ATTACHMENT 12

United States Environmental Protection Agency Region 6
1201 Elm Street, Suite 500
Dallas, TX 75270

FEDERAL CLEAN AIR ACT TITLE V PERMIT TO OPERATE
[Permit Renewal No. 3]

Permit Number: **R6FOP-NM-04-R3-2023**

Effective Date: **July 28, 2024** Expiration Date: **June 28,2029**

In accordance with the provisions of Title V of the Clean Air Act, (42 U.S.C. 7401 et seq.), 40 C.F.R. Part 71 (Part 71), and other applicable rules and regulations,

Harvest Four Corners, LLC
Los Mestenios Compressor Station
Rio Arriba County, New Mexico

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

This source is authorized to operate in the following location:

Jicarilla Apache Nation in New Mexico
24 miles SSW of Gavilan, New Mexico in Rio Arriba County
UTMH 292.3 km, UTMV 4036.5 km,
Zone 13 (Latitude 36°27'3" North, Long 107°19'2" West)

Terms and conditions not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. All terms and conditions of the permit are enforceable by the U.S. Environmental Protection Agency and citizens under the Clean Air Act.

Once effective, this permit supersedes any other permit issued to the source or operations within the source pursuant to Title V of the Clean Air Act and 40 CFR Part 71.

_____ _____

David Garcia
Director
Air and Radiation Division

Issuance Date

Abbreviations, Acronyms and Symbols

ASTM	American Society for Testing and Materials
bbl	oil barrel, 42 gallons US
CAA	Clean Air Act [42 U.S.C. § 7401, *et seq*.]
C.F.R.	Code of Federal Regulations
EPA	U. S. Environmental Protection Agency, Region 6
EU	Emission Unit
Facility	Harvest Four Corners, LLC – E &H Receiver
gal	gallon
g	grams
HAP	Hazardous Air Pollutant
hr	hour
Id. No.	Identification Number
kg	kilogram
lb	pound
MACT	Maximum Achievable Control Technology
Mg	Megagram
MMBtu	Million British Thermal Units
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standards
NSR	New Source Review
Operator	Harvest Four Corners, LLC
Permittee	Harvest Midstream Company
PM	Particulate Matter
PM_{10}	Particulate Matter less than 10 microns in diameter
ppm	parts per million
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
SO_2	Sulfur Dioxide
Source	Harvest Four Corners, LLC
SIC	Standard Industrial Classification
tpy	tons per year
VOC	Volatile Organic Compounds

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Permit Authority

The Administrator will administer and enforce an operating permits program in Indian country, as defined in § 71.2, when an operating permits program which meets the requirements of part 70 of this chapter has not been explicitly granted full or interim approval by the Administrator for Indian country.

Section 1 General Facility Information

Parent Company:	Harvest Midstream Company 1111 Travis Street [Houston, Texas 77002]
Facility:	Los Mestenios Compressor Station Approximately 24 miles SSW of Gavilan, New Mexico (Latitude 36º27'3" N, Longitude, 107º19'2" W)
Responsible Official:	Travis Jones EH&S Manager 1111 Travis Street Houston, Texas 77002 Phone: 713-289-2630
Facility Contact:	Monica Smith Environmental Specialist Bloomfield, New Mexico 87413 Phone: 505-632-4625
Owner/Operator:	Harvest Four Corners, LLC 1755 Arroyo Drive Bloomfield, New Mexico 87413
County:	Rio Arriba County
Tribe:	Jicarilla Apache Nation
Reservation:	Jicarilla Apache Nation Reservation
SIC/NAICS Code:	1389

Table 1: Part 71 Facility Permit History

Date of Issuance	Permit Number	Description of Permit Action
August 8, 2017	R6FOP-NM-04-R2	Renewal Permit issued
April 1, 2010	R6NM-04-10R1M1	Permit modification issued. On January 27, 2010 both EPA Region 6 and Williams Four Corners agreed upon modified testing language for the units to provide flexibility in times of shutdown or little utilization, clarified testing parameters, and corrected some testing, reporting, monitoring requirements. The agreed upon changes were incorporated into the revised Title V permit (Permit No. R6NM-04-10R1M1), issued on April 1, 2010, and the EAB petition was withdrawn
October 30, 2009		Williams Four Corners LLC notified EPA Region 6 they had filed a petition with EPA's Environmental Appeals Board (EAB) to review the permit for compliance with requirements under the CAA, with specific emphasis on the testing requirements, with requests to modify or eliminate the testing
September 30, 2009	R6NM-04-09R1	Renewal permit issued.
September 28, 2006	No change from Initial permit	Administrative Amendment – Change to owner from Williams Field Services to Williams Four Corners, LLC
June 15, 2006	No change from Initial permit	Administrative Amendment – Change of Responsible Office and Plant Contact
December 7, 2004	No change from Initial permit	Administrative Amendment – Change to reporting date for annual compliance report
November 17, 2003	R6FOPP71-04	Initial permit issued
September 24, 1996	NM-791-M2	EPA Region 6 issued the permit in response to the expressed request of the permittee to establish federally enforceable emission limitations for the Facility. The turbine remained subject to NSPS requirements under 40 CFR Part 60, Subpart GG and other emission limits for the source placed it just under the PSD major source threshold level (i.e., 250 tpy). The federally enforceable conditions were deemed by EPA Region 6 as necessary to maintain this source at emission levels less than the 250 tpy PSD threshold level
September 13, 1993		The New Mexico Environment Department (NMED) issued 791-M-1 Revision, a minor source construction permit revision, to the existing minor construction permit 791-M-1 for Gas Company of New Mexico (GCNM) for the Facility. This construction permit replaced the construction permit 791-M-1, issued

Date of Issuance	Permit Number	Description of Permit Action
		October 6,1992. Both the GCNM and NMED assumed the Station was on State land. On March 1, 1995, the Public Service Company of New Mexico, the parent Company of GCNM, contacted EPA Region 6 and followed-up in a March 14 letter, to confirm that the Facility was not regulated by NMED, and its Sept 1993 revised construction permit should have been issued by EPA. In addition to an original federal construction permit application, the Public Service Company of New Mexico applied for a revision to the construction permit issued by NMED, based upon updated information and test results obtained after the issuance of the Sept 1993 permit

Process Description and Emission Unit Identification

Harvest Four Corners, LLC - Los Mestenios Compressor Station, (Facility) with Standard Industrial Classification code 1389, is a natural gas compressor station that accepts produced natural gas gathered from various wellheads from the gas field surrounding the Facility and compresses this gas for delivery to natural gas processing facilities. This is done on a contract basis as a service to the natural gas producers. The gas is gathered through a pipeline network, and compression occurs through a turbine-driven natural gas engine for injection into pipelines for transportation to the gas plant. The Facility is located in the San Juan Basin.

Once at the Facility, natural gas passes through the liquid's receiver and then through the inlet suction scrubber. There are no emissions from these two process units. Their purpose is to separate liquids from the natural gas stream.

Liquids separated from the gas stream are sent to the Facility condensate tank (Unit T1),and can then overflow into the second condensate tank (Unit T2), if needed. Flash emissions will occur in the first tank where the liquid is discharged and working and breathing emissions will occur from both tanks. All tank emissions are vented to atmosphere, as there are currently no applicable requirements to control tank emissions at the Facility. Water is separated off the condensate and drained into the Facility's produced water tank (Unit T3). Liquids are removed from the Facility via truck. There are loadout emissions (Unit L1) associated with this action. During the winter months, a small tank heater (Unit 4) is used to prevent the liquids in the tanks from freezing. There is a small amount of combustion emissions associated with this heater unit.

The natural gas that passes through the inlet suction scrubber, is compressed by the Solar Turbine (Unit 1) from approximately 95 psi to 210 psi (this is the primary purpose of the turbine). The turbine fires natural gas that is heated with a fuel gas heater during the winter months to prevent any condensibles from freezing. There is a small amount of combustion emissions associated with the fuel

gas heater. Unit 1 does not have any emission controls and emits to the atmosphere. After compression, the gas passes through the Facility discharge cooler before exiting the Facility and being discharged to Harvest's Dogie Compressor Station. There are no emissions associated with the discharge cooler.

The Facility uses a pig launcher (Unit PL) and pig receiver (Unit PR) located within a quarter mile of the Facility. Pigs are launched in pipelines to clean out any buildups of liquid and other material in the pipe. There are small amounts of emissions when a pig is launched and when a pig is received. Emissions are dependent on the volume of the launcher/receiver. Multiple pigs can be caught in a receiver before it is opened and vents emissions to atmosphere, so not every pig receiving event results in emissions. For the pigs that are received at Los Mestenios, smaller diameter pigs are used in one pipeline and drop into a different larger pipeline. The pig used in this larger pipeline then pushes the smaller pigs into the Facility receiver. So multiple pigs are caught in the receiver simultaneously, resulting in the receiver only being opened once for multiple pigs. This common industry practice reduces emissions by limiting how many times the receiver is opened. Liquids from the pigging operations are sent to the condensate storage tanks (Units T1 and T2). Any flash emissions that might occur are accounted for in the condensate tank flash emission calculations for the Facility.

Other equipment at the Facility includes an emergency diesel powered generator engine (Unit 3) that provides electricity to the site if the Facility loses power, and an Ambitrol tank that contains Methanol, which is injected into the natural gas stream to prevent pipeline freezes in the winter. Methanol works as an anti-freeze by joining with the natural gas and water vapor to lower the freezing point of the vapor.

Equipment leaks (Unit F1) are a source of fugitives from valves, pump seals, compressor seals, pressure relief valves, connectors and open-ended valves. See **Appendix A** for a process flow diagram of the identified process unit operations and equipment discussed in this section. Significant and insignificant emission units locate at the Facility are listed below in Table 2 and Table 3, respectively.

Table 2: Regulated Emission Units and Emission Generating Activities

Emission Unit ID Number	Type of Unit Serial Number	Manufacturer Model Number Design Heat Capacity	Operating Range or Size of Unit	Date of Installation	Primary Use	Control Equipment
1	Solar Saturn 1200 Turbine Serial No. OHC18-S4468 SC-7895681	Solar Turbine Model No. Saturn 1200 Design Heat Duty 10.84 MMBtu/hr	1136 hp (Site Rated) 1200 hp (Name Plate)	Constructed 1979, Installed 1989	Natural gas compression	None
3	Scania DS11 Serial No. 951674	Waukesha -Scania Model No F674DSU-DS11A06	250 hp	Constructed 1970-1995, Installed 2019	Diesel Fuel Fired Emergency Generator Engine for backup power	None

Emission Unit ID Number	Type of Unit Serial Number	Manufacturer Model Number Design Heat Capacity	Operating Range or Size of Unit	Date of Installation	Primary Use	Control Equipment
T1	Condensate Storage Tank Serial No. 2874	American Tank and Steel	400 bbl	Constructed 6/1965 Installation Unknown	Condensate Storage	None
T2	Condensate Storage Serial No 831-2918*	American Tank and Steel	400 bbl	Constructed 10/1965 Installation 2014	Overflow Condensate Storage	None
F1	Fugitive Emissions from Valves, Flanges, Seals, etc	NA	NA	NA	Leak Detection for Connectors and Valves or Seals for Equipment Components	None
L1	Condensate Truck Loading	NA	22,141 bbl/yr			None
SSM	Startup, Shutdown, Maintenance	NA	NA	NA	Emissions During Non-Routine Operations	None

***Note: Harvest provided a picture of tank in TV renewal application documents. The last 4 digits"2918" are distinguishable in picture of T2's nameplate, see "*Los Mestenios T2.pdf*" AR § 6 Doc No 12. However, Harvest provided full serial number of T2 in response document, see "*Aug 17 2022 Clarification Questions from July 27 Meeting*" AR § 6 Doc No 29, submitted August 17, 2022.**

Table 3: Insignificant Emission Units

Emission Unit ID Number	Description of Emission Unit or Activity	Operating Range or Size of Unit	Exemptions to Federal Requirement
4	Fuel Gas Heater	0.3 MMBtu/hr	< 2 tpy regulated pollutants and < 0.5 tpy HAPs Provide what method, simulation, etc. used to calculate emissions, e.g., VMGSym, etc. Emission factors from AP-42 and GRI HapCalc (pg. 62-66 of the application) 40 CFR 71.5(c)(11)(ii)
5 Serial No 40216	Tank Heater	0.012 MMBtu/hr	Emission factors from AP-42 and GRI HAPCalc Insignificant emission unit (71.5(c)(11)(ii)
PL	Pig Launcher		Emissions calculated using AP-42 and EPA TANKS 4.0 Insignificant emission unit (71.5(c)(11)(ii))
PR	Pig Receiver		Emissions calculated using AP-42 and EPA TANKS 4.0 Insignificant emission unit (71.5(c)(11)(ii))

Emission Unit ID Number	Description of Emission Unit or Activity	Operating Range or Size of Unit	Exemptions to Federal Requirement
T3 Serial No. 25854	Produced Water Storage Tank	70 bbl	Emissions calculated using emission factors developed for produced water by Colorado Department of Public Health and Environment (CDPHE) and the Texas Commission on Environmental Quality (TCEQ.) Insignificant emission unit per 40 CFR 71.5(c)(11)(ii)
L2	Truck Loading (Produced Water)	840 bbl	Emissions calculated using AP-42 and EPA TANKS 4.0. Insignificant emission unit per (71.5(c)(11)(ii))
T4	Lube Oil Storage Tank	500 gallon	Emissions calculated using EPA TANKS 4.0 Insignificant emission unit per 40 CFR 71.5(c)(11)(ii)
T5	Lube Oil Storage Tank	500 gallon	Emissions calculated using EPA TANKS 4.0 Insignificant emission unit per 40 CFR 71.5(c)(11)(ii)
T6	Ambitrol Storage Tank	350 gallon	Emissions calculated using EPA TANKS 4.0 Insignificant emission unit per 40 CFR 71.5(c)(11)(ii)
T7	Methanol Storage Tank	500 gallon	Emissions calculated using EPA TANKS 4.0. Insignificant emission unit per 40 CFR 71.5(c)(11)(ii)

***Insignificant emission units can change at the facility as long as the new or replacement units meet the criteria for insignificance, and Harvest supplied information as required under 40 C.F.R. part 71 and this permit. The insignificant emission unit status does not exempt these emission units from the requirements of any standards that may apply under any applicable requirement e.g., 40 C.F.R. parts 60 or 63, or this Part 71 Permit.**

Section 2 Facility's Potential to Emit (PTE)

The Permittee shall operate all emissions units in accordance with the representations provided in the Title V permit application. Also, in accordance with **Condition 4.5**, Permittee shall calculate the total emissions in tons per year (tpy) for each pollutant listed in Table 4 for all emissions units at the Los Mestenios and report any amount above the values listed in Table 1 as deviations of this permit. In addition, the Permittee shall maintain data and records for the duration of this permit sufficient to demonstrate that the insignificant emission units identified in the Title V permit application meet the exemption criteria set forth in 40 CFR 71.5(c)(11)(ii).

Table 4: Facility PTE for Each Regulated Emission Unit

Unit ID No.	NOx (tpy)	VOC (tpy)	SO2 (tpy)	PM_{10} (tpy)	$PM_{2.5}$ (tpy)	CO (tpy)	HAP (tpy)
1, Solar Saturn 1200 Turbine natural gas-fired[v]	19.30	0.40	0.16	0.31	0.31	11.40	0.45
3, Scania DS11 Diesel fuel fired Emergency Generator Engine[ii,iv]	0.76	0.06	0.05	0.05	0.05	0.16	Negl
T1, Condensate Storage Tank		115.61					12.53

T2, Condensate Storage Tank		4.97					0.71
F1, Fugitive Emissions		3.85					0.11
L1, Condensate Truck loading[vi]		2.49					0.36
SSM, Startup, Shutdown, Maintenance		11.88					0.34
Facility PTE	**20.06**	**139.26**	**0.21**	**0.36**	**0.36**	**11.56**	**14.5**

Notes for Table 4

i. Source-wide PTE includes emissions from the regulated emission units.
ii. 500 hours/yr was used to calculate the Emergency Generator Engine's PTE
iii. SSM – emissions include, but are not limited to routine or predictable startups, shutdowns and scheduled maintenance from the turbine and associated piping.
iv. Diesel fuel with restriction – limited to 15 ppm Sulfur content. [40 CFR 80.14
v. Natural gas with restriction – maximum of 0.25 grains Hydrogen Sulfide / 100 standard cubic feet (scf) per 40 CFR Subpart GG.
vi. Submerged loading of condensate to tanks and trucks is required to minimize the VOC emissions used to establish the limits for L1 shown in Table 4.

Section 3 Facility's Applicable Requirements

The source shall continue to comply with all applicable requirements. For applicable requirements that will become effective during the term of the permit, the source shall meet such requirements as required by the applicable requirement. In particular, the Permittee shall comply with the following:

Table 5: Applicable Requirements for Harvest Four Corners, LLC – Los Mestenios Compressor Station

Citation	Applies to Entire Facility/Unit No	Requirement	Comment
40 CFR 71	Facility	Federal Operating Permits Program	All Emission Units
40 CFR Part 60 Subpart A	Unit 1	General Provisions	Regulation is applicable due to 40 CFR Part 60 Subpart GG being applicable
New Source Performance Standards (NSPS) 40 CFR Part 60 Subpart GG	Unit 1	Standards of Performance for Stationary Gas Turbine	The regulation is applicable as the Facility is equipped with a stationary gas turbine with heat input equal to 10 MMBtu/hour or greater, installed on or after October 3, 1977. Unit 1 has a heat input equal to 10.84 MMBtu per hour which is greater than 10 MMBtu per hour threshold. Although constructed in 1979, this unit was installed at the Facility in 1989, both of which dates are after the October 3, 1977, applicability date. Therefore, this

Citation	Applies to Entire Facility/Unit No	Requirement	Comment
			turbine is subject to any applicable regulations for the turbine's classification as it regards to emission and operating limitations; testing and initial compliance requirements; continuous compliance requirements; notifications, reports and records; and any other applicable requirements or information required in the subpart for this turbine classification.
National Emissions Standards for Hazardous Air Pollutants (NESHAP) 40 CFR Part 63 Subpart A	Unit 3	General Provisions	This regulation is applicable because 40 CFR 63 Subpart ZZZZ applies (see §63.1(b)).
NESHAP for Stationary Reciprocating Internal Combustion Engines (RICE MACT)	Unit 3	Emergency Generator Engine	This regulation is applicable because the Facility is equipped with an affected source. The station is an area HAP source as defined by the subpart. For production field facilities, only HAP emissions from engines, turbines, dehydrators, and storage vessels with the potential for flash emissions are aggregated for the HAP major source determination (see 40 CFR §63.6675). Unit 3 is an emergency generator engine is subject to 40 Part 63 Subpart ZZZZ, 40 CFR § 63.6603 (a) and Table 2d, 40 CFR §63.6605, 40 CFR §63.6625(f), 40 CFR §63.6625(h), 40 CFR §63.6625(i), 40 CFR § 63.6640(a), 40 CFR § 63.6640(f), and Table 6

Section 4 General Permit Requirements

4.1 Definitions [40 C.F.R. § 71.2]

4.1.1 Terms and conditions have the meaning assigned to them in 40 C.F.R. Part 71 unless the permit otherwise defines the terms or references other regulations or statutes.

4.2 Annual Fee Payment [40 C.F.R. §§ 71.6(a)(7) and 71.9]

4.2.1 The Permittee shall pay an annual permit fee in accordance with the procedures outlined below. [40 C.F.R. § 71.9(a)]

4.2.2 The Permittee shall complete and submit an annual report of its actual emissions for the preceding calendar year (365 days) along with a fee calculation work sheet (based on the annual report), and full payment of the annual fee calculated no later than 10 days after the anniversary date of its initial fee calculation worksheet, or 375 days from this permit effective date. The fee shall cover the previous calendar year. [40 C.F.R. § 71.9(h)(1)]

4.2.3 The fee payment shall be in United States currency and shall be paid as an electronic funds transfer payable to the order of the U.S. Environmental Protection Agency. [40 C.F.R. §71.9(k)(1)]

4.2.4 The Permittee shall submit online the fee payment and completed fee filing forms to EPA electronically at www.pay.gov using form "SFO 1.1 (EPA Miscellaneous Payments - Cincinnati Finance Center)." [40 C.F.R.§71.9(k)(2)]

Explanatory note: Complete payment instructions may be found on EPA's website at https://www.epa.gov/title-v-operating-permits/epa-issued-operating-permits. Also, the fee filing form "FF" (EPA Form 5900-06), the fee calculation worksheet form "FEE" (EPA Form 5900-03), and the Certification of Truth, Accuracy and Completion CTAC (EPA Form 5900-02).

4.2.5 The Permittee after submitting online payment and the required forms according to **Condition 4.2.4**, shall also submit copies of the forms and the electronic payment confirmation generated by the online payment system electronically to EPA Region 6 at R6AirPermitsTribal@epa.gov.

4.2.6 Basis for calculating the annual fee [40 C.F.R. § 71.9(c)]:

4.2.6.1 The annual emissions fee shall be calculated by multiplying the total tons of actual emissions of all regulated pollutants (for fee calculation) emitted from the source, including fugitive emissions by the presumptive emissions fee (in dollars/ton) in effect at the time of calculation.

4.2.6.1.1 "Actual emissions" means the actual rate of emissions in tons per year of any "regulated pollutant (for fee calculation)" emitted from a Part 71 source over the preceding calendar year. Actual emissions shall be calculated using each emissions unit's actual operating hours, production rates, in-place control equipment, and types of materials processed, stored, or combusted during the preceding calendar year. [40 C.F.R. § 71.9(c)(6)]

4.2.6.1.2 Actual emissions shall be computed using methods required by the permit for determining compliance, such as monitoring or source testing data. [40 C.F.R. § 71.9(h)(3)]

4.2.6.1.3 If actual emissions cannot be determined using the compliance methods in the permit, the Permittee shall use other federally recognized procedures [40 CFR § 71.9(e)(2)].

4.2.6.1.4 The term "regulated air pollutant (for fee calculation)" is defined in 40 C.F.R. § 71.2.

4.2.6.1.5 The emission fee in effect at the time of calculation will be determined in accordance with 40 CFR 71.9(n)(1) and published in the Federal Register.

4.2.6.2 The Permittee shall exclude the following emissions from the calculation of annual fees:

4.2.6.2.1 The amount of actual emissions of each regulated pollutant (for fee calculation) that the source emits in excess of 4,000 tons per year [40 C.F.R. § 71.9(c)(5)(i)]

4.2.6.2.2 Actual emissions of any regulated pollutant (for fee calculation) already included in the fee calculation [40 C.F.R. § 71.9(c)(5)(ii)]; and

4.2.6.2.3 The quantity of actual emissions (for fee calculation) of insignificant activities as defined in 40 C.F.R. § 71.5(c)(11)(i) or of insignificant emission levels from emissions units identified in the Permittee's application pursuant to 40 C.F.R. § 71.5(c)(11)(ii). [40 C.F.R. § 71.9(c)(5)(iii)]

4.2.7 The Permittee must certify the fee calculation worksheet as to truth, accuracy, and completeness by a responsible official.

4.2.8 The Permittee shall retain fee calculation worksheets and other emissions-related data used to determine fee payment for 5 years following submittal of the fee payment. Emission-related data include, for example, emissions-related forms provided by EPA and used by the Permittee for fee calculation purposes, emissions-related spreadsheets, and emissions-related data, such as records of emissions monitoring data and related support information required to be kept in accordance with 40 C.F.R. § 71.6(a)(3)(ii). [40 C.F.R. § 71.9(i)]

4.2.9 Failure of the Permittee to pay fees in a timely manner shall subject the Permittee to assessment of penalties and interest in accordance with 40 C.F.R. § 71.9(l).

4.2.10 The EPA will not act on applications for permit renewal or modification if the Permittee fails to pay all fees, interest, and penalties owed in full. [See 40 CFR § 71.9(m)]

4.2.11 When notified by EPA of underpayment of fees, the Permittee shall remit full payment with 30 days of receipt of notification. [40 C.F.R. §§ 71.9(j)(1) and (2)]

4.2.12 If the Permittee believes that the EPA-assessed fee is in error and wishes to challenge such fee, the Permittee shall provide a written explanation of the alleged error to EPA along with full payment of the EPA assessed fee. [40 C.F.R. § 71.9(j)(3)]

4.3 Annual Emissions Inventory [40 CFR §§ 71.9(h)(1) and (2)]

4.3.1 The Permittee shall submit according to **Condition 4.2** of this permit, an annual emissions report of its actual emissions for both criteria pollutants and regulated HAP for this source for the preceding calendar year for fee assessment purposes. The annual emissions report shall be certified by a responsible official and shall be submitted each year to the EPA.

4.4 Compliance Statement [40 C.F.R. § 71.6(a)(6)]

4.4.1 The Permittee must comply with all conditions and emissions limitations of this Part 71 permit. Any permit noncompliance, including violation of any applicable requirement; any permit term, condition or emissions limitation; any fee or filing requirement; any duty to allow or carry out inspection, entry, or monitoring activities; or any regulation or order issued by the permitting authority pursuant to this part constitutes a violation of the CAA and is grounds for: [40 CFR § 71.6(a)(6)(i)]

4.4.1.1 enforcement action.

4.4.1.2 permit termination, revocation and reissuance, or modification; or

4.4.1.3 denial of a permit renewal application.

4.4.1.2 Need to halt or reduce activity is not a defense. It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit [40 CFR § 71.6(a)(6)(ii)].

4.4.2 Consistent with Condition 4.5.1.3, determinations of deviations, continuous or intermittent compliance status, or violations of this permit, are not limited to the applicable testing or monitoring methods required by the underlying regulations of this permit; other credible evidence must be considered in such determinations [Section 113(a) and 113(e)(1) of the CAA].

4.5 Compliance Certifications [40 C.F.R. § 71.6(c)(5)]

4.5.1 The Permittee shall submit annually to EPA a certification of compliance with all permit terms and conditions, including emission limitations, standards or work practices, for the reporting period from January 1 to December 31, except the first reporting period shall begin on the effective date of this permit and end on December 31. All reports shall be submitted to electronically to EPA by the 30th day following the end of the reporting period in accordance with **Condition 4.9**. The compliance certification shall be certified as to the truth, accuracy, and completeness by a responsible official in accordance with 40 CFR §71.5(d). The certification shall include the following [40 C.F.R. § 71.6(c)(5)]:

4.5.1.1 Identification of each permit term or condition that is the basis of the certification.

4.5.1.2 Identification of the method(s) or other means used for determining the compliance status of each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. If necessary, the Permittee also shall identify any other material information that must be included in the certification to comply with Section 113(c)(2) of the Clean Air act, which prohibits making a false certification or omitting material information.

4.5.1.3 The source's compliance status with each term and condition of the permit, including whether monitoring data is continuous and whether the data or any other credible evidence shows the compliance is continuous. The certification shall identify each deviation and take it into account in the compliance certification.

4.5.1.4 Any other requirements sufficient to assure or determine compliance, consistent with section 40 CFR §§ 71.6(c)(5)(iii)(D) and 71.6 (c)(6).

4.5.1.5 The source shall submit compliance forms via EPA's Compliance and Emission Reporting Data Interface (CEDRI) as outlined in **Condition 4.9**. The source shall submit compliance forms via CEDRI. The following reports shall be submitted electronically via the CEDRI system: Part 71 - 71.5 Title V Permit Application, 71.6(a)(3)(iii)(A) Semiannual Monitoring Report, 71.6(a)(3)(iii)(B) Deviation Report, 71.6(a)(13) Notification of 502(b)(10) Changes, 71.6(c)(5)(iii) Annual Compliance Certification Report.

4.6 Schedule of Compliance [40 C.F.R. § 71.5(c)(8)(iii), 40 C.F.R. § 71.6(c)(3)]

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

4.6.2 For applicable requirements that will become effective during the permit term, the source shall comply as required by the terms of the applicable requirement.

4.7 Duty to Provide and Supplement Information [40 C.F.R. § 71.6(a)(6)(v), 40 C.F.R. § 71.5(b)]

4.7.1 The Permittee shall furnish to EPA, within a reasonable time, any information that the EPA may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. Upon request, the Permittee shall also furnish to EPA copies of records that are required to be kept pursuant to the terms of this permit, including information claimed to be confidential. Information claimed to be confidential should be accompanied by a claim of confidentiality according to the provisions of 40 C.F.R. Part 2, Subpart B.

4.7.2 The Permittee, upon becoming aware that it omitted from its application any relevant facts or submitted incorrect information in the permit application, shall promptly submit such supplementary facts or corrected information. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after this permit is issued.

4.8 Enforceability [40 C.F.R. § 71.6(b)]

4.8.1 All terms and conditions in this permit, including any provisions designated to limit a source's potential to emit, are enforceable by the EPA and citizens in accordance with the Clean Air Act.

4.9 Submissions [40 C.F.R. § 71.5(d), 40 C.F.R. § 71.6, 40 C.F.R. § 71.9]

4.9.1 A responsible official of the Permittee shall certify as to the truth, accuracy, and completeness of any document required to be submitted by this permit. Such certifications shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

4.9.2 All reporting, document submittals, or notifications required by this permit (See **Condition 4.5.1.5**) shall be provided electronically to EPA through the WebFire database by using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through the

EPA's Central Data Exchange (CDX) Webpage located at https://cdx.epa.gov/. In addition, all notifications for timely processing shall also be provided electronically to the EPA Region 6 Air Permits Tribal Mailbox at R6AirPermitsTribal@epa.gov.

When data or summary information in an electronic spreadsheet form needs to be provided, the data and corresponding information should be provided in an editable Excel format, and not in an image format. If Excel format is not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel. Note that new forms can be created via CEDRI (see www.epa.gov/sites/default/files/2020-11/documents/create_reports-part_49_70_71.pdf), but for any electronic submittals that cannot be provided through CEDRI, the permittee needs to electronically submit the documents to the EPA Region 6 Air Permits Tribal Mailbox. [40 CFR §§71.5(d), 71.6(c)(1), and 71.6(c)(5)]

Explanatory note: First-time users will need to register with CDX. Select the reporting option "Part 71" available in CEDRI. If that specific reporting option is not available, select "Other Reports."

4.9.3 In addition to submitting reports to CEDRI, the Permittee shall separately email permit applications, applications for permit amendments, notification of 502(b)(10) changes, compliance testing notifications, and other applicable time sensitive permit information, which includes but is not limited to installation of control equipment, replacement of an emissions unit, copy of fee calculation worksheets and payment confirmation, and applications for renewals and permit modifications, to: R6AirPermitsTribal@epa.gov

4.9.4 Submit courtesy copies of all records required by this permit to:

Environmental Director
Jicarilla Apache Nation
P.O. Box 507
Dulce, New Mexico 87528

4.10 Severability [40 C.F.R. § 71.6(a)(5)]

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

4.11 Permit Actions [40 C.F.R. § 71.6(a)(6)(iii)]

4.11.1 This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [40 C.F.R. § 71.6(a)(6)(iii)]

4.11.2 The Permittee may request the use of administrative permit amendment, minor permit modification or significant modification procedures for a permit revision in accordance with 40 C.F.R. § 71.7(d), 40 C.F.R.§ 71.7(e), 40 C.F.R.§ 71.8(d), and 40 C.F.R.§ 71.5(a)(2)

4.12. Reopening for Cause [40 C.F.R. § 71.7(f)]

4.12.1 EPA shall reopen and revise the permit prior to expiration under any of the circumstances described in 40 CFR 71.7(f).

4.13 Property Rights [40 C.F.R. § 71.6(a)(6)(iv)]

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

4.14 Inspection and Entry [40 C.F.R. § 71.6(c)(2)]

4.14.1 Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow EPA or an authorized representative to perform the following:

4.14.1.1 Enter upon the Permittee's premises where a Part 71 source is located or emissions-related activity is conducted, or where records are kept under the conditions of the permit.

4.14.1.2 Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.

4.14.1.3 Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

4.14.1.4 As authorized by the Clean Air Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

4.15 Off Permit Changes [40 C.F.R. § 71.6(a)(12)]

4.15.1 The Permittee is allowed to make certain changes without a permit revision, provided that the following requirements are met:

4.15.1.1 The change is not addressed or prohibited by this permit.

4.15.1.2 The change must comply with all applicable requirements and may not violate any existing permit term or condition.

4.15.1.3 The change cannot be subject to any requirement of 40 C.F.R. Parts 72 through 78 or modifications under any provision of Title I of the Clean Air Act.

4.15.1.4 And the permit shield does not apply to any change made under this provision.

4.15.1.5 The Permittee shall retain a record of off-record changes per 40 C.F.R. 71.6(a)(12)(iv).

4.15.1.6 The Permittee must provide contemporaneous written notice to EPA of the change, except if the change qualifies as insignificant activity under 40 C.F.R. § 71.5(c)(11). The written notice must describe the change, the date of the change, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change.

4.16 Permit Expiration and Renewal [40 C.F.R. §§ 71.5(a)(1)(iii), 71.6(a)(11), 71.7(b), 71.7(c)(1)(i) and (ii), 71.8(d)]

4.16.1 This permit shall expire on the expiration date on page one of this permit or on an earlier date if the source is issued a Part 70 or Part 71 permit by a permitting authority under an EPA approved or delegated permit program.

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

4.16.3 If the Permittee submits a timely and complete permit application for renewal, consistent with 40 C.F.R. § 71.5(a)(2), but EPA has failed to issue or deny the renewal permit, then the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted pursuant to 40 C.F.R. § 71.6(f) may be extended beyond the original permit term until renewal.

4.16.4 If the Permittee has submitted a timely and complete application for renewal, the Permittee's failure to have a Part 71 permit is not a violation of Part 71 until the EPA takes final action on the permit renewal application. This protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit any additional information identified as being needed to process the application by the deadline specified in writing by the EPA.

4.16.5 Renewal of this permit is subject to the same procedural requirements that apply to initial permit issuance, including those for public participation and affected state and tribal review.

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

4.17 Operational Flexibility and Emissions Trading [40 C.F.R. § 71.6(a)(13) and (a)(8)]

4.17.1 The Permittee may make changes within a permitted facility without a permit revision, provided the following conditions are met [40 C.F.R. § 71.6(a)(13)]:

4.17.1.1 The changes are not modifications under any provision of Title I of the Clean Air Act

4.17.1.2 The changes do not result in emissions that exceed the emissions allowed under this permit (whether expressed therein as a rate of emissions or in terms of total emissions); and

4.17.1.3 The Permittee notifies the EPA at least 7 days in advance of the proposed changes. The written notification shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

4.17.1.4 No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit. The permit shield described in §71.6(f) shall not apply to any change made pursuant to this paragraph (a)(13)(i). 40 CFR 71.6(a)(13)(i)(B)

4.18 Permit Shield [40 C.F.R. § 71.6(f)]

4.18.1 Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:

4.18.1.1 Such applicable requirements are included and are specifically identified in the permit; or

4.18.1.2 EPA, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary of the determination.

4.18.1.3 Nothing in the permit shield or in this permit shall alter or affect the following:

4.18.1.4 The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the Administrator under that section.

4.18.1.5 The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance

4.18.1.6 The applicable requirements of the acid rain program, consistent with section 408(a) of the Act; or

4.18.1.7 The ability of EPA to obtain information under Section 114 of the Clean Air Act.

4.19 Transfer of Ownership or Operation [40 CFR § 71.7(d) (1)(iv)]

4.19.1 A change in ownership or operational control of this facility may be treated as an administrative permit amendment if EPA determines no other changes in this permit are necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new Permittee has been submitted to EPA.

4.20 Credible Evidence [62 Fed. Reg. 8314 (February 24, 1997)]

4.20.1 Notwithstanding the conditions of this permit specifying compliance practices for applicable requirements, any person (including the Permittee and EPA) may also use other credible evidence to establish compliance or noncompliance with applicable requirements.

Section 5 Facility-Wide Requirements

Conditions in this section of this permit apply to all emissions units located at the source, including any units not specifically listed in this permit.

5.1 General Recordkeeping Requirements [40 C.F.R. § 71.6(a)(3)(ii)]

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

5.1.1 If the Permittee determines that his or her stationary source that emits (or has the potential to emit, without considering controls) one or more HAPs is not subject to a relevant standard or other requirement established under 40 CFR part 63, the Permittee shall keep a record of the applicability determination on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source,

whichever comes first. The record of the applicability determination shall include an analysis (or other information) that demonstrates why the Permittee believes the source is unaffected (e.g., because the source is an area source). [40 CFR 63.10(b)(3)]

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

5.1.3 The Permittee shall keep records of all tests and reports, as required by the compliance requirements of this permit, for a period of a least five years from the date of testing.

5.1.4 The Permittee shall keep records on all startup, shutdown, maintenance and repair activities performed on all emission units. These records shall identify the relevant emission unit, describe any work performed, and calculate any associated emissions.

5.1.5 The Permittee shall maintain documentation (e.g., manufacturer's data) to support all insignificant emission levels because of size, throughput, or production rate.

5.1.6 The Permittee shall maintain data and records for the duration of this permit sufficient to demonstrate that the insignificant emission units identified in Table 3 meet the exemption criteria set forth in 40 CFR 71.5(c)(11)(ii).

5.1.7 The Permittee shall report any insignificant emission unit that does not meet the exemption criteria set forth in 40 CFR 71.5(c)(11)(ii) and submit an application to amend this permit in accordance with the requirements of 40 CFR Part 71.

5.1.8 The Permittee shall keep records of the serial numbers for each emission unit listed in Table 2 and Table 3. A change in serial number should also be reflected in the report required by **Condition 4.9** in Submission section.

5.1.9 Retention of the above records and supporting information shall be for a period of at least five years from the date of measurement, or report. Supporting information includes all calibration and maintenance records, all original strip-chart recordings or monitoring instrumentation, and copies of all reports required by this permit shall be submitted according to **Condition 4.9** Submission section.

5.1.10 Records required by this permit shall contain the following information, where applicable [40 C.F.R. § 71.6(a)(3)(ii)(A)]:

5.1.10.1 The date, place as defined in this permit, and time of sampling or measurements.

5.1.10.2 The date(s) analyses were performed.

5.1.10.3 The company or entity that performed the analyses.

5.1.10.4 The analytical techniques or methods used.

5.1.10.5 The results of such analyses; and

5.1.10.6 The operating conditions existing at the time of sampling or measurement.

5.1.10.7 The Permittee must keep a record describing all changes that result in emissions of any regulated air pollutant subject to any applicable requirement not otherwise regulated under this permit, and the emissions resulting from those changes.

5.1.10.8 The Permittee shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. [40 C.F.R. § 71.6(a)(3)(ii)(B)]

5.2 Additional General Requirements

5.2.1 Conditions in this section apply to all emissions units located at the facility, including any units not specifically listed in Table 2 or Table 3.

5.2.2 Compliance Tests: any prescribed compliance tests from units at this source will be conducted, using applicable EPA Methods established within 40 CFR Part 51, Appendix M, or as otherwise specified by applicable requirements.

5.2.3 The Permittee shall notify EPA electronically in accordance with **Condition 4.9** of any construction activity or change in the method of operation, prior to construction or change in the method of operation for evaluation under current applicable permit programs - 40 CFR Part 71, 40 CFR § 52.21 and Tribal NSR Rules, governed by 40 CFR § 49.151-164

5.2.4 For proposed modifications, as defined at 40 CFR § 49.152(d), that would increase an emissions unit's allowable emissions of a regulated NSR pollutant above its existing permitted annual allowable emissions limit, the Permittee shall first obtain a permit modification pursuant to 40 CFR § 49.154 and 49.155 approving the emission increase. For a proposed modification that is not otherwise subject to review under major NSR or Minor NSR, such proposed increase in the annual allowable emissions limit shall be approved through an administrative permit revision as provided at 40 CFR § 49.159(f)(1)(v).

5.2.5 Each emission point for which an emission test method is established in this permit shall be tested in order to determine compliance with the emission limitations contained herein when required by the permitting authority. The Permittee shall notify the permitting authority electronically in accordance with **Condition 4.9** of the scheduled date of compliance testing at least thirty (30) days in advance of such test. Compliance test results shall also be submitted electronically to the permitting authority within sixty (60) days after the completion of the testing. The Permittee shall provide: (1) sampling ports adequate for test methods applicable to such facility; (2) safe sampling platforms; (3) safe access to sampling platforms; and (4) utilities for sampling and testing equipment.

5.2.6 The Permittee shall retain records of all information resulting from monitoring activities and information indicating operating parameters as specified in the conditions of this permit for a minimum of five (5) years from the date of recording to coincide with the recordkeeping requirements of Title V under 40 CFR § 71.6(a)(3)(ii)(B).

5.2.7 If, for any reason, the Permittee does not comply with, or will not be able to comply with, the emission limitations specified in this permit, the Permittee shall provide the EPA Region 6 permitting authority notification containing the following information in accordance with **Condition 4.9** within five (5) days of such conditions occuring. Failure to provide the following information when appropriate shall constitute a violation of the terms and conditions of this

permit. Submittal of this report does not constitute a waiver of the emission limitations contained within this permit.

5.2.7.1 Description of non-complying emission(s).

5.2.7.2 Cause of non-compliance.

5.2.7.3 Anticipated time the noncompliance is expected to continue or, if corrected, the duration of the period of non-compliance.

5.2.7.4 Steps taken by the Permittee to reduce and eliminate the non-complying emission(s);

5.2.7.5 Steps taken by the Permittee to prevent recurrence of the non-complying emission(s).

5.2.8 Any change in the information submitted in the application regarding facility emissions or changes in the quantity or quality of materials processed that will result in new or increased emissions must be reported to the permitting authority electronically in accordance with **Condition 4.9**, except for changes that qualify as insignificant activities under 40 CFR § 71.5(c)(11). The electronic notice must describe each change, the date of the change, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change. If appropriate, changes may be made to the permit under **Condition 4.15** in Off Permit Change section of this permit. In no case are any new or increased emissions allowed that will cause a violation of the emission limitations specified in Table 4, prior to receiving EPA Region 6 approval for such new or increased emissions.

5.2.9 The emission of any pollutant more frequently or at a level in excess of that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

5.2.10 In the event of any change in control or ownership of the source described in this permit, the Permittee shall notify the succeeding owner of the existence of this permit by letter and electronically forward a copy of such letter to EPA Region 6 in accordance with Condition 4.9.

5.3 General Reporting Requirements [40 C.F.R. § 71.6(a)(3)(iii)]

5.3.1 The Permittee shall complete and submit to EPA, in accordance with **Condition 4.9,** a semiannual report of all required monitoring during each six-month reporting period from January 1 to June 30 and from July 1 to December 31. All reports shall be dated by the 30th day following the end of the reporting period. All instances of deviations from permit requirements must clearly be identified in the report. All required reports must be certified by a responsible official consistent with 40 C.F.R. § 71.5(d). [40 C.F.R. § 71.6(a)(3)(iii)(A)]

5.3.2 Each monitoring report under this section shall include the following:

5.3.2.1 The company name and address

5.3.2.2 The beginning and ending dates of the reporting period.

5.3.2.3 The emissions unit or activity being monitored.

5.3.2.4 The emissions limitation or standard, including operational requirements and limitations (such as parameter ranges), specified in the permit for which compliance is being monitored.

5.3.2.5 All instances of deviations from permit requirements whether demonstrated by reference test method, monitoring, or through any other credible evidence, including those attributable to upset conditions as defined in this permit, the date on which each deviation occurred, and either the total duration of deviations indicated by such monitoring or the actual records of deviations.

5.3.2.6 The total time when monitoring required by this permit was not performed during the reporting period.

5.3.2.7 All other monitoring results, data, or analyses required to be reported by the applicable requirement; and

5.3.2.8 The name, title, and signature of the responsible official who is certifying to the truth, accuracy, and completeness of the report.

5.3.3 The Permittee shall promptly report to the EPA, in accordance with **Condition 4.9,** deviations from permit requirements, including those attributable to upset conditions as defined in this permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. [40 C.F.R. § 71.6(a)(3)(iii)(B)]. "Prompt" is defined as follows:

5.3.3.1 Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. [40 C.F.R. § 71.6(a)(3)(iii)(B)]

5.3.3.2 Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to EPA based on the following schedule [40 C.F.R. § 71.6(a)(3)(iii)(B)]:

5.3.3.2.1 For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of

permit requirements, the report must be made within 24 hours of the occurrence. [40 C.F.R. § 71.6(a)(3)(iii)(B)(1)]

5.3.3.2.2 For emissions of any regulated air pollutant, excluding those listed 40 C.F.R. § 71.6(a)(3)(iii)(B)(1), that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours. [40 C.F.R. § 71.6(a)(3)(iii)(B)(2)]

5.3.3.2.3 For all other deviations from permit requirements, the report shall be contained in the report submitted in the semiannual monitoring report. [40 C.F.R. § 71.6(a)(3)(iii)(B)(3)]

5.3.3.2.4 The Permittee shall notify the EPA electronically via CEDRI based on the timetables listed above. [Notification shall specify that this notification is a deviation report for a Part 71 permit]. A written notice, certified consistent with 40 CFR 71.5(d), shall be submitted electronically via CEDRI within 10 working days of the occurrence. All reported deviations must also be identified in the semiannual monitoring report. [40 CFR 71.6(a)(3)(iii)]

5.3.4 "Deviation" means any situation in which an emissions unit fails to meet a permit term or condition. A deviation is not always a violation. A deviation can be determined by observation or through review of data obtained from any testing, monitoring, or recordkeeping established in accordance with 40 C.F.R. § 71.6(a)(3)(i) and (ii). For a situation lasting more than 24 hours which constitutes a deviation, each 24-hour period is considered a separate deviation. "Deviations" includes, but is not limited to, any of the following [40 C.F.R. § 71.6(a)(3)(iii)(C)]:

5.3.4.1 A situation where emissions exceed an emission limitation or standard.

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

5.3.4.3 A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by this permit.

5.3.4.4 A situation in which an exceedance or an excursion, as defined in 40 C.F.R. Part 64, occurs.

Section 6 Emission Unit Specific Requirements

6.1 Regulatory and Operation Requirements, Emission Limitations, and Work Practice Requirements: Solar Saturn 1200 Turbine EPN #1 (Unit 1) [40 C.F.R. § 71.6(a)(1)]

General Requirements

6.1.1 Information regarding applicable requirements, emission limits, operational limitations and requirements, work practices, and monitoring, testing and recordkeeping requirements are provided below for the Unit 1.

6.1.2 **Operating Conditions**

6.1.2.1 Pollution control equipment installed at this facility shall be maintained and tested per the requirements and compliance measures of 40 CFR Part 60, Subparts A and GG

6.1.2.3 The amount of natural gas burned in emission unit shall not exceed the following:

Unit 1 – 99.9 MMSCF/yr

6.1.2.4 The actual heat input for Unit 1 shall not exceed the following:

Unit 1 - 10.84 MMBtu/hr

6.1.3 **Monitoring**

6.1.3.1 The fuel flow/consumption of Unit 1 shall be monitored continuously, and the average daily rate recorded in a monthly report. Monitoring equipment shall be operated and maintained in a manner consistent with safety and good air pollution control practices for minimizing and demonstrating compliance with the NO_2, CO and VOC emission limits for Unit 1 summarized in Table 6.

6.1.3.2 The actual heat input rate for Unit 1 shall be monitored on a monthly basis, through records of heat capacity of fuel used.

6.1.3.3 Maintenance and repair activities for Unit 1 shall be monitored.

6.1.4 **Reporting/Recordkeeping**

6.1.4.1 The Permittee shall keep records of all tests and reports, as required by the compliance requirements of this permit, for a period of at least five years from the date of testing.

6.1.4.2 The Permittee shall keep records on all maintenance, startup, shutdown, and repair activities performed on all emissions units and monitoring equipment, including periods where monitoring equipment is not operated continuously, as required by **Condition 6.1.3.1**. These records shall identify the relevant emissions unit or monitoring equipment, describe the work performed, and calculate any associated emissions. This includes actions taken during malfunctions, including corrective actions taken to restore malfunctioning any air pollution control or monitoring equipment to its normal and usual manner of operation.

6.1.4.3 The records of fuel consumption shall be recorded monthly and maintained for Unit No. 1.

6.1.4.4 The hours of operation for Unit 1 shall be recorded and maintained monthly and, in conjunction with the monthly fuel consumption records and heat content analysis, shall be used to determine each unit's actual heat input rate for that month.

6.1.4.5 Retention of these records and supporting information shall be for a period of at least five years from the date of measurement, monitoring or report. Support information includes all calibration and maintenance records, all original strip-chart recordings or monitoring instrumentation and copies of all reports required by this permit.

6.1.4.6 The following records shall be submitted to EPA according to **Conditions 4.9 and 5.3.1:**

6.1.4.6.1 Fuel flow/consumption records for Unit 1 showing the monthly and rolling twelve-month average fuel usage in mmscf/hr and mmscf/yr; and

6.1.4.6.2 The heat input records of Unit 1 showing the monthly and rolling twelve-month average heat input in MMBtu/hr.

6.1.4.6.3 Repair and maintenance records of Unit No.1

6.1.5 **Standards of Performance for Stationary Gas Turbine**: The Solar gas turbine (Unit 1) is subject to 40 CFR Part 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, and shall comply with the requirements in 40 CFR Part 60, Subpart A and with the specific requirements of Subpart GG. In particular, the following emission limitations apply:

6.1.5.1 The nitrogen dioxide (NOx) concentration in the exhaust gas from the turbine shall not exceed 150 ppmv at 15 percent oxygen on a dry basis. [40 CFR §60.332]

6.1.5.2 The sulfur dioxide concentration in the exhaust gas from the turbine shall not exceed 0.015 percent by volume at 15 percent oxygen (O2) on a dry basis, or the fuel burned in the turbine shall not exceed 0.8 percent by weight. [40 CFR § 60.333]

6.1.6 **Fuel fired in the turbine**, identified as Unit 1, is limited to sweet natural gas of pipeline quality containing a maximum of 0.25 grains of H_2S per 100 cubic feet. Emission limits for the Unit 1 are listed in Table 6 below, based on these requirements. [40 CFR § 60.334(h)(3)]. The

6.1.6.2 The Permittee shall demonstrate compliance with the natural gas limit on H_2S content by maintaining records of a current, valid purchase contract, tariff sheet or transportation contract for the gaseous or liquid fuel, or fuel gas analysis, specifying the allowable limit or less.

6.1.6.3 If natural gas analysis is used, the analysis shall not be older than one year.

6.1.6.4 Alternatively, compliance shall be demonstrated by keeping a receipt or invoice from a commercial fuel supplier, with each fuel delivery, which shall include the delivery date, the fuel type delivered, the amount of fuel delivered, and the maximum sulfur content of the fuel.

Table 6: Maximum Allowable Emission Rates for Solar Saturn Turbine, Subject to 40 CFR Part 60, Subpart GG, Standards of Performance for Stationary Gas Turbines

Unit No.	Unit Name	Hours of Operation (hr/yr)	NOx	CO	VOCs
1	Solar Saturn 1200 Turbine 1200 hp	8760	4.4 lb/hr 19.3 tpy	2.6 lb/hr 11.4 tpy	0.1 lb/hr 0.4 tpy

6.1.7 **Emissions from the turbine shall not exceed 5 percent opacity**, as determined by EPA reference Method 9.

6.1.8 **Compliance Test Requirements: Unit 1 [40 C.F.R. § 71.6(a)(1)]**

6.1.8.1 Compliance tests may be required by the permitting authority for nitrogen oxides (NOx) and sulfur dioxide (SO2) for the Unit. 1, to demonstrate compliance with 40 CFR Part 60,

Subpart GG for **Condition 6.1.5**. Compliance tests may also be required by the permitting authority to determine actual emission rates from any other point for which an emission test method is established.

6.1.8.2 When testing is required, the tests shall be conducted in accordance with EPA Reference Methods contained in the 40 CFR Part 60, Appendix A, and with the requirements of Subpart A, General Provisions, 40 CFR § 60.8. Tests shall be conducted within ninety (90) days of written notice from EPA that a test is required. The results of the NOx tests shall be expressed as NO2 using a molecular weight of 46 lb/lb mole in all calculations (each ppm of NO/NO2 is equivalent to 1.194 lb/standard cubic foot).

6.1.8.3 For stationary gas turbines, Method 20 shall be used to determine NOx, SO2, and O2, concentrations, and Method 10 shall be used for CO. Methods 1 through 4 shall be used for flow rate determinations as appropriate. To determine compliance with the applicable requirements of 40 CFR § 60.332 and § 60.333, the following tests shall be conducted in accordance with 40 CFR § 60.335 Test Methods and Procedures:

6.1.8.4 NOx concentrations in the turbine stack gas shall be determined by EPA reference test Method 20. No allowance for fuel bound nitrogen shall be allowed in establishing the NOx emission limit for stationary gas turbines.

6.1.8.5 The fuel sulfur content of the natural gas shall be determined by using one of the approved American Society for Testing and Materials (ASTM) reference methods for the measurement of sulfur in gaseous fuels, or an approved alternative method. The reference methods are: ASTM D1072-80; ASTM D3246-81; and ASTM D4084-82 as referenced in 40 CFR § 60.335.

6.1.9 **The percent oxygen (O2)** in the turbine stack gas shall be determined by using Method 20 specified in Appendix A of 40 CFR Part 60 for stationary gas turbines.

6.1.10 **Compliance Testing Notification**: The EPA shall be notified of the date and time of the compliance testing at least thirty (30) days in advance of such test, so EPA may have the opportunity to have an observer present during testing. The Permittee shall arrange a pre-test meeting with EPA at least 45 days prior to the anticipated test date and shall observe the following pretesting and testing procedures:

6.1.10.1 The Permittee shall provide, for EPA's approval, a written test protocol at least one (1) week prior to the anticipated pre-test meeting date. The protocol shall describe the test methods to be used (including sampling methods and calibration procedures); shall list the equipment or devices to be tested (including sample locations); and shall describe data reduction procedures. Any variation from established sampling and analytical procedures or from facility operating conditions shall be presented for EPA approval.

6.1.10.2 Sample ports of a size compatible with the test's methods shall be located on the stack of the turbine or other source in accordance with the provisions of EPA Method 1 of 40 CFR Part 60, Appendix A. The stack shall be of sufficient height and diameter so that a representative test of the emissions can be performed in accordance with EPA Method 1. The Permittee shall also provide a one-quarter (1/4) inch stainless steel sampling line adjacent to the sampling ports and extending down to within four (4) feet above ground

level to provide access for future audits. The line shall extend into the stack a distance of ¼ the stack diameter, but not less than one inch from the stack wall. The sampling line shall be maintained clear of blockage at all times.

6.1.10.3 During any turbine compliance tests, the turbine compressor revolutions per minute (RPM), fuel consumption, suction and discharge pressures (including exhaust static pressure), suction volume, and horsepower output shall be monitored and recorded. This information shall be included with the test report that is required to be furnished to EPA. The tests shall be conducted at each of the load conditions specified in 40 CFR § 60.335(b)(2), and all loads shall be corrected to ISO conditions using the appropriate equations supplied by the turbine manufacturer.

6.1.10.4 Where necessary to prevent cyclonic flow in the stack, flow straighteners shall be installed.

6.1.10.5 The compliance test report shall be submitted to EPA within sixty (60) days after the testing is completed.

6.1.11 **Monitoring, Recordkeeping, and Reporting:** The Permittee shall comply with all applicable NSPS monitoring, recordkeeping, and reporting requirements, as specified in 40 CFR § 60.334 – Monitoring of Operations. In accordance with the custom schedule and approved alternative for monitoring requirements contained in 40 CFR § 60.334(b), the Permittee shall comply with the following nitrogen and sulfur content custom fuel monitoring schedule (CFMS), approved by EPA on August 19, 1997:

6.1.11.1 Monitoring of fuel nitrogen content shall not be required while pipeline-quality natural gas is the only fuel fired in the gas turbine.

6.1.11.2 Monitoring of fuel nitrogen content shall be determined and recorded daily while firing a fuel other than pipeline-quality natural gas or while firing an emergency fuel as defined in 40 CFR § 60.331(r).

6.1.11.3 Should a nitrogen analysis, required for any reason other than firing an emergency fuel, demonstrate noncompliance with 40 CFR § 60.332, then the owner or operator shall immediately notify EPA of the excess emissions, and the CFMS shall be re-examined by EPA. Nitrogen monitoring shall be conducted daily during the interim period when this CFMS is being re-examined.

6.1.11.4 If there is a change in fuel supply, the owner or operator must immediately notify EPA of such change for re-examination of this CFMS. A change in fuel quality, fuel makeup or fuel supplier shall be considered as a change in fuel supply. Nitrogen monitoring shall be conducted daily during the interim period when this CFMS is being re-examined.

6.1.11.5 Analysis for fuel sulfur content of the gas turbine fuel (natural gas or any other type of fuel) shall be conducted using the appropriate methods specified in 40 CFR § 60.335(b)(10)(i) and (ii).

6.1.11.6 The “length of stain tube” method is approved as an alternative fuel sulfur test method for this CFMS, providing that the GAS Processors Association (GPA) procedures are

followed, and 100% pipeline-quality natural gas is the only fuel fired in the gas turbines. (GPA Standard 2377-86).

6.1.11.7 Monitoring of fuel sulfur content shall be determined and recorded daily while firing an emergency fuel as defined in 40 CFR § 60.331(r). Effective on the approval date of the CFMS the sampling and analysis frequency for fuel sulfur allowed under this CFMS shall be followed as represented in Table 7. If during the period of each phase, this monitoring shows little variability in the fuel sulfur content and demonstrates continuous compliance with the emission limits for sulfur dioxide contained in 40 CFR § 60.333, the company may then proceed to the next sampling phase and provide the test results for the previous phase with written notice to EPA.

Table 7 -Fuel Sulfur Monitoring Frequency

Phase	Frequency	Period
I	Biweekly[1]	Six Months
II	Quarterly	Eighteen Months
III	Semiannually	Two years[2]

[1] Biweekly means once every other week.
[2] This monitoring shall be conducted during the first and third quarters of each calendar year.

6.1.11.8 Should a sulfur analysis, required for any reason other than for firing emergency fuel, demonstrate non-compliance with the emission limits for sulfur dioxide contained in 40 CFR § 60.333, the owner or operator shall immediately notify EPA of such excess emissions, and sulfur monitoring shall be conducted daily during the interim period while this CFMS is re-examined.

6.1.11.9 If there is a change in fuel supply, the owner or operator must notify EPA of such change for re-examination of this CFMS. A change in fuel quality, fuel makeup or fuel supplier shall be considered as a change in fuel supply. Sulfur monitoring shall be conducted daily during the interim period when this CFMS is being re-examined.

6.1.12 Approval of the CFMS is based on the application submitted by the company, dated July 8, 1997, and the additional information supplied for the firing of 100% pipeline-quality natural gas. Any change in any representation made by the Permittee in this application shall cause this CFMS to be suspended and re-examined by EPA. EPA shall be notified immediately if any such change occurs.

6.1.13 **Required Analysis**: All analysis required by the custom schedule shall be performed by a laboratory using the approved test methods.

6.1.14 **Substitution of analytical method**: The Permittee may request that EPA allow for the substitution of any analytical method for another method specified in this CFMS. Any substitution will require the written approval of EPA.

6.1.15 **Audit of fuel sampling program**: EPA may request that an audit of the fuel sampling program be conducted at any time during the life of the custom schedule. This audit shall consist of daily sampling or both. The length of this audit shall be no less than two weeks. If

noncompliance values are found, **Conditions 6.1.11.3 and 6.1.11.8** will be governed by the permit.

6.1.16 **Records** of sample analysis, fuel supplier, fuel supply, fuel quality, and fuel make-up pertinent to this custom schedule shall be retained for a period of five years to coincide with Title V records management requirements of 40 CFR § 71.6(a)(3)(ii)(B) and be made available for inspection by personnel of EPA.

6.1.17 **Continuation of CFMS**: After the initial four-year term of the CFMS, issued August 19, 1997, the custom schedule will continue using the same monitoring, recordkeeping and notification requirements as stipulated in Phase III of the schedule. However, EPA can choose to terminate the CFMS and require the Permittee reapply for a CFMS. Termination of the CFMS will require that the company begin sampling, as required by 40 CFR § 60.334.

6.1.18 **Compliance**: The Permittee shall comply with all applicable NSPS monitoring, recordkeeping, and reporting requirements, as specified in 40 CFR 60.334 – Monitoring of Operations. In addition to recordkeeping requirements of permit **Condition 6.1.16**, the results of all stack tests conducted pursuant to permit **Condition 6.1.8**, and the results of all fuel sampling conducted pursuant to permit **Condition 6.1.11** shall be maintained in a file by the holder of this permit for a period of 5 years to coincide with the recordkeeping requirements of Title V under 40 CFR § 71.6(a)(3)(ii)(B), and be made available for inspection by personnel of EPA.

6.1.19 **Annual Report**: An annual report shall be submitted to the EPA Region 6 office according to **Condition 4.9** by the holder of this permit. The report will contain the hours of operation of the facility, the calculated annual emissions for the pollutants listed in Table 4, and a summary of the periods of noncompliance. The report will be submitted to the EPA Region 6 office according to **Condition 4.5**, including compliance certification by the responsible company official, for the previous calendar year's emissions.

6.2 NESHAP Work Practice and Operational Requirements for Emission Unit EPN #3 (Unit 3) – Scania DS11 Emergency Generator Engine Diesel fuel-fired

6.2.1 General Provisions

The Permittee shall comply with the requirements from the NESHAP General Provisions, 40 CFR Part 63, Subpart A, for Unit 3 only.

6.2.2 Requirements

The Permittee shall meet the requirements in **Conditions 6.2.2.1 through 6.2.2.5**. below.

6.2.2.1 Change oil and filter every 500 hours of operation or annually, whichever comes first. Sources have the option to utilize an oil analysis program in order to extend the specified oil change requirement. [40 CFR § 63.6625(i), Table 2d]; and

6.2.2.2 Inspect and clean air cleaner every 1000 hours of operation or annually, whichever comes first, and replace as necessary; and

6.2.2.3 Inspect hoses and belts, if installed, every 500 hours of operation or annually, whichever comes first, and replace as necessary.

6.2.2.4 Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply [40 CFR § 63.6625(h), Table 2d].

6.2.2.5 Permittee must record hours of operation using the non-resettable hour meter (non-resettable meter installation required by 40 CFR § 63.6625(f)).

6.2.3 General Compliance Requirements for Unit 3

6.2.3.1 Unit 3 must be in compliance with the operating limitations and requirements in **Condition 6.2.2** at all times [40 CFR § 63.6605(a)].

6.2.3.2 The Permittee must operate and maintain Unit 3, including air pollution control and monitoring equipment, in a manner consistent with good air pollution control practices for minimizing emissions [40 CFR § 63.6605(b)].

6.2.4 Performance Requirements for Unit 3

6.2.4.1As an emergency stationary RICE, the Permittee must operate Unit 3 according to the requirements of 40 CFR § 63.6640(f).

6.2.4.2Any operation other than emergency operation, maintenance and testing emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4) of 40 CFR § 63.6640, is prohibited [40 CFR § 63.6640(f)].

6.2.4.3If Unit3 is not operated according to the requirements in 40 CFR § 63.6640(f)(1) through (f)(4), Unit 3 will not be considered an emergency stationary RICE and it must meet all requirements for non-emergency engines [40 CFR § 63.6640(f)].

6.2.4.4There is no time limit on the use of emergency stationary RICE in emergency situations [40 CFR § 63.6640(f)(2)].

6.2.4.5Permittee may operate Unit 3 for any combination of the purposes specified in 40 CFR § 63.6640(f)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs 40 CFR § 63.6640(f)(4) counts as part of the 100 hours per calendar year allowed by this paragraph [40 CFR § 63.6640 (f)(2)].

6.2.4.6 Unit 3 may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state, or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine [40 CFR § 63.6640(f)(2)(i)].

6.2.4.7 Unit 3 may be operated for up to 50 hours per calendar year in non- emergency situations [40 CFR § 63.6640(f)(3)].

6.2.4.7.1 The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in 40 CFR § 63.6640(f)(2).

6.2.4.7.2 The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power as part of a financial arrangement with another entity, except as provided by 40 CFR §§ 63.6640(f)(4)(i) and (ii).

6.2.5 Continuous Compliance Requirements for Unit 3

6.2.5.1 Unit 3 shall be operated and maintained according to the manufacturer's emission-related operation and maintenance instructions. In the alternative, Permittee may develop and follow its own maintenance plan which must provide to the extent practicable for the maintenance and operation of Unit 3 in a manner consistent with good air pollution control practice for minimizing emissions [40 CFR § 63.6640(a), Table 6, Item 9.a.i. and 9.a.ii.].

6.2.6 Recordkeeping Requirements for Unit 3

6.2.6.1 Files must be maintained, and copies kept of each notification and report that submitted to comply with 40 CFR Part 63, Subpart ZZZZ, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in 40 CFR § 63.10(b)(2)(xiv).

6.2.6.2 Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.

6.2.6.3 Records of all required maintenance performed on the air pollution control and monitoring equipment.

6.2.6.4 The Permittee must keep records of the operating and maintenance conducted on Unit 3 necessary to ensure compliance with **Condition 6.2.5** above.

6.2.6.5 Beginning January 1, 2021, on each occasion when any party transfers custody or ownership of certified NTDF, except when such fuel is dispensed into motor vehicles or nonroad vehicles, engines, or equipment, the transferor must provide to the transferee documents that include all the following information, as applicable: [40 CFR § 80.1453(e)]

6.2.6.5.1 The transferor of certified NTDF must list all applicable required information as specified at 40 CFR 1090.1115 and, if the distillate fuel contains renewable fuel, all applicable required information in paragraphs (a), (b), and (d) of this section.

6.2.6.5.2 The transferor must include the following statement on the PTD: "15 ppm sulfur (maximum) certified NTDF—This fuel is designated for non-transportation use."

6.2.6.5.3 The Permittee shall demonstrate compliance with the diesel fuel oil limit on total sulfur content by maintaining records of a current, valid purchase contract, tariff sheet or transportation contract for the gaseous or liquid fuel, or fuel gas analysis, specifying the allowable limit or less. [40 CFR § 1090.305]

6.2.6.5.4 If fuel gas analysis is used, the analysis shall not be older than one year.

6.2.6.5.5 Alternatively, compliance shall be demonstrated by keeping a receipt or invoice from a commercial fuel supplier, with each fuel delivery, which shall include the delivery date, the fuel type delivered, the amount of fuel delivered, and the maximum sulfur content of the fuel.

6.2.7 Reporting Requirements for Unit 3

6.2.7.1 Permittee must report each instance in which an applicable emissions limitation, operating limitation, or requirement in 40 CFR Part 63, Subpart ZZZZ, Table 2(d) is not met.

6.2.7.2 These instances are deviations from the emission and operating limitations in 40 CFR part 63, Subpart ZZZZ. These deviations must be reported according to the requirements in 40 CFR § 63.6650.

6.2.7.3 Reports for the replacement and/or repairs of the compressor engines and use of Unit 3 for emergency purposes.

6.3 Work Practices and Operational Requirements for Emission Unit EPN T1 and T2 (Condensate Storage Tanks)

6.3.1 General Requirements [40 C.F.R. §§ 71.6(c)(1) and (a)(3)]

6.3.1.1 The Permittee shall maintain and operate T1 and T2, as represented in the application, such that the VOC and HAP PTE for each tank as shown in Table 4 will not be exceeded.

6.3.1.2 Liquid condensate sample shall be taken at the inlet of the liquid receiver. The composition of the condensate along with equipment pressure and process temperature are inputs in the current version of an approved thermodynamic model (i.e., VMGSym, etc. and Tanks 4.09d), used to calculate flash and working and breathing emissions from the T1 and T2. Therefore, the data from the lab analyses that has been quality assured, shall be used in the thermodynamic model, as represented in the application, to calculate flash and working and breathing emissions from T1 and T2 during the term of this permit.

6.3.1.3 Within sixty (60) days after issuance of this renewal permit, the Permittee shall collect and have analyzed and quality assured, a pressurized sample of the incoming condensate, from the inlet of the receiver routed to T1 and T2. The Permittee will input the composition of the condensate along with the actual measured condensate throughput, liquid receiver pressure and liquid receiver process temperature into the thermodynamic model to calculate the VOC and HAP emission rates of T1 and T2. The Permittee is to record and maintain these records and send copies electronically to R6TribalAirPermit@epa.gov. If the VOC or HAP PTE for T1 or T2 as represented in Table 4 is exceeded, refer to **Condition 6.3.3.5 for reporting requirements**.

6.3.1.4 The Permittee shall annually, or upon request of the permitting authority, collect and analyze, the pre-flash pressurized condensate routed to the T1 and T2 condensate storage tanks from the liquid receiver. (The sample point is indicated on the process flow diagram provide by the Permittee and is included in Appendix A of this permit). Using the sample analysis results that has been quality assured, the actual measured condensate throughput the actual liquid receiver pressure, and the actual liquid receiver process temperature, the Permittee shall calculate the VOC and HAP emission rates for the condensate storage tanks T1 and T2 to show that the PTE in Table 4 for T1 and T2 is not exceeded. Also, the Permittee shall use the calculated VOC and HAP emission rates to determine annual Part 71 emission fees.

6.3.1.5 The Permittee shall demonstrate that the VOC and HAP PTE for T1 and T2 as summarized in Table 4 have not been exceeded.

6.3.1.5.1 For T1 and T2, the Permittee shall calculate the 12-month rolling total VOC and HAP tpy emission rates using VMGSym and Tanks 4.09d. The Permittee shall use the actual measured condensate throughput, the actual measured liquid receiver averaged pressure, the actual measured liquid receiver averaged process temperature, and the *most recent condensate* VOC analysis. The Permittee shall record and maintain these records over the 5-year term of the

permit and submit to the EPA at time of permit renewal. Permittee shall use the worst-case condensate analysis over the 5-year term of permit to calculate the Facility's VOC and HAP PTE for the permit renewal at the time of application submittal.

6.3.2 Monitoring Requirements [40 C.F.R. §§ 71.6(c)(1) and (a)(3)]

6.3.2.1 The Permittee shall monitor and calculate the VOC and HAP emission rates using the monthly actual total condensate throughput, liquid receiver pressure and process temperature to demonstrate no exceedances of the VOC and HAP PTE shown in Table 4 for T1 and T2.

6.3.2.2 The Permittee will demonstrate compliance with **Condition 6.3.1.1** by performing visual inspections while tanks are being filled of the pressure values of the T1, T2 and liquid receiver to ensure that the pressure set points are not being exceeded in a way that has resulted, or may result, in excessive venting and possible damage to equipment or exceedance of the VOC and HAP PTE summarized in Table 4.

6.3.2.3 The Permittee shall monitor 1.) the monthly total throughput using the truck loading trip tickets, 2) at least once per month the actual liquid receiver pressure and liquid receiver process temperature. Using the most recent condensate analysis, the Permittee shall calculate the VOC and HAP emissions rates to demonstrate that the PTE for T1 and T2 shown in Table 4 are not exceeded.

6.3.2.4 Annually the permittee shall complete a liquids analysis of the tank condensate to determine the VOC and HAP content.

6.3.3 Reporting/Record Keeping Requirements [40 C.F.R. §§ 71.6(c)(1) and (a)(3)]

6.3.3.1 The Permittee shall maintain records of the condensate throughput, the actual pressure and process temperature at the liquid receiver.

6.3.3.2 The Permittee shall record:

6.3.3.2.1 The monthly total throughput of liquids and,

6.3.3.2.2 The monthly liquid receiver average pressure.

6.3.3.2.3 The monthly liquid receiver average temperature.

6.3.3.2.3 Each month the Permittee shall use these values to calculate and record:

6.3.3.2.3.1 During the first 12 months of monitoring, the cumulative total liquid throughput and after the first 12 months of monitoring, the 12-month rolling total liquid throughput; and

6.3.3.2.3.2 During the first 12 months of monitoring, the average monthly liquid receiver pressure, and after the first 12 months of monitoring, the 12-month rolling average liquid receiver pressure.

6.3.3.5.3.3 During the first 12 months of monitoring, the average monthly liquid receiver temperature, and after the first 12 months of monitoring, the 12-month rolling average liquid receiver temperature.

6.3.3.2 The condensate throughput at the T1 and T2 source shall be measured and recorded on a monthly basis including calculating the 12-month rolling average.

6.3.3.3 The Permittee shall maintain a record of all T1, T2 and liquid receiver inspections. All inspection records shall include, at a minimum, the following information:

6.3.3.3.1 The date of the inspection

6.3.3.3.2 The findings of the inspection

6.3.3.3.3 Any required repairs; and

6.3.3.3.4 The inspector's name and signature

6.3.3.4 From the information submitted in the permit application for T1 and T2, the values used to establish VOC and HAP PTE in Table 4 are 22,141 barrels of condensate throughput per year (bbl/yr), 117 pounds per square inch absolute (psia) and 60 degrees Fahrenheit (°F). For T1 and T2, if either the 12-month rolling average total condensate throughput and VOC or HAP PTE as summarized in Table 4 are exceeded, within the EPA notification deadline, the permittee shall calculate the 12-month rolling average total VOC tpy emissions totals using VMGSym and Tanks 4.09d; the actual measured condensate throughput; the actual measured average liquid receiver pressure; the actual measured average liquid receiver process temperature; and the most recent condensate VOC analysis. Monthly calculations of actual emission totals shall continue for T1 and T2 until the condensate throughput and average separator pressure values are no longer exceeded and until the calculations demonstrate that the VOC and HAP PTE in Table 4 is not exceeded.

6.3.3.5 The Permittee shall maintain records in accordance with Facility Wide Requirements with **Condition 5.1**. Reporting: The Permittee shall report all exceedances in accordance with **Condition 5.3** and for Submissions: The Permittee shall submit reports in accordance **Condition 4.9**.

6.4 Work Practice and Operation Requirements for Emission Unit EPN L1 (Truck Loading)

6.4.1 General Requirements [40 C.F.R. §§ 71.6(c)(1) and (a)(3)]

6.4.1.1 The Permittee shall demonstrate compliance with the VOC and HAP PTE for truck loading as summarized in Table 4 by operating truck loading operations such that the PTE emission rates are not exceeded.

6.4.1.2 Compliance with not exceeding VOC and HAP PTE in Table 4 shall be demonstrated by measuring and recording the monthly condensate throughput at L1 on a 12-month rolling average basis.

6.4.1.3 To demonstrate compliance with the maximum design capacity of the Facility, the condensate throughput shall not exceed 22,141 bbls/year on an annual basis, as calculated on a 12-month rolling average basis, as represented in the application.

6.4.1.4 The Permittee shall demonstrate compliance with the VOC and HAP PTE in Table 4 by following procedures outlined in AP-42 Chapter 5.2, Transportation and Marketing of Petroleum Liquids for truck loading for VOC and HAP emissions, as represented in the permit application.

6.4.1.5 The Permittee shall demonstrate compliance of **Condition 6.3.1.1** and VOC and HAP PTE in Table 4, by visually inspecting and monitoring for any defects prior to hookup, Lines that are damaged shall be removed from service and loading should cease immediately upon detection of any liquid leaking from lines and connections. The Permittee shall operate and maintain a piping system designed for submerged loading by either bottom loading or loading through a submerged fill pipe, as represented in the permit application.

6.4.1.6 To demonstrate compliance of VOC emissions summarized in Table 4 for L1, the Permittee shall not conduct truck loading operations unless submerged loading is used, as represented in the permit application.

6.4.1.7 Inspect for visible leaks, visible fumes, and significant odors.

6.4.1.8 Any truck loading or unloading will be immediately discontinued when a leak is observed and shall not be resumed until the observed leak is repaired.

6.4.2 Monitoring and Recordkeeping Requirements [40 C.F.R. §§ 71.6(c)(1) and (a)(3)]

6.4.2.1 The Permittee shall demonstrate compliance with the maximum design capacity condensate throughput of 22,141 bbls/year and the VOC and HAP PTE for the L1 summarized in Table 4 by monitoring and recording or calculating the following for each calendar month:

6.4.2.1.1 The condensate throughput shall be monitored and measured, in barrels, loaded for the month and the upstream liquid receiver pressure.

6.4.2.1.2 The Permittee each month shall record the condensate throughput and the liquid receiver pressure and use these values to calculate and record a 12-month rolling total throughput.

6.4.2.1.2.1 During the first 12 months of monitoring, the cumulative total liquid throughput and after the first 12 months of monitoring, the 12-month rolling total liquid throughput and,

6.4.2.1.2.2 During the first 12 months of monitoring, the cumulative average liquid receiver pressure, and after the first 12 months of monitoring, the 12-month rolling average separator pressure.

6.4.2.1.3The Permittee shall monitor truck loading to assure compliance with protocols outlined in AP-42 Chapter 5.2, *Transportation and Marketing of Petroleum Liquids* for truck loading for VOC and HAP emissions. As represented in the application, the Permittee shall calculate emissions using the emission factor equation from AP-42, Section 5.2, Tanks4.09d for working and breathing losses, and the most recent condensate VOC analysis.

6.4.2.1.4 Records shall be kept by the Permittee of the manufacturer specifications and all scheduled maintenance and repairs on the truck-loading equipment.

6.4.2.1.5 Records shall be kept of the VOC and HAP emissions calculations included in the consecutive 12-month total for truck loading L-1 covered by this permit.

6.4.2.1.6 The records of condensate throughput (i.e., "haul tickets") shall be maintained at the Harvest Four Corners Area office for emission unit L-1 for at least five years from the date haul ticket is recorded and be made available in the case of an audit or compliance evaluation. These haul ticket records shall be compiled monthly and used monthly for calculating the rolling average condensate throughput. The Permittee may use or develop a spreadsheet or database for purposes of recordkeeping and reporting the 12-month rolling averages for each emission unit that shall be maintained for at least five years with the haul ticket records.

6.4.3 Reporting Requirements [40 C.F.R. § 71.6(a)(1)]

6.4.3.1 The Permittee shall maintain records in accordance Facility Wide Requirements with **Condition 5.1**. The Permittee shall report in accordance with **Condition 5.3** and the Permittee shall submit reports in accordance with **Condition 4.9**. All reports shall be submitted to the EPA and shall be dated by the 30th day following the end of the reporting period.

6.5 Work Practice and Operation Requirements for Emission Unit SSM (Planned Startup, Shutdown and Maintenance)

6.5.1 General Requirement [40 C.F.R. §§ 71.6(c)(1) and (a)(3)]

6.5.1.1 The VOC and HAP emissions from blowdowns of the compressor and piping associated with the facility will be calculated from the quantity of gas vented during each event, the composition of the gas, and the number of events, as represented by application.

6.5.2 Monitoring

6.5.2.1 The Permittee shall monitor the permitted routine and predictable startups and shutdowns and scheduled maintenance events.

6.5.2.2 The Permittee shall perform a facility inlet gas analysis once every calendar year and complete the following recordkeeping to demonstrate no exceedance of the routine and predictable startup, shutdown, and maintenance (SSM) VOC PTE in Table 4.

6.5.3 Recordkeeping

6.5.3.1 To demonstrate compliance, each month records shall be kept of the cumulative total of VOC emissions due to SSM events during the first 12 months and, thereafter of the monthly rolling 12-month total of VOC emissions due to SSM events.

6.5.3.2 Records shall also be kept of the inlet gas analysis, the percent VOC of the gas based on the most recent gas analysis, and of the volume of total gas vented in MMscf used to calculate the VOC emissions.

6.5.3.3 The Permittee shall record the demonstrated compliance in accordance with **Condition 5.1**, to record the number of SSM events with the start and end times of these events.

6.5.4 Reporting

6.5.4.1 Records and reports shall be maintained on-site unless specifically required to be submitted to the Department or EPA by another condition of this permit or by a state or federal regulation. Records for unmanned sites may be kept at the nearest Harvest Four Corners office.

6.6 Work Practices and Operation Requirements for Emission Unit F1 for Equipment Leaks (Valves, Flanges, Pump Seals, etc)

6.6.1 General Requirements [40 C.F.R. §§ 71.6(c)(1) and (a)(3)]

6.6.1.1 The permittee shall repair component leaks (>10,000 ppm) within 30 days of discovery on all equipment in contact with gas that has a weight percent of VOC greater than 10% (VOC service).

6.6.1.2 The permittee shall conduct yearly inspections of equipment in VOC service by using EPA Reference Method 21 (40 CFR 60, Appendix B) to determine the presence of leaking sources. Alternatively, the permittee may determine the presence of leaking sources by using optical gas imaging with infrared cameras.

6.6.1.2.1 For leaks determined using EPA Reference Method 21 (RM 21):

a. The instrument shall be calibrated before each day of its use by the procedures specified in RM 21.

b. The instrument shall be calibrated with zero air (less than 10 ppm of hydrocarbon in air); and a mixture of methane or n-hexane and air at a concentration of about, but less than, 10,000 ppm methane or n-hexane

c. If an instrument reading of 10,000 ppm or greater methane or n-hexane is measured, a leak is detected

6.6.1.2.2 For leaks determined using optical gas imaging with infrared cameras:

a. The instrument shall comply with the specifications, the daily instrument checks and the leak survey requirements at 40 CFR §60.18(i)(1) – (3).

b. If any emissions are imaged by the optical gas instrument, a leak is detected.

6.6.1.2.3 Any leaks detected shall be repaired within 30 days of discovery.

Explanatory Note:

For the purpose of this condition equipment means each pump, pressure relief device, open-ended valve or line, valve, and flange or other connector.

For the purpose of this condition in VOC service means equipment in contact with a gas or a liquid that has a VOC content greater than 10% by weight.

6.6.1.3 At the time of the permit renewal, the Permittee shall calculate fugitive emissions from equipment leaks (valves, flanges, seals, etc.) using emission factors from the 1995 Protocol for Equipment Leak Emission Estimates published by the Environmental Protection Agency (EPA), an annual or most recent component count, and the worst-case gas composition provided by the annual extended gas analysis over the 5-year term of permit predicting the highest VOC emission rate. The total organic compound (TOC) emissions will be estimated using the component count and EPA emission factors. Then, the gas composition from the extended gas analysis

(converted from mole fraction to weight percent) will be used to estimate the percentage of VOC and HAP in the TOC, as represented by the application.

6.6.1.4 At any time, if the results of the extended analysis or the equipment count have changed from the information submitted in this permit application, the permittee shall re-calculate the ton per year VOC emissions as represented in the application demonstrate the VOC PTE in Table 4 is not exceeded.

6.6.2 Monitoring: Once per calendar year the permittee shall complete the following monitoring:

6.6.2.1 A extended gas analysis for VOC content of all equipment in the unit.

6.6.2.2 A count of all equipment in the unit.

6.6.2.3 an inspection of equipment in VOC service to detect leaks.

6.6.2.3.1 If a leak is detected, the permittee shall place a visible tag on the leaking component until the component has been repaired.

6.6.2.3.2 If any leaks are detected, the equipment shall be re-monitored no later than 30 days after discovery of the leak to demonstrate that it has been repaired.

6.6.2.3.3 If the leak cannot be repaired within 30 days without a process unit shutdown, it may be designated “Repair delayed,” and shall be repaired before the end of the next process unit shutdown.

6.6.2.4 An inspection of equipment in VOC service shall also be conducted within 15 days of any maintenance or repair that affects the equipment.

6.6.3 Recordkeeping: The permittee shall maintain the following records:

6.6.3.1 equipment identification or description and location.

6.6.3.2 weight percent VOC for each piece of equipment.

6.6.3.3 emission factor for each piece of equipment.

6.6.3.4 total VOC emissions for each unit, tons per year

6.6.3.5 For any leaks detected the permittee shall record the:

6.6.3.5.1 date a leak is detected.

6.6.3.5.2 dates of attempts to repair.

6.6.3.5.3 designation of "Repair delayed"

a) reason for delay if the leak is not repaired within 30 days of leak discovery, and

b) signature of authorized representative whose decision it was that repair could not be affected without a process shutdown; and

c) The date of successful leak repair shall also be recorded.

6.6.3.6 For leaks determined using optical gas imaging with infrared cameras, the permittee shall keep the records of the specifications, the daily instrument checks and the leak survey requirements specified at 40 CFR §60.18(i)(1) – (3).

6.6.4 Reporting: The permittee shall report the following in accordance with Section 5.4:

6.6.4.1 The number of leaking components discovered,

6.6.4.2 The number of leaking components not repaired within 30 days,

6.6.4.3 The duration of the leaks that exceeded 30 days,

6.6.4.4 Dates of process unit shutdowns; and

6.6.4.5 VOC emissions for each unit, tons per year.

Appendix A

Figure 1. Los Mestenios Compressor Station Process Flow Diagram