



February 7, 2018

BY ELECTRONIC MAIL

U.S. EPA Region 8
Air Program
8P-AR
Attn: Federal Minor NSR Coordinator
1595 Wynkoop St.
Denver, CO 80202
R8AirPermitting@epa.gov

Re: Comments on Proposed Minor Source New Source Review Permits to Construct for Six Facilities Operated by Anadarko Uintah Midstream, LLC

To Whom It May Concern:

WildEarth Guardians submits the following comments on the U.S. Environmental Protection Agency's ("EPA's") proposal to issue six new minor source new source review permits to construct for six natural gas production facilities operated by Anadarko Uintah Midstream, LLC (hereafter, "Anadarko") within the Uintah and Ouray Indian Reservation in Uintah County, Utah. These proposed permits relate to the following sources of air pollution:

- East Bench Compressor Station, Proposed Permit Number SMNSR-UO-000824-2016.001;
- Sage Grouse Compressor Station, Proposed Permit Number SMNSR-UO-001875-2016.001;
- North East Compressor Station, Proposed Permit Number SMNSR-UO-001874-2016.001;
- North Compressor Station, Proposed Permit Number SMNSR-UO-000071-2016.01;
- Archie Bench Compressor Station, Proposed Permit Number SMNSR-UO-000817-2016.001; and
- Bitter Creek Compressor Station, Proposed Permit Number SMNSR-UO-000818-2016.001.

These facilities are located and operate within the Uinta Basin, an area that the EPA has acknowledged is currently in violation of National Ambient Air Quality Standards ("NAAQS") for ground-level ozone.

We object to the EPA's proposal to approve these air pollution permits. The agency has failed to demonstrate that approval of the permits will not lead to emissions that will cause or

contribute to violations of National Ambient Air Quality Standards NAAQS and Prevention of Significant Deterioration (“PSD”) increments under the Clean Air Act.

The EPA acknowledges in the technical support documents (“TSDs”) prepared for each permit that regulations at 40 C.F.R. § 49.154(d) “require that an Air Quality Impact Assessment (AQIA) modeling analysis be performed if there is reason to be concerned that new construction would cause or contribute to a National Ambient Air Quality Standard (NAAQS) or PSD increment violation.” *See e.g.*, TSD for Anadarko Uintah Midstream, LLC, Sage Grouse Compressor Station, Proposed Permit #SMNSR-UO-001875-2016.001 at 7. Here, there are major reasons to be concerned that the Anadarko facilities proposed for permitting by the EPA would cause or contribute to a violation of the NAAQS.

First and foremost, the Anadarko facilities will contribute to emissions that will undoubtedly cause or contribute to violations of NAAQS for ground-level ozone. According to the EPA, air quality in the Uinta Basin is so bad that that it violates NAAQS established in 2008 and 2015 for ground-level ozone. The EPA has even recommended that a portion of the Uinta Basin, including the areas where the Anadarko facilities are located, be designated as nonattainment due to ongoing violations of the 2015 ozone NAAQS. *See* Exhibit 1, EPA, “Utah: Northern Wasatch Front, Southern Wasatch Front, and Uinta Basin, Intended Area Designations for the 2015 Ozone National Ambient Air Quality Standards, Technical Support Document” (Dec. 20, 2017) at 49-50. According to the EPA, while the 2015 ozone NAAQS limit concentrations of ground-level ozone to no more than 0.070 parts per million, concentrations in the Uinta Basin frequently exceed this standard.

Given that the Anadarko facilities will be releasing emissions that contribute to the formation of ground-level ozone, namely volatile organic compounds (“VOCs”), nitrogen oxide (“NO_x”), and carbon monoxide emissions, there is no doubt that the facilities will contribute to emissions that will cause or contribute to violations of the ozone NAAQS.

Furthermore, we are very concerned that EPA has failed to demonstrate that emissions of NO_x will not cause or contribute to violations of the 1-hour nitrogen dioxide (“NO₂”) NAAQS. Our concerns are underscored by the fact that EPA, to our knowledge, has never assessed the impact that emissions from the Anadarko facilities, particularly from compressor engines, have on ambient concentrations of NO₂. We are very concerned given the short-term nature of the NAAQS, given the level of emissions, and given that the exhaust stacks at the Anadarko facility are relatively near ground-level, that emissions are very likely to cause or contribute to violations of the 1-hour NO₂ NAAQS.

In the TSDs for the proposed permits, EPA asserts that an air quality impacts analysis is not required because, in the agency’s words, “The emissions at this existing facility will not be increasing due to this permit action[,] the emissions will continue to be well-controlled at all times[,] [and] this permit action does not authorize the construction of any new emission sources, or emissions increases from existing units, nor does it otherwise authorize any other physical modifications to the facility[.]” *See e.g.*, TSD for Anadarko Uintah Midstream, LLC, Sage Grouse Compressor Station, Proposed Permit #SMNSR-UO-001875-2016.001 at 7. Accordingly, the EPA claims its permitting actions “will have no adverse air quality impacts.”

Id. The EPA’s claims, however, defy its own regulations, deny the real impact of its permitting actions, and fundamentally are completely unsupported.

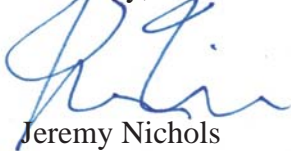
To begin with, we are greatly concerned the EPA is misstating the impacts of proposed permitting actions. While the agency asserts that the Anadarko facilities are “existing,” they are not existing facilities that have been permitted by the EPA. Thus, while the facilities may physically “exist,” they do not physically exist as facilities that have been subject to air quality scrutiny, permitting, and any air quality analysis. In this sense, these facilities and their emissions are being newly constructed and the EPA must analyze them accordingly.

Furthermore, regardless of whether emissions will be increasing or will be “well controlled,” as the EPA asserts, the agency’s duty to analyze air quality impacts applies whenever there is “reason to be concerned” that emissions would cause or contribute to a violation of the NAAQS. 40 C.F.R. § 49.154(d). Here, even if emissions may not increase and there is still reason to be concerned that emissions would cause or contribute to a violation of the NAAQS. Accordingly, EPA’s assertions are unsupported and contrary to its regulations.

Finally, EPA is simply incorrect that its permitting actions will have no impact on emissions. The proposed permits will impose enforceable emission limitations that will make the Anadarko facilities synthetic minor sources of air pollution. In doing so, the permits will ensure that emissions remain below certain rates, effectively limiting the sources’ potential to emit. Although the EPA asserts that no “construction” will be authorized, construction will, in fact, occur. Construction is defined as, “any physical change or change in the method of operation (including fabrication, erection, installation, demolition, or modification of an emissions unit) that would result in a change in emissions.” 40 C.F.R. § 51.166(b)(8). Here, the permits will ensure Anadarko facilities are operated in such a manner and under such enforceable emissions limitations that there will result in a change in potential emissions. There is simply no support for EPA’s claim that the permits are *pro forma* and have no practical impact on air quality at the end of the day.

Again, we object to the issuance of the aforementioned proposed permits for the Anadarko facilities. EPA cannot approve the proposed permits unless and until the agency demonstrates that emissions will not cause or contribute to violations of the ground-level ozone and 1-hour NO₂ NAAQS.

Sincerely,



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