



**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>**

December 23, 2025

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

RE: Part 70 Operating Permit – Permit Renewal  
Title V Permit # V-SUIT-0011-2025.00  
Red Cedar Gathering Company  
Bondad Compressor Station

Mr. Hinkley,

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

Based on the information submitted in Red Cedar's application, the AQD hereby issues the enclosed Title V Permit to Operate. The final permit will become effective on **December 23, 2025**.

A 30-day public comment period was held from August 8, 2025, to September 7, 2025. The AQD received comments from Red Cedar during this time. No comments were received from the public, affected states, or tribes. Following the 30-day public comment period, the AQD made the following changes:

1. Section III.2.1. – Replaced the term “12-month period” with “calendar year”. Additionally, the AQD updated the bracketed notation to state that Red Cedar has elected to model emissions according to alternative test method ALT-147.

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

A 45-day Administrative Review period at EPA Region 8 was held from November 6, 2025, to December 22, 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)



## AIR QUALITY DIVISION

ENVIRONMENTAL PROGRAMS DEPARTMENT  
SOUTHERN UTE INDIAN TRIBE  
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(970) 563 - 4705 • (970) 563 - 0384 FAX

December 23, 2025

### Response to Comments Document

**Operator:** Red Cedar Gathering Company

**Facility:** Bondad Compressor Station

**Permit Action:** Title V Operating Permit Renewal

### Comments From Red Cedar Gathering Company Received on Draft Title V Operating Permit V-SUIT-0011-2025.00

#### I. Permit Provision III.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, RAC 4-103]

##### Comment #1:

- Provision III.2.1.1.

*- We suggest revising the phrase "within a 12-month period" to "during the calendar year" because the former is undefined, the start and end dates of "a 12-month period" may describe any time in history so long the dates bound a period spanning 12-months, and the paragraph's requirements are otherwise based upon an "at least once per calendar year" frequency. Therefore, it follows that the allowable gas samples to be used for emissions modeling should be limited to those obtained during the same calendar year for which emissions are calculated.*

*In addition, on September 23, 2024, Red Cedar submitted a notification of intent to use alternative test method ALT-147. Therefore, Red Cedar requests the italicized paragraph be corrected to clarify that ProMax has indeed elected to model emissions according to the alternative method.*

**Suggested language:** 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-GLYCalcTM 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

~~GRIGLYCalc™ model runs to determine in determining actual annual average benzene emissions annually, if multiple gas samples were are collected during the calendar year within a 12-month period.~~

*[The permittee has elected to model emissions according to alternative test method ALT-147. If applying the use of ProMax® (ProMax), Red Cedar should continue to The permittee shall adhere to the requirements of Subpart HH language as written in their current permits with the exception that using ProMax Version 5.0 or higher may be used in place of GRI-GLYCalc for the specific provisions identified in the EPA approval memo until receiving AQD approval to use a different method. The use of ProMax is an alternative EPA approved method (ALT-147). Should Red Cedar elect to use ProMax as an alternative method, Red Cedar may not use another method until receiving AQD approval.]*

**AQD's Response #1:**

- The AQD recognizes the inconsistency in both “calendar year” and “12-month period” within the same provision. The AQD has revised the provision by replacing “12-month period” with “calendar year”. The requested change has been made.

Red Cedar submitted a notice of intent to use ProMax in September 2024. Red Cedar used ProMax in their October 2024 Bondad Title V renewal application to determine the actual average benzene emissions and applicability to 40 CFR Part 63, Subpart HH, triggering the requirement<sup>1</sup> to continue to use ProMax until Red Cedar receives an additional approval to use another method. The AQD has revised the bracketed notation as follows:

*[The permittee has elected to model emissions according to alternative test method ALT-147. The permittee shall adhere to the requirements of Subpart HH language as written in their current permits with the exception that ProMax Version 5.0 or higher will be used in place of GRI-GLYCalc for the specific provisions identified in the EPA approval memo until receiving AQD approval to use a different method.]*

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<sup>1</sup> Letter from Steffan Johnson, Group Leader, Measurement Technology Group, U.S. EPA Office of Air Quality Planning and Standards, to Josh Ravichandran, Bryan Research & Engineering, LLC, Re: Response to request for broad source category-wide approval for use of Bryan Research & Engineering’s process simulation software, ProMax® (ProMax) in lieu of the GRI-GLYCalc™ software (GLYCalc) for modeling glycol dehydration unit emissions in demonstrating compliance with 40 CFR part 63, subpart HH, National Emission Standards for Hazardous Air Pollutants from Oil and Gas Production Facilities (Subpart HH). March 31, 2022. Available at [https://www.epa.gov/system/files/documents/2022-03/ravichandran-bre-promax-altfinal\\_147\\_signed.pdf](https://www.epa.gov/system/files/documents/2022-03/ravichandran-bre-promax-altfinal_147_signed.pdf) and in the docket for this rulemaking, Docket Id. No. EPA-HQ-OAR2023-0234

# **Southern Ute Indian Tribe**

## *Air Quality Division*



## **Title V Operating Permit**

**Southern Ute Indian Tribe**  
**Environmental Programs Department**  
**Air Quality Division**  
**71 Mike Frost Way**  
**Ignacio, Colorado 81137**



**AIR POLLUTION CONTROL**  
**TITLE V PERMIT TO OPERATE**

In accordance with the provisions of Title V of the Clean Air Act (42 U.S.C. 7661-7661f) and Part 1, Article II of the Southern Ute Indian Tribe/State of Colorado Environmental Commission's Reservation Air Code (RAC) and applicable rules and regulations,

**Red Cedar Gathering Company**  
**Bondad 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 24, T33N, R10W**  
**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.

*Matt Wampler on behalf of Daniel Powers*

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

**AIR POLLUTION CONTROL  
TITLE V PERMIT TO OPERATE  
Red Cedar Gathering Company  
Bondad Compressor Station**

SUIT Account Identification Code: 3-006

Permit Number: V-SUIT-0011-2025.00

[Replaces Permit No.: V-SUIT-0011-2019.00]

Issue Date: December 23, 2025

Revised Date: N/A

Expiration Date: December 23, 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 2001	Permit Issued	Initial Part 71 Permit Issued	# V-SU-0011-00.00
April 10, 2006	Permit Issued	1 <sup>st</sup> Part 71 Renewal Permit Issued Replaces EPA-issued permit #V-SU-0011-00.00	# V-SU-0011-06.00
August 17, 2007	Permit Revision	Administrative Amendment <ul style="list-style-type: none"> <li>• Updated contact information for responsible official and facility contact</li> <li>• Clarified text for Alternative Operating Scenarios and Off Permit Changes sections</li> </ul>	# V-SU-0011-06.01
February 5, 2008	Permit Revision	Administrative Amendment <ul style="list-style-type: none"> <li>• Removed responsible official, facility contact and tribal contact information</li> <li>• Updated emission unit serial numbers</li> <li>• Updated annual fee payment information</li> </ul>	# V-SU-0011-06.02
July 3, 2008	Permit Revision	Administrative Amendment <ul style="list-style-type: none"> <li>• Removed facility mailing address</li> <li>• Added date of construction for emission units</li> <li>• Clarified text for Alternative Operating Scenarios and Off Permit Changes sections</li> </ul>	# V-SU-0011-06.03
August 2012	Permit Issued	2 <sup>nd</sup> Part 71 Renewal Permit Issued	# V-SU-0011-2011.00
August 14, 2014	Permit Issued	Initial Part 70 Permit Issued	# V-SUIT-0011-2014.00
March 20, 2017	Permit Revision	Minor Permit Revision <ul style="list-style-type: none"> <li>• Added emission unit G-100 and applicable requirements</li> </ul>	# V-SUIT-0011-2014.01
April 6, 2020	Permit Issued	1 <sup>st</sup> Part 70 Renewal Permit Issued	# V-SUIT-0011-2019.00
December 23, 2025	Permit Issued	2 <sup>nd</sup> Part 70 Renewal Permit Issued	# V-SUIT-0011-2025.00

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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
bbl	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>	Red Cedar Gathering Company
<b>Facility Name:</b>	Bondad Compressor Station
<b>Facility Location:</b>	Section 24, T33N, R10W
<b>Latitude:</b>	37.088111 °N
<b>Longitude:</b>	-107.882944 °W
<b>State:</b>	Colorado
<b>County:</b>	La Plata
<b>Responsible Official:</b>	President – Chief Operating Officer
<b>SIC Code:</b>	1311
<b>ICIS Identification Number:</b>	SU00000008067U0028
<b>EPA Facility Registry ID:</b>	110056280876
<b>Other Clean Air Act Permits</b>	N/A

### Process Description:

The Bondad Compressor Station is a low to medium pressure compressor station capable of processing roughly 35 MMscf/day. The station receives inlet gas from various well locations and producer pipelines, with an inlet pressure of approximately 30-40 psi. There are three main inlets to the station which correspond to lines coming in from different producers or different areas. The gas from all inlets first is compressed through 7 compressors, driven by Waukesha 7042GL engines to approximately 350-400 psi. It is then processed through two TEG dehydrators set in parallel (i.e., the gas is split evenly between the two dehydration units or sent to either one individually). The gas comes in saturated and leaves the station at less than 7 lbs H<sub>2</sub>O/MMscf. After dehydration the gas goes through the outlet meter building with a portion being routed back to the station as fuel gas. The gas is then sent to Red Cedar's medium pressure pipeline.

## 2. Source Emission Points

**Table 1 - Emission Units**

Emission Unit ID	Description				Control Equipment
	Waukesha 7042GL (4SLB SI) Natural Gas-Fired Compressor Engine 1,478 Name Plate Rated HP				N/A
E-205	Serial No.	C-14182/1	Install Date:	02/12/2020	
E-206	Serial No.	C-61327/1	Install Date:	04/23/2008	
E-207	Serial No.	C-12583/3	Install Date:	07/30/2013	
E-209	Serial No.	C-13476/1	Install Date:	07/17/2013	
E-210	Serial No.	C-13013/2	Install Date:	09/01/2015	
E-211	Serial No.	C-11786/1	Install Date:	09/24/2024	
E-212	Serial No.	C-61159/2	Install Date:	02/23/2021	
	PESCO TEG Dehydrator 25 MMscf/day				Flash Tank with Combustion Device
D-301	Serial No.	N/A	Install Date:	01/01/1998	
D-303	Serial No.	N/A	Install Date:	12/01/1998	

**Table 2 - Insignificant Emission Units**

Emission Unit ID	Amount	Description	Size	Units
G-100	1	General Motors Vortec 5.7L Natural Gas-Fired Emergency Generator (Serial No: 2312707)	80	Name Plate HP
D-301a	1	Glycol Reboiler (D-301)	0.5	MMBtu/hr
D-303a	1	Glycol Reboiler (D-303)	1.0	MMBtu/hr
H-101, 201	2	Catalytic Heater	0.012	MMBtu/hr
H-401, 402	2	Catalytic Heater	0.012	MMBtu/hr
H-501, 502	2	Tank Heater	0.325	MMBtu/hr
H-700, 701	2	Tank Heater	0.325	MMBtu/hr
TK-501, 701	2	Waste Water Tank	15,750	Gallons
TK-502	1	Waste Oil Tank	6,615	Gallons
TK-503, 504	2	Glycol Still Vent Tank	725	Gallons
TK-505, 707	2	Glycol Storage Tank	1,000	Gallons
TK-506, 507	2	Lube Oil Tank	1,700	Gallons
TK-508, 509	2	Engine Coolant Tank	500	Gallons
TK-510	1	Glycol Storage Tank	500	Gallons
TK-700	1	Waste Water Tank	6,615	Gallons

## 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.

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)(ii)]

[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](mailto:airquality@southernute-nsn.gov)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1.9.2. Significant permit revisions shall meet all requirements of the RAC for permit issuance and renewal, including those for applications, review by the Administrator and affected programs, and public participation.

[RAC 2-111(4), 2-109, and 2-106(3)]

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

- 1.10.1. The permit may be reopened and revised for any of the reasons listed in the paragraphs below. Alternatively, the permit may be revoked and reissued for the reasons listed in the paragraphs below:
  - 1.10.1.1. Additional requirements under the Clean Air Act become applicable to a major source with a remaining permit term of 3 or more years, provided that the Tribe shall revise such permits to incorporate such additional requirements no later than 18 months after promulgation of such requirements, and no such reopening is required if the effective date of the requirement is later than the permit expiration date unless the original permit or any of its terms or conditions have been extended past the permit expiration date pursuant to RAC §2-104(2)(b)(iii);
  - 1.10.1.2. Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit;
  - 1.10.1.3. The Tribe or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the terms or conditions of the permit; or
  - 1.10.1.4. The Tribe or the Administrator determines that the permit must be revised or revoked and reissued to assure compliance with applicable requirements.
- 1.10.2. The permit may be terminated for any of the reasons listed below:
  - 1.10.2.1. The permittee fails to meet the requirements of an approved compliance plan;
  - 1.10.2.2. The permittee has been in significant or repetitious noncompliance with the operating permit terms or conditions;
  - 1.10.2.3. The permittee has exhibited a history of willful disregard for environmental laws of any tribal or state authority, or of the United States;
  - 1.10.2.4. The permittee has knowingly misrepresented a material fact in any application, record, report, plan, or other document filed or required to be maintained under the permit;

- 1.10.2.5. The permittee falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under the permit;
- 1.10.2.6. The permittee fails to pay fees required under RAC§§2-118 and 2-119; or
- 1.10.2.7. The Administrator has found that cause exists to terminate the permit.

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

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

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

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

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

**1.13. *[Reserved]***

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

- 1.14.1. This permit shall not be transferable, by operation of law or otherwise, from one location to another or from one source to another, except that a permit may be transferred from one location to another in the case of a portable source that has notified the Tribe in advance of the transfer, pursuant to the RAC. A permit for a source may be transferred from one person to another if the Tribe finds that the transferee is capable of operating the source in compliance with the permit. This transfer must be accomplished through an administrative permit revision in accordance with the Administrative Permit Revisions section of this permit.

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

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

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

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

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

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

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

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

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

[RAC 2-110(6)]

**1.16. Permit Expiration and Renewal**

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

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

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

1.16.2. Expiration of this permit terminates the permittee's right to operate unless a timely and complete permit renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration of this permit.

[RAC 2-107(7)(b)]

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

[RAC 2-104(2)(b)]

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

[RAC 2-104(3)]

1.16.5. Renewal of this permit is subject to the same procedures, including those for public participation and affected program and EPA review, as those that apply to initial permit issuance.

[RAC 2-107(7)(a)]

1.16.6. The application for renewal shall include the current permit number, description of permit revisions and off permit changes that occurred during the permit term, any applicable requirements that were promulgated and not incorporated into the permit during the permit term, and other information required by the application form.

[RAC 2-106(4)(e)(ix)]

## **2. Facility-Wide Requirements**

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

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

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

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

2.1.1. If the permittee determines that his or her stationary source that emits (or has the potential to emit, without federally recognized controls) one or more hazardous air pollutants is not subject to a relevant standard or other requirement established under 40 CFR part 63, the permittee shall keep a record of the applicability

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

[40 CFR 63.10(b)(3)]

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

## **2.2. General Reporting Requirements**

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

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

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

- 2.2.2.1. A situation where emissions exceed an emission limitation or standard;
- 2.2.2.2. A situation where process or emissions control device parameter values indicate that an emission limitation or standard has not been met; or
- 2.2.2.3. A situation in which observations or data collected demonstrate noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit.
- 2.2.2.4. A situation in which an exceedance or an excursion, as defined in 40 CFR Part 64 occurs.

[RAC 1-103(21)]

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

2.2.4. “Prompt” is defined as follows:

- 2.2.4.1. Where the underlying applicable requirement contains a definition of “prompt” or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern.
- 2.2.4.2. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations will be submitted based on the following schedule:
  - 2.2.4.2.1. For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in the applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made by email, telephone, verbal, or facsimile communication by the close of business the next working day, upon discovery of the occurrence, and in writing within 10 working days from the occurrence;
  - 2.2.4.2.2. For emissions of any regulated air pollutant, excluding those listed in RAC §2-110(7)(b)(i), that continue for more than 2 hours in excess of permit requirements, the report must be made by email, telephone, verbal, or facsimile communication by the close of business the next working day, upon discovery of the occurrence, and in writing within 10 working days from the occurrence;
  - 2.2.4.2.3. For all other deviations from permit requirements, the report shall be contained in the report submitted with the semi-annual monitoring report.

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

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

- 2.3.1. Replacement of an existing engine or turbine identified in this permit shall be allowed as an off-permit change pursuant to the Off Permit Changes provisions of this permit provided all of the following conditions are met:
  - 2.3.1.1. The engine or turbine replacement is not subject to any requirements under Title IV of the Clean Air Act and is not a modification under Title I of the Clean Air Act;

- 2.3.1.2. The replacement engine or turbine is of the same make, model, horsepower rating, and configured to operate in the same manner as the engine 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 JJJ;
  - 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 and RAC §3-102]**

This facility is subject to the requirements of 40 CFR Part 60, Subpart JJJJ for certified emergency stationary spark ignition (SI) internal combustion engines (ICE) with a maximum engine power greater than 25 brake horsepower (HP) and less than 100 HP that commenced construction after June 12, 2006, and was manufactured after July 1, 2009. Notwithstanding conditions in this permit, the permittee shall comply with all applicable requirements of 40 CFR Part 60, subpart A and JJJJ.

##### **1.1.1. Affected Sources**

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

**G-100** – General Motors Vortec 5.7L (4SRB SI) Natural Gas-Fired Emergency Generator - 80 Nameplate Rated Horsepower

[40 CFR 60.4230]

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

- 1.1.2.1. Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) must comply with the emission standards in Table 1 to this subpart for their emergency

stationary SI ICE. Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) manufactured prior to January 1, 2011, that were certified to the standards in Table 1 to this subpart applicable to engines with a maximum engine power greater than or equal to 100 HP and less than 500 HP, may optionally choose to meet those standards.

[40 CFR 60.4233(d)]

<b>Table 1 to Subpart JJJJ of Part 60—NO<sub>x</sub>, CO, and VOC Emission Standards for Stationary Emergency Engines &gt;25 HP</b>									
<b>Engine type and fuel</b>	<b>Maximum engine power</b>	<b>Manufacture date</b>	<b>Emission standards <sup>a</sup></b>						
			<b>g/HP-hr</b>			<b>ppmvd at 15% O<sub>2</sub></b>			
			<b>NO<sub>x</sub></b>	<b>CO</b>	<b>VOC <sup>d</sup></b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>VOC <sup>d</sup></b>	
Emergency	25<HP<130	01/01/2009	<sup>c</sup> 10	387	N/A	N/A	N/A	N/A	

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

<sup>c</sup> The emission standards applicable to emergency engines between 25 HP and 130 HP are in terms of NO<sub>x</sub> + HC.

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

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

[40 CFR 60.4234]

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

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

[40 CFR 60.4236(c)]

1.1.3.2. If you are an owner or operator of an emergency stationary SI internal combustion engine that is less than 130 HP, was built on or after July 1, 2008, and does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter upon startup of your emergency engine.

[40 CFR 60.4237(c)]

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

1.1.4.1. If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in §60.4233(d), you

must demonstrate compliance according to the method specified in §60.4243(b)(1).

[40 CFR 60.4243(b)]

1.1.4.1.1. Purchasing an engine certified according to procedures specified in this subpart, for the same model year and demonstrating compliance according to one of the methods specified in paragraph §60.4243(a).  
[40 CFR 60.4243(b)(1)]

1.1.4.2. If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in §60.4243(d)(1) through (3). In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in §60.4243(d)(1) through (3), is prohibited. If you do not operate the engine according to the requirements in §60.4243(d)(1) through (3), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

[40 CFR 60.4243(d)]

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

[40 CFR 60.4243(d)(1)]

1.1.4.2.2. You may operate your emergency stationary ICE for the purpose specified in §60.4243(d)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by §60.4243(d)(3) counts as part of the 100 hours per calendar year allowed by this paragraph.

[40 CFR 60.4243(d)(2)]

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

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

1.1.4.2.3. Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in §60.4243(d)(2). Except as provided in §60.4243(d)(3)(i), the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

[40 CFR 60.4243(d)(3)]

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

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

1.1.4.2.3.1.1. The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

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

1.1.4.2.3.1.2. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

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

1.1.4.2.3.1.3. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

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

1.1.4.2.3.1.4. The power is provided only to the facility itself or to support the local transmission and distribution system.

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

1.1.4.2.3.1.5. The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed

for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

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

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

[40 CFR 60.4243(e)]

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

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

[40 CFR 60.4245(a)]

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

[40 CFR 60.4245(a)(1)]

- 1.1.5.1.2. Maintenance conducted on the engine.

[40 CFR 60.4245(a)(2)]

- 1.1.5.1.3. 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 90, 1048, 1054, and 1060, as applicable.

[40 CFR 60.4245(a)(3)]

- 1.1.5.1.4. 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 to §60.4243(a)(2), documentation that the engine meets the emission standards.

[40 CFR 60.4245(a)(4)]

- 1.1.5.2. For all stationary SI emergency ICE greater than 25 HP and less than 130 HP manufactured on or after July 1, 2008, that do not meet the standards applicable to non-emergency engines, the owner or operator must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many

hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.

[40 CFR 60.4245(b)]

1.1.5.3. 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 as described earlier in this paragraph.

[40 CFR 60.4245(g)]

1.1.5.3.1. 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)]

1.1.5.3.2. 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)]

- 1.1.5.4. If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in §60.4245(h)(1) through (7).

[40 CFR 60.4245(h)]

- 1.1.5.4.1. 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 60.4245(h)(1)]

- 1.1.5.4.2. 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 60.4245(h)(2)]

- 1.1.5.4.3. The outage may be planned or unplanned.

[40 CFR 60.4245(h)(3)]

- 1.1.5.4.4. 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 60.4245(h)(4)]

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

[40 CFR 60.4245(h)(5)]

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

[40 CFR 60.4245(h)(5)(i)]

1.1.5.4.5.2. A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;  
[40 CFR 60.4245(h)(5)(ii)]

1.1.5.4.5.3. A description of measures taken or to be taken to minimize the delay in reporting; and  
[40 CFR 60.4245(h)(5)(iii)]

1.1.5.4.5.4. 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 60.4245(h)(5)(iv)]

1.1.5.4.6. 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 60.4245(h)(6)]

1.1.5.4.7. In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.  
[40 CFR 60.4245(h)(7)]

1.1.5.5. If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in §60.4245(i)(1) through (5).  
[40 CFR 60.4245(i)]

1.1.5.5.1. 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 60.4245(i)(1)]

1.1.5.5.2. 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 60.4245(i)(2)]

1.1.5.5.3. You must provide to the Administrator:

[40 CFR 60.4245(i)(3)]

1.1.5.5.3.1. A written description of the force majeure event;  
[40 CFR 60.4245(i)(3)(i)]

1.1.5.5.3.2. A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;  
[40 CFR 60.4245(i)(3)(ii)]

1.1.5.5.3.3. A description of measures taken or to be taken to minimize the delay in reporting; and  
[40 CFR 60.4245(i)(3)(iii)]

1.1.5.5.3.4. 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 60.4245(i)(3)(iv)]

1.1.5.5.4. 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 60.4245(i)(4)]

1.1.5.5.5. In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

[40 CFR 60.4245(i)(5)]

1.1.5.6. 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 60.4245(j)]

## 1.1.6. General Provisions

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

**Table 3 to Subpart JJJJ of Part 60—Applicability of General Provisions to Subpart JJJJ**

<b>General provisions citation</b>	<b>Subject of citation</b>	<b>Applies to subpart</b>	<b>Explanation</b>
§60.1	General applicability of the General Provisions	Yes	
§60.2	Definitions	Yes	Additional terms defined in §60.4248.
§60.3	Units and abbreviations	Yes	
§60.4	Address	Yes	
§60.5	Determination of construction or modification	Yes	
§60.6	Review of plans	Yes	
§60.7	Notification and Recordkeeping	Yes	Except that §60.7 only applies as specified in §60.4245.
§60.8	Performance tests	Yes	Except that §60.8 only applies to owners and operators who are subject to performance testing in subpart JJJJ.
§60.9	Availability of information	Yes	
§60.10	State Authority	Yes	
§60.11	Compliance with standards and maintenance requirements	Yes	Requirements are specified in subpart JJJJ.
§60.12	Circumvention	Yes	
§60.13	Monitoring requirements	No	
§60.14	Modification	Yes	
§60.15	Reconstruction	Yes	
§60.16	Priority list	Yes	
§60.17	Incorporations by reference	Yes	
§60.18	General control device requirements	No	
§60.19	General notification and reporting requirements	Yes	

[40 CFR 60.4246]

## **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 during a calendar year.

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

*[The permittee has elected to model emissions according to alternative test method ALT-147. The permittee shall adhere to the requirements of Subpart HH language as written in their current permits with the exception that ProMax Version 5.0 or higher will be used in place of GRI-GLYCalc for the specific provisions identified in the EPA approval memo until receiving AQD approval to use a different method.]*

- 3. Reserved – Tribal Minor New Source Review**
- 4. Reserved – Prevention of Significant Deterioration Requirements**
- 5. Reserved – Consent Decree Requirements**
- 6. Reserved – Compliance Assurance Monitoring (CAM) Requirements**
- 7. Enhanced Monitoring, Recordkeeping, and Reporting**

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

by email at: [airquality@southernute-nsn.gov](mailto:airquality@southernute-nsn.gov)

or by United States Postal Service:

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

or by Common Carrier:

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



## **Section IV – Appendix**

### **1. Inspection Information**

#### **1.1. Driving Directions:**

From the intersection of Hwy 550 and CR 213 (La Posta Road) travel north approximately 3 miles and turn right at the Red Cedar mailbox. Travel down the hill and the Bondad office is on the right.

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

Latitude: 37.088111 °N

Longitude: -107.882944 °W

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

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