Air Pollution Control
Title V Permit to Operate
Statement of Basis for Permit No. V-SU-000027-2008.00

Williams Four Corners, LLC
Ignacio Gas Plant
Southern Ute Indian Reservation
La Plata County, Colorado

1. Facility Information

a. Location

The Ignacio Gas Plant (Ignacio), owned by Williams Companies and operated by Williams Four Corners, LLC (collectively referred to herein as "Williams"), is located within the exterior boundaries of the Southern Ute Indian Reservation in the southwestern part of the State of Colorado. It is sited approximately 10 miles south-southeast of Durango, Colorado in La Plata County. The exact location is the SE 1/4 Section 35 and SW 1/4 Section 36, Township 34 North, Range 9 West. The latitude and longitude are 37^{o} 08.43' North and -107^{o} 47.04' West, and the UTM coordinates are Zone 13,252.700 km Easting, 4,114.400 km Northing. The facility is located approximately 6600 feet above mean sea level. The area is rural and the topography is a nearly flat eroded plateau. The air basin is defined by the Mesa Mountains to the south, Bridge Timber Mountains to the west, Missionary Ridge to the north, and Piedra Peak and Ridge to the east. The mailing address is:

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b. Contacts

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c. Description of Operations

The Ignacio Gas Plant provides compression, dehydration, sweetening, and natural gas liquids recovery for San Juan Gathering Systems, a 5,300 mile pipeline system gathering gas from the San Juan Basin which spans the southwest corner of Colorado and the northwest corner of New Mexico. The plant conditions approximately 500 to 650 million standard cubic feet (MMscfd) of field gas per day into saleable natural gas liquids and residue gas. The primary plant operations include inlet compression, dehydration, carbon dioxide removal, natural gas liquids removal, fractionation, and storage.

i. Inlet Compression

Inlet Compression is accomplished through an arrangement of compressors driven by gas turbines and reciprocating engines at the three plants: Plant A, Plant B, and Plant C. Plant A includes seven (7) Clark TLA-6 reciprocating engine-driven compressors. Each engine is rated at 2,000 horsepower (hp). Plant B includes a General Electric M3142 Gas Turbine-driven Compressor rated at 10,150 hp and is equipped with a waste heat recovery unit. Plant C includes a Solar Centaur 40-T4700S (SoLoNO$_x$) Gas Turbine-driven Compressor rated at 3,659 hp. Together these compressors provide approximately 27,809 hp of inlet compression.

Plant	Emission Unit	Emission Unit ID
Plant A	Seven (7) Clark TLA-6 Engines	1-7
Plant B	GE M3142 gas turbine	8
Plant C	Solar Centaur 40-T4700S gas Turbine	9

ii. Dehydration

Initial dehydration of the field gas is accomplished at the East Dehydrator prior to the carbon dioxide removal at the Amine Treatment System. The hydrocarbon slip from the dehydrator is vented to the Thermal Oxidizer. The East Dehydrator is equipped with a natural gas-fired reboiler. Additional dehydration of the field gas is accomplished at the West Dehydrator which removes excess moisture to decrease the burden on the molecular sieve dehydrator (the primary dehydrator). The West Dehydrator is equipped with a steam-heated glycol reboiler and hydrocarbon slip is vented to the Flare.

Both dehydrators utilize triethylene glycol in a counter flow contactor tower such that the water in the gas is absorbed by the glycol. The rich glycol (rich in water content) is heated in the glycol regenerator to boil off the water so that the lean glycol (low in water content) can be reused to dry additional gas as part of a closed-loop cycle. The water removed from the glycol during regeneration is typically released to the atmosphere as water vapor. Small amounts of VOCs (primarily heavy hydrocarbons) are emitted from the regenerator vent in addition to water as these compounds are also absorbed by the glycol.

The molecular sieve dehydrator consists of four (4) beds. Three (3) beds are typically active while the fourth undergoes regeneration. Regeneration is accomplished by a natural gas-fired regeneration gas heater which is design-rated at 18.5 MMBtu/hour. A standby regeneration gas heater also supports the molecular sieve dehydrator. The standby unit is also natural gas-fired and has a design rating of 13.02 MMBtu/hour.

iii. Carbon Dioxide Removal

Carbon dioxide removal occurs by the Amine Treatment System. Because the amine reboiler derives heat from plant steam, it is not a source of combustion emissions. However, hydrocarbons are released from the process during amine regeneration. The hydrocarbons, entrained in the carbon dioxide vent stream, are destroyed in the Thermal Oxidizer, itself a source of air pollutants.

iv. Natural Gas Liquids Removal, Fractionation and Storage

At the Turbo-Expander Unit, the methane stream is separated from the natural gas liquids stream in the demethanizer. The natural gas liquids are sequentially separated into ethane (Y-grade), propane, butane, and natural gasoline (C-5 and higher hydrocarbons) at the fractionation plant.

The demethanizer, deethanizer, depropanizer, and the debutanizer reboilers use plant steam. (Note: The La Plata B Compressor Station provides steam to the Ignacio Gas Plant from boilers that received waste heat from its two turbines.) The fractionation plant includes storage vessels for ethane, propane, butane, natural gasoline, and rundown. Rundown is a term given to a bad batch of distillate which is later reprocessed and usually involves natural gasoline.

v. Loading of Natural Gas Liquids

Natural gas liquids are transported off-site via pipelines and tanker trucks. Y-grade ethane, which is approximately 85% to 90% pure ethane, is transported off site via dedicated pipeline. The loading of the remaining natural gas liquids occurs through loading racks. There are two (2) propane loading racks, one (1) butane loading rack, and two (2) natural gasoline loading racks.

vi. Re-Compression

The methane stream leaving the Turbo-Expansion Unit is recompressed by two (2) General Electric M3142JA/T gas turbine-driven compressors. Each of these gas turbines, site-rated at 10,700 hp (12,500 hp with steam augmentation), is natural gas-fired and equipped with a heat recovery unit.

vii. Utilities - Combustion sources equipped with waste heat recovery units:

General Electric M3142 gas turbine
General Electric M3142J A/T gas turbine re-compressors no. 1
General Electric M3142J A/T gas turbine re-compressors no. 2
Vogt CL VV-22.5 Boilers

These four (4) waste heat recovery units provide the Ignacio Plant with high pressure steam (600 psig) to drive a steam turbine generator set to produce plant electricity, as well as low pressure process steam (60 psig). Supplemental low pressure steam is produced by Vogt CL.VV-22.5 boilers no. 2 and 3. These units operate only when the General Electric M3142J A/T re-compressors are not in operation.

viii. Emission Control Equipment

VOCs may be released from various process units, storage tanks and leaking components. Such releases occur throughout the plant and may be controlled or uncontrolled. The controlled releases are collected and routed through a header to the smokeless flare or the thermal oxidizer. The uncontrolled releases are minimized through the implementation of a Leak Detection and Repair (LDAR) program.

Flare: The flare system controls emission releases through a header followed by the smokeless flare. Releases from the following sources are controlled through the flare system:

- Inlet Separator (Plant C);
- Inlet Gas Cooler;
- West Glycol Dehydration Unit;
- Fuel Gas Line and Filter;
- B Plant Discharge Scrubber;
- Booster Compressor CG-8104 Suction Line (TXP);
- Deethanizer Reflux Condenser-Overhead Off Gas-Reflux Accumulator-Reboiler and Feed Preheater;
- Depropanizer and Depropanizer Reflux Accumulator;
- Debutanizer-Debutanizer Reflux Pumps and Accumulator;
- Ethane/Propane Product Accumulator;
- Vent from Y-grade Storage;
- Propane Storage and Loading;
- Propane Refrigeration System Low Point Drain;
- Butane Storage and Loading;
- Natural Gasoline Loading and Storage;
- Rundown Storage;
- Closed Drain System;
- Chromatography Vent;
- Lube Oil Reservoir; and
- Emergency releases.

Thermal Oxidizer: The Ignacio Gas Plant has a thermal oxidizer with a waste gas preheater, vent stack and forced draft combustion air blower. The system requires auxiliary fuel to preheat the gas. The thermal oxidizer controls emissions from the tri-ethylene glycol East Dehydrator and the Amine Treatment System. The plant has a backup thermal oxidizer as an alternative operating scenario.

d. List of All Units and Emission-Generating Activities

Williams provided the information contained in Tables 1 and 2 in its Part 71 permit renewal application. Table 1 lists emission units and emission generating activities, including any air pollution control devices. Emission units identified as "insignificant" are listed separately in Table 2.

Table 1 - Emission Units
Williams Companies
Williams Four Corners, LLC – Ignacio Gas Plant

Unit I.D.	Description	Control Equipment
	Natural Gas Inlet Compression - Plant A	
	Clark TLA-6, 2,000 site-rated bhp, natural gas fired engines:	
1	Installed: 1957 Modified: 1975	None
2	Installed: 1957 Modified: 1975	None
3	Installed: 1957	None
4	Installed: 1957	None
5	Installed: 1957	None
6	Installed: 1957	None
7	Installed: 1957	None
	Natural Gas Inlet Compression - Plant B	
	General Electric M3142, 10,150 site-rated bhp, natural gas fired turbine:	
8	Installed: 1972	None
	Natural Gas Inlet Compression - Plant C	
	Solar Centaur 40-T4700S (SOLONOX), 3,659 site-rated bhp, natural gas fired turbine:	
9	Serial No. 4214C41 Installed: 06/2001	None
	Methane Re- Compression	
	General Electric M3142J A/T, 10,700 site-rated bhp (12,500 with steam augmentation), natural gas fired turbines:	None
10	Serial No. 282514 Installed: 1984	None
11	Serial No. 282515 Installed: 1984	
	Molecular Sieve Regeneration Heater	
	C.E. Natco MN620740009020, 18.5 MMBtu/hr, natural gas fired:	
12	Serial No. N4-0027-01 Installed: 1984	None
	Molecular Sieve Regeneration Heater –back-up	
	Struthers IF-10, 13.02 MMBtu/hr maximum design heat input, natural gas fired:	None
12a	Serial No. NM085347/M050102 Installed: 1984	
	Low Pressure Steam Production Boiler	
	Vogt CL.VV-22.5, 18.0 MMBtu/hr maximum design heat input, natural gas fired:	
13	Serial Number: 1425 Installed: 1956	None
	Low Pressure Steam Production Boiler - back-up	
	Vogt CL.VV-22.5, 18.0 MMBtu/hr maximum design heat input, natural gas fired:	
14	Serial Number: 1426 Installed: 1956	None

Unit I.D.	Description	Control Equipment
15	West Dehydration System 500 MMscfd Sivalls Tri-ethylene Glycol Dehydrator Still Vent; Steam heated glycol reboiler. Installed: 1992	Plant Flare (Emission Unit 23)
16	East Dehydration System 120 MMscfd Sivalls Tri-ethylene Glycol Dehydrator Still Vent; 0.75 MMBtu/hr natural gas fired glycol regenerator reboiler. Serial No. 9004-174 Installed: 1991	Thermal Oxidizer (Emission Unit 22)
17	Amine Sweetening System – Carbon Dioxide Removal 500 MMscfd Gas Sweetening System; Steam heated amine regenerator still vent: Installed: 1984	Thermal Oxidizer (Emission Unit 22)
18 19 20	Piping Component Fugitives: Pumps, pressure relief devices, open-ended valve line, valves, compressors, and flanges or other connectors that are in VOC or wet gas service associated with the following: • Compression; • Natural Gas Liquids Load-out System – Y-grade ethane pipeline, 2 propane loading racks, 1 butane loading rack, 2 natural gas loading racks; • Natural Gas Liquids Removal, Fractionation and Storage Systems – Molecular Sieve, Amine Treatment System, Turbo-Expansion Unit, Fractionation Plant, Storage Facilities; • Dehydration Systems. Pre-PSD (pre-1971) 1984 PSD (BACT) 1998 NSPS KKK:	None LDAR Program LDAR Program
21	Natural Gas Liquids Loadout System One Pipeline and Five Loading Racks. Installed: Pre-1972	Plant Flare (Emission Unit 23)
22	Thermal Oxidizer Callidus Technologies, 535.3 MMscf/yr maximum usage, 55 MMBtu/hr maximum design heat input. Serial No. 203313-000 Installed: 1999	NA
23	Plant Flare Zeeco, 233.6 MMscf/yr maximum usage. Installed: 2009	NA
24	Cooling Tower Fluor Company; 3,566 MMgal/yr maximum recirculation rate. Installed: 2008	None
25 26	Condensate Storage American Tank and Steel; 16,800 gallon tank. Installed: 1999 Unknown Manufacturer; 16,800 gallon tank. Installed: 1999	None None
27 28	Emergency Fire Water Pump Engine 384 bhp Waukesha H866D diesel fired compression ignition engine Installed: 1978 305 bhp Caterpillar 4W-3798 diesel fired compression ignition engine Installed: 1985	None

Part 71 allows sources to separately list in the permit application, units or activities that qualify as “insignificant” based on potential emissions below 2 tons per year (tpy) for all regulated pollutants that are not listed as hazardous air pollutants (HAPs) under section 112(b) of the Clean Air Act (CAA) and below 1,000 lbs per year or the de minimus level established under Section 112(g), whichever is lower, for HAP emissions. However, the application may not omit information needed to determine the applicability of, or to impose, any applicable requirement, or to calculate the fee. Units that qualify as "insignificant" for the purposes of the Part 71 application are in no way exempt from applicable requirements or any requirements of the Part 71 permit.

Williams stated in its Part 71 renewal permit application that the emission units in Table 2, below, are insignificant. Williams provided sufficient information, including EPA Tanks 4.0 calculations, to verify any emissions from liquids in the tanks were insignificant. This data supports the source's claim that these units qualify as insignificant.

Table 2 - Insignificant Emission Units
Williams Companies
Williams Four Corners, LLC – Ignacio Gas Plant

Description
1 - 24,240-gallon Methanol Storage Tank
3 - 16,800-gallon Gas Spec (Amine) Storage Tanks
2 - 500-gallon Gasoline Storage Tanks
1 - 500-gallon Diesel Storage Tank
1 - 2,940-gallon TEG Storage Tank
1 - 33,684-gallon Spent Lube Oil Storage Tank
1 - 2,400-gallon Ambitrol Storage Tank
1 - 400-gallon Phosphate Storage Tank
1 - 500-gallon Bromine Storage Tank
1 - 4,200-gallon Gas Spec (Amine) Storage Tank
1 - 15,120-gallon Gas Spec (Amine) Storage Tank
1 - 756-gallon Odorant Storage Tank
1 - 8,820-gallon Lube Oil Storage Tank
1 - 11,760-gallon Lube Oil Storage Tank
2 - 2,060-gallon Lube Oil Storage Tanks
1 - 6,300-gallon Lube Oil Storage Tank
1 - 2,000-gallon Lube Oil Storage Tank
1 - 6,300-gallon Spent Lube Oil Storage Tank
2 - 2,000-gallon Spent Lube Oil Storage Tanks
2 - 21,000-gallon Spent Lube Oil/Water Storage Tanks
1 - 6,300-gallon Spent Lube Oil/Water Storage Tank
1 - 1,000-gallon Spent Lube Oil/Water Storage Tank
1 - 264-gallon Solvent Storage Tank
1 - 719-gallon TEG Storage Tank
1 - 4,200-gallon Sulfuric Acid Storage Tank
1 - 250-gallon Sulfuric Acid Storage Tank
1 - 215,000-gallon Steam/Raw Water Storage Tank
1 - 200,000-gallon Steam/Raw Water Storage Tank
2 - 21,000-gallon Steam/Raw Water Storage Tanks
2 - 1,500-gallon Diesel Storage Tanks

Description
2 - 300-gallon Diesel Tanks (River Water Pump Building & Fire Water Pump Generators)
1 - 120-gallon Floc Tank (River Water Pump Building)
1 – 850 gallon Lube Oil Storage Tank (steam turbine)
1 - 2,500-gallon Oil/Gasoline Storage Tank
1 - 500-gallon Solvent Storage Tank
1 - 500-gallon Betz Dearborn DN 2104 Storage Tank
1 - 200-gallon Betz Spectrus OX 1200 Tank
1 - 400-gallon Bromate MBC 781 Tank
2 - 400-gallon Cortrol OS2001 Tanks
1 - 50-gallon Hypersperse MDC 120 Tank
1 - 400-gallon Optisere HP55441 Tank
1 - 300-gallon Sodium Hydroxide Tank
1 - 500-gallon Steammate NA 0120 Tank
5 - 22,321-gallon Demethanized Mix Pressurized Tanks (pressure-control valves vent to plant flare)
10 - 42,000-gallon Propane Pressurized Tanks (pressure-control valves vent to plant flare)
2 - 260,232-gallon Butane Pressurized Tanks (pressure-control valves vent to plant flare)
2 - 214,924-gallon Natural Gas Liquid Pressurized Tanks (pressure-control valves vent to plant flare)
2 - 42,000-gallon Natural Gas Liquid Rundown Pressurized Tanks (pressure-control valves vent to plant flare)
1 – 90,000-gallon Propane Pressurized Tank (pressure-control valves vent to plant flare)
1 – 90,000-gallon Natural Gas Liquid Pressurized Tank (pressure-control valves vent to plant flare)

e. Facility Construction and Permitting History

The Ignacio Gas Plant is an existing major stationary source as defined in 40 CFR 52.21(b)(1)(i). The initial construction began in 1956. The plant had additional construction between 1957 and the present.

1984 EPA Issued a PSD Permit for Two Natural Gas Fired Turbines

In July 1983, Northwest Pipeline (previous owners of the gas plant) submitted a Prevention of Significant Deterioration (PSD) permit application to the EPA to replace the Gasoline Plant Oil Absorption Process with a more efficient Cryogenic Turbo-Expansion Process. The Turbo-Expansion Process increased the recovery of liquids from 156,000 to 692,000 gallons per day and recovered a greater level of propane and ethane. The construction for this new Turbo-Expansion Process included a Turbo-Expansion Unit, Amine Treatment System and two (2) natural gas-fired turbines. However, the PSD application for this modification only discussed the two (2) natural gas-fired turbines and potential NO_x emissions. According to the applicant, the VOC emissions from the Amine Treatment System were insignificant. The application stated that all other pollutants were below significant emission rates for major modification and not subject to PSD review. On February 24, 1984, the EPA issued a PSD permit approving controlled NO_x emissions from the two turbines.

1986 EPA approval of the Colorado Department of Health and Environment (CDPHE) PSD Permitting Program

In 1986, the EPA approved CDPHE's State Implementation Plan (SIP) for the implementation of the PSD Permitting Program and the attainment and maintenance of National Ambient Air Quality Standards, pursuant to 40 CFR 52.343. In approving the SIP, the EPA did not delegate, but rather reserved to the EPA as a federal program, PSD permitting authority with respect to sources on Indian lands and Reservations, and further stated in 51 FR 31125 (September 2, 1986) that the EPA's PSD regulations will also remain in effect for sources located on Indian Reservations and for sources that have received earlier PSD permits from the EPA.

However, there was an ongoing disagreement between CDPHE, the EPA, and the Southern Ute Indian Tribe regarding who had jurisdiction over air pollution sources located on fee lands; the Ignacio Gas Plant is located on fee lands. Fee lands are defined as lands located within the exterior boundaries of the reservation, but are privately-owned (by either Indians or non-Indians), nonpublic lands. During the resolution of this dispute, CDPHE continued to issue pre-construction permits to the Ignacio Gas Plant.

1991 Construction of the East Glycol Dehydration Unit – No Permit Issued

In March 1991, Williams Field Services installed and began operation of an East Dehydrator. VOC emissions were thought by the State to be insignificant at that time. In 1992, a notice submitted to the State of Colorado indicated that the VOC emissions from the East Dehydrator were 25 tons/year, below the 40 ton/year significant level for PSD. The VOC emissions from the East Dehydrator were uncontrolled, vented directly to the atmosphere. The EPA Region 8 was not notified by Williams about the construction of the dehydrator.

1992 Construction of West Glycol Dehydration Unit – No Permit Issued

In November 1992, the West Dehydrator was added to the facility. Again, VOC emissions were thought by the State to be insignificant at that time. The EPA Region 8 was not notified by Williams about the construction of the dehydrator.

1997 Construction Permit for East Glycol Dehydration Unit and West Glycol Dehydration Unit (CDPHE Issued - #96-LP-506 and #96-LP-505, respectively)

On August 31, 1995 construction permit applications for the East and West Dehydrators were sent to CDPHE. In 1997, CDPHE issued both construction permits. The permit for the West Dehydration Unit required that VOC emissions be controlled by a flare. The permit for the East Dehydration Unit required that VOC emissions be controlled by a thermal oxidizer.

1998 Construction Permit for the Amine Treatment System and Turbo-Expansion Unit Fugitive Emissions (CDPHE Issued - # 97-LP-0315 & #97-LP-0316)

In March 1996, CDPHE received a permit modification request from Williams that indicated the Ignacio Gas Plant's amine regeneration unit built in 1984 emits approximately 995 tpy of VOC emissions. On July 18, 1996, CDPHE notified Williams that these were previous unreported emissions that may have triggered PSD requirements during the modification in 1984, and requested additional information. On January 27, 1997, Williams provided CDPHE with a summary of annual VOC emissions from the Amine Treatment System, turbines and Turbo-Expansion Unit. The VOC emissions were determined by the State to be significant, verifying that Williams should have gone through PSD review for VOCs in addition to the PSD review for NO_x that was conducted in 1984.

CDPHE issued construction permits 97-LP-0315 and 97-LP-0316 which defined requirements for the Amine Treatment System and the fugitive emissions from the Turbo-Expansion Unit. The permits required that VOC emissions from the Amine Treatment System be controlled by a thermal oxidizer and a leak detection and repair program as stringent as that found in 40 CFR Part 60, Subpart KKK be developed and implemented for the fugitive emissions from the Turbo-Expansion Unit.

August 17, 1999 – The EPA determines La Plata A Compressor Station, La Plata B Compressor Station, and Ignacio Gas Plant are single stationary source.

Northwest Pipeline Corporation's La Plata B compressor Station, Transwestern Pipeline Company's La Plata A compressor Station, and Williams Field Services Ignacio Gas Plant are all owned by the same parent company, Williams Company, and thus are under common control. Additionally, the three (3) sources are located on adjacent properties and possess the same two (2) digit SIC code. Therefore, the three (3) sources are a single stationary source for Title V and PSD permitting purposes.

March 28, 2001, Consent Decree (CD) Entered into the United States District Court

Civil Action No. 01-S-0113: The EPA determined that the Turbo-Expansion Unit and the Amine Treatment System constructed in 1984 should have been subject to PSD review for VOC emissions. On February 8, 2001, The EPA published a Notice of Lodging of Consent Decree Under the Clean Air Act (66 FR 9597). The CD was entered in the United States District Court in Denver, Colorado on March 28, 2001. The CD required that Williams meet emission standards and other terms and conditions set forth in the CD regarding emissions of VOCs until such time that a PSD permit has been issued by the EPA or other duly authorized State or Tribal agency or commission to which the EPA has delegated Federal PSD permitting authority. The CD required that Williams submit a PSD application to the EPA no later than 30 days after the effective date of the CD.

May 22, 2001, PSD application submitted by Williams as required by Consent Decree

April 22, 2002, Consent Decree Entered into the United States District Court

Civil Action No. 02-B-0199: The EPA determined that the East and West Dehydrators constructed in 1991 and 1992, respectively, should have been subject to PSD review for VOC emissions. On March 11, 2002, The EPA published a Notice of Lodging of Consent Decree under the Clean Air Act (67 FR 10933). The CD was entered in the United States District Court in Denver, Colorado on April 22, 2002. The CD required that Williams meet emission standards and other terms and conditions set forth in the CD regarding emissions of VOCs until such time that a PSD permit has been issued by the EPA or other duly authorized State or Tribal agency or commission to which the EPA has delegated Federal PSD permitting authority. The CD required that Williams submit a PSD application to the EPA no later than 30 days after the effective date of the CD.

January 18, 2002, PSD application submitted by Williams as required by Consent Decree

September 15, 2003, amended application to modify SO_2 and VOC emission limits in PSD and Title V applications submitted by Williams

November 19, 2003, EPA issued the initial Part 71 operating permit for Ignacio

April 4, 2008, Part 71 renewal application submitted by Williams

December 22, 2010, PSD Permit # PSD-SU-0027-01.00 was issued to Williams to incorporate all requirements from the 1984 PSD permit and the two Consent Decrees

f. Potential To Emit

Under 40 CFR 52.21, potential to emit (PTE) is defined as the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation, or the effect it would have on emission, is federally enforceable.

The PTE for Ignacio was listed by Williams in Forms "GIS", "PTE", and the various forms "EMISS" of the Part 71 operating permit renewal application. Table 3 shows PTE data broken down by each individual emission unit, as well as the total facility-wide PTE.

Table 3 - Potential to Emit (with required controls)
Williams Companies
Williams Four Corners, LLC – Ignacio Gas Plant

Emission Unit ID	Regulated Air Pollutants in tpy (with required controls)								
	NO_X	VOC	SO_2	PM_{10}	CO	Lead	Total HAPs	Largest Single HAP (CH_2O)	GHGs (CO_2e)
1	217.9	81.1	0.0	0.0	46.3	0.0	8.4	3.9	8,506.3
2	217.9	81.1	0.0	0.0	46.3	0.0	8.4	3.9	8,506.3
3	217.9	81.1	0.0	0.0	46.3	0.0	8.4	3.9	8,506.3
4	217.9	81.1	0.0	0.0	46.3	0.0	8.4	3.9	8,506.3
5	217.9	81.1	0.0	0.0	46.3	0.0	8.4	3.9	8,506.3
6	217.9	81.1	0.0	0.0	46.3	0.0	8.4	3.9	8,506.3
7	217.9	81.1	0.0	0.0	46.3	0.0	8.4	3.9	8,506.3
8	248.4	10.7	0.0	0.0	39.7	0.0	4.1	1.7	56,617.9
9	30.7	6.6	0.0	0.0	22.3	0.0	1.5	0.6	19,831.0
10	227.8	7.3	0.0	0.0	35.0	0.0	4.3	1.8	63,453.6
11	227.8	7.3	0.0	0.0	35.0	0.0	4.3	1.8	64,658.2
12	11.4	0.5	0.0	0.0	7.6	0.0	1.2	0.1	10,512.1
13	8.8	0.5	0.0	0.0	7.4	0.0	0.1	0.0	10,228.0
14	8.8	0.5	0.0	0.0	7.4	0.0	0.1	0.0	10,228.0
15	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
16	0.4	0.0	0.0	0.0	0.3	0.0	0.0	0.0	426.2
17	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Emission Unit ID	Regulated Air Pollutants in tpy (with required controls)								
	NO_X	**VOC**	**SO_2**	**PM_{10}**	**CO**	**Lead**	**Total HAPs**	**Largest Single HAP (CH_2O)**	**GHGs (CO_2e)**
18	0.0	70.4	0.0	0.0	0.0	0.0	0.0	0.0	174.5
19	0.0	0.7	0.0	0.0	0.0	0.0	0.6	0.0	16.8
20	0.0	10.7	0.0	0.0	0.0	0.0	0.1	0.0	5.8
21	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
22	38.5	5.1	37.1	0.0	23.5	0.0	2.0	0.0	257,460.8
23	5.7	12.3	0.0	0.0	40.9	0.0	2.6	0.0	13,638.4
24	0.0	0.0	0.0	9.4	0.0	0.0	0.0	0.0	0.0
25	0.0	17.7	0.0	0.0	0.0	0.0	1.0	0.0	0.0
26	0.0	17.7	0.0	0.0	0.0	0.0	1.0	0.0	0.0
27	3.0	0.3	0.1	0.1	0.6	0.0	0.0	0.0	-
28	2.4	0.2	0.1	0.1	0.5	0.0	0.0	0.0	-
TOTAL	2,339.0	736.2	37.3	9.6	544.3	0.0	81.7	33.3	566,795.4

2. Tribe Information

a. Indian country

William's Ignacio Gas Plant is located within the exterior boundaries of the Southern Ute Indian Reservation and is thus within Indian country as defined at 18 U.S.C. §1151. The EPA granted full approval of the Southern Ute Indian Tribe's Title V Operating Permits Program on March 2, 2012. The Southern Ute Indian Tribe will issue Title V permits according to the approved transition plan within 3 years from program approval, or March 2, 2015. The EPA will continue to administer the Part 71 permit for this facility until the Part 70 permit is issued by the Tribe. Therefore, the EPA is the appropriate governmental entity to issue the Title V permit to this facility at this time.

b. The reservation

The Southern Ute Indian Reservation is located in southwestern Colorado adjacent to the New Mexico boundary. Ignacio is the headquarters of the Southern Ute Tribe, and Durango is the closest major city, just five (5) miles outside of the north boundary of the Reservation. Current information indicates that the population of the Tribe is about 1,450 people with approximately 410 tribal members living off the Reservation. In addition to Tribal members, there are over 30,000 non-Indians living within the exterior boundaries of the Southern Ute Reservation.

c. Tribal government

The Southern Ute Indian Tribe is governed by the Constitution of the Southern Ute Indian Tribe of the Southern Ute Indian Reservation, Colorado adopted on November 4, 1936 and subsequently amended and approved on October 1, 1975. The Southern Ute Indian Tribe is a federally recognized Tribe pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat.984), as amended by the Act of June 15, 1935 (49 Stat. 378). The governing body of the Southern Ute Indian Tribe is a seven member Tribal Council, with its members elected from the general membership of the Tribe through a yearly election process. Terms of the Tribal Council are three (3) years and are staggered so in any given year two (2) members are up for reelection. The Tribal Council officers consist of a Chairman, Vice-Chairman and Treasurer.

d. Local air quality

The Tribe maintains an air monitoring network consisting of two stations equipped to measure ambient concentrations of oxides of nitrogen (reporting the parameters NO, NO_2, and NO_x), ozone (O_3), CO, and $PM_{2.5}$, and to collect meteorological data. The AQS database has data from the Southern Ute Tribe for NO_2 and O_3 data at the Ignacio, Colorado station (AQS identification number 08-067-7001) and the Ignacio, Colorado station (AQS identification number 08-067-7003) since 1990 and 1997, respectively. The CO channel at the Ignacio station has been reporting to AQS since 2004, and both stations began reporting NO and NO_x data to AQS in 2001. In 2000, both stations initiated meteorological monitors measuring wind speed, wind direction, vertical wind speed, outdoor temperature, relative humidity, solar radiation, and rain/snowmelt precipitation. Reporting of vertical wind speed data from both stations terminated on July 1, 2007. Particulate data (PM_{10}) was collected from December 1, 1981 to September 30, 2006 at the Ignacio station and from April 1, 1997 to September 30, 2006 at the Ignacio station. Both stations began reporting $PM_{2.5}$ in 2009. The Tribe reports hourly data to AQS for the criteria pollutants being monitored (NO_2, O_3, and CO), allowing AQS users to retrieve data that can be compared to any of the National Ambient Air Quality Standards for these pollutants.

3. Applicable Requirements

The following discussion addresses some of the regulations from the Code of Federal Regulations (CFR) at Title 40. Note, that this discussion does not include the full spectrum of potentially applicable regulations and is not intended to represent official applicability determinations. These discussions are based on the information provided by Williams in the most recent Part 71 renewal application and are only intended to present the information certified to be true and accurate by the Responsible Official of this facility.

Prevention of Significant Deterioration (PSD) – 40 CFR 52.21

PSD is a preconstruction review requirement of the CAA that applies to proposed projects that are sufficiently large (in terms of emissions) to be a “major” stationary source or “major” modification of an existing stationary source. A new stationary source or a modification to an existing stationary source is major if the proposed project has the potential to emit any pollutant regulated under the CAA in amounts equal to or exceeding specified major source thresholds, which are 100 tpy for 28 listed industrial source categories and 250 tpy for all other sources. PSD also applies to modifications at existing major sources that cause a “significant net emissions increase” at that source. Significance levels for each pollutant are defined in the PSD regulations at 40 CFR 52.21. A modification is a physical change or change in the method of operation.

Ignacio is an existing source that does not belong to any of the 28 listed source categories. The facility-wide PTE in the renewal application for NO_x, CO, and VOCs is greater than 250 tpy and the PTE for

CO_2e is greater than 100,000 tpy. Consequently, the PTE for NO_x, CO, VOC, and CO_2e at Ignacio exceeds the major source PSD thresholds and the source is classified as major for PSD permitting purposes. Therefore, potential emissions from any newly proposed construction must be compared to the PSD significance levels rather than major source thresholds when determining PSD applicability.

The EPA issued an initial PSD permit in 1984 for the Ignacio Gas Plant. In December 2010, the EPA issued another PSD permit to incorporate the requirements of the 1984 PSD permit and the two (2) consent decrees.

Greenhouse Gas Tailoring Rule

On June 3, 2010, the EPA promulgated the final Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule (Tailoring Rule). The Tailoring Rule established the applicability criteria that determine which stationary sources and modification projects are subject to PSD and Title V permitting requirements for greenhouse gas (GHG) emissions. As of January 2, 2011, GHGs are regulated NSR pollutants under the PSD major source permitting program when they are emitted by new sources or modifications in amounts that meet the Tailoring Rule's set of applicability thresholds.

For PSD and Title V purposes, GHGs are a single air pollutant defined as the aggregate group of the following six gases: carbon dioxide (CO_2), nitrous oxide (N_2O), methane (CH_4), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). CO_2-equivalent (CO_2e) is defined as the sum of the mass emissions of each individual GHG adjusted for its global warming potential value in Table A-1 of the Greenhouse Gas Reporting Program (40 CFR Part 98, Subpart A, Table A-1).

The Tailoring Rule established the following applicability criteria for GHGs:

PSD Applicability Criteria
PSD applies to GHGs if any of the following conditions are met: 1. The source is a new source otherwise subject to PSD (for another regulated NSR pollutant) <u>and</u> the source has a GHG PTE equal to or greater than • 75,000 tpy CO_2e; 2. The source is a new source and has a GHG PTE equal to or greater than: • 100,000 tpy CO_2e, <u>and</u> • 100 / 250 tpy mass basis 3. A modification to an existing source is otherwise subject to PSD (for another regulated NSR pollutant) <u>and</u> has a GHG emissions increase and net emissions increase: • Equal to or greater than 75,000 tpy CO_2e, and • Greater than 0 tpy mass basis 4. An existing source has a GHG PTE equal to or greater than: • 100,000 tpy CO_2e, <u>and</u> • 100 / 250 tpy mass basis <u>and</u> a modification to an existing source has a GHG emissions increase and net emissions increase: • Equal to or greater than 75,000 tpy CO_2e, and • Greater than 0 tpy mass basis 5. The source is an existing minor source for PSD, <u>and</u> a modification alone has actual or potential GHG emissions equal to or greater than: • 100,000 tpy CO_2e, <u>and</u> • 100 / 250 tpy mass basis

Title V Applicability Criteria
Title V applies to GHGs at the following sources: 1. Existing or newly constructed sources that emit or have a PTE equal to or greater than: • 100,000 tpy CO_2e, and • 100 / 250 tpy mass basis

A detailed summary and guidance of permitting requirements established by the Tailoring Rule can be found in the March 2011 EPA document titled "PSD and Title V Permitting Guidance for Greenhouse Gases", located at http://www.epa.gov/nsr/ghgdocs/ghgpermittingguidance.pdf.

According to the information provided in William's application, the PTE for Ignacio exceeds 100,000 tpy of CO_2e and 250 tpy of CO_2. Therefore, Ignacio is a major stationary source of GHGs.

New Source Performance Standards (NSPS)

40 CFR Part 60, Subpart A: General Provisions. This subpart applies to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication of any standard in Part 60. The general provisions under Subpart A apply to sources that are subject to the specific subparts of Part 60.

According to information provided in Williams' application, Ignacio is subject to multiple subparts under 40 CFR Part 60; therefore, the General Provisions of Part 60 apply.

40 CFR Part 60, Subpart Dc: Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. This rule applies to steam generating units with a maximum design heat input capacity of 100 MMBtu/hr or less, but greater than or equal to 10 MMBtu/hr and commenced construction, modification, or reconstruction after June 9, 1989.

According to the information provided by Williams, emission Units 12, 12a, 13, and 14 have a maximum design heat input capacity between 10 and 100 MMBtu/h. However, the units were constructed prior to June 9, 1989 and have not been modified or reconstructed. Therefore, this rule does not apply to Units 12, 12a, 13, and 14.

40 CFR Part 60, Subpart K: Standards of Performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978. This rule applies to storage vessels for petroleum liquids with a storage capacity greater than 40,000 gallons. For the purposes of this subpart, the definition of storage vessel does not include pressure vessels which are designed to operate in excess of 15 pounds per square inch gauge (psig) without emissions to the atmosphere except under emergency conditions. 40 CFR Part 60, Subpart K does not apply to storage vessels for petroleum or condensate stored, processed, and/or treated at a drilling and production facility prior to custody transfer.

According to Williams, Ignacio has 16 pressurized storage tanks with a storage capacity greater than 40,000 gallons onsite that store petroleum liquids. However, the tanks are pressurized vessels that are designed to operate in excess of 15 psig inch without emissions to the atmosphere and do not meet the definition of storage vessel in the rule; therefore, Subpart K does not apply.

40 CFR Part 60, Subpart Ka: Standards of Performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to

June 23, 1984. This rule applies to storage vessels for petroleum liquids with a storage capacity greater than 40,000 gallons. For the purposes of this subpart, the definition of storage vessel does not include pressure vessels which are designed to operate in excess of 204.9 kilopascals (kPa) without emissions to the atmosphere except under emergency conditions. Subpart Ka does not apply to petroleum storage vessels with a capacity of less than 420,000 gallons used for petroleum or condensate stored, processed, or treated prior to custody transfer.

According to Williams, Ignacio has 16 pressurized storage tanks with a storage capacity greater than 40,000 gallons onsite that store petroleum liquids. However, the tanks are pressurized vessels that are designed to operate in excess of 207.9 kPa without emissions to the atmosphere and do not meet the definition of storage vessel in the rule; therefore, Subpart Ka does not apply.

<u>40 CFR Part 60, Subpart Kb</u>: Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After July 23, 1984. This rule applies to storage vessels with a capacity greater than or equal to 75 cubic meters (471 bbl). The subpart does not apply to storage vessels with a capacity greater than or equal to 151 cubic meters storing a liquid with a maximum true vapor pressure less than 3.5 kPa or with a capacity greater than or equal to 75 cubic meters but less than 151 cubic meters storing a liquid with a maximum true vapor pressure less than 15.0 kPa.

Ignacio has many tanks on site that are of various sizes and which contain various substances. The 24,240 gallon methanol storage tank, two 21,000 gallon spent lube oil/water storage tanks, and the 33,684 gallon spent lube oil storage tank all have a capacity greater than or equal to 75 cubic meters and commenced construction after July 23, 1984. According to the information provided by Williams, many of the provisions of Subpart Kb do not apply to these units because each of these tanks has a capacity greater than 75 cubic meters and less than 151 cubic meters and a vapor pressure less than 15 kPa. Therefore, although the storage tank units are subject to Subpart Kb, many of the provisions of the standard are not applicable. Williams is required to keep storage vessel information for the life of the storage vessel.

The remaining storage tanks at Ignacio do not meet the applicability requirements of Subpart Kb.

<u>40 CFR Part 60, Subpart GG</u>: Standards of Performance for Stationary Gas Turbines. This rule applies to stationary gas turbines, with a heat input at peak load equal to or greater than 10.7 gigajoules per hour (10 MMBtu/hr), that commenced construction, modification, or reconstruction after October 3, 1977. According to Williams, there are four (4) stationary gas turbines located at Ignacio with a heat input at peak load equal to or greater than 10.7 gigajoules per hour. Unit 8 commenced construction prior to October 3, 1977 and is not subject to the rule. Units, 9, 10, and 11 are all stationary gas turbines with a maximum heat input rating greater than 10 MMBtu/hr that commenced construction after October 3, 1977; therefore, Subpart GG does apply to these units. However, Units 10 and 11 are not subject to the nitrogen oxide standards under §60.332 and are only subject to the standards for sulfur dioxide under §60.333.

<u>40 CFR Part 60, Subpart IIII</u>: Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. This subpart establishes emission stands and compliance requirements for the control of emissions from stationary compression ignition (CI) engines (ICE) that commenced construction, modification, or reconstruction after July 11, 2005, where the CI ICE are manufactured on or after specified manufacture trigger dates. The manufacture trigger dates are based on the engine type

and displacement liter per horsepower (hp). For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

According to Williams, the emergency CI engines used to drive the fire water pumps at the facility were constructed prior to July 11, 2005. Therefore, Subpart IIII does not apply to these units.

40 CFR Part 60, Subpart JJJJ: Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. This subpart establishes emission standards and compliance requirements for the control of emissions from stationary spark ignition (SI) ICE that commenced construction, modification or reconstruction after June 12, 2006, where the SI ICE are manufactured on or after specified manufacture trigger dates. The manufacture trigger dates are based on the engine type, fuel used, and maximum engine horsepower. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

Williams provided the following information:

Table 3 – NSPS Subpart JJJJ Applicability Determination
Williams Four Corners, LLC - Ignacio Gas Plant

Unit[1]	Unit Description	Fuel	HP	Manufacture Date	Commenced Construction Date	Subpart JJJJ Trigger Date-Manufactured on or after
1	Clark TLA-6 Compressor Engine	Natural gas	2000	Prior to 7/1/2007	Prior to 6/12/2006	7/1/2007
2	Clark TLA-6 Compressor Engine	Natural gas	2000	Prior to 7/1/2007	Prior to 6/12/2006	7/1/2007
3	Clark TLA-6 Compressor Engine	Natural gas	2000	Prior to 7/1/2007	Prior to 6/12/2006	7/1/2007
4	Clark TLA-6 Compressor Engine	Natural gas	2000	Prior to 7/1/2007	Prior to 6/12/2006	7/1/2007
5	Clark TLA-6 Compressor Engine	Natural gas	2000	Prior to 7/1/2007	Prior to 6/12/2006	7/1/2007
6	Clark TLA-6 Compressor Engine	Natural gas	2000	Prior to 7/1/2007	Prior to 6/12/2006	7/1/2007
7	Clark TLA-6 Compressor Engine	Natural gas	2000	Prior to 7/1/2007	Prior to 6/12/2006	7/1/2007

1. Per Williams, these engine Units 1 and 2 were modified (as defined in Part 60) prior to June 12, 2006. The remaining engines have not been modified or reconstructed.

According to the information provided by Williams, the requirements in Subpart JJJJ do not apply to engine Units 1 through 7 because they commenced construction before June 12, 2006 and have not been reconstructed or modified since June 12, 2006 (as defined in §60.15).

Should Williams propose to install a replacement engine for Units 1 through 7 that is subject to Subpart JJJJ, Williams will not be allowed to use the off permit changes provision, and will be required to submit a minor permit modification application to incorporate Subpart JJJJ requirements into the permit.

40 CFR Part 60, Subpart KKK: Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984 and on or Before August 23, 2011. This subpart establishes requirements for controlling fugitive VOC emissions from onshore natural gas processing plants.

Subpart KKK requires a source to comply with several requirements of 40 CFR 60, Subpart VV, Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981 and on or Before November 7, 2006. Both Subpart VV and Subpart KKK regulate fugitive emissions of VOCs at onshore natural gas processing plants. The regulations for Subpart VV are found at 40 CFR 60 §§60.480 through 60.489.

Natural Gas Processing Plant

Pursuant to the definitions at 40 CFR 60.631, a *natural gas processing plant* "means any processing site engaged in the extraction of natural gas liquids from field gas, fractionation of mixed natural gas liquids to natural gas products, <u>or</u> both."

Natural Gas Liquids

Pursuant to the definitions at 40 CFR 60.631, *natural gas liquids* "means the hydrocarbons, such as ethane, propane, butane, and pentane that are extracted from field gas." The use of "such as" in this definition indicates that this definition is inclusive of the listed hydrocarbons liquids but does not exclude all others. In fact, the definition of *natural gas liquids* found in <u>Frick's Petroleum Production Handbook, Vol. II</u> states that NGLs are divided into more specific categories, including: (1) condensate; (2) natural gasoline; and (3) liquefied petroleum gases.

Process Unit

Process units are defined as equipment assembled for the extraction of natural gas liquids from field gas, the fractionation of the liquids into natural gas products, or other operations associated with the processing of natural gas products. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the products.

Applicability and Designation of Affected Facilities

The provisions of this subpart apply to the following components at onshore natural gas processing plants that commenced construction, reconstruction, or modification after January 20, 1984 and on or before August 23, 2011:

1) Compressors in VOC service or wet gas service are subject to this rule. A compressor is in VOC service if it contains or contacts a process fluid that is at least 10% VOC by weight. In wet gas service means that a piece of equipment contains or contacts the field gas before the extraction step in the process.

2) All equipment except compressors within a process unit.

A compressor station, dehydration unit, sweetening unit, underground storage tank, field gas gathering system, or liquefied natural gas unit is covered by this subpart if it is located at an onshore natural gas processing plant. If the unit is not located at the plant site, then it is exempt from the provisions of this subpart.

Equipment

Equipment means each pump, pressure relief device, open-ended valve or line, valve, compressor, and flange or other connector that is in VOC service or in wet gas service, and any device or system required by this subpart.

Subpart KKK establishes monitoring/testing requirements, recordkeeping requirements and reporting requirements for the following components that may be located at an onshore natural gas processing plant:

- Pumps in light liquid service
- Compressors in VOC service or wet gas service
- Pressure relief devices in gas vapor service
- Sampling connection systems
- Open-ended valves or lines
- Valves in gas / vapor or light liquid service
- Pumps and valves in heavy liquid service, pressure relieve devices in light or heavy liquid service, and flanges and other connectors
- Closed vent systems and control devices
- Vapor recovery systems
- Enclosed combustion devices
- Flares

In addition, the rule establishes separate requirements for the following:

- Delay of repair of equipment for which leaks have been detected;
- Alternative means of emissions limitation for components subject to the rule; and
- Determining components that are not in VOC or wet gas service.

Applicability to Ignacio

Ignacio operates a fractionation plant to extract NGLs from the field gas, and thus meets the definition of a natural gas processing plant under this subpart. Therefore, this rule does apply. According to Williams, only emission Units 19 and 20 were installed after January 20, 1984 and are therefore the only components at Ignacio subject to the rule.

<u>40 CFR Part 60, Subpart LLL</u>: Standards of Performance for SO_2 Emissions From Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011. This rule applies to sweetening units and sulfur recovery units at onshore natural gas processing facilities. As defined in this subpart, sweetening units are process devices that separate hydrogen sulfide (H_2S) and carbon dioxide (CO_2) from a sour natural gas stream. Sulfur recovery units are defined as process devices that recover sulfur from the acid gas (consisting of H_2S and CO_2) removed by a sweetening unit. Facilities that have a design capacity less than two (2) long tons per day of H_2S in the acid gas have limited requirements under the rule.

The amine unit at Ignacio (Unit 17) is a sweetening unit that was constructed after the applicability date of January 20, 1984. Therefore, this rule does apply. However, according to Williams the facility has a design capacity less than two (2) long tons per day of H_2S in the acid gas stream and thus is only subject to the provisions at §60.647(c).

40 CFR Part 60, Subpart KKKK: Standards of Performance for Stationary Combustion Turbines. This subpart establishes emission standards and compliance schedules for the control of emissions from stationary combustion turbines that commenced construction, modification or reconstruction after February 18, 2005. The rule applies to stationary combustion turbines with a heat input at peak load equal to or greater than 10.7 gigajoules (10 MMBtu) per hour.

According to Williams, there are 4 stationary gas turbines (Units 8, 9, 10, and 11) located at Ignacio with a maximum heat input at peak load equal to or greater than 10.7 gigajoules per hour. However, all four (4) units commenced construction prior to February 18, 2005; therefore, Subpart KKKK does not apply to these units.

40 CFR Part 60, Subpart OOOO: Standards of Performance for Crude Oil and Natural Gas Production, Transmission, and Distribution. This subpart establishes emission standards and compliance schedules for the control of VOC and SO_2 emissions from affected facilities that commence construction, modification or reconstruction after August 23, 2011. Affected facilities under this subpart include gas wells, compressors, pneumatic controllers, storage vessels, process unit equipment, and sweetening units. The effective date for this subpart is October 15, 2012.

According to Williams, Ignacio does not have any affected facilities under the rule that commenced construction after August 23, 2011. Therefore, this rule does not apply.

National Emissions Standards for Hazardous Air Pollutants (NESHAP)

40 CFR Part 63, Subpart A: General Provisions. This subpart contains national emissions standards for HAPs that regulate specific categories of sources that emit one or more HAP regulated pollutants under the CAA. The general provisions under Subpart A apply to sources that are subject to the specific subparts of Part 63.

As explained below, Ignacio is subject to 40 CFR Part 63, Subpart HH; therefore the General Provisions of Part 63 apply.

40 CFR Part 63, Subpart HH: National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities. This subpart applies to the owners and operators of affected units located at natural gas production facilities that are major sources of HAPs, and that process, upgrade, or store natural gas prior to the point of custody transfer, or that process, upgrade, or store natural gas prior to the point at which natural gas enters the natural gas transmission and storage source category or is delivered to a final end user. The affected units are glycol dehydration units, storage vessels, and the group of ancillary equipment, and compressors intended to operate in volatile hazardous air pollutant service, which are located at natural gas processing plants.

Facility

For the purpose of a major source determination, facility means oil and natural gas production and processing equipment that is located within the boundaries of an individual surface site as defined in Subpart HH. Examples of facilities in the oil and natural gas production category include, but are not limited to: well sites, satellite tank batteries, central tank batteries, a compressor station that transports natural gas to a natural gas processing plant, and natural gas processing plants.

Production Field Facility

Production field facilities are those located prior to the point of custody transfer. The definition of custody transfer (40 CFR 63.761) means the point of transfer after the processing/treating in the producing operation, except for the case of a natural gas processing plant, in which case the point of custody transfer is the inlet to the plant.

Natural Gas Processing Plant

A natural gas processing plant is defined in 40 CFR 63.761 as any processing site engaged in the extraction of NGLs from field gas, or the fractionation of mixed NGLs to natural gas products, or a combination of both. A treating plant or gas plant that does not engage in these activities is considered to be a production field facility.

Major Source Determination for Production Field Facilities

The definition of major source in this subpart (at 40 CFR 63.761) states, in part, that only emissions from the dehydration units and storage vessels at production field facilities shall be aggregated when comparing to the major source thresholds.

For facilities that are not production field facilities, HAP emissions from all HAP emission units shall be aggregated.

Applicability of Subpart HH to Ignacio

Ignacio extracts NGLs from field gas, and therefore, is considered a natural gas processing plant. NGLs and natural gas are transported to the local market via pipeline and truck loading from the plant, hence, the point of custody transfer, as defined in Subpart HH, occurs at the facility. For facilities that are not production field facilities, HAP emissions from all HAP emission units shall be aggregated for a major source determination. The total HAP emissions at the facility are above the major source thresholds of 10 tpy of a single HAP (formaldehyde = 33.3 tpy) and 25 tpy of aggregated HAPs (total HAPs = 81.7 tpy). Therefore, Ignacio is subject to the major source requirements of the rule.

According to Williams, Ignacio utilizes affected units under Subpart HH. Therefore, this rule does apply.

Note: On August 16, 2012, EPA promulgated the final rule revising the standards of Subpart HH. The compliance date for the revised standards varies by affected unit. The permit has been written to allow for flexibility in compliance with the current and revised standards. Williams is responsible for compliance with any applicable provisions of Subpart HH by the respective compliance deadline.

<u>40 CFR Part 63, Subpart HHH:</u> National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities. This subpart applies to natural gas transmission and storage facilities that transport or store natural gas prior to entering the pipeline to a local distribution company or to a final end user, <u>and</u> that are a major source of hazardous air pollutant (HAP) emissions. Natural gas transmission means the pipelines used for long distance transport (excluding processing).

This subpart does not apply to Ignacio as the facility is a natural gas production facility and not a natural gas transmission or storage facility.

40 CFR Part 63, Subpart EEEE: National Emission Standards for Hazardous Air Pollutants from Organic Liquids Distribution (Non-Gasoline). This subpart establishes national emission limitations, operating limits, and work practice standards for organic HAPs emitted from organic liquids distribution (non-gasoline) operations at major sources of HAP emissions. In this rule, organic liquid distribution operations do not include the activities and equipment at oil and natural gas production field facilities as defined in 40 CFR Part 63, Subpart HH.

According to Williams, Ignacio meets the definition of an oil and natural gas production facility as defined in § 63.761. Therefore, this rule does not apply to Ignacio.

40 CFR Part 63, Subpart YYYY: National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines. Subpart YYYY establishes national emission limitations and operating limitations for HAP emissions from stationary combustion turbines located at major sources of HAP emissions. Affected sources under the rule are any existing, new, or reconstructed stationary combustion turbine located a major source of HAP emissions. For the purposes of this rule, existing is defined as a stationary combustion turbine that commenced construction prior to January 14, 2003.

According to Williams, emission Units 8, 9, 10, and 11 are all existing stationary combustion turbines that commenced construction prior to January 14, 2003. However, the provisions of Subpart YYYY do not apply because all four (4) units meet the exemption criteria at §63.6090(b)(4).

40 CFR Part 63, Subpart ZZZZ (MACT ZZZZ): National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. This rule establishes national emission limitations and operating limitations for HAPs emitted from stationary spark ignition internal combustion engines (SI ICE) and stationary compression ignition internal combustion engines (CI ICE). For the purposes of this standard, construction or reconstruction is as defined in §63.2.

Table 4 – Summary of Applicability to Engines at Major HAP Sources

Major HAP Sources			
Engine Type	**Horse Power Rating**	**New or Existing?**	**Trigger Date**
SI ICE – All[1]	≥ 500 hp	New	On or After 12/19/2002
SI ICE – 4SRB	> 500 hp	Existing	Before 12/19/2002
SI ICE – All[1]	≤ 500 hp	New	On or After 6/12/2006
SI ICE - All[1]	≤ 500 hp	Existing	Before 6/12/2006
CI ICE - All[2]	≥ 500 hp	New	On or After 12/19/2002
CI ICE – Non Emergency	> 500 hp	Existing	Before 12/19/2002
CI ICE – All[2]	≤ 500 hp	New	On or After 6/12/2006
CI ICE – All[2]	≤ 500 hp	Existing	Before 6/12/2006

1. All includes emergency ICE, limited use ICE, ICE that burn land fill gas, 4SLB, 2SLB, and 4SRB.
2. All includes emergency ICE and limited use ICE

Table 5 – Summary of Applicability to Engines at Area HAP Sources

Area HAP Sources			
Engine Type	**Horse Power Rating**	**New or Existing?**	**Trigger Date**
SI ICE - All[1]	All hp	New	On or After 6/12/2006
SI ICE - All[1]	All hp	Existing	Before 6/12/2006
CI ICE - All[2]	All hp	New	On or After 6/12/2006
CI ICE - All[2]	All hp	Existing	Before 6/12/2006

1. All includes emergency ICE, limited use ICE, ICE that burn land fill or digester gas, 4SLB, 2SLB, and 4SRB.
2. All includes emergency ICE and limited use ICE

Applicability of 40 CFR 63, Subpart ZZZZ to Ignacio:

Table 6 – RICE MACT Applicability Determination
Williams Four Corners, LLC - Ignacio Gas Plant

Unit	Unit Description	Fuel	BHP	Commenced Construction Reconstruction or Modification Date	Installation Date
1	Clark TLA-6 Compressor Engine	Natural gas	2000	Prior to 12/19/2002	1957
2	Clark TLA-6 Compressor Engine	Natural gas	2000	Prior to 12/19/2002	1957
3	Clark TLA-6 Compressor Engine	Natural gas	2000	Prior to 12/19/2002	1957
4	Clark TLA-6 Compressor Engine	Natural gas	2000	Prior to 12/19/2002	1957
5	Clark TLA-6 Compressor Engine	Natural gas	2000	Prior to 12/19/2002	1957
6	Clark TLA-6 Compressor Engine	Natural gas	2000	Prior to 12/19/2002	1957
7	Clark TLA-6 Compressor Engine	Natural gas	2000	Prior to 12/19/2002	1957
27	Waukesha H866DSIUF emergency fire water pump engine	Diesel	384	Prior to 6/12/2006	1978
28	Caterpillar 4W-3798 emergency fire water pump engine	Diesel	384	Prior to 6/12/2006	1985

According to the information provided by Williams, although Ignacio is a major source of HAP emissions, engine Units 1 through 7 at Ignacio are not subject to the major source requirements of this subpart because they are existing 2-stroke lean-burn (2SLB) engines that commenced construction before December 19, 2002 and have not been reconstructed or modified since December 19, 2002 (as defined in §63.2).

According to Williams, Ignacio has two (2) diesel fired emergency engines that drive fire water pumps at the facility. Both of units were constructed prior to June 12, 2006 and are therefore existing units under the rule. Each unit is subject to the requirements for existing emergency CI engines less than 500 hp and must comply with the applicable provisions in the rule by May 3, 2013.

<u>40 CFR Part 63, Subpart DDDDD (Boiler MACT)</u>: National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters. This rule establishes national emission limitations and operating limitations for HAPs emitted from new and existing industrial boilers, institutional boilers, commercial boilers, and process heaters that are located at major sources of HAPs. Boilers or process heaters that combust natural gas for fuel or have a maximum designed heat input capacity less than 10 MMBtu/hr are subject to work practice standards in lieu of emission limits. For the purposes of this subpart, an affected unit is an existing unit if it was constructed prior to June 4, 2010.

On May 18, 2011, EPA published the final rule to delay the effective dates of Subpart DDDDD (FR 28662). This rule delayed the effective dates of the Boiler MACT until such time as judicial review is no longer pending or until the EPA completes its reconsideration of the rules, whichever is earlier. Therefore, there are no requirements to be placed in the permit at this time.

Compliance Assurance Monitoring (CAM) Rule

40 CFR Part 64: Compliance Assurance Monitoring Provisions. According to 40 CFR 64.2(a), the CAM rule applies to each Pollutant Specific Emission Unit (PSEU) at a major source that is required to obtain a Part 70 or Part 71 permit if the unit satisfies all of the following criteria:

1) The unit is subject to an emission limitation or standard for the applicable regulated air pollutant other than an emissions limitation or standard that is exempt under §64.2(b)(1);

   "§64.2(b)(1): Exempt emission limitations or standards. The requirements of this part shall not apply to any of the following emission limitations or standards:

   (i) Emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to Section 111 or 112 of the Act;
   (ii) Stratospheric ozone protection requirements under Title VI of the Act;
   (iii) Acid Rain Program requirements pursuant to Sections 404, 405, 406, 407(a), 407(b) or 410 of the Act;
   (iv) Emissions limitations or standards or other applicable requirements that apply solely under an emissions trading program approved or promulgated by the Administrator under the Act that allows for trading emissions with a source or between sources;
   (v) An emissions cap that meets the requirements specified in §70.4(b)(12) or §71.6(a)(13)(iii) of this chapter;
   (vi) Emission limitations or standards for which a Part 70 or 71 permit specifies a continuous compliance determination method, as defined in §64.1."

   "§64.1: Continuous compliance method means a method, specified by the applicable standard or an applicable permit condition, which:

   (1) Is used to determine compliance with an emission limitation or standard on a continuous basis, consistent with the averaging period established for the emission limitation or standard; and

   (2) Provides data either in units of the standard or correlated directly with the compliance limit."

2) The unit uses a control device to achieve compliance with any such limit or standard; and

3) The unit has pre-control device emissions of the applicable regulated pollutant that are equal to or greater than 100% of the amount, in tons per year, required for a source to be classified as a major source.

Ignacio is a major source for NO_X, CO, VOC, Total HAPs, CH_2O, and CO_2e. Emission Units 1 through 7 are PSEUs with pre-controlled emissions that equal or exceed 100% of NO_X thresholds. However, the engines are not subject to an emission limitation or standard and thus are not subject to the rule. Emission Units 10 and 11 are PSEUs with pre-controlled emissions that equal or exceed 100% of NO_X thresholds. However, Units 10 and 11are subject to 40 CFR Part 60, Subpart GG and thus meet the exemption criteria of §64.2(b)(1). Although emission Unit 8 is also a PSEU with pre-controlled emissions that equal or exceed 100% of the NO_X threshold, the unit is not subject to an emission limitation or standard and is therefore not subject to CAM requirements.

Dehydration Units 15 and 16 and amine Unit 17 are all emission units that have pre-controlled emissions that exceed 100% of major source thresholds and use a control device to comply with an emission limitation. Therefore, these three (3) units are subject to CAM requirements.

Periodic Monitoring

The monitoring requirements contained in 40 CFR Part 60, Subpart GG only require that a one time performance test for NO_X be conducted to demonstrate initial compliance with the requirements of 40 CFR 60.332. No additional testing or monitoring of NO_X emissions is required under this New Source Performance Standard.

The *Appalachian Power* court held that 40 CFR 71.6(a)(3)(i) authorizes a sufficiency review of monitoring and testing in an existing emissions standard, and enhancement of that monitoring or testing through the permit, when the standard requires no periodic testing or instrumental or non-instrumental monitoring, specifies no frequency, or requires only a one-time test. Thus, the EPA has authority in the federal operating permit regulation to specify additional testing or monitoring for a source to assure compliance, when existing applicable regulations do not require periodic monitoring or only require a one-time emissions test.

Because 40 CFR Part 60, Subpart GG only requires that a one-time compliance test for NO_X emissions be conducted for a subject turbine, additional monitoring of the turbines for assuring compliance with the NO_X emission limit has been included in the permit. Appropriate periodic monitoring for the gas-fired turbines was determined to be quarterly monitoring of NO_X emissions using a portable analyzer. EPA has not included any additional monitoring requirements in the permit for SO_2 emissions because the source has opted to comply with rule by demonstrating the fuel sulfur content does not exceed 0.8% by weight.

Chemical Accident Prevention Program

<u>40 CFR Part 68</u>: Chemical Accident Prevention Provisions. This rule applies to stationary sources that manufacture, process, use, store, or otherwise handle more than the threshold quantity of a regulated substance in a process. Regulated substances include 77 toxic and 63 flammable substances which are potentially present in the natural gas stream entering the facility and in the storage vessels located at the facility. The quantity of a regulated substance in a process is determined according to the procedures presented under §68.115. §68.115(b)(l) and (2)(i) indicate that toxic and flammable substances in a mixture do not need to be considered when determining whether more than a threshold quantity is present at a stationary source if the concentration of the substance is below one percent by weight of the mixture. §68.115(b)(2)(iii) indicates that prior to entry into a natural gas processing plant, regulated substances in naturally occurring hydrocarbon mixtures need not be considered when determining whether more than a threshold quantity is present at a stationary source. Naturally occurring hydrocarbon mixtures include condensate, field gas, and produced water. Based on Williams'

application, Ignacio has regulated substances above the threshold quantities in this rule and therefore is subject to the requirement to develop and submit a risk management plan. The EPA received a risk management plan for Ignacio on June 21, 1999.

Stratospheric Ozone and Climate Protection

40 CFR Part 82, Subpart F: Air Conditioning Units. Based on information supplied in the renewal application, Williams does not currently operate air conditioning units at Ignacio. However, should Williams perform any maintenance, service, repair, or disposal of any equipment containing chlorofluorocarbons (CFCs), or contracts with someone to do this work, Williams would be required to comply with Title VI of the CAA and submit an application for a modification to this Title V permit.

40 CFR Part 82, Subpart H: Halon Fire Extinguishers. According to Williams, there are no halon fire extinguishers at Ignacio. However, should Williams obtain any halon fire extinguishers, then it must comply with the standards of 40 CFR Part 82, Subpart H for halon emissions reduction, if it services, maintains, tests, repairs, or disposes of equipment that contains halon or uses such equipment during technician training. Specifically, Williams would be required to comply with 40 CFR Part 82 and submit an application for a modification to this Title V permit.

Mandatory Greenhouse Gas Reporting

40 CFR Part 98: Mandatory Greenhouse Gas Reporting. This rule requires sources above certain emission thresholds to calculate, monitor, and report greenhouse gas emissions. According to the definition of "applicable requirement" in 40 CFR 71.2, neither 40 CFR Part 98, nor CAA §307(d)(1)(V), the CAA authority under which 40 CFR Part 98 was promulgated, are listed as applicable requirements for the purpose of Title V permitting. Although the rule is not an applicable requirement under 40 CFR Part 71, the source is not relieved from the requirement to comply with the rule separately from compliance with their Part 71 operating permit. It is the responsibility of each source to determine applicability to Part 98 and to comply, if necessary.

Conclusion

Since Ignacio is located in Indian country, the State of Colorado's implementation plan does not apply to this source. In addition, no tribal implementation plan (TIP) has been submitted and approved for the Southern Ute Tribe, and EPA has not promulgated a federal implementation plan (FIP) for the area of jurisdiction governing the Southern Ute Indian Reservation. Therefore, Ignacio is not subject to any implementation plan.

The EPA recognizes that, in some cases, sources of air pollution located in Indian country are subject to fewer requirements than similar sources located on land under the jurisdiction of a state or local air pollution control agency. To address this regulatory gap, the EPA published the rule titled "Review of New Sources and Modifications in Indian country" on July 1, 2011. Initiated by and in response to tribal input, the rule addresses a significant regulatory gap by developing NSR rules for Indian country, which establish a preconstruction permitting program for minor stationary sources of air pollution throughout Indian country and major stationary sources located in areas in Indian country not meeting national clean air standards. The purpose of the NSR program is to protect public health and the environment, even as new industrial facilities are built and existing facilities expand. The rule requires new and existing synthetic minor sources currently operating under federal operating permits for sources in Indian country (regulated at 40 CFR Part 71), as well as sources proposing minor modifications at existing major sources, to submit applications to the region starting August 30, 2011. Existing true minor sources are required to register with the permitting authority no later than March 1, 2013. True minor sources that are looking to construct or modify will have to apply by September 2, 2014.

This program will establish, where appropriate, control requirements for sources that would be incorporated into Part 71 permits. To establish additional applicable, federally-enforceable emission limits, the EPA Regional Offices will, as necessary and appropriate, promulgate FIPs that will establish federal requirements for sources in specific areas. The EPA will establish priorities for its direct federal implementation activities by addressing as its highest priority the most serious threats to public health and the environment in Indian country that are not otherwise being adequately addressed. Further, the EPA encourages and will work closely with all tribes wishing to develop TIPs for approval under the Tribal Authority Rule. The EPA intends that its federal regulations created through a FIP will apply only in those situations in which a tribe does not have an approved TIP.

4. EPA Authority

a. <u>General Authority To Issue Part 71 Permits</u>

Title V of the CAA requires that the EPA promulgate, administer, and enforce a federal operating permits program when a state does not submit an approvable program within the time frame set by Title V or does not adequately administer and enforce its EPA-approved program. On July 1, 1996 (61 FR 34202), the EPA adopted regulations codified at 40 CFR Part 71 setting forth the procedures and terms under which the Agency would administer a federal operating permits program. These regulations were updated on February 19, 1999 (64 FR 8247) to incorporate the EPA's approach for issuing federal operating permits to stationary sources in Indian country.

As described in 40 CFR 71.4(a), the EPA will implement a Part 71 program in areas where a state, local, or tribal agency has not developed an approved Part 70 program. Unlike states, Indian tribes are not required to develop operating permits programs, though the EPA encourages tribes to do so. See, e.g., Indian Tribes: Air Quality Planning and Management (63 FR 7253, February 12, 1998) (also known as the “Tribal Authority Rule”). Therefore, within Indian country, the EPA will administer and enforce a Part 71 federal operating permits program for stationary sources until a tribe receives approval to administer their own operating permits programs. Although the EPA approved the Southern Ute Indian Tribe’s Title V Operating Permit Program on March 2, 2012, the EPA will continue to administer the Part 71 permit until a Part 70 permit is issued by the Tribe.

5. Use of All Credible Evidence

Determinations of deviations, continuous or intermittent compliance status, or violations of the permit are not limited to the testing or monitoring methods required by the underlying regulations or this permit; other credible evidence (including any evidence admissible under the Federal Rules of Evidence) must be considered by the source and the EPA in such determinations.

6. Public Participation

a. <u>Public Notice</u>

As described in 40 CFR 71.11(a)(5), all Part 71 draft operating permits shall be publicly noticed and made available for public comment. The public notice of permit actions and public comment period is described in 40 CFR 71(d).

Public notice was given by providing notification of the EPA's intent to issue the draft permit to the permit applicant, the affected state, tribal and local air pollution control agencies, the city and county executives, the state and federal land managers and the local emergency planning authorities that have jurisdiction over the area where the source is located. Notification was provided to all persons who submitted a written request to be included on the mailing list. Additionally, the general public in the affected community was notified by an advertisement in the local newspaper. If you would like to be added to our mailing list to be informed of future actions on these or other CAA permits issued in Indian country, please send your name and address to the contact listed below:

Part 71 Lead
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street (8P-AR)
Denver, Colorado 80202-1129

Public notice was published in the <u>Durango Herald</u> on November 2, 2012, giving opportunity for public comment on the draft permit and the opportunity to request a public hearing. The public comment period ended on December 3, 2012. During the public comment period, comments were received from Williams on the draft permit.

b. <u>Opportunity For Comment</u>

Members of the public were given an opportunity to review a copy of the draft permit prepared by the EPA, the application, this statement of basis for the draft permit, and all supporting materials for the draft permit. Copies of these documents were available at:

La Plata County Clerk's Office
98 Everett Street, Suite C
Durango, Colorado 81302

and

Southern Ute Indian Tribe
Environmental Programs Office
151 County Road 517
Ignacio, Colorado 81137

and

U.S. EPA Region 8
Air Program Office
1595 Wynkoop Street (8P-AR)
Denver, Colorado 80202-1129

All documents were available for review at the EPA Region 8 office Monday through Friday from 8:00 a.m. to 4:00 p.m. (excluding Federal holidays).

Any interested person may have submitted written comments on the draft Part 71 operating permit during the public comment period to the Part 71 Permit Contact at the address listed above. All comments were considered and answered by the EPA in making the final decision on the permit. The EPA keeps a record of the commenters and of the issues raised during the public participation process.

Anyone, including the applicant, who believes any condition of the draft permit is inappropriate should raise all reasonable ascertainable issues and submit all arguments supporting their position by the close of the public comment period. Any supporting materials submitted must be included in full and may not be incorporated by reference, unless the material has already been submitted as part of the administrative record in the same proceeding or consists of state or Federal statutes and regulations, the EPA documents of general applicability, or other generally available reference material.

c. <u>Opportunity To Request A Hearing</u>

A person may submit a written request for a public hearing to the Part 71 Permit Contact, at the address listed above, by stating the nature of the issues to be raised at the public hearing. Based on the number of hearing requests received, the EPA will hold a public hearing whenever it finds there is a significant degree of public interest in a draft operating permit. The EPA will provide public notice of the public hearing. If a public hearing is held, any person may submit oral or written statements and data concerning the draft permit. The EPA did not receive a request for a public hearing during the public comment period.

d. <u>Appeal Of Permits</u>

Within 30 days after the issuance of a final permit decision, any person who filed comments on the draft permit or participated in the public hearing may petition to the Environmental Appeals Board to review any condition of the permit decision. Any person who failed to file comments or participate in the public hearing may petition for administrative review, only if the changes from the draft to the final permit decision or other new grounds were not reasonably foreseeable during the public comment period. The 30 day period to appeal a permit begins with the EPA's service of the notice of the final permit decision.

The petition to appeal a permit must include a statement of the reasons supporting the review, a demonstration that any issues were raised during the public comment period, a demonstration that it was impracticable to raise the objections within the public comment period, or that the grounds for such objections arose after such a period. When appropriate, the petition may include a showing that the condition in question is based on a finding of fact or conclusion of law which is clearly erroneous; or, an exercise of discretion, or an important policy consideration that the Environmental Appeals Board should review.

The Environmental Appeals Board will issue an order either granting or denying the petition for review, within a reasonable time following the filing of the petition. Public notice of the grant of review will establish a briefing schedule for the appeal and state that any interested person may file an amicus brief. Notice of denial of review will be sent only to the permit applicant and to the person requesting the review. To the extent review is denied, the conditions of the final permit decision become final agency action.

A motion to reconsider a final order shall be filed within 10 days after the service of the final order. Every motion must set forth the matters claimed to have been erroneously decided and the nature of the alleged errors. Motions for reconsideration shall be directed to the Administrator rather than the Environmental Appeals Board. A motion for reconsideration shall not stay the effective date of the final order unless it is specifically ordered by the Board.

e. Petition To Reopen A Permit For Cause

Any interested person may petition the EPA to reopen a permit for cause, and EPA may commence a permit reopening on its own initiative. The EPA will only revise, revoke and reissue, or terminate a permit for the reasons specified in 40 CFR 71.7(f) or 71.6(a)(6)(i). All requests must be in writing and must contain facts or reasons supporting the request. If the EPA decides the request is not justified, it will send the requester a brief written response giving a reason for the decision. Denial of these requests is not subject to public notice, comment, or hearings. Denials can be informally appealed to the Environmental Appeals Board by a letter briefly setting forth the relevant facts.

f. Notice To Affected States/Tribes

As described in 40 CFR 71.11(d)(3)(i), public notice was given by notifying the air pollution control agencies of affected states, tribal and local air pollution control agencies which have jurisdiction over the area in which the source is located, the chief executives of the city and county where the source is located, any comprehensive regional land use planning agency and any state or federal land manager whose lands may be affected by emissions from the source. The following entities were notified:

- State of Colorado, Department of Public Health and Environment
- State of New Mexico, Environment Department
- Southern Ute Indian Tribe, Environmental Programs Office
- Ute Mountain Ute Tribe, Environmental Programs
- Navajo Tribe, Navajo Nation EPA
- Jicarilla Tribe, Environmental Protection Office
- La Plata County, County Clerk
- Town of Ignacio, Mayor
- National Park Service, Air, Denver, CO
- U.S. Department of Agriculture, Forest Service, Rocky Mountain Region
- San Juan Citizen Alliance
- Carl Weston
- WildEarth Guardians
- La Plata County Assessor's Office