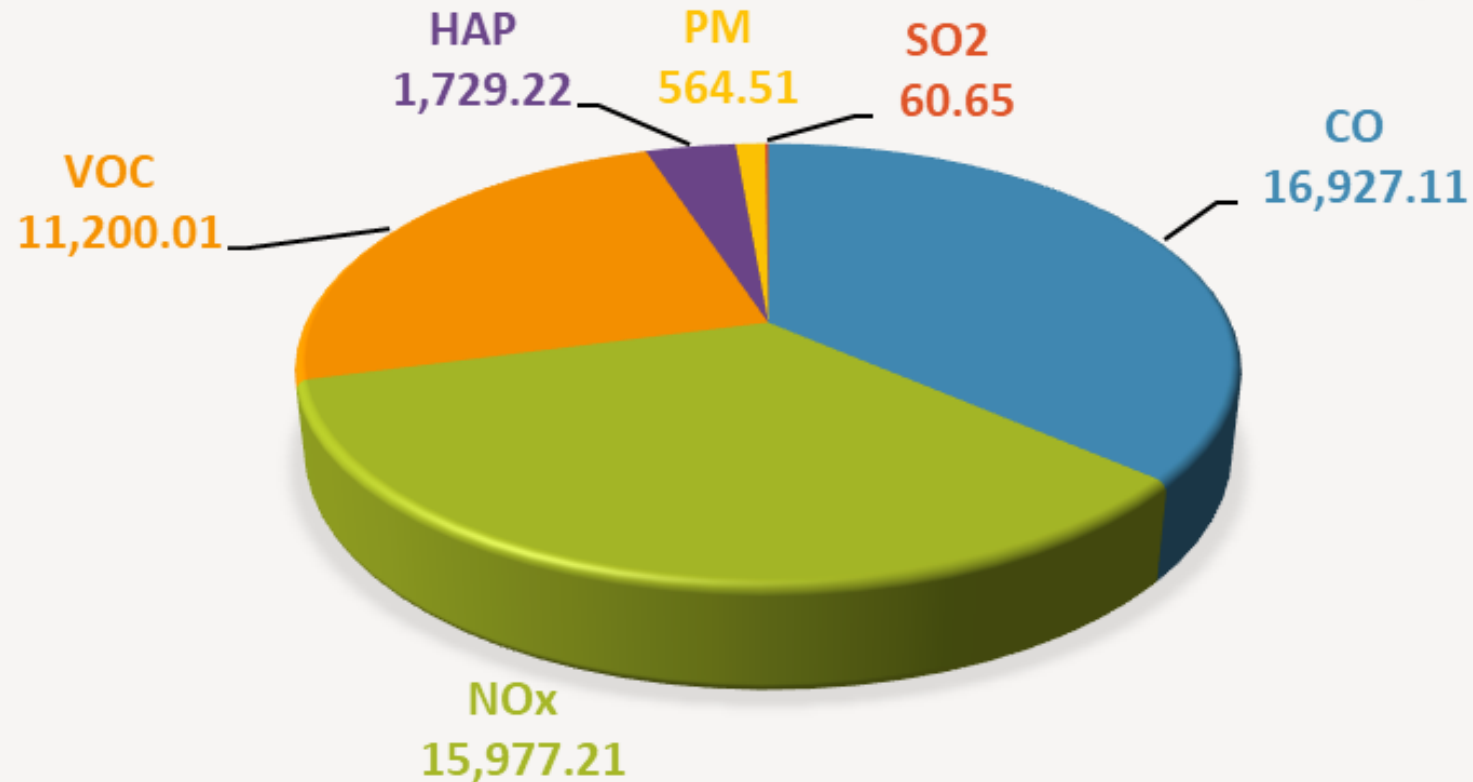
Biogenic Sources (Natural)

Tree and Plant
(Vegetation
Metabolism), Soil Off
Gassing, and Natural
Occurring Chemical
Reactions (Lightning)

EMISSION INVENTORY SUMMARY

Overview of Emissions

TOTAL CRITERIA POLLUTANT EMISSIONS ON THE SOUTHERN UTE INDIAN RESERVATION IN CY 2023 (TONS)



EMISSION INVENTORY- OIL AND GAS

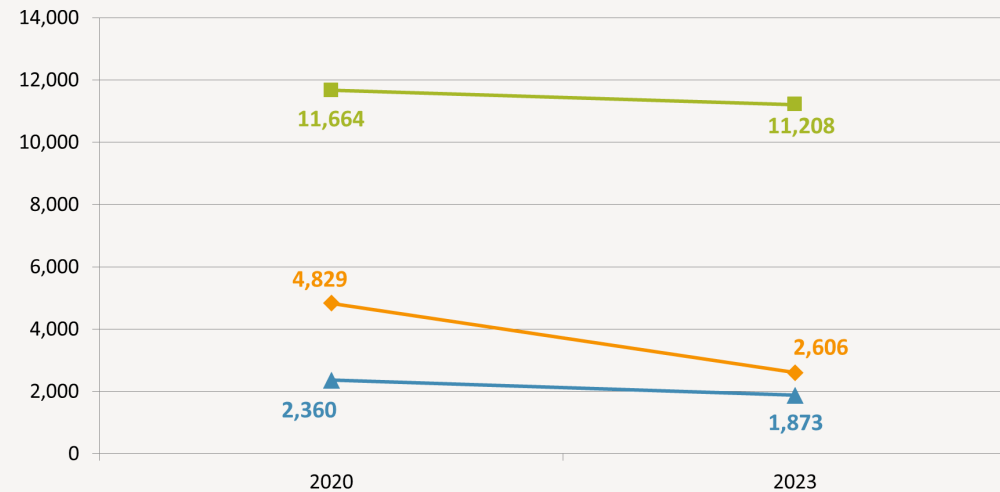
-4% NO_x and VOC in Small oil and gas

As the largest emitting oil and gas category, small oil and gas had the least change. In this category, there was a 3% decrease in the number of sources.

-49% NO_x in Minor Sources

This source category experienced a decrease in all 4 top pollutants (NO_x, CO, VOC, and HAPs) by over 18% but NO_x decreased the most.

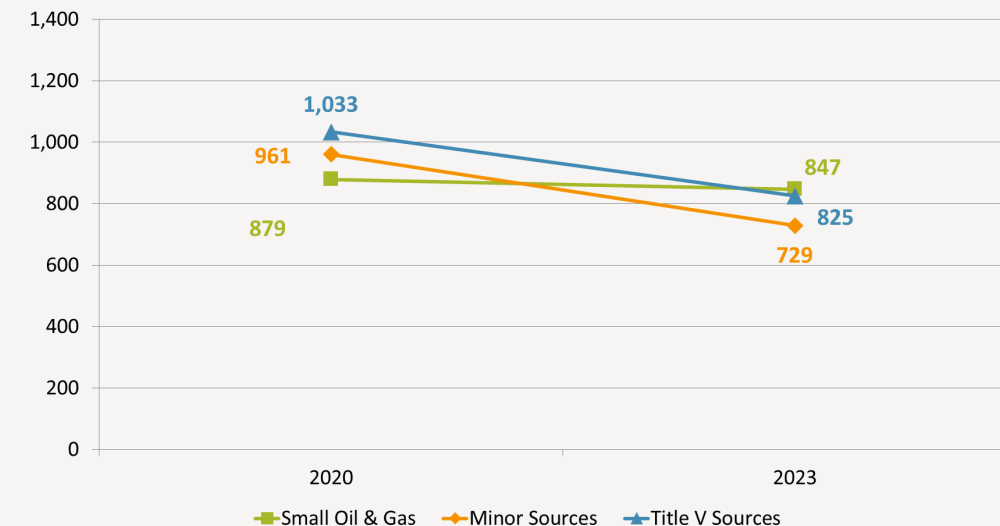
NO_x TRENDS IN OIL AND GAS SOURCE CATEGORIES (TONS)



-20% NO_x and VOC in Title V Sources

This is in part due to a decrease in the number of Title V engines, which produce NO_x and VOC through combustion.

VOC TRENDS IN OIL AND GAS SOURCE CATEGORIES (TONS)



-24% VOC in Minor Sources

This source category has the largest drop in NO_x and VOC in large part because there was a decrease in the number of True Minor sources from 238 to 160 since 2020.

EMISSION INVENTORY SUMMARY

Overview



Submitted to EPA National EI Database

- EI is developed according to EPA Level II Data Quality Objectives (third party QA review)

Most Comprehensive EI for the Reservation

- Direct reports from oil and gas operators are supplemented with the emissions calculations prepared using best available tools and data

Supports Commission, AQD, and Regional Regulatory Planning

- EI data used to guide regulatory programs, grant projects, air modeling studies, and long-term planning

Commitment to Quality and Continuous Improvement

- The AQD remains committed to maintaining and improving emissions inventories each year.

CPRG phase I: Planning grant

AQD receives an Inflation Reduction Act (IRA), Climate Pollution Reduction Grant (CPRG) and is tasked with developing long-term planning strategies that protect air quality on the Reservation and around the globe.

CPRG phase II: Implementation grant

The AQD is successful in obtaining funding under the second phase of the competitive CPRG funding. With this funding, the AQD will implement measures outlined in the PCAP and develop a long term GHG reduction strategy called a Comprehensive Climate Action Plan (CCAP).

CCAP Outreach

We want to hear from you! Your input will help AQD identify additional projects that already exist or that could be included in research for the CCAP.

**SEP.
2023**

**MAR.
2024**

**SEP.
2024**

**2024–
2027**

**YOU ARE
HERE**



PCAP publication: AQD completes first report

The AQD publishes a Priority Climate Action Plan (PCAP) and includes the AQD's "shovel ready" priority measures for reducing greenhouse gas emissions on the Reservation. Scan the QR code above to read the full PCAP report.

CCAP progress: AQD continues research for final report

The AQD continues work on the CCAP. This GHG reduction plan is a roadmap designed to identify air pollution reducing measures for Tribal departments. This plan focuses on offering both short-term and long-term strategies that departments will then have the option to explore more on their own.

CLIMATE POLLUTION REDUCTION GRANT UPDATES

CLIMATE POLLUTION REDUCTION GRANT (CPRG)

CCAP PROGRESS

CCAP GHG Reduction Measures:

- Identify opportunities (measures) to reduce GHG on the Reservation
- Potential GHG reductions calculated for each measure in 7 different sectors
- CCAP will have Business as Usual GHG projections and calculated emissions reductions from measures

CCAP Sectors



(1) Industry



(2) Commercial and
Residential Buildings



(3) Transportation



(4) Agriculture



(5) Waste and
Materials
Management



(6) Electricity
Generation



(7) Natural and
Working Lands

NEW SOURCE PERFORMANCE STANDARDS (NSPS) UPDATES



New Source Performance Standard OOOOb

March 8, 2024, EPA published **New Source Performance Standard OOOOb**

- Standards of Performance for Crude and Nature Gas Facilities For Which Construction, Modification or Reconstructed Commenced on or before December 6, 2022
- Expands upon and supersedes the previous NSPS OOOO and OOOOa rules
- Requires subject oil and gas owners and operators to reduce greenhouse gas (GHG) and volatile organic compound (VOC)
- Establishes emissions standards, test methods and procedures, and monitoring, reporting, notification, and recordkeeping requirements
- Some expanded rule areas include:
 - More focus on methane than previous OOOO rules which focused more on VOC emissions
 - Requires more frequent leak detection and repair frequency (for VOC and methane)
 - Established zero-emissions requirements for new process controllers and pumps (old rules allowed for emissions from pneumatic devices)
 - More strict requirements for flaring (continuous flame monitoring)

NSPS OOOOc

March 8, 2024: EPA published OOOOc under CAA section 111(d)

- Emissions Guidelines for GHG Emissions from Existing Crude Oil and Natural Gas Facilities
- Established GHG emissions guidelines for **existing** oil and gas sources not regulated under existing OOOO rules

March 12, 2025: EPA announced a review of the proposed OOOOc rule

July 31, 2025: EPA extended the SIP (or Tribal Implementation Plan (TIP)) submittal deadline to January 22, 2027

August 1, 2025: EPA released proposed rule to rescind the 2009 EPA GHG Endangerment Finding (EPA's goal is to finalize rule by the end of 2025)

- The Endangerment Finding was an EPA legal declaration that GHG emissions endanger public health and welfare that provided the legal backing for EPA to regulate GHG.
- If the EPA's Endangerment Finding is rescinded, the Federal OOOOc rule would be largely invalidated as EPA would lose authority to regulate climate pollution under the Clean Air Act

Early 2025- present: AQD continues to monitor OOOOc rule developments

- Development of a OOOOc TIP included as a commitment in AQD's CPRG implementation grant workplan
- AQD delayed work due to uncertainty of the future of the rule

UP NEXT:

- OOOOb incorporation into RAC (*Action Item*)
- CDPHE Updates
 - State Air Quality Regulations for the Oil and Gas Sector
 - Overview of New State Air Quality Regulations for Other Sources
 - Federal Regulatory Changes
- Schedule Next Commission Meeting

Reservation Air Code Revisions

OOOOb Incorporation into RAC (action item)

The AQD requests the Commission consider incorporating NSPS Subpart OOOOb into the Reservation Air Code with a Direct and Final Rulemaking. Please see **Exhibit A** of the meeting packet for redlined revisions

- OOOOb has already undergone public comment when EPA added it to NSPS
- AQD has automatic delegation of NSPS rules and is required to incorporate the rule **unchanged** in the RAC
- AQD is already implementing NSPS standards though OOOO and OOOOa. This addition changes applicable dates.

Subpart	Source Type	Applicable Dates
40 CFR part 60, subpart OOOO (2012 NSPS for VOC)	New, modified, or reconstructed sources	After August 23, 2011, and on or before September 18, 2015
40 CFR part 60, subpart OOOOa (2016 NSPS for VOC and Methane)	New, modified, or reconstructed sources	After September 18, 2015, and on or before December 6, 2022
40 CFR part 60, subpart OOOOb (2023 NSPS for VOC and Methane)	New, modified, or reconstructed sources	After December 6, 2022
40 CFR part 60, subpart OOOOc (2023 EG for Methane)	Existing sources	On or before December 6, 2022

Published on **March 8, 2024**
and revised with the **July 31st, 2025** Interim rule