

STATE OF NEW MEXICO
ENVIRONMENTAL IMPROVEMENT BOARD



IN THE MATTER OF
THE PETITION FOR A HEARING
REGARDING REGISTRATION NOS. 8729, 8730, AND 8733
UNDER GENERAL CONSTRUCTION PERMIT
FOR OIL AND GAS FACILITIES

No. EIB 20-33(A)

Wild Earth Guardians,
Petitioner.

SPUR ENERGY PARTNERS LLC STATEMENT OF INTENT TO PRESENT
TECHNICAL AND NON-TECHNICAL TESTIMONY

Pursuant to the July 20, 2020 Procedural Order in the above-captioned matter, consolidated for purposes of hearing with EIB No. 20-21(A), Spur Energy Partners LLC (“Spur”) gives notice that it intends to present both technical and non-technical and testimony at the hearing scheduled for September 23, 2020 before the New Mexico Environmental Improvement Board (“Board”). Spur opposes the petition for hearing filed by WildEarth Guardians.

Spur will present non-technical testimony through Todd R. Mucha, Executive Vice President-Operations for Spur, and John Connolly, President of Energy Resource Development, Inc. (“ERDI”), regarding the subject General Construction Permit-Oil and Gas (“GCP-Oil & Gas”) Registration No. 8733 and the underlying permitted oil and gas facility. Mr. Mucha’s direct testimony will comprise approximately four written pages and will provide a general overview of the company, the subject oil and gas facility, and his involvement working with ERDI to prepare the GCP-Oil & Gas registration for submission to NMED. Mr. Mucha’s direct testimony will be referring to the administrative record and is attached as **Exhibit A**. Mr. Connolly’s direct testimony will comprise approximately four written pages and will provide a

general overview of ERDI and his personal experience permitting oil and gas facilities, including air permits. His direct testimony also describes how the subject facility was permitting and meets the qualifications and applicability requirements of the GCP-Oil & Gas registration. Mr. Connolly's direct testimony will be referring to the administrative record and is attached as **Exhibit B.**

Spur also will present technical testimony from Adam Erenstein, Manager of Consulting Services for Trinity Consultants, Inc. ("Trinity") in Albuquerque, New Mexico, providing background on the creation of the GCP-Oil & Gas permit, applicability requirements for oil and gas facilities to qualify for registration under the GCP-Oil & Gas permit, and his analysis that Spur's Registration No. 8733 meets the qualification requirements of the GCP-Oil & Gas permit. Mr. Erenstein's direct testimony consists of approximately six written pages. It includes a general overview of his experience and background preparing air permit applications for oil and gas facilities in New Mexico and his experience participating in the development and adoption of the GCP-Oil & Gas permit. In particular, Mr. Erenstein's testimony reviews the qualifications necessary for an oil and gas facility to register under the GCP-Oil & Gas permit and opines that Spur's registration meets those qualifications. In addition, Mr. Erenstein testifies on NMED's approach to addressing ozone NAAQS vis-à-vis the GCP-Oil & Gas permit and that it is consistent with other states and U.S. EPA guidance. Mr. Erenstein's direct testimony refers to several exhibits, including his curriculum vitae, the GCP-Oil & Gas permit, a portion of the written testimony of Liz Bisbey-Kuehn from the GCP-Oil & Gas permit hearing, the administrative record in this matter, and the proposed Draft Ozone Precursor Rule for the Oil and Natural Gas Sector recently issued by NMED. Mr. Erenstein's direct testimony is attached as **Exhibit C.**

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 20.1.2.112 NMAC, I hereby certify that a copy of the above **NOTICE OF INTENT** was filed and served via electronic mail delivery to the persons listed below on August 3, 2020.

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STATE OF NEW MEXICO
ENVIRONMENTAL IMPROVEMENT BOARD

IN THE MATTER OF THE APPEAL OF
REGISTRATION NOS. 8270, 8730, AND
8733 UNDER THE GENERAL
CONSTRUCTION PERMIT FOR OIL AND
GAS FACILITIES

WildEarth Guardians,
Petitioner.

Case No. EIB 20-33(A)

**DIRECT TESTIMONY OF TODD R.
MUCHA**

Hearing Date: September 23, 2020

August 3, 2020

Submitted on Behalf of
Spur Energy Partners LLC

EXHIBIT A

1 I. INTRODUCTION

2 My name is Todd R. Mucha. I work for Spur Energy Partners LLC (“Spur”). My business
3 address is 9655 Katy Freeway, Suite 500, Houston, Texas 77024. I am the Executive Vice
4 President-Operations for the company. I have served in that capacity since Marcy 1, 2019.

5 I received my Bachelor of Science-Kinesiology from Texas A&M University. Since
6 graduating, I have more than twenty-four years of experience in the oil and gas industry. I started
7 my career in 1995 with Soloco, Inc., a subsidiary of NewPark Drilling Fluids as a Radiation
8 Safety Officer for Naturally Occurring Radioactive Material (NORM) cleanups across the
9 continental United States. In 1998, I became Health, Safety, and Environmental manager for the
10 company’s Texas operations and helped develop its Environmental, Health, and Safety program.
11 In 2004, I joined Stallion Oilfield Services as Director of Quality, Health, Safety and
12 Environment where I was responsible for the company’s transportation compliance program. In
13 2016, I became Vice President, Health, Safety and Environment for Wildhorse Resource
14 Development Corporation and was responsible for its regulatory programs and compliance with
15 federal and state regulations, including facility design, operations, incident investigations,
16 contractor management, and resolution of violations.

17 As Executive Vice President-Operations for Spur my job duties consist of overseeing all
18 aspects of Spur’s operations and its Operations Team. These duties include overseeing
19 operational and environmental permitting necessary for the company to construct and operate its
20 oil and gas exploration and production facilities in New Mexico. I therefore have direct oversight
21 responsibility for the construction and operation of the company’s Dorami 2H, 4H, and 9H
22 Federal Tank Battery facility. This oil and gas facility was approved under the New Mexico
23 Environment Department’s General Construction Permit-Oil and Gas Permit (“GCP-O&G”) as
24 Registration No. 8733. In addition, I coordinate and oversee the work of outside consultants that
25 Spur hires to help prepare and submit certain of its operating and environmental permits,
26 including air permits. Relevant here, I worked with Spur’s environmental consultant John
27 Connolly with Energy Resource Development, Inc. to prepare and submit for approval the
28 Dorami 2H, 4H, and 9H Federal Tank Battery GCP-O&G Registration Form. *See AR 0602-*

1 0659.

2 **II. COMPANY OVERVIEW**

3 Spur was formed as an oil and gas exploration and production company in March of 2019
4 with operations in New Mexico's Northwest shelf of the Permian Basin. The company employs
5 approximately 157 employees, with over 100 of those employees working in New Mexico. Spur
6 has been an operator in New Mexico's portion of the Permian Basin since June of 2019, when it
7 acquired the interests of Percussion Petroleum, LLC. Spur's operations are located within Lea
8 and Eddy Counties. It operates approximately 2,700 wells in that area.

9 Spur has a strong commitment to corporate responsibility. That commitment includes
10 being a diligent and prudent operator of its oil and gas wells and extends to the health, safety,
11 and environmental welfare of its employees, contractors, and the communities it operates in.
12 The company's mission includes undertaking a continuous review of its operations and practices
13 for new and innovative ways to minimize environmental impacts in order to meet or exceed
14 applicable health, safety and environmental laws, regulations and standards. Spur is committed
15 to being an environmental steward on issues ranging from climate change to ecosystem
16 protection to air quality management.

17 Under my direction and with the support of the company's board, Spur takes air quality
18 permitting and emissions compliance seriously. We recognize that minimizing the industry's
19 environmental impact and protecting the region's air quality is critical to maintaining a
20 productive and prosperous industry that generates a significant proportion of the state's jobs and
21 revenues. Accordingly, we have permitted our facilities in accordance with the New Mexico
22 Environment Department's regulations and permitting scheme. The GCP-O&G is an important
23 permitting avenue that allows for a more streamlined permitting process while at the same time
24 imposing stringent emission limits with associated monitoring, recordkeeping, and reporting
25 requirements to demonstrate compliance with those limits.

26 **III. DORAMI 2H, 4H, AND 9H FEDERAL TANK BATTERY AND GCP-OIL & GAS**
27 **PERMIT AND REGISTRATION**

28 Spur's Dorami 2H, 4H and 9H Federal Tank Battery (the "Dorami Facility" or "Facility")

1 is an oil and gas facility located in Eddy County, New Mexico, approximately 16 miles southeast
2 of Artesia. It supports the operations and production associated with three of Spurs wells: the
3 Dorami 33 Fed Com 2H, 4H and 9H. The wells were drilled between January and March 2020
4 and have been producing since June 2020.

5 Working directly with Spur's environmental consultant John Connolly with Energy
6 Resource Development, Inc., I provided the information on the Facility needed to complete the
7 GCP-O&G registration form. With Spur's input, John Connolly prepared and submitted the
8 completed GCP-O&G registration form to the New Mexico Environment Department
9 ("NMED") Air Quality Bureau (the "Bureau") on February 26, 2020. *See AR 0500-0597*. In
10 response to comments and questions received from the Bureau's permit reviewer by e-mail on
11 March 6, 2020, Mr. Connolly submitted additional materials and a revised GCP-O&G form to
12 the Bureau on March 11, 2020. *See AR 0497-0499*. NMED approved the application on March
13 23, 2020. *See AR 0660-0661*.

14 **IV. WILDEARTH GUARDIANS COMMENTS AND PETITION FOR HEARING**

15 After Spur submitted the Dorami Facility registration form to the Bureau, WildEarth
16 Guardians ("Guardians") submitted comments to the Bureau on March 11, 2020, stating that the
17 NMED must reject Spur's and numerous other registrations for the GCP-O&G. *See AR 0598-*
18 **0601**.¹ Guardians also argued that NMED must stop issuing any additional general construction
19 permits for oil and gas facilities in all of Lea and Eddy Counties. **AR 0598**. Guardians cited the
20 8-hour ozone design values in Lea and Eddy Counties as the basis for asserting that the NMED
21 cannot issue GCP-O&G approvals. **AR 0600**.

22 Guardians commented on sixteen GCP-O&G applications in its March 11, 2020
23 comments, including Spur's application for registration of the Dorami Facility. **AR 0598-0601**.
24 However, as demonstrated in the email from Guardians to the Bureau on May 4, 2020, during
25

26
27 ¹ Spur was never notified of Guardians' comments. Guardians did not provide their comments to Spur and the
28 Bureau did not inform Spur that any negative or adverse comments addressing the Facility had been received. Spur
only became that Guardians had submitted comments until after it learned Guardians had filed a petition for hearing
challenging its approved GCP-O&G registration.

1 this same timeframe Guardians commented on a total of forty-five GCP-O&G applications. *See*
2 **AR 0674-0676**. Of the forty-four registrations approved by the NMED, Guardians has only
3 challenged three: 8270, 8730, and 8733 (collectively, the “Registrations”). In the Petition for a
4 Hearing (“Petition”), Guardians objected to NMED’s approval of the Registrations “in their
5 entirety.” Guardians did not challenge any specific aspects of Spur’s application in either its
6 comments or the Petition and will not do so per the Procedural Order. Overall, Guardians’
7 challenge is not an appropriate permit challenge as it does not address whether the Facility
8 individually qualifies for the GCP-O&G. Rather, Guardians is attempting to bring a collateral
9 attack against the GCP-O&G itself.

10 Guardians’ challenge seeks to prohibit NMED’s ability to issue **any** GCP-O&G
11 approvals in Lea and Eddy Counties, regardless of operator or application contents. *See AR*
12 **0598 and Petition, Section G**. In both substance and effect, the challenge to the Registrations is
13 a challenge the terms and use of the GCP-O&G itself. By challenging only three of the forty-
14 four approved GCP-O&G registrations, Guardians is forcing Spur and XTO Energy Inc. to
15 defend an approved permitting scheme for the entire oil and gas industry operating in Lea and
16 Eddy Counties.

17 Finally, if NMED had denied Spur’s application, Spur would have challenged the denial
18 as arbitrary and capricious. Spur’s application meets the qualifications for registration under the
19 GCP-O&G. If NMED had refused to approve Spur’s registration because NMED suddenly
20 stopped issuing GCP-O&G approvals without any notice or opportunity for public process, Spur
21 would challenge such action as arbitrary and capricious.

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WildEarth Guardians,
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Case No. EIB 20-33(A)

**DIRECT TESTIMONY OF JOHN
CONNOLLY**

Hearing Date: September 23, 2020

August 3, 2020

Submitted on Behalf of
Spur Energy Partners LLC

EXHIBIT B

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I. INTRODUCTION

My name is John Connolly. I work for Energy Resource Development, Inc. (“ERDI”) My business address is 19345 Point O Woods Court, Baton Rouge, Louisiana 70809. I am the President of the company. I have served in that capacity since 08/23/2017. Since 1982, ERDI has been a full-service environmental consulting company specializing in various aspects of the oil and gas industry.

I received my Bachelor of Science in Petroleum Engineering from Louisiana State University. I have more than 5 years of experience in permitting oil and gas facilities in Louisiana, Texas, New Mexico, and Pennsylvania. I began permitting oil and gas facilities in August of 2015 after being with the company for a few years. I have had over 200 permits approved since I began in 2015. To effectively assist clients in obtaining air quality permits, I must review, understand, and apply applicable statutes, regulations, and guidance.

I have been working with companies to permit oil and gas facilities in New Mexico for one year. As part of this, I have experience in permitting facilities under the New Mexico Environment Department’s (“NMED’s”) General Construction Permit-Oil and Gas Permit (“GCP-O&G”). In addition, I often am required to communicate with the NMED Air Quality Bureau (the “Bureau”) to request guidance on specific permitting issues and respond to questions on permit applications.

I have worked with Spur Energy Partners LLC (“Spur”) since July 2019 and have been assisting Spur with obtaining air quality permits for their oil and gas facilities in Lea and Eddy Counties since November 2019. With Spur’s input, I prepared and submitted for approval the Dorami 2H, 4H, and 9H Federal Tank Battery GCP-O&G Registration Form. *See AR 0602-0659.*

II. FACILITY OVERVIEW

Spur’s Dorami 2H, 4H and 9H Federal Tank Battery (the “Dorami Facility” or “Facility”) is an oil and gas facility located in Eddy County, New Mexico, approximately 16 miles southeast of Artesia. It supports the operations and production associated with three of Spurs wells: the Dorami 33 Fed Com 2H, 4H and 9H. The wells were drilled between January and March 2020

1 and have been producing since June 2020.

2 The Facility is comprised of the following equipment: (a) three 750,000 Btu/hr free water
3 knockouts (“FWKOs”), which are separators used to remove free water from the production
4 stream and separate oil and gas; (b) one electric vapor recovery unit (“VRU”), which is a
5 compression system used to recover, collect, and compress low-volume gas; (c) an associated
6 vapor recovery tower (“VRT”), which is a type of vertical separator used to recover flash gas
7 emissions generated in the Facility’s crude oil storage tanks; (d) a dual-pressure combustion
8 flare, which is used to combust and minimize emissions from either the Facility’s low-pressure
9 gas lines or the Facility’s high-pressure gas sales line during upset events, such as gathering-line
10 shut downs from the downstream gas processing plant; (e) four 1,000 barrel produced water
11 tanks, used to temporarily hold and store water which is produced along with the oil and gas
12 from the geologic formation that the wells are targeting; and (f) four 1,000 barrel oil tanks along
13 with various gas scrubbers. This equipment is a combination of the emission units listed in
14 Table 104 and authorized for use under A104.A. of the GCP-Oil & Gas.

15 At the Facility, the production stream from the three Dorami wells enter the FWKOs
16 associated with each well where the oil, water and gas are first separated into three different
17 streams. A diagram depicting the production stream schematic can be seen at **AR 0597**. The gas
18 will be routed from the FWKOs to a sales gathering line, which is ultimately delivered to a
19 downstream gas processing plant, or it may be directed to the dual-pressure flare for combustion
20 if the sales gathering line is shut in. The oil is routed to the VRT before it goes to the oil tanks.
21 Any flash gas that vaporizes off the VRT is captured by the VRU and is directed either to the
22 sales gathering line or to the dual-pressure flare for combustion if the sales gathering line is shut
23 in. If the VRU is not operational, the VRT routes any captured flash gas to the dual-pressure
24 flare for combustion to minimize emissions. Any gas emissions or vapors collected from the oil
25 and water tanks are routed to the dual-pressure combustion flare to minimize emissions.
26 Produced oil, gathered and collected in the Facility’s oil tanks, is trucked out of the Facility for
27 sales. Produced water is piped out of the Facility to a disposal well where the water is injected
28 into the ground.

1 The Facility was built to use electricity where applicable in order to reduce emissions
2 from natural gas operated pumps and compressors. It is important to note that during normal
3 operating conditions, the facility would not have needed to apply for a GCP-Oil & Gas permit
4 and would have qualified for a Notice of Intent (“NOI”). However, due to third-party pipeline
5 capacity issue, Spur registered the Facility under the GCP-Oil & Gas. Therefore, until the sales
6 gas can go to the pipeline, the Facility was permitted to flare the maximum possible amount of
7 gas without exceeding the GCP-Oil and Gas permit emission limits. If the Facility was able to
8 sell the sales gas, then the GCP-Oil & Gas permit would not be needed.

9 Spur builds and maintains their facilities in accordance with all state and federal
10 regulations and works to reduce emissions from its facilities. Part of Spur’s emission reduction
11 program is to conduct semi-annual LDAR surveys on all applicable NSPS OOOOa facilities and
12 have leaks detected and repaired as quickly as possible. Along with preparing the air permit,
13 ERDI also conducts semi-annual optical gas imagery at the Facility in accordance with NSPS
14 OOOOa regulations. Upon startup of the Facility, ERDI conducted an initial Leak Detection and
15 Repair (“LDAR”) survey using a FLIR GF300 camera. Within 25 hours of the initial survey,
16 Spur personnel repaired all leaking equipment at the Facility and a follow up re-survey of the
17 Facility was completed by ERDI personnel indicating no more leaks.

18 **III. GCP-OIL & GAS APPLICATION AND NMED APPROVAL**

19 With Spur’s input, guidance from NMED Minor Source and Technical Services
20 Management personnel, and in accordance with C100 of the GCP-Oil & Gas, I filled out the
21 General Construction Permit Registration Form with the applicable information related to the
22 Dorami Facility (the “Application”), which was received by NMED on February 27, 2020. The
23 Application included information demonstrating that the Facility met the qualification
24 requirements for registration under the GCP-Oil & Gas, as outlined in Section 1, subsection 2 of
25 the Application. This included identification of the equipment to be installed at the Facility, the
26 calculated emission rates, and demonstration that the Facility was located in an area eligible for
27 registration under the GCP-Oil & Gas and sited an appropriate distance certain landmarks and
28 equipment. *See AR 0602-0659.*

1 Based on the extensive review by the NMED, after submittal of the initial Application, I
2 responded to several questions for clarification and updates to the initial Application. **AR 0462-**
3 **0499.** In response to the requested updates, I revised the Application and resubmitted specific
4 portions of the Registration form, with the Final Registration reflecting these revisions. **AR**
5 **0602-0659.** NMED determined that the Dorami Facility meets the qualification requirements
6 for registration under the GCP-Oil & Gas and approved the registration on March 23, 2020. **AR**
7 **0660-0661.** In particular, the equipment at the Facility included the combination of equipment
8 specified in the GCP-Oil & Gas Table 104 and the emissions from the Facility were determined
9 to be below the allowed emission thresholds specified in GCP-Oil & Gas Table 106, and met all
10 requirements and general conditions.

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9 **STATE OF NEW MEXICO**
10 **ENVIRONMENTAL IMPROVEMENT BOARD**

11 IN THE MATTER OF THE APPEAL OF
12 REGISTRATION NOS. 8270, 8730, AND
13 8733 UNDER THE GENERAL
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15 GAS FACILITIES

16 WildEarth Guardians,
17 *Petitioner.*

Case No. EIB 20-33(A)

**DIRECT TESTIMONY AND EXHIBITS
OF ADAM ERENSTEIN, TRINITY
CONSULTANTS**

Hearing Date: September 23, 2020

18
19 **August 3, 2020**

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21 **Submitted on Behalf of**
22 **Spur Energy Partners LLC**
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26 **EXHIBIT C**
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I. INTRODUCTION

My name is Adam Erenstein. I am Manager of Consulting Services for Trinity Consultants, Inc. (“Trinity”) in Albuquerque, New Mexico. My business address is 9400 Holly Ave NE #300, Albuquerque, NM 87122.

I joined Trinity in 2010 and have more than 13 years of experience in air quality consulting, including state and federal air quality permitting, regulatory applicability analysis, compliance audits, policy development, compliance planning, air dispersion modeling, and emissions inventories. My experience includes extensive consulting services for oil and gas companies and teaching training courses to environmental professionals on air quality regulations and permitting requirements in New Mexico. Overall, I have over a decade of experience permitting oil and gas facilities in New Mexico. As part of this, I regularly communicate with the New Mexico Environment Department (“NMED”) Air Quality Bureau (the “Bureau”) and participated in the development and adoption of the General Construction Permit for Oil and Gas Facilities (“GCP-Oil & Gas” or “Permit”). Trinity’s Albuquerque office has completed approximately 60 GCP-O&G applications. Prior to joining Trinity, I served as an air inspector in the Maricopa County Air Quality Department in Arizona. I obtained a bachelor's degree in Earth and Planetary Sciences from the University of New Mexico. My resume is attached as **Attachment 1**.

II. DEVELOPMENT AND ISSUANCE OF GCP-OIL & GAS

A. General Construction Permits

The GCP-Oil and Gas was issued by NMED under Section 220, Title 20, Chapter 2, Part 27 of the New Mexico Administrative Code. NMAC 20.2.72.220. Under this regulation, NMED can issue general construction permits in order to register similar sources that have similar operations, processes, and emissions and are “subject to the same or substantially similar requirements, and not subject to case-by-case standards or requirements.” NMAC 20.2.72.220.A.(1). In effect, general permits offer a streamlined permitting avenue for similar sources by implementing a permit that, if complied with, assures that registered sources will meet all applicable requirements under the federal Clean Air act, the New Mexico Air Quality

1 Control Act, and the air quality regulations in Chapter 2. In addition, a general permit
2 predetermines that compliance with the terms and conditions assures that the source “will not
3 cause or contribute to air contaminant levels in excess of any national or New Mexico ambient
4 air quality standard.” NMAC 20.2.72.220.A.(2)(c)(i). To ensure compliance, the general
5 construction permit includes monitoring, record keeping, and reporting requirements. NMAC
6 20.2.72.220.A.(2)(c)(ii). Overall, a general construction permit requires extensive analysis,
7 public participation, and a demonstration that facilities operating under it will meet the
8 applicable legal requirements **prior to** issuance so that operators that seek to register their
9 facilities under the general permit do not need to redo the demonstration that the facility can
10 meet the applicable legal requirements to obtain an individual construction permit, but instead
11 focus on whether the facility qualifies for registration. This streamlined permitting avenue saves
12 significant time and resources for the applicant as well as NMED in reviewing and approving the
13 permit.

14 *B. GCP-Oil & Gas Development and Issuance*

15 The GCP-Oil & Gas was developed to replace two previously issued general construction
16 permits for oil and gas facilities: the GCP-1 (Level One Oil and Gas Installations) and the GCP-4
17 (Combustion Sources and Related Equipment). The Permit addressed a broader range of
18 equipment than previously covered by those general construction permits. The Permit authorizes
19 an owner or operator to construct, modify, and operate an oil and gas facility in New Mexico
20 (excluding Bernalillo County, tribal lands, non-attainment areas, and City of Sunland Park). *See*
21 **GCP Oil & Gas A100.B**, attached as **Attachment 2**.

22 NMED undertook a lengthy analysis and public comment process prior to issuing the
23 GCP-Oil & Gas. NMED released the initial draft of the GCP-Oil & Gas for public comment in
24 May 2017 and released a revised draft in December 2017, which incorporated revised modeling
25 analyses and comments received. In January 2018, NMED published the completeness
26 determination for the Permit, which initiated a formal 30-day comment period. After this,
27 NMED held open houses on the permit for discussions on the draft permit. In February 2018, a
28 hearing was held before an NMED hearing officer. The final Permit was issued on April 27,

1 2018.

2 Throughout the process, NMED requested input on the assumptions and modeling that
3 support the basis for the Permit. For example, in April 2016, NMED released preliminary
4 modeling for review and comment; then, based on comments received, revised and released the
5 updated modeling for comment in October 2016. Based on my review and understanding of the
6 modeling, the modeling used many conservative assumptions that resulted in stricter permit
7 terms.

8 With respect to applicable requirements, Table 103 sets out specific regulations and
9 requires that the permittee comply with the applicable provisions of those regulations. NMED
10 clarified in the development process that A103 and Table 103 “lists the state and federal
11 regulations **typically** applicable to oil and gas facilities. This list is not exhaustive, and facilities
12 determine actual applicability to these regulations during the registration process.” **Attachment**
13 **3**, Written Testimony of Liz Bisbey-Kuehn, p. 4 (emphasis added). NMED concluded that if the
14 facilities are operated in accordance with the permit, they will not cause or contribute to any
15 concentrations above the air quality standards and PSD increments. *See Attachment 2, GCP-*
16 **Oil & Gas, B100A.**

17 **III. QUALIFICATION UNDER GCP-OIL & GAS**

18 For a facility to qualify for registration under the GCP-Oil & Gas, it must meet certain
19 threshold requirements. NMED has summarized these requirements as follows:

- 20 • **Location:** The facility is not located in Bernalillo County, on tribal lands, or in a
21 nonattainment area.
- 22 • **Source Type:** The function of the Facility is to treat, process, store and/or transport gases
23 and liquids associated with the production of oil and gas, and/or inject those substances
24 or their byproducts into the earth. [SIC 1311, 1321, 4619, and 4922].
- 25 • **Equipment:** The equipment at the Facility is a combination of the equipment listed in
26 Table 104 of the Permit, and no others.
- 27 • **Emissions:** The emissions from the equipment will be less than the emissions listed in
28 Table 106 of the Permit.

- 1 • **Stack Parameters:** The equipment meets the stack parameters in the Permit.
- 2 • **Position:** Equipment and/or facility meets the following criteria:
 - 3 ○ 100 meters away from any stack to terrain that is 5 or more meters above the top
 - 4 ○ of stack.
 - 5 ○ 150 meters away from any source that emits over 25 tons per year of NOx.
 - 6 ○ 3 miles from any Class I area.

7 I have reviewed the record related to the GCP-Oil & Gas registration for Spur Energy
8 Partner’s (“Spur”) Dorami 2H, 4H and 9H Federal Tank Battery and determined, in agreement
9 with the NMED’s review and approval, that the registration qualifies to register under the GCP-
10 O&G.

11 **IV. NMED IS NOT REQUIRED TO DENY THE REGISTRATIONS BASED ON**
12 **MONITORED OZONE LEVELS FOR LEA AND EDDY COUNTIES**

13 In adoption of the GCP-Oil & Gas, NMED determined that the facilities registered and
14 operated in accordance with the terms of the permit will not cause or contribute to air
15 contaminant levels in excess of any national ambient air quality standard. *See Attachment 2,*
16 **GCP-Oil & Gas B100.** As discussed above, this determination is necessary for issuance of a
17 general construction permit under NMAC 20.2.72.220.A.(2)(c)(i). To address causing or
18 contributing to exceedances of the NAAQS, in adopting the GCP-Oil & Gas, NMED determined
19 that the GCP-Oil & Gas would not apply in a nonattainment area. *See Attachment 2, GCP-Oil*
20 **& Gas, A100.H.(6).**

21 The Petition states that the facility cannot be in compliance with Table 103 because the
22 permittees cannot be in compliance with the 40 CFR 50 – the National Ambient Primary and
23 Secondary Ambient Air Quality Standards or “NAAQS.” EPA has affirmatively stated that the
24 NAAQS are not directly applicable to individual facilities and are not included as applicable
25 requirements under the Clean Air Act Title V permitting program.¹ Instead, states develop state

26 _____
27 ¹ See 57 Fed. Reg. 32250, 32276 (July 21, 1992): “The EPA proposed that the NAAQS is a SIP requirement, not an
28 ‘applicable requirement’ for title V permits. [...] Under the Act, NAAQS implementation is a requirement imposed
on States in the SIP, it is not imposed directly on a source.”

1 implementation plans (“SIPs”) that may impose obligations on sources as part of the overall plan
2 to attain or maintain the NAAQS. *See* 42 U.S.C. §§ 7407, 7410.

3 Ozone, of all the NAAQS criteria pollutants, especially is not traditionally treated as a
4 source-specific compliance metric because of its nature as a regional, secondary pollutant and
5 NMED has not held sources to be subject to the ozone NAAQS. Because ozone is formed
6 through a complex photochemical process from primary pollutants, such as volatile organic
7 compounds (“VOCs”) and nitrogen oxides (“NOx”), and may be mainly attributable to
8 background or transport from other states or areas, ozone regulation is founded on
9 comprehensive and complicated modeling. EPA recognized that individual source compliance
10 demonstrations for ozone would be difficult. It stated:

11 To require [a NAAQS attainment] demonstration as on every permitted source
12 would be unduly burdensome, and in the case of area-[w]ide pollutants like
13 ozone where a single source’s contribution to any NAAQS violation is extremely
14 small, performing this demonstration would be meaningless.

15 57 Fed. Reg. 32250, 32276 (July 21, 1992).

16 In my experience, although New Mexico determined that the NAAQS are applicable
17 under its Operating Permit/Title V regulations per NMAC 20.2.70.7.E.11, NMED does not apply
18 the ozone NAAQS to individual sources. This is reflected in the Dorami Facility registration
19 application. In Table 8A, Spur notes that the NAAQS are applicable, with the following
20 justification:

21 This regulation defines national ambient air quality standards. The facility
22 meets all applicable national ambient air quality standards for NOx, CO, SO2,
23 H2S, PM10, and PM2.5 under this regulation.

24 *See* **AR 0553**. Spur did not identify the ozone NAAQS as applicable and NMED approved this
25 determination.

26 In my experience in air quality permitting, I am not aware of any other states that require
27

1 such demonstrations. Instead, ozone attainment is handled and addressed at the regional level
2 through regulatory and SIP development. NMED has started the process to address the ozone
3 levels in the Lea and Eddy Counties, as well as other counties, through the Ozone Attainment
4 Initiative, which is being developed pursuant 74-2-5.3 of the New Mexico Air Quality Control
5 Act. *See Attachment 4*, Draft Ozone Precursor Rule for the Oil and Natural Gas Sector, NMED
6 (July 20, 2020). The stated objective of the proposed rule is to “establish emissions standards for
7 volatile organic compounds (VOC) and nitrogen oxides (NOx) for oil and gas production and
8 processing sources” in areas that are exceeding 95% of the ozone NAAQS. NMED is taking this
9 action prior to formal designation of an ozone nonattainment area.

10 A nonattainment area has not been established in or around Lea and Eddy Counties
11 pursuant to the procedure dictated in Section 107 of the Clean Air Act. In addition, NMED has
12 not interpreted the 2017-2019 design values for the monitoring sites in Lea and Eddy Counties to
13 establish a nonattainment area under the New Mexico regulations.

14 Were NMED decide to sidestep the formal designation process and unilaterally determine
15 that a nonattainment area exists based on the monitored data, there would be significant
16 uncertainty in permitting going forward. First, there would be no defined boundary for the
17 nonattainment area. While county lines may act as the boundary, these lines on a map do not
18 always translate into the appropriate lines for a nonattainment area based on air quality. Second,
19 the level of nonattainment (serious, marginal, minimal) – and associated consequences – must be
20 determined. Finally, the timing of when an area becomes a nonattainment area would be unclear
21 and create chaos. These issues are avoided by following the formal designation process detailed
22 in the Clean Air Act, which allows for significant public input and EPA review, input, and
23 analysis.

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27
28

AREAS OF SPECIALIZATION

- > More than 13 Years of Air Quality Permitting and Compliance Experience
- > Air Quality Permitting
 - o State Air Quality Permitting and Compliance
 - o Prevention of Significant Deterioration Permitting
 - o Title V Permitting
 - o Air Dispersion Modeling
 - o NSPS and MACT Applicability and Compliance
 - o Regulatory Applicability Analyses
 - o Emissions Inventories and Quantification
 - o CAM Applicability Analyses
- > Compliance Management
 - o Compliance Audits
 - o Compliance Reviews
 - o Compliance Planning and Policy Development
 - o Environmental Management Information System (EMIS) Selection, Implementation, and Support
- > Other Specialties
 - o Course Instruction
 - o ProMax Process Simulation

EDUCATION

Bachelor of Earth and Planetary Sciences, University of New Mexico

TECHNICAL EXPERTISE

State Air Quality Permitting and Modeling – Prepare permit applications and conducted dispersion modeling analyses in a variety of states. Involved in successful negotiations over permit terms and provisions, regulatory applicability and interpretation, control technology determinations, hazards assessments, air dispersion modeling analyses and interpretations, and general permitting requirements.

PSD Permitting – Extensive PSD permitting experience. Performed numerous PSD applicability determinations, developed BACT analyses, performed netting analyses, and conducted air dispersion modeling. Worked with sensitive historical PSD applicability issues as well as greenfield PSD projects. Applied expertise in the air dispersion modeling and ambient monitoring to the PSD permitting process.

Title V Permitting – Performed Title V permitting for oil and gas, mining, electric utility, and other industries. Performed periodic monitoring, applicability determinations, compliance audits, permit negotiation, and provisions drafting.

SUMMARY OF EXPERIENCE

Mr. Erenstein serves as a Manager of Consulting Services for Trinity's Albuquerque, NM office, assisting clients with state and federal air quality permitting applications. He has experience in air dispersion modeling, emissions inventories, regulatory applicability analyses, and air permitting.

Mr. Erenstein came to Trinity in 2010 from Maricopa County Air Quality Department (MCAQD) where he had extensive experience as a compliance inspector of both Title V and non-Title V sources including landfill, power plant, semi-conductor, wood working, bulk storage, bulk storage terminals and surface coating facilities. In this role, Mr. Erenstein analyzed and determined the cause and nature of air contaminant emissions.

Mr. Erenstein received his bachelor's degree in Earth and Planetary Sciences (geology) from the University of New Mexico in 2000.

Environmental Management Information Systems (EMIS) – Implemented EMIS and facilitated system selection and implementation scope definition.

Emissions Inventories – Extensive experience developing and auditing emissions inventories for the purposes of permitting, annual reporting, and compliance audits. Quantified emissions for a large spectrum of sources including oil & gas, painting/coating, mining operations, electricity generation, food manufacturing, general manufacturing, and others.

Compliance Planning and Audits – Audited air quality permits, air dispersion modeling, and plant-wide compliance with air quality regulations. Conducted permit clean-up and reconciliation for numerous industries. Performed system-wide compliance review and compliance management system development.

Air Quality Training and Education – Developed education and training solutions for industry in the areas of permitting, regulations and compliance.

EMPLOYMENT HISTORY

03/2017– Present	Trinity Consultants – Manager of Consulting Services
04/2014 – 03/2017	Trinity Consultants – Managing Consultant
09/2012 – 4/2014	Trinity Consultants – Senior Consultant
2010 – 09/2012	Trinity Consultants – Consultant
2007 – 2010	Maricopa County Air Quality Department – Title V Compliance Inspector

ORGANIZATIONS

Air & Waste Management Association (A&WMA)
New Mexico Oil & Gas Association (NMOGA)



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**AIR QUALITY BUREAU
GENERAL CONSTRUCTION PERMIT
for**

**OIL AND GAS FACILITIES
GCP-Oil & Gas**

Issued under 20.2.72 NMAC

JCBg

Acting Director
Juan Carlos (JC) Borrego
Environmental Protection Division

4/27/18

Date

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PART A FACILITY SPECIFIC REQUIREMENTS**A100 Introduction and Applicability**

- A. Air Quality Permit GCP-Oil and Gas (“Permit”) is issued by the Air Quality Bureau (AQB) of the New Mexico Environment Department (Department) under Title 20 Chapter 2 Part 72 of the New Mexico Administrative Code [20.2.72.220 NMAC]. The Department issues general permits in order to register groups of sources that have similar operations, processes, and emissions and that are subject to the same or substantially similar requirements [20.2.72.220.A(1) NMAC]. General permits provide an additional permitting option for specific types of sources that can meet the predetermined permit requirements [20.2.72.220.C(1) NMAC].
- B. This Permit authorizes an owner or operator to construct, modify, and operate an oil and gas facility in New Mexico (excluding Bernalillo County, tribal lands, non-attainment areas, and City of Sunland Park) under the conditions set forth herein.
- C. An owner or operator that registers for and receives approval to construct under this Permit will have satisfied the State of New Mexico’s requirement for obtaining an air quality permit prior to constructing, modifying, or operating a source of air pollutants. However, other federal, state, or local agencies may have additional requirements such as zoning restrictions.
- D. All sources for which the Department has approved a Registration Form under GCP-Oil and Gas are subject to GCP-Oil and Gas terms and conditions. No source may construct or operate under GCP-Oil and Gas unless the Department has approved its Registration Form in writing. No source may operate under GCP-Oil and Gas unless such operation meets all the requirements of GCP-Oil and Gas.
- E. Construction or modification of a source shall not begin until the Department has approved the Registration Form and the owner or operator has been notified in writing. [20.2.72.200.E NMAC and 20.2.72.220.C(6)(a) NMAC]
- F. The Facility shall operate as specified in the Registration Form. The emission limits and equipment specified in the Registration Form are federally enforceable, and shall become the terms and conditions of this Permit.
- G. The owner or operator may apply for registration of a Facility under this Permit if:
 - (1) The Facility can comply with all of the requirements of this Permit; and
 - (2) The Facility includes any combination of the emissions units listed in Table 104.
- H. The Department shall deny a Registration Form if:

- (1) The Registration Form is not complete;
- (2) The source, as proposed, is not qualified to register for GCP-Oil and Gas;
- (3) The source, as proposed, includes emission units not allowed under GCP-Oil and Gas;
- (4) The source is, or contains, a petroleum refinery, chemical manufacturing plant, flare pits, or bulk gasoline terminal, or is a listed source in Table 1 of 20.2.74.501 NMAC;
- (5) The source, as proposed, cannot meet the terms and conditions of GCP-Oil and Gas as determined by the review of the Registration Form(s);
- (6) The Facility is located in a nonattainment area [defined by 20.2.72.216 and 20.2.79 NMAC], Bernalillo County, or tribal lands;
- (7) The public notice performed for the Facility is inadequate to meet the requirements in Condition C100.B – *Public Notification*; or
- (8) Any criteria listed in 20.2.72.208 NMAC is applicable.

A101 Permit Duration (expiration)

- A. The term of this permit is permanent unless withdrawn or cancelled by the Department.

A102 Facility: Description

- A. The function of the Facility is to treat, process, store and/or transport gases and liquids associated with the production of oil and gas, and/or inject those substances or their byproducts into the earth. [SIC 1311, 1321, 4619, and 4922]

A103 Facility: Applicable Regulations

- A. The permittee shall comply with all applicable sections of the requirements listed in Table 103.

Table 103.: Applicable Requirements

Applicable Requirements	Federally Enforceable
20.2.1 NMAC General Provisions	X
20.2.3 NMAC Ambient Air Quality Standards	X
20.2.7 NMAC Excess Emissions	X
20.2.38 NMAC Hydrocarbon Storage Facilities	
20.2.61 NMAC Smoke and Visible Emissions	X
20.2.72 NMAC Construction Permit	X

Applicable Requirements	Federally Enforceable
20.2.73 NMAC Notice of Intent and Emissions Inventory Requirements	X
20.2.75 NMAC Construction Permit Fees	X
20.2.77 NMAC New Source Performance	X
20.2.82 NMAC MACT Standards for Source Categories of HAPS	X
40 CFR 50 National Ambient Air Quality Standards	X
40 CFR 60, Subpart A, General Provisions	X
40 CFR 60, Subpart D, Da, Db, Dc	X
40 CFR 60, Subpart K, Ka, or Kb	X
40 CFR 60, Subpart GG	X
40 CFR 60, Subpart KKK	X
40 CFR 60, Subpart LLL	X
40 CFR 60, Subpart IIII	X
40 CFR 60, Subpart JJJJ	X
40 CFR 60, Subpart KKKK	X
40 CFR 60, Subpart OOOO	X
40 CFR 60, Subpart OOOOa	X
40 CFR 63, Subpart A, General Provisions	X
40 CFR 63, Subpart HH	X
40 CFR 63, Subpart ZZZZ	X
Additional CAA Regulations Adopted by EIB	X

A104 Facility: Regulated Sources

- A. Table 104 lists the emission units authorized for this facility. Emission units identified as exempt activities (as defined in 20.2.72.202 NMAC) and/or equipment not regulated pursuant to the Act are authorized, but not included in Table 104.

Table 104: Allowable Equipment

Equipment List
Storage Tanks
Flares, Enclosed Combustion Devices, Thermal Oxidizers
Engines, Turbines, and Generators
Dehydrators, Cryogenic Units, Acid Gas Removal, Amine (Sweetening) Units, other Natural Gas Processing Equipment
Auxiliary Equipment and Activities (includes heaters, separators, loading, Vapor Recover Unit (VRU), Vapor Recovery Tower (VRT), Ultra Low Pressure Separator (ULPS), Flash Tower, blowcase vessels, condensers, associated piping and connectors, pneumatics, pumps, compressors and other equipment as approved by the Department).

All units must be evaluated for applicability to NSPS and NESHAP requirements.

A105 Facility: Control Equipment

- A. The authorized control equipment is established in the Registration Form. The permittee shall comply with all applicable requirements in this Permit for any control device selected in the Registration Form.

A106 Facility: Allowable Emissions

- A. The allowable hourly and annual emission limits are established in the Registration Form. In order to qualify for this permit, the Facility’s annual emissions may not exceed those amounts in Table 106. These limits ensure the facility will not be a major Title V or PSD source under 20.2.70 or 20.2.74 NMAC.
- B. Table 106 does not establish facility emission limits, but establishes the eligibility criteria to register under this permit. If, at any time, these emission rates are exceeded, the applicant shall re-evaluate permit applicability.

Table 106: Maximum Eligible Emission Rates to Register Under this Permit

Pollutant	Tons per Year (tpy)
Nitrogen Oxides (NO _x)	95 tpy
Carbon Monoxide (CO)	95 tpy
Volatile Organic Compounds (VOC)* (non-fugitive)	95 tpy
Sulfur Dioxide	95 tpy
Hydrogen Sulfide	25 tpy
Total Suspended Particulates (TSP)	25 tpy
Particulate Matter less than 10 Microns (PM ₁₀)	25 tpy
Particulate Matter less than 2.5 Microns (PM _{2.5})	25 tpy
Any Individual Hazardous Air Pollutant (HAP)	< 10 tpy
Total HAP	< 25 tpy

* Fugitive emissions of VOC do not typically count toward Title V or PSD applicability. Thus, the total VOC emissions, including fugitive sources, may exceed 100 tpy without triggering additional permitting requirements.

C. Allowable Hourly and Annual Emission Limits

Requirement: For each regulated emission unit in the Registration Form, the emissions specified in the Registration Form shall be the allowable emission limits in this Permit. For each piece of equipment with an hourly emission limit established in the Registration Form, compliance shall be demonstrated by complying with the specific conditions for the emission unit in this Permit.

Compliance with the allowable annual emission limits shall be demonstrated by complying with the process parameters required for each piece of authorized equipment (e.g. tank throughput, engine test and/or run time, glycol circulation rates, control device inspection, etc.) as represented in the Registration Form.

If one of the process parameters required to be monitored has been exceeded, the permittee shall prepare calculations to determine compliance with each applicable emission limit for that piece of equipment. If the permittee determines its emission limit has been exceeded, the permittee shall also determine if that exceedance caused an exceedance of the facility's annual emission limit.

Monitoring: The permittee shall comply with the monitoring requirements as stated in the specific conditions of the permit.

Recordkeeping: Compliance with each annual emission limit shall be demonstrated by complying with the process parameters required for each piece of authorized equipment, except flares. For flares, the permittee shall comply with the requirements in Condition A207.

Compliance with the allowable emission limits for SSM and Malfunction events (non-flaring) shall be demonstrated by complying with Condition A107.

Upon request by the Department, the permittee shall provide calculations of the facility's monthly cumulative total emissions, or the monthly rolling 12-month total emissions in tons per year. Compliance with the annual emission limits in the Registration Form shall be demonstrated during the first twelve months of operation on a cumulative monthly basis, and after the first twelve months, on a monthly rolling 12-month total basis.

The permittee shall record in accordance with Section B109.

Reporting: The permittee shall report in accordance with Section B110.

A107 Facility: Allowable Startup, Shutdown, & Maintenance (SSM) and Malfunction Emissions

- A. The allowable SSM and Malfunction emission limits for this facility are established in the Registration Form and were relied upon by the Department to determine compliance with applicable regulations.
- B. Conditions for SSM flaring events are established in Condition A207.
- C. If selected by the permittee in the Registration Form, the permittee may select to authorize up to 10 tons per year of VOC from malfunction events. If this option is not selected, Condition A107.D does not apply. The Permit does not authorize combustion emissions due to malfunction events.
- D. Malfunction Emissions of VOC (Non-combustion Malfunction Emissions)

Requirement: The permittee shall complete the following recordkeeping to demonstrate compliance with malfunction (M) emission limits in the Registration Form.

For emissions due to malfunctions, the permittee has the option to report these as excess emissions of the ton per year limit specified in the Registration Form, in accordance with 20.2.7 NMAC, or include the emissions under the malfunction limit, unless the requested malfunction

limit has been exceeded.

Excess emissions of the malfunction limits shall be reported in accordance with the requirements at 20.2.7 NMAC as follows:

- (1) During the first 12 months of monitoring, if the cumulative monthly total of emissions exceeds the specified allowable annual emission limit.
- (2) After the first 12 months of monitoring, if the monthly rolling 12-month total exceeds the specified allowable annual emission limit.

Once emissions from a malfunction event are submitted in the final report per 20.2.7.110.A(2) NMAC, the event is considered an excess emission and cannot be applied toward the malfunction limit in this permit.

Monitoring: The permittee shall monitor all malfunction events that result in VOC emissions including identification of the equipment or activity that is the source of emissions.

Recordkeeping:

- (1) To demonstrate compliance, each month records shall be kept of the cumulative total of malfunction VOC emissions during the first 12 months and, thereafter of the monthly rolling 12-month total VOC emissions.
- (2) Records shall also be kept of the percent VOC of the gas based on the most recent gas analysis, of the volume of total gas vented in MMscf used to calculate the VOC emissions, and whether the emissions resulting from the event will be used toward the permitted malfunction emission limit or whether the event is reported as excess emissions of the ton per year limit in the Registration Form under 20.2.7 NMAC.
- (3) The permittee shall record the demonstrated compliance in accordance with Condition B109, except the requirement in B109.C to record the start and end times of malfunction events shall not apply to the venting of known quantities of VOC.

Reporting: The permittee shall report in accordance with Section B110.

E. SSM Emissions of VOC (Non-combustion SSM)

Requirement: The permittee shall complete the following recordkeeping to demonstrate compliance with routine and predictable startup, shutdown, and maintenance (SSM) emission limits specified in the Registration Form.

Monitoring: The permittee shall monitor the permitted routine and predictable startups, shutdowns, and scheduled maintenance events.

Recordkeeping:

- (1) To demonstrate compliance, each month records shall be kept of the cumulative total of SSM VOC emissions during the first 12 months and, thereafter of the monthly rolling 12-month total SSM VOC emissions.
- (2) Records shall also be kept of the percent VOC and H₂S of the gas based on the most recent

gas analysis, and of the volume of total gas vented in MMscf used to calculate the SSM VOC emissions.

- (3) The permittee shall maintain records in accordance with Condition B109, except the requirement in B109.C to record the start and end times of SSM events shall not apply to the venting of known quantities of VOC.

Reporting: The permittee shall report in accordance with Section B110.

A108 Facility: Allowable Operations

- A. This facility is authorized for continuous operation if continuous operation is specified in the Registration Form. Monitoring, recordkeeping, and reporting are not required to demonstrate compliance with continuous hours of operation.
- B. If the facility or any emission unit is operated less than 8760 hours per year, the applicant may request a reduced number of hours of operation for the facility or emission unit in the Registration Form. The permittee shall demonstrate compliance with the allowable hours of operation for the facility or emission unit by complying with Condition A108.C.
- C. Hours of Operation (For Facility or Emission Units requested in Registration Form to operate less than 8760 hours per year)

Requirement: To ensure compliance with allowable emission limits in the Registration Form, the permittee shall comply with the following requirements.

Monitoring: The permittee shall monitor the hours of operation of each emission unit authorized to operate less than 8760 hours of operation on a monthly rolling 12-month period.

Recordkeeping: The permittee shall record the hours of operation of each such emission unit monthly, shall calculate and record the monthly rolling 12-month total hours of operation, and shall meet the recordkeeping requirements in Section B109.

Reporting: The permittee shall report in accordance with Section B110.

A109 Facility: Reporting Schedules

- A. The permittee shall report according to the Specific Conditions and General Conditions of this permit.

A110 Facility: Fuel and Fuel Sulfur Requirements

- A. Fuel and Fuel Sulfur Requirements for Equipment other than Flares

Requirement: Combustion emission units (except flares) may combust only field gas, natural gas, diesel fuel, propane, or other Department-approved fuel. The SO₂ limit for each engine and

turbine is limited by the NO_x emission rate of the unit. The allowable SO₂ emission limit for engines and turbines is 20% of the NO_x emission rate of the unit. Diesel fuel must meet ULSD specifications (15 ppm).

Monitoring: None

Recordkeeping: The permittee shall demonstrate compliance with the fuel or fuel oil limit on H₂S content by maintaining records of a current purchase contract, tariff sheet, or transportation contract for the gaseous or liquid fuel, or fuel gas analysis, specifying the allowable limit or less. If a fuel gas analysis is used, the analysis shall not be older than one year.

Reporting: The permittee shall report in accordance with Section B110.

A111 Facility: 20.2.61 NMAC Opacity

A. 20.2.61 NMAC Opacity Limit (All Combustion Units)

Requirement: Visible emissions shall meet the requirements of 20.2.61.109 NMAC.

Monitoring:

- (1) Use of natural gas constitutes compliance with 20.2.61 NMAC unless visible emissions are observed. When any visible emissions are observed during operation other than during startup mode, opacity shall be measured over a 10-minute period, in accordance with the procedures at 40 CFR 60, Appendix A, Reference Method 9 (EPA Method 9) as required by 20.2.61.114 NMAC, or the operator will be allowed to shut down the equipment to perform maintenance/repair to eliminate the visible emissions. Following completion of equipment maintenance/repair, the operator shall conduct visible emission observations following startup in accordance with the following procedures:
 - (a) Visible emissions observations shall be conducted over a 10-minute period during operation after completion of startup mode in accordance with the procedures at 40 CFR 60, Appendix A, Reference Method 22 (EPA Method 22). If no visible emissions are observed, no further action is required.
 - (b) If any visible emissions are observed during completion of the EPA Method 22 observation, subsequent opacity observations shall be conducted over a 10-minute period, in accordance with the procedures at EPA Method 9 as required by 20.2.61.114 NMAC.

For the purposes of this condition, *Startup mode* is defined as the startup period that is described in the facility's SSM plan.

Recordkeeping:

- (1) If any visible emissions observations were conducted, the permittee shall keep records in accordance with the requirements of Section B109 and as follows:
 - (a) For any visible emissions observations conducted in accordance with EPA Method 22, record the information on the form referenced in EPA Method 22, Section 11.2.

(b) For any opacity observations conducted in accordance with the requirements of EPA Method 9, record the information on the form referenced in EPA Method 9, Sections 2.2 and 2.4.

Reporting: The permittee shall report in accordance with Section B110.

EQUIPMENT SPECIFIC REQUIREMENTS

OIL AND GAS INDUSTRY

A200 Oil and Gas Industry

- A. This section has common equipment related to most oil and gas operations. Only sections specific to operational and control equipment established on the Registration Form apply.

A201 Gas Analysis Requirements

- A. Sites with the following equipment shall perform an annual gas analysis to include H₂S concentration: Flares, Vents, Enclosed Combustion Devices, Thermal Oxidizers;
- B. Sites with the following equipment shall perform an annual extended gas analysis to include H₂S: Glycol Dehydrators that vent to the atmosphere, Amine units that vent to the atmosphere;
- C. For equipment that uses fuel gas other than natural gas, measure and record the H₂S concentration annually; and
- D. For all other sites, perform a gas analysis to include H₂S concentration at least once every 24-month period.

A202 Engines and Turbines (including generators)

- A. The permittee shall comply with the minimum engine and turbine stack parameter requirements of this permit.
- B. Maintenance and Repair Monitoring for Engines and Turbines under 180 hp and Located at Facilities with a PER Greater than 80 tpy of NO_x and CO

Requirement: Compliance with the allowable emission limits in the Registration Form shall be demonstrated by properly maintaining and repairing the units. Maintenance and repair shall meet the minimum manufacturer's or permittee's recommended maintenance schedule.

Monitoring: Activities that involve maintenance, adjustment, replacement, or repair of

functional components with the potential to affect the operation of an emission unit shall be documented as they occur for any maintenance that takes a unit out of service for more than two hours during any twenty-four hour period.

Recordkeeping: The permittee shall maintain records in accordance with Section B109, including records of maintenance and repair activities and a copy of the manufacturer's or permittee's recommended maintenance schedule.

Reporting: The permittee shall report in accordance with Section B110.

C. Initial Compliance Test (Engines and Turbines > 180 hp)

Requirement: Compliance with the allowable emission limits in the Registration Form shall be demonstrated by performing an initial compliance test. Existing units tested within the last five years shall not be required to perform an initial compliance test.

Monitoring: The permittee shall perform an initial compliance test in accordance with the General Testing Requirements of Section B111. Emission testing is required for NO_x and CO. Test results that demonstrate compliance with the CO emission limits shall also be considered to demonstrate compliance with the VOC emission limits. Test results that show an exceedance of a CO emission limit are not considered to show an exceedance of a VOC emission limit. The Department may require an initial compliance test to demonstrate compliance with the VOC emission limit.

The monitoring exemptions of Section B108 do not apply to this requirement.

Recordkeeping: The permittee shall maintain records in accordance with the applicable Sections in B109, B110, and B111.

Reporting: The permittee shall report in accordance with the applicable Sections in B109, B110, and B111.

D. Periodic Emissions Testing (Engines and Turbines > 180 hp)

Requirement: Compliance with the allowable emission limits in the Registration Form shall be demonstrated by completing periodic emission tests during the monitoring period.

Monitoring: The permittee shall test using a portable analyzer or EPA Reference Methods subject to the requirements and limitations of Section B108, General Monitoring Requirements. Emission testing is required for NO_x and CO and shall be carried out as described below.

Test results that demonstrate compliance with the CO emission limits shall also be considered to demonstrate compliance with the VOC emission limits. Test results that show an exceedance of a CO emission limit are not considered to show an exceedance of a VOC emission limit. The Department may require a compliance test to demonstrate compliance with the VOC emission limit.

Facilities with a PER less than 80 tpy of each regulated air pollutant shall perform periodic testing every three years for each engine and turbine > 180 hp.

Facilities with a PER greater than 80 tpy of any regulated air pollutant shall perform periodic testing once per calendar year for each engine and turbine > 180 hp.

For annual testing, the first test shall occur within the twelve months after permit issuance. All subsequent monitoring events for engines and turbines shall occur no later than one year from the previous event.

For 3-year testing, the first test shall occur within 36 months after permit issuance, and at least once per 36-month period thereafter.

The permittee shall follow the General Testing Procedures of Section B111.

Recordkeeping: The permittee shall maintain records in accordance with Section B109, B110, and B111.

Reporting: The permittee shall report in accordance with Section B109, B110, and B111.

E. 40 CFR 63, Subpart ZZZZ (Engines subject to NESHAP ZZZZ)

Requirement: For units subject to 40 CFR 63, Subpart A and ZZZZ, the permittee shall comply with all applicable requirements of Subpart A and Subpart ZZZZ.

Monitoring: The permittee shall comply with all applicable monitoring requirements of 40 CFR 63, Subpart A and Subpart ZZZZ.

Recordkeeping: The permittee shall comply with all applicable recordkeeping requirements of 40 CFR 63, Subpart A and Subpart ZZZZ.

Reporting: The permittee shall comply with all applicable reporting requirements of 40 CFR 63, Subpart A and ZZZZ.

F. 40 CFR 60, Subpart IIII and JJJJ (Engines subject to NSPS IIII and/or JJJJ)

Requirement: For units subject to 40 CFR 60, Subparts A and IIII and/or JJJJ, the permittee shall comply with the notification requirements in Subpart A and the specific requirements of Subpart IIII and/or JJJJ.

Monitoring: The permittee shall comply with all applicable monitoring requirements in 40 CFR 60, Subpart A and IIII and/or JJJJ.

Recordkeeping: The permittee shall comply with all applicable recordkeeping requirements in 40 CFR 60, Subpart A and IIII and/or JJJJ.

Reporting: The permittee shall comply with all applicable reporting requirements in 40 CFR 60, Subpart A and IIII and/or JJJJ.

G. 40 CFR 60, Subpart GG or KKKK (Turbines subject to NSPS GG and/or KKKK)

Requirement: For units subject to 40 CFR 60, Subparts A and GG and/or KKKK, the permittee shall comply with the applicable requirements of 40 CFR 60, Subpart A and GG and/or KKKK.

Monitoring: The permittee shall comply with all applicable monitoring requirements in 40 CFR 60, Subpart A and GG and/or KKKK.

Recordkeeping: The permittee shall comply with all applicable recordkeeping requirements in 40 CFR 60, Subpart A and GG and/or KKKK.

Reporting: The permittee shall comply with all applicable reporting requirements in 40 CFR 60, Subpart A and GG and/or KKKK.

H. Engine and Turbine Control Device Operation

Requirement: Each unit equipped and operated with an oxidation catalytic converter, non-selective catalytic converter, or other control device specified in the Registration Form, shall comply with the requirements of this condition. Except for recommended burn-in period for catalysts, the units may not be operated in normal service without the control device. Units with a non-selective catalytic (NSCR) converter shall also be equipped with an AFR controlling device, or similar device that performs the same function of maintaining an appropriate air-fuel ratio.

During periods of catalyst maintenance, the permittee shall either (1) shut down the engine or turbine; or (2) replace the catalyst with a functionally equivalent spare to allow the engine or turbine to remain in operation.

The permittee shall maintain the units per the manufacturers supplier's or permittee's recommended maintenance.

Monitoring: Units equipped with a catalyst shall be operated with a catalyst except during unit burn in periods.

Recordkeeping: The permittee shall maintain records in accordance with Section B109.

Reporting: The permittee shall report in accordance with Section B110.

I. Engine and Turbine Stack Parameter Requirements

Engine Stack Parameter Requirements

There is no limit on the number of engines that can operate under the GCP-Oil and Gas, provided that each engine has at least the minimum stack parameters determined by the facility total emission rate, and the facility total emission rate remains below the permit limit.

The minimum stack heights for engines are determined by performing the following calculation, and comparing the calculated emission rate with the stack parameters in Table 1:

- Step 1) Add up the maximum pound per hour NO_x emission rate of all NO_x emission sources (except flares and thermal oxidizers). The NO_x emission rate from any enclosed combustion device (ECD) must be multiplied by two before adding to the total, as the dispersion from ECD causes twice the impact of other sources.

- Step 2) Use the calculated facility total NO_x emission rate in Table 1 to determine the minimum stack parameters for engines.
- Step 3) An engine with a temperature or velocity that is less than the minimum that would apply to that unit may choose to add 3.3 feet to the unit's required minimum stack height to be considered to be in compliance with these stack parameter requirements. If both temperature and velocity are low, then 6.6 feet may be added. The minimum temperature and velocity for this exception to apply are 206°F and 26.2 feet per second.

Engines are limited to fuels that produce SO₂ emission rates of equal to or less than 20% of the NO_x emission rate of that engine.

Engines (and Heaters) that do not Meet the Minimum Stack Parameters

Engines (and heaters) that do not meet the minimum stack parameters in Table 1 are authorized if:

1. The minimum height of engine stacks determined in Step 2 above is raised by 3.3 feet, and
2. The applicant adds the pound per hour NO_x emission rates from the remaining engines, turbines, and heaters that do not meet the minimum stack parameters after Step 3 above, and those units are able to meet the new minimum stack parameters from Table 1 based on the total emission rate of the remaining engines, turbines, and heaters.

Any number of these engines and heaters are authorized, so long as all of the requirements and facility total emission limits in this condition are met.

Table 1: Engines

Facility total NOx emission rate (lb/hr)	Height (ft)	Temperature (°F)	Velocity (ft/s)	Diameter (ft)
21.7	23	854	91.9	1.0
21	19.7	854	91.9	1.0
20	18	854	91.9	1.0
19	14.8	854	91.9	1.0
17 – 18	14.8	854	88.6	1.0
15 – 16	14.8	854	88.6	0.8
13 – 14	14.8	782	72.2	0.8
10 - 12	14.8	782	72.2	0.7
9	14.8	782	65.6	0.7
8	14.8	782	59.1	0.7
7	14.8	782	49.2	0.7
6	14.8	710	49.2	0.7
5	11.5	571	49.2	0.7
4	11.5	571	49.2	0.5
3	9.8	571	49.2	0.3
2	8.2	571	49.2	0.3
1	5.9	571	49.2	0.3

Turbine Stack Parameter Requirements

There is no limit on the number of turbines that can operate under the GCP-Oil and Gas, provided that each turbine has at least the minimum stack parameters determined by the facility total emission rate, and the facility total emission rate remains below the permit limit.

The minimum stack heights for turbines are determined by performing the following calculation, and comparing the calculated emission rate with the stack parameters in Table 2:

- Step 1) Add up the maximum pound per hour NO_x emission rate of all NO_x emission sources (except flares and thermal oxidizers). The NO_x emission rate from any enclosed combustion device (ECD) must be multiplied by two before adding to the total, as the dispersion from ECD causes twice the impact of other sources.
- Step 2) Use this facility total NO_x emission rate in Table 2 to determine the minimum stack parameters for turbines.
- Step 3) A turbine with a temperature or velocity that is less than the minimum that would apply to that unit may choose to add 3.3 feet to the unit's required minimum stack height to be considered to be in compliance with these stack parameter requirements. If both temperature and velocity are low, then 6.6 feet may be added. The minimum temperature and velocity for this exception to apply are 206°F and 26.2 feet per second.

Turbines (and Heaters) that do not Meet the Minimum Stack Parameters

Turbines (and heaters) that do not meet the minimum stack parameters in Table 2 are authorized if:

1. The minimum height of turbine stacks determined in Step 2 above is raised by 3.3 feet, and
2. The applicant adds the pound per hour NOx emission rates from the remaining turbines, engines, and heaters that do not meet the minimum stack parameters after Step 3 above, and those units are able to meet the new minimum stack parameters from Table 2 based on the total emission rate of the remaining turbines, engines, and heaters.

Any number of these turbines and heaters are authorized, so long as all of the requirements and facility total emission limits in this condition are met.

Table 2: Turbines

Facility total NOx emission rate (lb/hr)	Height (ft)	Temperature (°F)	Velocity (ft/s)	Diameter (ft)
21.7	23	598.7	32.8	2.3
21	19.7	598.7	32.8	2.3
20	16.4	598.7	32.8	2.3
19	16.4	598.7	32.8	2.0
17 – 18	14.8	598.7	32.8	2.0
14 – 16	14.8	598.7	32.8	1.6
12 – 13	13.1	598.7	32.8	1.6
9 – 11	11.5	598.7	32.8	1.6
8	11.5	598.7	32.8	1.3
6 – 7	9.8	598.7	32.8	1.3
4 – 5	8.2	598.7	32.8	1.3
3	6.6	598.7	32.8	1.1
2	5.9	598.7	32.8	0.8
1	5.9	598.7	32.8	0.8

A203 Heaters and Reboilers

- A. Any number of heaters and reboilers are authorized if the units are able to meet the minimum stack parameter requirements in either Table 1 or Table 2 of Condition A202.I.

A heater or reboiler with a temperature or velocity less than the minimum that would apply to that unit in Table 1 or 2 of Condition A202.I may choose to add 3.3 feet to the unit’s required minimum stack height to be considered to be in compliance with

these stack parameter requirements. If both temperature and velocity are low, then 6.6 feet may be added. The minimum temperature and velocity for this exception to apply are 206°F and 26.2 feet per second.

- B. If any units do not meet the minimum stack parameters in Table 1 or Table 2 of Condition A202.I, an adjustment may be made using the conditions for **Engines or Turbines (and Heaters) that do not Meet the Minimum Stack Parameters** requirement in Condition A202.I of this permit.
- C. If, after the above adjustments, any heater or reboiler is unable to meet the minimum stack parameter requirements in Table 1 or 2 of Condition A202.I, the maximum total emission rate allowed for those heaters and reboilers is 1.23 lb/hr of NO_x. This limit is based upon the air dispersion modeling used in the development of this permit.

A204 Glycol Dehydrators

A. Glycol Pump Circulation Rate

Requirement: Compliance with the allowable emission limits in the Registration Form shall be demonstrated by monitoring the glycol pump circulation rate for each unit. The permittee shall not exceed the throughput in gallons per minute as requested in the Registration Form.

Monitoring: The permittee shall monitor the circulation rate quarterly unless specified as using the maximum design pump rate in the Registration Form. Monitoring shall include a visual inspection of pump rate setting or other method previously approved by the Department.

Recordkeeping: The permittee shall maintain records that include a description of the monitoring and are in accordance with Section B109.

Reporting: The permittee shall report in accordance with Section B110.

B. Extended Gas Analysis and GRI-GLYCalc Calculation

Requirement: Compliance with the allowable emission limits in the Registration Form shall be demonstrated by conducting an annual extended gas analysis on the dehydrator inlet gas and by calculating emissions using GRI-GLYCalc or Department-approved equivalent.

Monitoring: The permittee shall conduct an annual GRI-GlyCalc analysis using the most recent extended gas analysis, and verify the input data. The permittee may use a method of calculating dehydrator emissions other than the most current version of GRI-GlyCalc if approved by the Department. Changes in the calculated emissions due solely to a change in the calculation methodology shall not be deemed an exceedance of an emission limit.

Recordkeeping: The permittee shall identify in a summary table all parameters that were used as inputs in the GRI-GLYCalc or equivalent software model. A printout of calculation inputs will suffice as the summary table. The permittee shall keep a record of the results, noting the VOC and HAP emission rates for the dehydrator obtained from estimates using GRI-GLYCalc or equivalent.

Reporting: The permittee shall report in accordance with Section B110.

C. Control Device Inspection

Requirement: To demonstrate compliance with the allowable emission limits in the Registration Form, the permittee shall control the still vent and/or flash tank emissions as indicated in the Registration Form. If no control device is selected, the permit shall demonstrate compliance with Conditions A204.A and B.

The permittee shall comply with Requirement 1 below, and the control device requirement in Requirement 2 below, for control devices selected in the Registration Form:

- 1) At no time during normal operations shall any emissions from the still vent, condenser, or flash tank be vented to the atmosphere, if controlled.

Control Options (selected in Registration Form):

- 2) Still vent, condenser, and/or flash tank emissions shall be captured and routed at all times to the selected control or recovery device.
 - a) If sending still vent, BTEX condenser, or flash tank emissions to a combustion device, the control device must be in operation at all times the dehydrator is in operation.
 - b) If still vent, BTEX condenser, or flash tank emissions are being recovered, those emissions shall at all times be routed to a process point that allows the off-gas to be recycled and recompressed, and not vented to the atmosphere.
 - c) Any closed loop system shall be designed and operated so that there are no detectable emissions.
 - d) If using a vapor recovery unit (VRU), the still vent and/or flash tank emissions shall be routed to the VRU and re-injected into the process stream. The VRU shall consist of a closed loop system of seals, ducts, and compressor. The VRU shall be operational at all times the glycol dehydrator is in operation.
 - e) All control devices and VRU shall be installed, operated, and maintained according to manufacturer's or supplier's or permittee's specifications. The permittee shall develop and implement an annual maintenance program or maintenance checklist for each control device and VRU.
 - f) Or other written Department approved method.

Monitoring: The permittee shall inspect the glycol dehydrator, the piping to any capture or control equipment, and any capture and control equipment semi-annually to ensure it is operating as designed.

Recordkeeping: The permittee shall record the inspection, the name of the inspector, and the results of all equipment and control device inspections chronologically, noting any maintenance or repairs needed to bring the dehydrator into compliance. The permittee shall maintain a copy of the control device and VRU maintenance recommendations, and the annual maintenance program or checklist.

Reporting: The permittee shall report in accordance with Section B110.

D. 40 CFR 63, Subpart HH

Requirement: For units subject to 40 CFR 63, Subpart HH, the permittee shall comply with all applicable requirements.

Monitoring: The permittee shall comply with the monitoring requirements of 40 CFR 63.773.

Recordkeeping: The permittee shall comply with the recordkeeping requirements of 40 CFR 63.774 and in Section B109.

Reporting: The permittee shall comply with the applicable reporting requirements of 40 CFR 63.775 and in Section B110.

A205 Tanks

A. Tank Throughput and Separator Pressure

Requirement: Compliance with the allowable emission limits in the Registration Form shall be demonstrated by limiting the hydrocarbon liquid throughput and average separator pressure to the amount and pressure (psia or psig) as listed in the Registration Form.

If tank emissions are controlled by a closed vent system and routed back to facility inlet, then the separator pressure limit shall not apply.

Monitoring: The permittee shall monitor the monthly total throughput of any hydrocarbon liquid, and the upstream separator pressure once per month. The upstream separator pressure shall be measured at the separator or flashing vessel directly prior to the crude oil or condensate entering the tanks.

Recordkeeping: The permittee shall record the monthly total throughput of hydrocarbon liquids and the monthly separator pressure.

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

- 1) during the first 12 months of monitoring, the cumulative total hydrocarbon liquid throughput and after the first 12 months of monitoring, the monthly rolling 12-month total hydrocarbon liquid throughput, and
- 2) during the first 12 months of monitoring, the average separator pressure, and after the first 12 months of monitoring, the monthly rolling 12-month average separator pressure.

Emission rates computed using the same parameters, but with a different Department-approved calculation methodology that exceed these values will not be deemed non-compliance with this permit.

Records shall specify the unit of pressure (psia or psig) and shall be consistent with the representation in the Registration Form. Records shall be maintained in accordance with Section B109.

Reporting: The permittee shall report in accordance with Section B110.

B. Control Device Options, Requirements, and Inspections for Tanks

Requirement: The permittee shall demonstrate compliance with the allowable emission limits in the Registration Form by:

- 1) limiting the throughput and average separator pressure to the amount listed in the Registration Form; and/or,
- 2) operating a Department approved control device; and/or,
- 3) routing emissions to process.

In the case of #2 and #3 above, compliance with the allowable emission limits in the Registration Form shall be demonstrated by operating the control device and/or vapor recovery units as a closed vent system that captures and routes all emissions from tanks back to the process stream or to the control device, and does not vent to the atmosphere. The requested control device is selected in the Registration Form. The permittee may elect to control emissions from any storage vessel in the Registration Form.

Monitoring: At least once per month, the permittee shall inspect the piping from the tanks to vapor recovery unit or control device for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices. In the event that a leak or defect is detected, the permittee shall repair the leak or defect within 30 calendar days and in a manner that minimizes VOC and HAP emissions to the atmosphere.

Alternatively to the above, and if selected in the Registration Form, the Permittee may implement a program that meets the requirements of NSPS OOOOa (40 CFR 60.5416a).

Recordkeeping: The permittee shall record the results of the control device and/or vapor recovery unit inspections chronologically, the name of the inspector, noting any maintenance or repairs that are required.

Reporting: The permittee shall report in accordance with Section B110.

A206 Truck Loading

A. Truck Loading

Requirement: Compliance with the allowable emission limits in the Registration Form shall be demonstrated by limiting the total annual loadout volume to the monthly rolling 12-month total volume as requested in the Registration Form.

Monitoring: The permittee shall monitor the truck loadout volume on a monthly basis.

Recordkeeping: The permittee shall record the monthly truck loadout volume. Each month, during the first 12 months of monitoring, the permittee shall record the cumulative condensate or crude oil loadout volume, and after the first 12 months of monitoring, the permittee shall calculate and record a monthly rolling 12-month total loadout volume.

Records shall also be maintained in accordance with Section B109.

Reporting: The permittee shall report in accordance with Section B110.

B. Truck Loading Control Device Inspection

Requirement: If selected in the Registration Form, all emissions from truck loading shall be captured and routed to the selected control device and shall not vent to atmosphere. Compliance

with the allowable emission limits in the Registration Form shall be demonstrated by operating the control device as a closed vent system that captures and routes all emissions from loading to the control device, and by complying with the specific conditions in this permit for that control device.

Monitoring: At least once per month, the permittee shall inspect the piping from the loading rack to the control device for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices. In the event that a leak or defect is detected, the permittee shall repair the leak or defect within 30 calendar days and in a manner that minimizes emissions to the atmosphere.

Alternatively to the above monitoring requirement, and if selected in the Registration Form, the Permittee may implement a program that meets the requirements of NSPS OOOOa (40 CFR 60.5416a).

Recordkeeping: The permittee shall record the results of the control device inspections chronologically, noting any maintenance or repairs that are required.

Reporting: The permittee shall report in accordance with Section B110.

C. Vapor Balancing During Truck Loading

Requirement: If selected in the Registration Form, the permittee shall comply with the following requirements. Compliance with the allowable emission limits in the Registration Form shall be demonstrated by operating a vapor balancing system in accordance with the following:

- 1) install and operate the vapor collection and return equipment to collect vapors during loading of tank compartments of outbound transport trucks, and return these vapors to the stationary storage vessels,
- 2) implement signage and written operating procedures requiring vapor collection equipment,
- 3) operate all recovery equipment at a back pressure less than the pressure relief valve setting of transport vehicles, and
- 4) inspect thief hatch seals semi-annually for proper operation and integrity and replace as necessary.

Monitoring: Semi-annually, inspect the vapor balance system, hoses, thief hatch seals, and PRD, and include an indication of condition, description of any maintenance, and repairs required.

Alternatively to the above, and if selected in the Registration Form, the Permittee may implement a program that meets the requirements of NSPS OOOOa (40 CFR 60.5416a).

Recordkeeping: The permittee shall record the date of the inspection, the results of the above inspections chronologically, and note any maintenance or repairs that are required.

Reporting: The permittee shall report in accordance with Section B110.

A207 Flares

- A. This permit does not authorize flaring of gas with a H₂S content greater than 6 mole percent by volume (pre-combustion). This condition is based upon the air dispersion modeling analysis for this permit.

B. Pilot Flame, Visible Emissions, and Operational Requirements

Requirement: Compliance with the allowable emission limits for flare(s) in the Registration Form shall be demonstrated by the following:

- 1) The flare is limited to the daily and annual throughput, H₂S concentration, and hours of operation, as specified in the Registration Form.
- 2) The flare shall combust only gas streams represented in the Registration Form.
- 3) The flare shall be equipped with a continuous pilot flame or an auto-igniter, or require manual ignition.
- 4) For flares with a continuous pilot flame or an auto-igniter, the flare shall be equipped with a system to ensure that the flare is operated with a flame present at all times that gas is sent the flare.
- 5) For flares with manual ignition, the permittee shall inspect and ensure that a flame is present upon initiating each flaring event.
- 6) The flare shall combust gas at all times gas is sent to the flare.
- 7) The flare shall be installed, operated, and maintained according to manufacturer's or equivalent specifications.
- 8) The flare shall be operated with no visible emissions except for periods not to exceed a total of sixty (60) seconds during any fifteen (15) consecutive minutes.
- 9) Compliance with the allowable hourly and annual emission limits in the Registration Form shall be demonstrated by complying with the requirements of this condition.

Malfunction flaring is not authorized under this permit, but is required to be reported under 20.2.7 NMAC. For each malfunction flaring event, the permittee is required to comply with the flow meter requirements in this condition. This information will be used to calculate emissions reported under 20.2.7 NMAC.

Monitoring:

- 1) For flares with a continuous pilot or an auto igniter, the permittee shall continuously monitor the presence of a flare pilot flame using a thermocouple equipped with a continuous recorder and alarm, to detect the presence of a flame, or any other equivalent device approved by the Department.
- 2) For manually ignited flares, the permittee shall monitor the presence of a flame using visual observation during each flaring event.

- 3) When any visible emissions are observed, the permittee shall perform a Method 22 observation while the flare pilot flame is present to certify compliance with the visible emission requirements. The observation shall be a minimum of fifteen minutes.
- 4) For flaring of the following event types, the permittee shall monitor in accordance with the following:

For startup, shutdown, maintenance, and emergency flaring at high pressure, a gas flow meter and flow totalizer, equipped with a chart recorder or data logger (electronic storage), shall be installed in the flare line to measure and record the total standard cubic feet (scf) of gas sent to the flare during any flaring event.

Monitoring for low pressure flaring is satisfied by the parametric monitoring of the equipment controlled by the flare.
- 5) The permittee shall measure the H₂S content, VOC content, and the heating value (Btu/scf) of the gas sent to the flare for combustion with a gas analysis in accordance with Condition A201.
- 6) For all high pressure flares, the flow meter, totalizer, and if used, the inline monitor shall be operated, calibrated, and maintained as specified by the manufacturer, permittee, or equivalent and as necessary to ensure correct and accurate readings.

Recordkeeping: The permittee shall record:

- 1) Chronologically, all instances of alarm activation, including the date and cause of alarm activation, actions taken to bring the flare into normal operating conditions, the name of the personnel conducting the inspection, and maintenance activities.
- 2) The results of the Method 22 observations and flame inspection for manual flares.
- 3) The results of the gas analysis including H₂S, VOC content, and heating value.
- 4) Both the hourly and monthly flow meter and flow totalizer measurements of gas sent to the flare during each flaring event.
- 5) Monthly, based on the data monitored and recorded in this condition and the throughput of the gas streams sent to any high pressure flare, the calculations and the basis of the calculations of the maximum hourly emission rate and the monthly total emissions in tons per month.
- 6) If the maximum hourly emission rate calculated in requirement 5 above, exceeds the allowable hourly emission limit, calculate and record the hourly emission rate for each hour of each flaring event of that month.
- 7) If one of the process parameters for a controlled unit has been exceeded, calculate and record the hourly and annual emission calculations for low and high pressure flares, to determine compliance with each applicable emission limit for that piece of equipment.

Reporting: The permittee shall report in accordance with Section B110 and in accordance with 20.2.7 NMAC.

C. Flare Stack Parameter Requirements

The facility can have any number of flares, provided that each flare has at least the minimum stack parameters determined by the SO₂ emission rate, and so long as the facility total emission rate remains below the permit limit. Flares that burn pipeline quality natural gas need to be designed for at least the flow rate they are burning, but have no specified height in this permit. Flares that are not limited to pipeline quality natural gas have height restrictions listed in the following table.

Table 3: Flare Minimum Stack Height Requirements

SO₂ Emission Rate (lb/hr)	Height (ft)
4501 – 5000	59.1
4001 – 4500	52.5
3501 – 4000	45.9
3001 – 3500	39.4
2501 – 3000	29.5
20 – 2500	19.7
10 – 19	13.1
5 – 9	11.5
3 – 4	9.8
2	8.2
0 – 1	6.6

Flare gas shall contain no higher than 6% H₂S by volume (pre-combustion). If flare gas contains more than 6% H₂S by volume, then assist gas may be added to reduce the gas composition to 6% H₂S or less by volume.

A208 Enclosed Combustion Device (ECD) or Thermal Oxidizer (TO)

- A. ECD are not permitted to burn gas with high sulfur content. The SO₂ emission limit for ECD is 0.9 lb/hr if all ECD operate with a velocity of at least two (2) feet per second. The SO₂ limit for ECD is 0.7 lb/hr if all ECD operate with a velocity of at least one (1) foot per second. This limit is based upon the air dispersion modeling used in the development of this permit.

B. Pilot Flame, Visible Emissions, and Operational Requirements

Requirement: Compliance with the allowable emission limits for each ECD(s) and TO(s) in the Registration Form shall be demonstrated by the following:

- 1) The permittee shall at all times operate the ECD or TO as a closed vent system that captures and routes all VOC and HAP emissions from the units listed in the Registration Form to the control device.
- 2) The permittee shall ensure that the controlled units do not vent uncombusted gas to the atmosphere.
- 3) Each ECD and TO is limited to the daily and annual throughput, H₂S concentration, and hours of operation as requested in the Registration Form.
- 4) The units shall be equipped with a continuous pilot flame or an auto-igniter.
- 5) The units shall be equipped with a system to ensure that it is operated with a flame present at all times that gas is sent the unit.
- 6) ECD and TO combustion shall be maintained for the duration of time gas is sent to the unit.
- 7) ECD and TO shall be installed, operated, and maintained according to manufacturer's, or permittee's equivalent specifications.
- 8) The ECD and TO shall be operated with no visible emissions except for periods not to exceed a total of sixty (60) seconds during any fifteen (15) consecutive minutes.

Monitoring:

- 1) The permittee shall continuously monitor the presence of a pilot flame using a thermocouple equipped with a continuous recorder and alarm, to detect the presence of a flame, or any other equivalent device approved by the Department.
- 2) Once per calendar year, or when any visible emissions are observed, the permittee shall perform a Method 22 observation while the pilot flame is present to certify compliance with the visible emission requirements. The observation period shall be fifteen minutes.
- 3) A gas flow meter and flow totalizer, equipped with a chart recorder or data logger (electronic storage), shall be installed in the incoming gas line to measure and record the total standard cubic feet (scf) of gas sent to the unit during any high pressure operation.
- 4) Monitoring of low pressure combustion by the ECD or TO is satisfied by the parametric monitoring of the equipment controlled by the ECD or TO.
- 5) The permittee shall measure the H₂S content, VOC content, and the heating value (Btu/scf) of the gas sent for combustion with a gas analysis in accordance with Condition A201.
- 6) The flow meter, totalizer, and if used, the inline monitor, shall be operated, calibrated, and maintained as specified by the manufacturer, or permittee, or equivalent and as necessary to ensure correct and accurate readings.

Recordkeeping: The permittee shall record:

- 1) Chronologically, all instances of alarm activation, including the date and cause of alarm activation, actions taken to bring the unit into normal operating conditions, and maintenance activities,

- 2) The results of the Method 22 observations,
- 3) The results of the gas analyses including H₂S, VOC content, and heating value,
- 4) For high pressure units, both the hourly and monthly flow meter and flow totalizer measurements of gas sent to the unit, and
- 5) Calculations if one of the process parameters has been exceeded to determine compliance with each applicable emission limit for that piece of equipment.

Reporting: The permittee shall report in accordance with Section B110.

A209 Vapor Recovery Units, Vapor Recovery Towers, and Ultra Low-Pressure Separators

A. Vapor Recovery Unit or Department-approved Equivalent

Requirement: Compliance with the allowable emission limits for any of these units in the Registration Form shall be demonstrated by the following:

- 1) The permittee shall at all times operate the vapor recovery unit (VRU) as a closed vent system that captures and routes all VOC and HAP emissions from units listed in the Registration Form back to the process stream or to a sales pipeline, and does not vent to the atmosphere.
- 2) The permittee may select in the Registration Form a backup control device or redundant VRU to control emissions during SSM or VRU downtime.

Monitoring At least once per month, the permittee shall inspect the VRU and associated piping from the controlled units, and blowcase vessels, for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices. In the event that a leak or defect is detected, the permittee shall repair the leak or defect within 30 calendar days and in a manner that minimizes VOC and HAP emissions to the atmosphere.

Alternatively to the above, and if selected in the Registration Form, the Permittee may implement a program that meets the requirements of NSPS OOOOa (40 CFR 60.5416a).

Recordkeeping: The permittee shall record the results of the VRU inspections chronologically, the name of the personnel conducting the inspection, and noting any maintenance or repairs that are required.

Reporting: The permittee shall report in accordance with Section B110.

A210 Amine Unit

A. Amine Unit Throughput and Amine Circulation Rate

Requirement: To demonstrate compliance with the allowable emission limits in the Registration Form, the inlet stream shall not exceed the amount represented in the Registration Form, and the amine pump circulation rate shall not exceed the circulation rate requested (in gallons per minute) in the Registration Form.

The permittee shall install, calibrate, and maintain a flow meter that measures the flow rate into the contactor. A flow meter is not required if the permitted capacity of the unit, and the emission calculations as represented in the Registration Form, is equal to and based upon the unit's maximum capacity.

Monitoring: The permittee shall:

- 1) calibrate the flow meter semi-annually in accordance with the manufacturer's, permittee's, or equivalent recommended schedule. The calibration shall be in accordance with the specifications at 40 CFR 98, and
- 2) monitor the flow rate daily (in units of MMscf/day) and monitor the circulation rate monthly.

Recordkeeping: The permittee shall keep records in accordance with Section B109, and of the following:

- 1) flow meter calibration results,
- 2) daily total of natural gas or NGL throughput each day in units of MMscf/day or barrels/day,
- 3) the pump flow rate in gpm and the basis for determination of flow rate, and
- 4) the manufacturer's specification sheet indicating the maximum flow rate of the pump.

Reporting: The permittee shall report in accordance with Section B110.

B. Amine Unit Control Device Inspection

Requirement: The permittee shall select the amine unit control device, if any, in the Registration Form. To demonstrate compliance with the allowable emission limits in the Registration Form, the permittee shall ensure a controlled amine sweetening unit is a closed system where all still vent emissions and flash tank emissions are collected and routed at all times back into the process point, and not vented to the atmosphere, or routed to a control device.

Monitoring: The permittee shall inspect the amine treatment unit, piping, and, if selected, the control equipment semi-annually to ensure it is operating as designed.

Alternatively to the above, and if selected in the Registration Form, the Permittee may implement a program that meets the requirements of NSPS OOOOa (40 CFR 60.5416a).

Recordkeeping: The permittee shall record the date, the name of the personnel conducting the inspection, and the results of all equipment and control device inspections chronologically, noting any maintenance or repairs needed to bring the amine treatment unit into compliance. The permittee shall maintain a copy of the manufacturer's, permittees, or equivalent maintenance recommendations.

Reporting: The permittee shall report in accordance with Section B110.

A211 NSPS KKK, OOOO, OOOOa, and Fugitives

A. 40 CFR 60, Subpart KKK (Equipment and Compressors at Onshore Natural Gas Processing Plants subject to NSPS KKK)

Requirement: Equipment and compressors in VOC or in wet gas service (as defined in 40 CFR §60.631) within process unit(s) are subject to Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants, 40 CFR 60, Subpart KKK. The permittee

shall comply with all applicable requirements in Subparts A and KKK.
Monitoring: The permittee shall implement a leak detection and repair program and shall comply with the standards as specified at 40 CFR §60.632 except as provided in §60.633.
Recordkeeping: The permittee shall comply with the recordkeeping requirements specified at 40 CFR §60.486 except as provided in §§60.633 and 60.635.
Reporting: The permittee shall comply with the reporting requirements specified at 40 CFR §60.487 except as provided in §§60.633 and 60.636.

B. 40 CFR 60, Subpart OOOO and/or OOOOa

Requirement: For units subject to 40 CFR 60, Subpart OOOO and/or OOOOa, the permittee shall comply with all applicable requirements in Subpart A and Subpart OOOO and/or OOOOa.
Monitoring: The permittee shall comply with all applicable monitoring requirements of these subparts. Where applicable, this requirement satisfies the monitoring inspection conditions of this GCP.
Recordkeeping: The permittee shall comply with all applicable recordkeeping requirements of these subparts.
Reporting: The permittee shall comply with all applicable reporting requirements of these subparts.

A212 Setbacks and Other Requirements for Facilities Registering under this Permit

Haul road emissions:

Haul road emissions do not have additional requirements in this permit.

Fugitive H₂S emissions from truck loading, tank venting, and leaks:

The Department has established screening thresholds for fugitive H₂S monitoring. The applicant may either (1) comply with Condition A212.A below, or (2) calculate and provide in the Registration Form the potential emission rate of fugitive H₂S. If the emission rate is equal to or lower than the screening thresholds, the fugitive emission monitoring in Condition A212.A below is not required.

The screening thresholds are:

- 1) 0.01 lb/hr for all areas except the Pecos Permian Basin.
- 2) 0.1 lb/hr for the Pecos Permian Basin.

If a facility is above the screening thresholds, the following condition applies:

A. Fugitive Emission Monitoring for Facilities Receiving or Processing Sour Gas

Requirement: Facilities registered under this permit that are receiving or processing sour gas (greater than 4 ppm of H ₂ S in all areas except the Pecos Permian Basin and greater than 24 ppm

of H₂S in the Pecos Permian Basin) are required to conduct routine fugitive emission leak detection monitoring of each process equipment and control device that contacts the sour gas stream.

Monitoring: At least once per month, the permittee shall conduct a leak detection and repair program (LDAR) utilizing instrumentation and/or audio, visual and olfactory (AVO) inspection for all process equipment and control devices that are in contact with sour gas. The detection program shall include inspecting the piping from process equipment to any control device. Defects include, but are not limited to, visible cracks, holes, or gaps; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices. In the event that a leak or defect is detected, the permittee shall repair the leak or defect within 30 calendar days and in a manner that minimizes emissions to the atmosphere. If the repair of the fugitive leak requires a unit shutdown, the repair may be delayed until the next scheduled shutdown. If a repair cannot be completed within 30 calendar days, the equipment shall be documented and tracked through completion of repair.

Recordkeeping: The permittee shall record the results of the LDAR inspections chronologically, noting any maintenance or repairs that are required and, if applicable, the reason describing why maintenance or repairs were not completed within 30 calendar days.

Reporting: The permittee shall report in accordance with Section B110.

Terrain:

Equipment shall be at least 100 meters from any stack to terrain that is five (5) or more meters above the top of a stack.

Nearby facilities:

The facility must be at least 150 meters from any source that emits over 25 tons/year of NO_x.

Class I areas:

The facility must be at least (three) 3 miles from any Class I area.

PART B GENERAL CONDITIONS

B100 Introduction

- A. The Department has determined that all facilities registered under and operating in accordance with this permit will meet all applicable requirements under the federal Clean Air Act, the New Mexico Air Quality Control Act, and Title 20, Chapter 2 NMAC, including 20.2.74 NMAC (Prevention of Significant Deterioration), 20.2.77 NMAC (New Source Performance Standards), 20.2.78 (Emission Standards for Hazardous Air Pollutants), 20.2.82 NMAC (Maximum Achievable Control Technology Standards for Source Categories of Hazardous Air Pollutants), and will not cause or contribute to air contaminant levels in excess of any national or New Mexico ambient air quality standard.

- B. Where the permit refers to “Department approved” or “approved by the Department,” means for the purposes of this permit to have been approved in writing by the Department. Guidance published on the AQB website meets this requirement.

B101 Legal

- A. The permittee shall construct or modify and operate the Facility in accordance with all of the conditions of the permit, including the representations in the Registration Form. 20.2.72.210.D NMAC, states that any term or condition imposed by the Department on a permit is enforceable to the same extent as a regulation of the Environmental Improvement Board.
- B. Unless otherwise specified in Part A or Part C of this permit, any future physical changes, changes in the method of operation, or changes in the authorized area may constitute a modification as defined by 20.2.72 NMAC, Construction Permits. Unless the source or activity is exempt under 20.2.72.202 NMAC, no modification shall begin prior to written approval of a Registration Form. (20.2.72.200.A.2 and E, and 210.B.4 NMAC)
- C. Registrations which require notification under Condition C101.A or Condition C101.B for permit revisions and modifications shall be submitted to:

Permit Programs Manager
New Mexico Environment Department
Air Quality Bureau
525 Camino de los Marquez, Suite 1
Santa Fe, New Mexico 87505-1816
- D. The GCP-Oil and Gas supersedes GCP-1 and GCP-4 permits issued by the Department. For permittees operating under an existing GCP-1 or GCP-4, the Department will provide a transition schedule for converting to operate under the GCP-Oil and Gas, or for obtaining a regular Part 72 permit.

Within nine (9) months of issuance of this GCP-Oil and Gas, each permittee operating under an existing GCP-1 or GCP-4 shall determine if each facility qualifies to operate under the GCP-Oil and Gas, or if the permittee must obtain a regular Part 72 permit for that facility, and for each existing facility, the permittee shall provide notification to the Department of one of the following:

- 1) The facility qualifies to operate under the GCP-Oil and Gas, and the date that the permittee commenced operating under the GCP-Oil and Gas, or
- 2) The facility does not qualify to operate under the GCP-Oil and Gas, and the permittee shall obtain a regular Part 72 permit.

The Department shall establish a transition schedule for each existing facility and shall require the permittee to either (1) submit a Registration Form to operate under the GCP-Oil and Gas, or (2) to submit a regular Part 72 permit application. There is no public notice or fees required for transitioning an existing facility operating under a GCP-1 or GCP-4 permit under the GCP-Oil and Gas. Public notice and fees do apply to facilities applying for a regular Part 72 permit.

- E. On an as needed basis, the Department may revise the Registration Form and Air Emission Calculation Tool in order to make necessary revisions, improvements, and updates to the Forms.

B102 Authority

- A. This permit is issued pursuant to the Air Quality Control Act (Act) and regulations adopted pursuant to the Act including Title 20, Chapter 2, Part 72 of the New Mexico Administrative Code (NMAC), (20.2.72 NMAC), Construction Permits, including 20.2.72.220, General Permits, and is enforceable pursuant to the Act and the air quality control regulations applicable to this source.
- B. The Secretary of the Department is the Administrator for 40 CFR Parts 60, 61, and 63 pursuant to the delegation and exceptions of Section 10 of 20.2.77 NMAC (NSPS), 20.2.78 NMAC (NESHAP), and 20.2.82 NMAC (MACT).

B103 Fees

- A. Each Registration Form shall include a certified check or money order for 10 fee points. The current fee is available on the Permitting website.
- B. The Department will assess an annual fee for this Facility. The current annual fee amount is available by contacting the Department or can be found on the Department's website. The AQB will invoice the permittee for the annual fee amount at the beginning of each calendar year. This fee does not apply to facilities which are assessed an annual fee in accordance with 20.2.71 NMAC. For facilities that satisfy the definition of "small business" in 20.2.75.7.F NMAC, this annual fee will be divided by two. (20.2.75.11 NMAC)
- C. All fees shall be remitted in the form of a corporate check, certified check, or money order, or other Department approved method, and made payable to the "NM Environment Department, AQB."

B104 Appeal Procedures

- A. Any person who participated in a permitting action before the Department and who is adversely affected by such permitting action, may file a petition for hearing before the

Environmental Improvement Board. The petition shall be made in writing to the Environmental Improvement Board within thirty (30) days from the date notice is given of the Department's action and shall specify the portions of the permitting action to which the petitioner objects, certify that a copy of the petition has been mailed or hand-delivered and attach a copy of the permitting action for which review is sought. Unless a timely request for hearing is made, the decision of the Department shall be final. The petition shall be copied simultaneously to the Department upon receipt of the appeal notice. If the petitioner is not the applicant or permittee, the petitioner shall mail or hand-deliver a copy of the petition to the applicant or permittee. The Department shall certify the administrative record to the board. Petitions for a hearing shall be sent or hand delivered to: (20.2.72.207.F NMAC)

Secretary, New Mexico Environmental Improvement Board
Post Office Box 5469
1190 St. Francis Drive, Runnels Bldg. Rm. N2153
Santa Fe, New Mexico 87502-5469

B105 Submittal of Reports and Certifications

- A. Stack Test Protocols and Stack Test Reports shall be submitted electronically to Stacktest.AQB@state.nm.us.
- B. Excess Emission Reports shall be submitted electronically to eereports.aqb@state.nm.us. (20.2.7.110 NMAC)

B106 NSPS and/or MACT General Conditions

- A. If a facility is subject to a NSPS standard in 40 CFR 60, the requirements of 40 CFR 60, Subpart A, General Provisions, also apply.
- B. If a facility is subject to a MACT standard in 40 CFR 63, the requirements of 40 CFR 63, Subpart A, General Provisions, also apply.

B107 Startup, Shutdown, and Maintenance Operations

- A. The owner or operator of a source having an excess emission shall comply with 20.2.7 NMAC and, to the extent practicable, operate the source, including associated air pollution control equipment, in a manner consistent with good air pollutant control practices for minimizing emissions. (20.2.7.109 NMAC). The establishment of allowable malfunction emission limits does not supersede this requirement.
- B. The establishment of permitted startup, shutdown, and maintenance (SSM) emission limits does not supersede the requirements of 20.2.7.14.A NMAC. Except for operations or equipment subject to Condition B106, the permittee shall establish and

implement a plan to minimize emissions during routine or predictable start up, shut down, and scheduled maintenance (SSM work practice plan) and shall operate in accordance with the procedures set forth in the plan. (SSM work practice plan) (20.2.7.14.A NMAC)

B108 General Monitoring Requirements

- A. These requirements do not supersede or relax requirements of federal regulations.
- B. The following monitoring requirements shall be used to determine compliance with applicable requirements and emission limits. Any sampling, whether by portable analyzer or EPA reference method, that measures an emission rate over the applicable averaging period greater than an emission limit in the Registration Form constitutes noncompliance with this permit. The Department may require, at its discretion, additional tests pursuant to EPA Reference Methods at any time, including when sampling by portable analyzer measures an emission rate greater than an emission limit in the Registration Form; but such requirement shall not be construed as a determination that the sampling by portable analyzer does not establish noncompliance with this permit and shall not stay enforcement of such noncompliance based on the sampling by portable analyzer.
- C. If the emission unit is shutdown at the time when periodic monitoring is due to be accomplished, the permittee is not required to restart the unit for the sole purpose of performing the monitoring. Using electronic or written mail, the permittee shall notify the Air Quality Bureau's Compliance and Enforcement Section of a delay in emission tests prior to the deadline for accomplishing the tests. Upon recommencing operation, the permittee shall submit any pertinent pre-test notification requirements set forth in the current version of the Department's Standard Operating Procedures For Use Of Portable Analyzers in Performance Test, and shall accomplish the monitoring.
- D. The requirement for monitoring during any monitoring period is based on the percentage of time that the unit has operated. However, to invoke the monitoring period exemption at B108.D(2), hours of operation shall be monitored and recorded.
 - (1) If the emission unit has operated for more than 25% of a monitoring period, then the permittee shall conduct monitoring during that period.
 - (2) If the emission unit has operated for 25% or less of a monitoring period then the monitoring is not required. After two successive periods without monitoring, the permittee shall conduct monitoring during the next period regardless of the time operated during that period, except that for any monitoring period in which a unit has operated for less than 10% of the monitoring period, the period will not be considered as one of the two successive periods.
 - (3) If invoking the monitoring period exemption in B108.D(2), the actual operating time of a unit shall not exceed the monitoring period required by this permit before the

required monitoring is performed. For example, if the monitoring period is annual, the operating hours of the unit shall not exceed 8760 hours before monitoring is conducted. Regardless of the time that a unit actually operates, a minimum of one of each type of monitoring activity shall be conducted during any five-year period.

- E. For all periodic monitoring events, except when a federal or state regulation is more stringent, three test runs shall be conducted at 90% or greater of the unit's capacity as stated in the Registration Form, and at additional loads when requested by the Department. If the 90% capacity cannot be achieved, the monitoring will be conducted at the maximum achievable load under prevailing operating conditions except when a federal or state regulation requires more restrictive test conditions. The load and the parameters used to calculate it shall be recorded to document operating conditions and shall be included with the monitoring report.
- F. When requested by the Department, the permittee shall provide schedules of testing and monitoring activities.
- G. If monitoring is new or is in addition to monitoring imposed by an existing applicable requirement, it shall become effective 120 days after the date of permit issuance. For emission units that have not commenced operation, the associated new or additional monitoring shall not apply until 120 days after the units commence operation.

B109 General Recordkeeping Requirements

- A. The permittee shall maintain records to assure and verify compliance with the terms and conditions of this permit and any other applicable requirements that become effective after permit issuance. The minimum information to be included in these records is:

Records required for testing and sampling:

- (1) equipment identification (include make, model and serial number for all tested equipment and emission controls)
- (2) date(s) and time(s) of sampling or measurements
- (3) date(s) analyses were performed
- (4) the qualified entity that performed the analyses
- (5) analytical or test methods used
- (6) results of analyses or tests
- (7) operating conditions existing at the time of sampling or measurement

Records required for equipment inspections and/or maintenance required by this permit:

- (1) equipment identification number (including make, model and serial number)
- (2) date(s) and time(s) of inspection, maintenance, and/or repair
- (3) date(s) any subsequent analyses were performed (if applicable)

- (4) name of the person or qualified entity conducting the inspection, maintenance, and/or repair
 - (5) copy of the equipment manufacturer's or the owner or operator's maintenance or repair recommendations (if required to demonstrate compliance with a permit condition)
 - (6) description of maintenance or repair activities conducted
 - (7) all results of any required parameter readings
 - (8) a description of the physical condition of the equipment as found during any required inspection
 - (9) results of required equipment inspections including a description of any condition which required adjustment to bring the equipment back into compliance and a description of the required adjustments
- B. Except as provided in the Specific Conditions, electronic records shall be maintained on-site or if unstaffed, at the permittee's local business office for a minimum of two (2) years from the time of recording and shall be made available to Department personnel upon request.
- C. Unless otherwise indicated by Specific Conditions, the permittee shall keep the following records for malfunction emissions and routine or predictable emissions during startup, shutdown, and scheduled maintenance (SSM):
- (1) The owner or operator of a source subject to this permit shall establish and implement a plan to minimize emissions during routine or predictable startup, shutdown, and scheduled maintenance through work practice standards and good air pollution control practices. This requirement shall not apply to any affected facility defined in and subject to an emissions standard and an equivalent plan under 40 CFR Part 60 (NSPS), 40 CFR Part 63 (MACT), or an equivalent plan under 20.2.72 NMAC - Construction Permits. The permittee shall keep records of all sources subject to the plan to minimize emissions during routine or predictable SSM and shall record if the source is subject to an alternative plan and therefore, not subject to the plan requirements under 20.2.7.14.A NMAC.
 - (2) If the facility has allowable SSM emission limits in the Registration Form, the permittee shall record all SSM events, including the date, the start time, the end time, a description of the event, and a description of the cause of the event. This record also shall include a copy of the manufacturer's, or equivalent, documentation showing that any maintenance qualified as scheduled. Scheduled maintenance is an activity that occurs at an established frequency pursuant to a written protocol published by the manufacturer or other reliable source. The authorization of allowable SSM emissions does not supersede any applicable federal or state standard. The most stringent requirement applies.
 - (3) If the permittee has allowable malfunction emission limits in the Registration Form, the permittee shall record all malfunction events to be applied against these limits. The permittee shall also include the date, the start time, the end time, and a

description of the event. The authorization of allowable malfunction emissions does not supersede any applicable federal or state standard. The most stringent requirement applies.

B110 General Reporting Requirements

(20.2.72 NMAC Sections 210 and 212)

- A. Records and reports shall be maintained on-site or at the permittee's local business office unless specifically required to be submitted to the Department or EPA by another condition of this permit or by a state or federal regulation.
- B. The permittee shall notify the Air Quality Bureau's Compliance and Enforcement Section using the current Submittal Form posted to NMED's Air Quality web site under Compliance and Enforcement/Submittal Forms in writing of, or provide the Department with (20.2.72.212.A and B):
 - (1) the anticipated date of initial startup of each new or modified source not less than thirty (30) days prior to the date. Notification may occur prior to issuance of the permit, but actual startup shall not occur earlier than the permit issuance date;
 - (2) after receiving authority to construct, the equipment serial number as provided by the manufacturer or permanently affixed if shop-built and the actual date of initial startup of each new or modified source within fifteen (15) days after the startup date; and
 - (3) the date when each new or modified emission source reaches the maximum production rate at which it will operate within fifteen (15) days after that date.
- C. Unless otherwise specified in Parts A or C of this permit, the permittee shall notify the Bureau's Permitting Program Manager, in writing of, or provide the Department with (20.2.72.212.C and D):
 - (1) any change of operators or any equipment substitutions within fifteen (15) days of such change;
 - (2) any necessary update or correction no more than sixty (60) days after the operator knows or should have known of the condition necessitating the update or correction of the permit.
- D. Results of emission tests and monitoring for each pollutant (except opacity) shall be reported in pounds per hour (unless otherwise specified) and tons per year. Opacity shall be reported in percent. The number of significant figures corresponding to the full accuracy inherent in the testing instrument or Method test used to obtain the data shall be used to calculate and report test results in accordance with 20.2.1.116.B and C NMAC. Upon request by the Bureau, tabular data shall be submitted in editable, MS Excel format.

- E. The permittee shall submit reports of excess emissions in accordance with 20.2.7.110.A NMAC.
- F. Excess Emissions Reporting for Regulated Sources with no Pound per Hour (pph) and/or Ton per Year (tpy) Emission Limits:
 - (1) Emissions in excess of 1.0 pph or 1.0 tpy for each regulated air pollutant (except for H₂S).
 - (2) For H₂S, emissions in excess of 0.1 pph or 0.44 tpy.

B111 General Testing Requirements

A. Compliance Tests

- (1) Compliance test requirements from previous permits (if any) remain in effect, unless the tests have been satisfactorily completed. Compliance test requirements may be re-imposed if it is deemed necessary by the Department to determine whether the source is in compliance with applicable regulations or permit conditions. (20.2.72 NMAC Sections 210.C and 213)
- (2) Compliance tests shall be conducted within sixty (60) days after the unit(s) achieve the maximum normal production rate. If the maximum normal production rate does not occur within one hundred twenty (120) days of source startup, then the tests must be conducted no later than one hundred eighty (180) days after initial startup of the source.
- (3) Unless otherwise indicated by Specific Conditions or regulatory requirements, the default time period for each test run shall be at least 60 minutes and each performance test shall consist of three separate runs using the applicable test method. For the purpose of determining compliance with an applicable emission limit, the arithmetic mean of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Department approval, be determined using the arithmetic mean of the results of the two other runs.
- (4) Testing of emissions shall be conducted with the emissions unit operating at 90 to 100 percent of the maximum operating rate allowed by the permit. If it is not possible to test at that rate, the source may test at a lower operating rate, subject to the approval of the Department.
- (5) Testing performed at less than 90 percent of permitted capacity will limit emission unit operation to 110 percent of the tested capacity until a new test is conducted.

- (6) If conditions change such that unit operation above 110 percent of tested capacity is possible, the source must submit a protocol to the Department within 30 days of such change to conduct a new emissions test.

B. EPA Reference Method Tests

- (1) All compliance tests required by this permit, unless otherwise specified by Specific Conditions of this permit, shall be conducted in accordance with the requirements of CFR Title 40, Part 60, Subpart A, General Provisions, and the following EPA Reference Methods as specified by CFR Title 40, Part 60, Appendix A:
 - (a) Methods 1 through 4 for stack gas flow rate
 - (b) Method 5 for TSP
 - (c) Method 6C and 19 for SO₂
 - (d) Method 7E for NO_x (test results shall be expressed as nitrogen dioxide (NO_x) using a molecular weight of 46 lb/lb-mol in all calculations (each ppm of NO/NO_x is equivalent to 1.194 x 10⁻⁷ lb/SCF)
 - (e) Method 9 for opacity
 - (f) Method 10 for CO
 - (g) Method 19 may be used in lieu of Methods 1-4 for stack gas flow rate upon approval of the Department. A justification for this proposal must be provided along with a contemporaneous fuel gas analysis (preferably on the day of the test) and a recent fuel flow meter calibration certificate (within the most recent quarter).
 - (h) Method 7E or 20 for Turbines per 60.335 or 60.4400
 - (i) Method 22 for Visible Emissions
 - (j) Method 201A for filterable PM₁₀ and PM_{2.5}
 - (k) Method 202 for condensable PM
 - (l) Method 320 for organic Hazardous Air Pollutants (HAPs)
 - (m) Method 25A for VOC reduction efficiency
 - (n) ASTM D6348-03 may be used for RICE only
- (2) Alternative test method(s) may be used if the Department approves the change

C. Periodic Monitoring and Portable Analyzer Requirements

- (1) Periodic emissions tests (periodic monitoring) may be conducted in accordance with EPA Reference Methods or by utilizing a portable analyzer. Periodic monitoring utilizing a portable analyzer shall be conducted in accordance with the requirements of the current version of ASTM D 6522. However, if a facility has

met a previously approved Department criterion for portable analyzers, the analyzer may be operated in accordance with that criterion until it is replaced.

- (2) Unless otherwise indicated by Specific Conditions or regulatory requirements, the default time period for each test run shall be at least 20 minutes.

Each performance test shall consist of three separate runs. The arithmetic mean of results of the three runs shall be used to determine compliance with the applicable emission limit.

- (3) Testing of emissions shall be conducted in accordance with the requirements at Section B108.E.
- (4) During emissions tests, pollutant and diluent concentration shall be monitored and recorded. Fuel flow rate shall be monitored and recorded if stack gas flow rate is determined utilizing Method 19. This information shall be included with the test report furnished to the Department.
- (5) Stack gas flow rate shall be calculated in accordance with 40 CFR 60, Appendix A, Method 19 utilizing fuel flow rate (scf) determined by a dedicated fuel flow meter and fuel heating value (Btu/scf) determined from a fuel sample obtained preferably during the day of the test, but no earlier than three months prior to the test date. Alternatively, stack gas flow rate may be determined by using EPA Methods 1-4.

D. Test Procedures:

- (1) The permittee shall notify the Program Manager of the Air Quality Bureau's Compliance and Enforcement Section consistent with the Section's current published reporting procedures.
- (2) Equipment shall be tested in the "as found" condition. Equipment may not be adjusted or tuned prior to any test for the purpose of lowering emissions, and then returned to previous settings or operating conditions after the test is complete.
- (3) Contents of test notifications, protocols and test reports shall conform to the format specified by the Department's Universal Test Notification, Protocol and Report Form and Instructions. Current forms and instructions are posted to NMED's Air Quality web site under Compliance and Enforcement Testing.
- (4) The permittee shall provide (a) sampling ports adequate for the test methods applicable to the facility, (b) safe sampling platforms, (c) safe access to sampling platforms and (d) utilities for sampling and testing equipment.
- (5) The stack shall be of sufficient height and diameter and the sample ports shall be located so that a representative test of the emissions can be performed in accordance with the requirements of EPA Method 1 or ASTM D 6522-00 as applicable.
- (6) Where necessary to prevent cyclonic flow in the stack, flow straighteners shall be installed.

- (7) Unless otherwise indicated by Specific Conditions or regulatory requirements, test reports shall be submitted to the Department no later than 30 days after completion of the test.

B112 Compliance

- A. The Department has the right to enter the facility at all reasonable times to verify the terms and conditions of this permit. Required records shall be organized by date and subject matter and shall at all times be readily available for inspection. The permittee, upon verbal or written request from an authorized representative of the Department who appears at the facility, shall immediately produce for inspection or copying any records required to be maintained at the facility. Upon written request at other times, the permittee shall deliver to the Department paper or electronic copies of any and all required records maintained on site or at an off-site location. Requested records shall be copied and delivered at the permittee's expense within three business days from receipt of request unless the Department allows additional time. Required records may include records required by permit and other information necessary to demonstrate compliance with terms and conditions of this permit. (NMSA 1978, Section 74-2-13)
- B. A copy of the most recent air quality permit and Registration Form issued by the Department shall be kept at the permitted facility or (for unstaffed sites) at the nearest company office and shall be made available to Department personnel for inspection upon request. (20.2.72.210.B.4 NMAC)

B113 Permit Cancellation and Revocation

- A. The Department may revoke this permit if the applicant or permittee has knowingly and willfully misrepresented a material fact in the Registration Form. Revocation will be made in writing, and an administrative appeal may be taken to the Secretary of the Department within thirty (30) days. Appeals will be handled in accordance with the Department's Adjudicatory Procedures, 20.1.5 NMAC.
- B. The Department shall automatically cancel any permit for any source which ceases operation for five (5) years or more, or permanently. Reactivation of any source after the five (5) year period shall require a new permit. (20.2.72 NMAC)
- C. The Department may cancel a permit if the construction or modification is not commenced within two (2) years from the date of issuance or if, during the construction or modification, work is suspended for a total of one (1) year. (20.2.72 NMAC)

B114 Notification to Subsequent Owners

- A. The permit and conditions apply in the event of any change in control or ownership of the Facility. No permit modification is required in such case. However, in the event of any such change in control or ownership, the permittee shall notify the succeeding owner of the permit and conditions and shall notify the Bureau's Program Manager, Permits Section of the change in ownership within fifteen (15) days of that change. (20.2.72.212.C NMAC)
- B. Any new owner or operator shall notify the Program Manager of the Air Quality Bureau's, Permits Section, within thirty (30) days of assuming ownership, the date of assuming ownership, and the new owner's or operator's name and address. (20.2.73.200.E.3 NMAC)

B115 Asbestos Demolition

- A. Before any asbestos demolition or renovation work, the permittee shall determine whether 40 CFR 61 Subpart M, National Emissions Standards for Asbestos applies. If required, the permittee shall notify the Program Manager of the Air Quality Bureau's Compliance and Enforcement Section using forms furnished by the Department.

B116 Short Term Engine Replacement

- A. The following Alternative Operating Scenario (AOS) addresses engine breakdown or periodic maintenance and repair, which requires the use of a short-term replacement engine. The following requirements do not apply to engines that are exempt per 20.2.72.202.B(3) NMAC. Changes to exempt engines must be reported in accordance with 20.2.72.202.B NMAC. A short-term replacement engine may be substituted for any engine specified in the Registration Form for no more than 120 days in any monthly rolling twelve month period per permitted engine. The compliance demonstrations required as part of this AOS are in addition to any other compliance demonstrations required by this permit. If the engine will remain onsite for longer than 120 days, a Registration Form shall be submitted and approved by the Department prior to the expiration of the 120 day period authorized by this condition.
 - (1) The permittee may temporarily replace an existing engine that is subject to the emission limits established in the Registration Form with another engine regardless of manufacturer, model, and horsepower without modifying the Registration Form. The permittee shall submit written notification to the Department within 15 days of the date of engine substitution according to condition B110.C(1).
 - (a) The potential emission rates of the replacement engine shall be determined using the replacement engine's manufacturer specifications and shall comply with the permitted emission limits of the engine being replaced as specified in the Registration Form.

- (b) The direction of the exhaust stack for the replacement engine shall be either vertical or the same direction as for the existing engine. The replacement engine's stack height and flow parameters shall be at least as effective in the dispersion of air pollutants as the modeled stack height and flow parameters for the existing permitted engine. The following equation may be used to show that the replacement engine disperses pollutants as well as the existing engine. The value calculated for the replacement engine on the right side of the equation shall be equal to or greater than the value for the existing engine on the left side of the equation. The permitting page of the Air Quality Bureau website contains a spreadsheet that performs this calculation.

EXISTING ENGINEREPLACEMENT ENGINE

$$\frac{[(g) \times (h1)] + [(v1)^2/2] + [(c) \times (T1)]}{q1} \leq \frac{[(g) \times (h2)] + [(v2)^2/2] + [(c) \times (T2)]}{q2}$$

Where

g = gravitational constant = 32.2 ft/sec²

h1 = existing stack height, feet

v1 = exhaust velocity, existing engine, feet per second

c = specific heat of exhaust, 0.28 BTU/lb-degree F

T1 = absolute temperature of exhaust, existing engine = degree F + 460

q1 = permitted allowable emission rate, existing engine, lbs/hour

h2 = replacement stack height, feet

v2 = exhaust velocity, replacement engine, feet per second

T2 = absolute temperature of exhaust, replacement engine = degree F + 460

q2 = manufacturer's potential emission rate, replacement engine, lbs/hour

The permittee shall keep records showing that the replacement engine is at least as effective in the dispersion of air pollutants as the existing engine.

- (c) Test measurement of NO_x and CO emissions from the temporary replacement engine shall be performed in accordance with Section B111 with the exception of Condition B111A(2) and B111B for EPA Reference Methods Tests or Section B111C for portable analyzer test measurements. Compliance test(s) shall be conducted within fifteen (15) days after the unit begins operation, and records of the results shall be kept according to section B109.B.
- i. These compliance tests are not required for an engine certified under 40CFR60, subparts IIII, or JJJJ, or 40CFR63, subpart ZZZZ if the permittee demonstrates that one of these requirements causes such engine to comply with all emission limits of the Registration Form. The permittee shall submit this demonstration to the Department within 48

hours of placing the new unit into operation. This submittal shall include documentation that the engine is certified, that the engine is within its useful life, as defined and specified in the applicable requirement, and shall include calculations showing that the applicable emissions standards result in compliance with the emission limits.

- ii. These compliance tests are not required if a test was conducted by portable analyzer or by EPA Method test (including any required by 40CFR60, subparts III and JJJ and 40CFR63, subpart ZZZZ) within the last 12 months. These previous tests are valid only if conducted at the same or lower elevation as the existing engine location prior to commencing operation as a temporary replacement. A copy of the test results shall be kept according to section B109.B.
 - (d) Compliance tests for NO_x and CO shall be conducted if requested by the Department in writing to determine whether the replacement engine is in compliance with applicable regulations or permit conditions.
 - (e) Upon determining that emissions data developed according to B116.A.1(c) fail to indicate compliance with either the NO_x or CO emission limits, the permittee shall notify the Department within 48 hours. Also within that time, the permittee shall implement one of the following corrective actions:
 - i. The engine shall be adjusted to reduce NO_x and CO emissions and tested per B116.A.1(c) to demonstrate compliance with the emission limits.
 - ii. The engine shall discontinue operation or be replaced with a different unit.
 - (2) Short term replacement engines, whether of the same manufacturer, model, and horsepower, or of a different manufacturer, model, or horsepower, are subject to all federal and state applicable requirements, regardless of whether they are set forth in this permit (including monitoring and recordkeeping), and shall be subject to any shield afforded by this permit.
 - (3) The permittee shall maintain a contemporaneous record documenting the unit number, manufacturer, model number, horsepower, emission factors, emission test results, and serial number of any existing engine that is replaced, and the replacement engine. Additionally, the record shall document the replacement duration in days, and the beginning and end dates of the short-term engine replacement.
 - (4) The permittee shall maintain records of a regulatory applicability determination for each replacement engine (including 40CFR60, subparts III and JJJ and 40CFR63, subpart ZZZZ) and shall comply with all associated regulatory requirements.
- B. All records required by this section shall be kept according to section B109.

PART C REGISTRATION PROCEDURE**C100 Registration Forms****A. General Requirements**

- (1) The owner or operator of a Facility to be registered under GCP-Oil and Gas shall complete the following steps. All submittals shall be made on the current Registration Form provided by the Department. The owner or operator shall:
 - (a) Complete the public notice requirements as required in C100.B. Public notice is required for new facilities, and existing, constructed facilities that are registering under Part 72 for the first time.
 - (b) At a minimum, complete the following sections of the GCP-Oil and Gas Registration Form:
 - (i) Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10. This includes the AEET.
 - (c) Submit a complete GCP-Oil and Gas Registration Form, including proof of Public Notice and a payment of 10 fee points as required by 20.2.75 NMAC, to the Department.
- (2) Within thirty (30) calendar days of receiving a Registration Form for the GCP-Oil and Gas, the Department shall review the Registration Form and shall approve or deny the registration. The Department may not grant approval of a Registration Form until fifteen (15) days after Public Notice has been published and posted. Approval or denial, once effective, of a Registration Form is a determination by the Department of whether or not the source qualifies to register for coverage under GCP-Oil and Gas. The Department shall notify the owner or operator of its decision by certified mail.

B. Public Notification

- (1) The applicant's public notice requirements shall be completed and submitted as part of the Registration Form.
- (2) In accordance with 20.2.72.220.A(2)(b)ii NMAC, the applicant's public notice requirements include:
 - (a) a notice published once in the legal notices section of a newspaper in general circulation in the county or counties in which the Facility is proposed to be constructed or operated is located. The applicant's legal notice may include up to ten (10) separate facilities if required location information for each facility is included in the notice; and
 - (b) a notice posted at the proposed or existing Facility entrance in a publicly accessible and conspicuous place on the property on which the Facility is, or is proposed to be, located, until the general permit registration is granted or denied.

- (3) In accordance with 20.2.72.220.C(2) NMAC, the Department shall not grant the registration until at least fifteen (15) days after the date the applicant's public notice was initiated.

C101 Revision Processes

A. Administrative Changes that Require Notification

- (1) Owners or operators shall, at a minimum, submit Sections 1 and 10 of the Registration Form to the Department for the following change(s). The notification shall include all information required by the Department to review the request and shall be submitted within fifteen (15) calendar days of the change(s):
 - (a) Change of owner/operator,
 - (b) Adding exempt equipment,
 - (c) Correcting a typographical error, or
 - (d) Change of contact information for any person identified in the Registration Form.
- (2) No public notification is required.
- (3) No permit fees under 20.2.75 NMAC apply.

B. Modifications that Require Notification

- (1) Prior to any modification of a source, the owner or operator shall, at a minimum, submit Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and the AECT of the Registration Form to the Department.
- (2) No construction of a modification shall begin prior to receiving written approval by the Department.
- (3) Types of modifications that require notification include construction of any new regulated equipment, changes in the method of operation, or any other physical changes which modifies any requested allowable hourly or annual emission limit.
- (4) The owner or operator shall maintain the current Registration Form on-site or at the permittee's local business office.
- (5) The revised Registration Form, including the lb/hr and tpy emission limits of new or altered emissions units, becomes part of the registration and is enforceable.
- (6) No public notification is required.
- (7) General Construction Permit fees under 20.2.75 NMAC **do** apply. A fee of 10 fee points is required to be submitted with the Registration Form. The current value of a fee point can be found on the Department's Permitting website.

C. Changes that Prevent Meeting General Permit Limits

- (1) Changes or equipment additions that prevent the Facility from meeting the requirements of GCP-Oil and Gas shall not occur before the owner or operator applies for and is issued an individual construction permit under 20.2.72.200 NMAC. [20.2.72.220.D(2) NMAC]

PART D MISCELLANEOUS: SUPPORTING ON-LINE DOCUMENTS; DEFINITIONS; ACRONYMS

D100 Supporting On-Line Documents

- A. Copies of the following documents can be downloaded from NMED's website under Compliance and Enforcement or requested from the Bureau:
 - 1) Excess Emission Form (for reporting deviations and emergencies)
 - 2) Universal Stack Test Notification, Protocol and Report Form and Instructions
 - 3) SOP for Use of Portable Analyzers in Performance Tests

D101 Definitions

- A. **"Enclosed Combustion Device"** means a direct, enclosed, ground level combustion device.
- B. **"Flare"** means a direct combustion device in which air and all combustible gases react at the burner with the objective of complete and instantaneous oxidation of the combustible gases.
- C. **"Malfunction"** means any sudden and unavoidable failure of air pollution control equipment or process equipment beyond the control of the owner or operator, including malfunction during startup or shutdown. A failure that is caused entirely or in part by poor maintenance, careless operation, or any other preventable equipment breakdown shall not be considered a malfunction. (20.2.7 NMAC)
- D. **"Monthly Rolling"** is a concept of incorporating the most recent month's emission s data into a 12-month period. To determine the current monthly rolling total (or average), subtract the oldest month's data from the calculation and add the current (most recent) month's data and perform the required calculation.
- E. **"Natural Gas Liquids"** means the hydrocarbons, such as ethane, propane, butane, and pentane that are extracted from field gas. (40 CFR 60.631)
- F. **"National Ambient Air Quality Standards"** means, unless otherwise modified, the primary (health-related) and secondary (welfare-based) federal ambient air quality standards promulgated by the US EPA pursuant to Section 109 of the Federal Act.

- G. **“NOx”** or "Nitrogen dioxide" means the chemical compound containing one atom of nitrogen and two atoms of oxygen, for the purposes of ambient determinations. The term **"nitrogen dioxide,"** for the purposes of stack emissions monitoring, shall include nitrogen dioxide (the chemical compound containing one atom of nitrogen and two atoms of oxygen), nitric oxide (the chemical compound containing one atom of nitrogen and one atom of oxygen), and other oxides of nitrogen which may test as nitrogen dioxide and is sometimes referred to as NOx or NOx. (20.2.2 NMAC)
- H. **“Potential Emission Rate”** or “PER” means the emission rate of a source at its maximum capacity to emit a regulated air contaminant under its physical and operational design, provided any physical or operational limitation on the capacity of the source to emit a regulated air contaminant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its physical and operational design only if the limitation or the effect it would have on emissions is enforceable by the department pursuant to the Air Quality Control Act or the federal Act.
- I. **“Produced Water”** means water that is extracted from the earth from an oil or natural gas production well, or that is separated from crude oil, condensate, or natural gas after extraction.
- J. **“Property Boundary”** means the outside edge of the property, which includes all the equipment, registered under this Permit. The property may consist of one or more continuous and adjacent properties if they are owned, leased, or under direct control of the owner or operator.
- K. **“SSM”**, for requirements under 20.2.7 NMAC, means routine or predictable startup, shutdown, or scheduled maintenance.
- L. **“Shutdown”**, for requirements under 20.2.7 NMAC, means the cessation of operation of any air pollution control equipment or process equipment.
- M. **“Startup”**, for requirements under 20.2.7 NMAC, means the setting into operation of any air pollution control equipment or process equipment.
- N. **“Storage Vessel”** means a tank or other vessel that contains an accumulation of crude oil, condensate, intermediate hydrocarbon liquids, or produced water, and that is constructed primarily of nonearthen materials (such as wood, concrete, steel, fiberglass, or plastic) which provide structural support.
- O. **“Thermal Oxidizer”** means a combustion device that eliminates VOC, CO, and volatile HAP emissions by combusting them to carbon dioxide (CO₂) and water. The device maintains a minimum temperature in the combustion chamber to eliminate pollutants.

- P. **“Vapor Recovery Unit (VRU)”** means a unit capable of collecting hydrocarbon vapors and gases and routing such hydrocarbon vapors and gases back into the process or to a sales pipeline.

D102 Acronyms

2SLB	2-stroke lean burn
4SLB	4-stroke lean burn
4SRB	4-stroke rich burn
acfm.....	actual cubic feet per minute
AFR.....	air fuel ratio
AP-42	EPA Air Pollutant Emission Factors
AQB	Air Quality Bureau
AQCR	Air Quality Control Region
ASTM	American Society for Testing and Materials
BTU.....	British Thermal Unit
CAA	Clean Air Act of 1970 and 1990 Amendments
CEM.....	continuous emissions monitoring
cfh	cubic feet per hour
cfm	cubic feet per minute
CFR.....	Code of Federal Regulation
CI	compression ignition
CO	carbon monoxides
COMS	continuous opacity monitoring system
EIB	Environmental Improvement Board
EPA.....	United States Environmental Protection Agency
gr./100 cf.....	grains per one hundred cubic feet
gr./dscf	grains per dry standard cubic foot
GRI.....	Gas Research Institute
HAP.....	hazardous air pollutant
hp	horsepower
H ₂ S	hydrogen sulfide
IC	internal combustion
KW/hr	kilowatts per hour
lb/hr.....	pounds per hour
lb/MMBtu	pounds per million British Thermal Unit
MACT	Maximum Achievable Control Technology
MMcf/hr.....	million cubic feet per hour
MMscf.....	million standard cubic feet
N/A.....	not applicable
NAAQS.....	National Ambient Air Quality Standards
NESHAP	National Emission Standards for Hazardous Air Pollutants
NG	natural gas

NGL	.....	natural gas liquids
NMAAQs	.....	New Mexico Ambient Air Quality Standards
NMAC	.....	New Mexico Administrative Code
NMED	.....	New Mexico Environment Department
NMSA	.....	New Mexico Statues Annotated
NO _x	.....	nitrogen oxides
NSCR	.....	non-selective catalytic reduction
NSPS	.....	New Source Performance Standard
NSR	.....	New Source Review
PEM	.....	parametric emissions monitoring
PM	.....	particulate matter (equivalent to TSP, total suspended particulate)
PM ₁₀	.....	particulate matter 10 microns and less in diameter
PM _{2.5}	.....	particulate matter 2.5 microns and less in diameter
pph	.....	pounds per hour
ppmv	.....	parts per million by volume
PSD	.....	Prevention of Significant Deterioration
RATA	.....	Relative Accuracy Test Assessment
RICE	.....	reciprocating internal combustion engine
rpm	.....	revolutions per minute
scfm	.....	standard cubic feet per minute
SI	.....	spark ignition
SO ₂	.....	sulfur dioxide
SSM	.....	Startup Shutdown Maintenance (see SSM definition)
TAP	.....	Toxic Air Pollutant
TBD	.....	to be determined
THC	.....	total hydrocarbons
TSP	.....	Total Suspended Particulates
tpy	.....	tons per year
ULPS	.....	ultra low pressure separator
ULSD	.....	ultra low sulfur diesel
USEPA	.....	United States Environmental Protection Agency
UTM	.....	Universal Transverse Mercator Coordinate system
UTMH	.....	Universal Transverse Mercator Horizontal
UTMV	.....	Universal Transverse Mercator Vertical
VHAP	.....	volatile hazardous air pollutant
VOC	.....	volatile organic compounds
VRT	.....	vapor recovery tower
VRU	.....	vapor recovery unit

WRITTEN TESTIMONY OF LIZ BISBEY-KUEHN

I. INTRODUCTION

The General Construction Permit GCP-Oil and Gas achieves several important environmental and permitting benefits. It provides additional flexibility in the type of authorized equipment and control devices, eliminates the limitations of the existing GCP-1 and GCP-4 permits regarding the number of allowable authorized engines and allowable controls for equipment, and includes voluntary reduction for truck loading emissions. Facilities potentially subject to Title V or PSD permitting requirements may use this permit to establish federally enforceable emission limits to stay out of further permitting requirements.

The GCP-Oil and Gas is cost effective for industry, with a current price of \$4,080, a small fraction of the expense of the alternative, a Part 72 construction permit. It can also be obtained very quickly: 30 days from receipt of the Registration Form. This is roughly a 25% of the time necessary for a Part 72 construction permit.

II. OVERVIEW OF GENERAL CONSTRUCTION PERMITS

Authority under 20.2.72.220 NMAC

The New Mexico Environmental Improvement Board approved a revision to 20.2.72 NMAC- Construction Permits, in the Spring of 1998 to allow for the issuance of general construction permits. The effective date of the revised regulation was April 22, 1998. The revision consisted of adding Section 220 - General Permits. The revised regulation allows the Air Quality Bureau to issue general permits that apply to numerous similar sources of regulated air pollutants, as long as the sources meet all of the applicability requirements and conditions of the general construction permit.

GCPs Are Intended to Streamline the Permitting Process While Complying with all Applicable State and Federal Air Quality Requirements

For the Air Quality Bureau, general permits provide a permitting option that requires less reviewing time for permit writers and reduces the amount of time the Bureau needs to issue this type of permit. In addition, no air emissions modeling is required by the permittee, so no modeling staff time is required for review. For industry, a general permit can be issued within 30 days of submitting a registration form, rather than 120 days to go through the full permitting process (30 days to determine an application is complete, plus 90 days to review the application and issue the permit).

Other GCPs That Have Been Issued

General Construction Permit No. 1 (GCP-1) for Level I Oil and Gas Installations was approved by the Secretary of the Environment Department and issued on February 18, 1999. The general construction permit for the Oil and Gas Industry (GCP-4) was issued October 20, 2003. The GCP-2 for Quarrying, Crushing and Screening Facilities was issued on September 12, 2006. The GCP-3 for Asphalt Plants was issued on September 12, 2006. The GCP-5 for Concrete Batch

Plant Facilities was issued on September 12, 2006. The GCP-6 for Storage Vessels was issued on January 14, 2014. The Air Quality Bureau decided the source types for general construction permits by taking into account the work load of the Bureau (e.g., the number of permits issued to one type of source), and the potential for creating a standardized general permit for a particular source type.

III. DEVELOPMENT OF THE GCP-Oil and Gas

Public Participation

General Construction Permit Oil and Gas was developed through a collaborative effort with the Air Quality Bureau's Minor Source Section, and other sections within AQB, including the Enforcement and Compliance, and Modeling Sections, together with input and technical assistance from interested parties. A list of public outreach and the Open House can be found in the administrative record.

Origins of GCP-Oil and Gas Permit Conditions

The NMED based the GCP-Oil and Gas permit conditions on requirements of 20.2.72.220 NMAC, established monitoring protocols developed by the Department for specific equipment and used in regular air quality construction permits for typical oil and gas production facilities, and to accomplish the specific intent of this general construction permit.

IV. PERMIT STRUCTURE AND CONDITIONS OF GCP-Oil and Gas

Introductory Paragraphs, Table of Contents, Definitions, and Acronyms

The permit begins with eight (8) introductory paragraphs outlining the regulatory authority of the Department to issue general construction permits, the jurisdiction of the Department to issue permits, and the intent and structure of the permit. The Table of Contents outlines the structure of the permit and indexes sections with page numbers within the permit.

There are 4 main parts to the GCP-Oil and Gas Permit. Part A contains all Facility Specific Requirements, Part B contains all General Conditions that are required for all Facilities, Part C contains the Registration and Revision Process, and Part D contains miscellaneous information such as supporting online documents, definitions, and acronyms.

Part A Facility Specific Requirements

Part A of the GCP-Oil and Gas describes the function of the facilities intended to be registered under the GCP-Oil and Gas permit; the operating scenarios authorized under the permit; a general disclaimer that other state and federal regulations may apply to the source; and the applicability thresholds defined in the permit.

The disclaimer reminds owners or operators of facilities registered under this GCP-Oil and Gas that they must comply with all applicable New Source Performance Standards, National Emission Standards of Hazardous Air Pollutants, and New Mexico Administrative Code (NMAC) regulations. The owner or operator of a registered Facility is responsible for compliance with the original and the updated versions of federal and state regulations.

The applicability thresholds of the permit are outlined in Table 106: Maximum Eligible Emission Rates to Register Under this Permit. A Facility's Potential Emission Rate must be less than those rates defined in Table 106 in order to register under this GCP-Oil and Gas. In layperson terms, Potential Emission Rate (PER) or Potential to Emit (PTE) is the amount of emissions a Facility could emit if it did not have a permit or federally enforceable regulations to legally limit its emissions to reduced amounts.

The permit limits the PER of the equipment to less than 95 tpy for NO_x, CO, and SO₂. The PER of total VOC may exceed 100 tpy (combustion and fugitive sources). It limits the PER of the equipment to less than 25 tpy for PM_{2.5}, PM₁₀, TSP, and H₂S; and less than 10 tpy for a single Hazardous Air Pollutant (HAP) and less than 25 tpy for total HAPs. The specific PER limits established in the Registration Form were based on air dispersion modeling performed for the GCP-Oil and Gas authorized equipment. This allows the Department to write a much less complicated permit and a permit that is easier to demonstrate compliance.

The Department considered input from NMOGA and IPANM to establish this threshold as a balance of competing needs:

1. One of the Department's goals is to keep this permit as simple as possible.
2. Keeping the PER emissions below the level of emissions that would require a Title V permit makes the GCP-Oil and Gas an important regulatory mechanism to stay out of additional permitting requirements. The applicant elects to obtain a GCP-Oil and Gas solely because it sees the benefits of doing so.

A100 Introduction and the Applicability Section

The Introduction and Applicability Section contains general instructions about sources choosing to register under a GCP-Oil and Gas. A Facility may only operate under a GCP-Oil and Gas if the Department has approved a Registration Form for the Facility to operate under that type of permit. In addition, a Facility must meet the requirements of the GCP-Oil and Gas.

This Section states that an owner or operator may apply to operate under the GCP-Oil and Gas permit if the Facility can comply with all of the requirements of the permit and the Facility includes only equipment specifically authorized by the GCP-Oil and Gas.

This Section defines under what circumstances the Department may deny an application to register under the GCP-Oil and Gas. These circumstances include a Registration Form not being complete, a Facility not qualified to register, the Facility cannot meet the terms and conditions of the permit, the Facility is located in a non-attainment area, or any criteria 20.2.72.208 are applicable.

A101 Permit Duration

The term of this permit is permanent.

A102 Description

This section includes the types of facilities that may register under the permit. These include SIC codes 1311, 1321, 4619, and 4922. This Section also states that construction of a source may not commence until authorization has been approved by the Department.

A103 Applicable Regulations

This section and Table 103 lists state and federal regulations typically applicable to oil and gas facilities. The list is not exhaustive, and facilities determine actual applicability to these regulations during the registration process.

A104 Facility: Regulated Sources

This section and Table 104 lists equipment authorized to operate under the GCP-Oil and Gas. This is not an exhaustive list but captures the majority of equipment types. The Department may approve additional equipment that does not appear in the Table.

Table 104: Allowable Equipment List

Equipment List
Storage Tanks
Flares, Enclosed Combustion Devices, Thermal Oxidizers
Engines, Turbines, and Generators
Dehydrators, Cryogenic Units, Acid Gas Removal, Amine (Sweetening) Units, other Natural Gas Processing Equipment
Auxiliary Equipment and Activities (includes heaters, separators, loading, VRU, VRT, ULPS, blowcase vessels, condensers, associated piping and connectors, pneumatics, pumps, compressors and other equipment as approved by the Department) ²

¹ All units must be evaluated for applicability to NSPS and NESHAP requirements.
² Auxiliary equipment does not include engines or generators.
³ The allowable emission limit for each piece of equipment is established in the current approved Registration Form.

A105 Control Equipment

This section discusses how control equipment is authorized in the Registration Form, and which applicable requirements apply to control equipment.

A106 Allowable Emissions to Qualify under the GCP-Oil and Gas

This section discusses how the permitted allowable emission limits are established under this permit. The permitted allowable hourly and annual emission limits are established in the Registration Form. In order to qualify for this permit, the Facility's annual emissions may not exceed those amounts in Table 106. These limits ensure that the facility will not be a major source under 20.2.70 or 20.2.74 NMAC.

Table 106 does not establish facility emission limits, but establishes an applicability threshold to construct under this permit. If these emission rates are exceeded, the applicant will need to re-evaluate permit applicability.

Table 106: Threshold Emission Rates to Register Under this Permit

Pollutant	Tons per Year (tpy)
Nitrogen Oxides (NO _x)	95 tpy
Carbon Monoxide (CO)	95 tpy
Volatile Organic Compounds (VOC)* (non-fugitive)	95 tpy
Sulfur Dioxide	95 tpy
Hydrogen Sulfide	25 tpy
Total Suspended Particulates (TSP)	25 tpy
Particulate Matter less than 10 Microns (PM ₁₀)	25 tpy
Particulate Matter less than 2.5 Microns (PM _{2.5})	25 tpy
Any Individual Hazardous Air Pollutant (HAP)	< 10 tpy
Total HAP	< 25 tpy

A107 Allowable Startup, Shutdown, Maintenance, and Malfunction Emissions (SSM/M)

This condition discusses how the SSM and M emissions are established in the permit. The allowable SSM and M emissions are established in the Registration Form. This condition establishes the requirements to demonstrate compliance with the allowable emission limits.

SSM and M Calculation

Any legal emission limitation is required to consider emissions from startup, shutdown and maintenance (SSM) activities because emissions from these events are part of normal operations. Thus, the permit includes a condition that tracks these types of events and any emissions that result from SSM events.

The monitoring includes tracking all SSM events that could result in emissions and calculating and recording the emissions that result from these events. The resulting emissions are then included in the compliance demonstration for the facility.

The permit contains a voluntary option to establish an allowable VOC limit from Malfunction events. If an applicant chooses to establish this limit in the permit, it can reduce the number of excess emissions reporting required for malfunction events. This permitting option available in other permits is well received by industry because it saves both the applicant and the Department valuable time and resources by greatly reducing the number of excess emissions reports for small volume VOC excess emissions.

Currently, an applicant is required to report a malfunction event by submitting an excess emissions report by the end of the following business day, and a final report within 10 business days as required by 20.2.7.110 NMAC. If the applicant selects an allowable limit of 10 tpy of VOC from Malfunction events, the applicant has the choice of either submitting the event as an excess emission under 20.2.7 NMAC, or recording the event and quantity of emissions and keeping a record onsite. This option is highly recommended as it has the potential of greatly reducing the number of excess emissions reports.

Section A108 Allowable Operations

This section discusses the allowable operations, and that the facility is authorized to operate continuously throughout the year. Equipment operating at less than 8760 hours per year may do so in the Registration Form.

Section A109 Reporting Schedules

This section discusses the reporting requirements of this permit. The reporting requirements are established in the Specific and General Conditions of this permit.

Section A110 Fuel and Fuel Sulfur Requirements

This section establishes the fuel sulfur limits for equipment operating under this permit other than flares. The sulfur limit for flaring is established in the Flaring Conditions.

This condition requires that all combustion units only combust natural gas, field gas, diesel, propane, or other Department approved fuel. Compliance with this condition is established by maintaining records of a current, valid fuel gas analysis, purchase contract, tariff sheet or transportation contract specifying the allowable limit or less.

Section A111 Opacity Requirements

This condition requires that the visible emissions from all stationary combustion emission stacks not equal or exceed an opacity of 20%. Opacity means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background.

Section 200 Oil and Gas Industry

This section discusses the scope and basis of the GCP-Oil and Gas.

Section A201 Gas Analysis Requirements

This section outlines the frequency and type of gas analyses required to be conducted for various facilities.

Section A202 Engines and Turbines

This section establishes the requirements for engines and turbines operating under this permit. The condition establishes maintenance and compliance testing requirements for engines and turbines, incorporates the federal emission standards established for engines and turbines, establishes the minimum stack parameters, and establishes the condition to demonstrate compliance with control devices.

Section A203 Heaters and Boilers

This section establishes the requirements for boilers and heaters, including the minimum stack parameters, adjustments to meet stack parameters, and the maximum hourly NOx emission rate for units that are unable to meet the minimum requirements.

Section A204 Glycol Dehydrators

This section establishes the requirements for dehydrators operating under this permit. The condition establishes monitoring requirements for dehydrators, incorporates the federal emission standards established for dehydrators, and establishes the condition to demonstrate compliance with control devices.

Section A205 Tanks

This section establishes the requirements for storage vessels. These conditions monitor operating conditions, throughout, separator pressure, and control device operation.

Section A206 Truck Loading

This section establishes the requirements for truck loading. These conditions monitor throughput and the control device, if selected. There is also an optional condition for vapor balancing, if selected in the Registration Form. The option to reduce loading emissions is voluntary and is required only if an applicant chooses this option on the Registration Form. If the uncontrolled emissions from truck loading are significant, the permittee may wish to reduce the emissions from truck loading, to keep the Facility total emission to less than 95 VOC tons per year.

Reducing the loading emissions allows facilities to reduce a source of VOC emissions such that other equipment can operate onsite. Loading emissions can be a large source of emissions at production and storage locations, and an option to reduce the emissions would be valuable for sources that have large quantities of loading emissions and that wish to register under this type of permit.

Section A207 Flares

This section establishes requirements for flares operating under this permit. These conditions establish the minimum stack height and flow rate requirements, visible emissions, and operating requirements.

Section A208 ECD and TO

This section establishes requirements for ECD and TO operating under this permit. These conditions establish the minimum stack height requirements, visible emissions, and operating requirements.

Section A209 VRU, VRT, and ULPS

This section establishes requirements for VRU, VRT, and ULPS operating under this permit. These conditions establish the monitoring and operational requirements.

A210 Amine Units

This section establishes requirements for amine units operating under this permit. These conditions establish the throughput and circulation monitoring, and control device operating requirements.

Section A211 Fugitive and NSPS KKK, OOOO, and OOOOa

This section establishes requirements for sources subject to certain federal regulations, including NSPS KKK and OOOO(a). These regulations establish requirements for equipment operating in the oil and gas gathering, production, and processing sector.

Section A212 Setback and Other Requirements for Facilities Registering Under this Permit

The conditions established in this section and throughout the permit were based on the air dispersion modeling analyses conducted during the development of the GCP-Oil and Gas. 20.2.72.220 NMAC requires that GCP issued under this subpart contain permit terms and conditions to assure that all sources registered under and operating in accordance with the general construction permit will meet all applicable requirements under the federal act, the New Mexico Air Quality Control Act and this chapter (Air Quality), including 20.2.74 NMAC (Prevention of Significant Deterioration), 20.2.77 NMAC (New Source Performance Standards), 20.2.78 NMAC (Emission Standards for Hazardous Air Pollutants), 20.2.79 NMAC (Permits - Nonattainment Areas), and 20.2.82 NMAC (Maximum Achievable Control Technology Standards for Source Categories of Hazardous Air Pollutants), and will not cause or contribute to air contaminant levels in excess of any national or New Mexico ambient air quality standard.

The conditions in this section and other modeling based requirements in the permit establish maximum allowable emission rates, minimum stack parameters, and setback distance requirements. The full modeling report is entitled "Modeling Report" and is a separate technical support document for this project.

Part B General Conditions

The General Conditions are standard permit template condition language that is incorporated into each construction permit issued in accordance with 20.2.72 NMAC. The General Conditions incorporate specific regulatory language that is typical of all permitted sources.

B100 Introduction

This section states that Facilities registered and operating in accordance with this permit will meet all applicable requirements under the federal Clean Air Act, the New Mexico Air Quality Control Act, and Title 20, Chapter 2 NMAC, including 20.2.74 NMAC (Prevention of Significant Deterioration), 20.2.77 NMAC (New Source Performance Standards), 20.2.78 (Emission Standards for Hazardous Air Pollutants), 20.2.82 NMAC (Maximum Achievable Control Technology Standards for Source Categories of Hazardous Air Pollutants), and will not cause or contribute to air contaminant levels in excess of any national or New Mexico ambient air quality standard.

B101 Legal

This paragraph addresses the legal requirement that the permittee must operate the facility in accordance with all representations of the application; instructions regarding modifications, and information on how to submit updates to the Department.

B102 Authority

This paragraph describes the regulatory authority of the Department to issue general construction permits and the Department's authority to implement federal Clean Air Act requirements.

B103 Fees

This paragraph explains the fee requirements to register under the GCP-Oil and Gas.

B104 Appeal Procedures

This paragraph explains the procedure to appeal a permit issued by the Department.

B105 Submittal of Reports and Certificates

This paragraph identifies contact information for various sections in the Air Quality Bureau, specifically how to report excess emissions reports to the Department.

B106 NSPS and/or MACT Startup, Shutdown, and Malfunction Operations

This paragraph explains the SSM (as defined in the federal Clean Air Act) reporting requirements under the NSPS and MACT programs.

B107 Startup, Shutdown, and Maintenance Operations

This paragraph clarifies that even though a source may establish an SSM emission limitation, the source is still obligated to minimize emissions during routine and predictable startup, shutdown and scheduled maintenance and shall operate in accordance with the procedures set forth in the SSM work practice plan, and that the permittee shall at all times, including periods of startup, shutdown, and malfunction, to the extent practicable, maintain and operate the source including all air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

B108 General Monitoring Requirements

These paragraphs include additional requirements for monitoring equipment at a facility, and provide additional direction and guidance on what constitutes a violation of an emission limit. This condition clarifies when a unit is not operating that the unit does not need to restart for the sole purpose of performing a monitoring requirement and procedures to notify the Department of a delay in conducting a monitoring requirement.

These paragraphs specify that the Department may request schedules of testing and monitoring activities and that the Department may require a test be re-imposed. These paragraphs also specify when new or modified monitoring requirements are required to be conducted.

B109 General Recordkeeping Requirements

These paragraphs include additional requirements for recordkeeping not specified in Part A of the GCP-Oil and Gas; requirements for electronic recordkeeping, and recordkeeping during SSM and Malfunction events. the organization of information in records and specify the procedure for making requested records available for review by the Department. These paragraphs also

include where the copy of the application should be kept and how to make that information available if requested by the Department.

B110 General Reporting Requirements

These paragraphs include additional requirements for reporting not specified in Part A of the GCP-Oil and Gas, including notification requirements for startup, change in owner, equipment substitution, and requirements to report under 20.2.7 NMAC.

B111 General Testing Requirements

These paragraphs include additional compliance testing requirements for equipment authorized under this permit. These conditions establish the authorized EPA Method Tests, and the periodic monitoring and portable analyzer requirements, and test procedures.

B112 Compliance

These paragraphs cite the authority of the Department to enter the facility at all reasonable times to verify the terms and conditions of the permit. The section also requires a copy of the most recent permit issued by the Department to be kept at the permitted facility or (for unmanned sites) at the nearest company office.

B113 Permit Cancellation and Revocation

These paragraphs include the right of the Department to revoke a permit if an applicant has knowingly and willfully misrepresented a material fact in the application for a permit; include the regulatory requirement that the Department automatically cancel a permit if a source's operation ceases for 5 years; and that the Department may cancel a permit if the source had not constructed within two years of the date of issuance of the permit.

B114 Notification to Subsequent Owners

These paragraphs specify the procedure for transferring ownership of a Facility.

B115 Asbestos Notification

This paragraph specifies the requirements for the permittee prior to any asbestos demolition or renovation work and to the procedure to notify the Department.

B116 Short Term Engine Replacement

This section provides a mechanism to quickly replace an engine due to malfunction or breakdown. The condition establishes the notification, testing, reporting requirements. The condition also establishes the allowable emission limits for the replacement unit and how to register the unit permanently, if necessary.

Part C Registration Process

The registration process involves submitting one completed Registration Form to the Department along with a payment of 10 fee points as required by 20.2.75 NMAC. In addition, the

Registration Form should contain the certification that the public notice requirements were completed. The GCP-Oil and Gas specifically identifies all required components of the Registration Form that are required to be submitted to the Department.

The purpose of the public notification is to give the public an opportunity to comment on the proposed location of a new or relocated Facility. Per the requirements of 20.2.72.220 NMAC, an applicant's minimum public notice requirement for a GCP is: (1) to publish at least once in the legal notices section of a newspaper of general circulation in the county in which the owner or operator is proposing to construct and operate; and (2) post the notice at the entrance of the existing or proposed location, or other publicly conspicuous place, on the property until the Department grants or denies the registration. The applicant's legal notice may include up to 10 separate facilities if required location information for each Facility is included in the notice.

The GCP-Oil and Gas specifies the contents of a complete Registration Form as required in 20.2.72.220.A.2.b NMAC. The listed required contents of a Registration Form are necessary for the Department to verify that the Facility will qualify and can comply with all requirements and conditions of this permit. The registration information required for GCP-Oil and Gas includes much of the same information that is required in individual regular permit applications. A completed GCP-Oil and Gas Registration Form will include contact information for the Facility's owner and operator, site name and location, maps and directions to the site, equipment lists, certification concerning the accuracy of information in the Registration Form, and many other details. In addition, the Registration Form requires specific information, including the proposed production, equipment list with manufacturer, model number, equipment size, and manufacturer's input process rate or capacity.

The current fee for registration under a general permit is \$4,080 (10 points at \$408 per point). For GCP-Oil and Gas, the Department will charge the same fee to all applicants. Due to the brief 30-day registration review period, fees must be submitted with the Registration Form. Facilities that meet the definition of Small Business Subsection F of 20.2.75 shall pay discounted fees. [Subsection C of 20.2.75.11 NMAC]

C101 Revision Process

These paragraphs specify what types of administrative revisions and modifications require notification to the Department. These paragraphs also describe the procedure for processing the revision by submitting the updated Registration Form with the full GCP fee to the Department.

PART D

D100 Supporting On-Line Documents

This section identifies the location of useful documents available online at the Bureau's website.

D101 Definitions

This section includes the definitions of terms and concepts used in the GCP-Oil and Gas.

D102 Acronyms

This section defines acronyms used in the GCP-Oil and Gas.

Rule Preamble: The New Mexico Environment Department has developed the following draft regulation pursuant to the directives of Section 74-2-5.3 of the New Mexico Air Quality Control Act. The objective of the proposed rule is to establish emissions standards for volatile organic compounds (VOC) and nitrogen oxides (NO_x) for oil and gas production and processing sources located in areas of the State within the Environmental Improvement Board's jurisdiction where ozone concentrations are exceeding 95% of the national ambient air quality standard.

This is a preliminary draft being released for public input in advance of the Department filing a formal rulemaking petition with the Board and requesting a public hearing. The purpose of this initial, pre-petition comment period is to foster transparency and facilitate continued engagement from stakeholders, members of the public, and other interested parties. Specifically, the Department is seeking public input on the proposed rule language to assist in identifying potential regulatory and technical issues, and areas that require additional clarification or modification. Additional opportunities for public input and changes to the draft rule will occur through the formal rule-making process following the filing of the rulemaking petition. This initial, pre-petition process will help ensure that major issues or problematic areas are identified and can be addressed prior to the initiation of the formal process.

NMED is soliciting specific review and public input on a number of proposed provisions and concepts in the draft rule. In particular, for the equipment standards section, NMED requests feedback on the following:

1. The proposed definitions of stripper wells and marginal wells under the draft rule and the regulatory requirements that would apply to those wells under Section 20.2.50.25 NMAC;
2. Examples of technologies or regulatory programs utilizing non-combustion emission control technologies, like fuel cells, as a means of reducing or eliminating emissions for inclusion in Section 20.2.50.15 NMAC;
3. Specific regulatory language regarding criteria necessary to demonstrate equivalency of alternative equipment leak monitoring plans in Section 20.2.50.16(C) NMAC;
4. Specific regulatory language to establish a pre-approved equipment leak monitoring plan in 20.2.50.16(C) NMAC;
5. For leak detection and repair requirements under Section 20.2.50.16 NMAC, specific standards to be used by NMED to determine if certain new or existing technologies (real-time remote fence line and aerial surveillance, for example) or proposals are enforceable, effective, and equivalent. Specific feedback on data capture requirements, quality assurance, error rates, calibration requirements, training and certification, interference issues, quantification methods, and pollutant identification will assist the Department in exploring this option further;
6. Regulatory requirements for oil and gas evaporative ponds in Section 20.2.50.26 NMAC, including whether to establish emission standards based on the pond's potential to emit or throughput; and
7. Opportunities for greater transparency.

Comments or input on the draft rules may be submitted electronically to nm.methanestrategy@state.nm.us or via hardcopy to Liz Bisbey-Kuehn, NMED Air Quality Bureau, 525 Camino de los Marquez, Santa Fe, NM 87505 by 5 p.m. Aug. 20, 2020.

**TITLE 20 ENVIRONMENTAL PROTECTION
CHAPTER 2 AIR QUALITY (STATEWIDE)
PART 50 OIL AND NATURAL GAS REGULATION FOR OZONE PRECURSORS**

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DRAFT

TITLE 20 ENVIRONMENTAL PROTECTION
CHAPTER 2 AIR QUALITY (STATEWIDE)
PART 50 OIL AND NATURAL GAS REGULATION FOR OZONE PRECURSORS

20.2.50.1 ISSUING AGENCY:

New Mexico Environmental Improvement Board.

20.2.50.2 SCOPE:

This rule applies to sources located within counties that have areas with ambient ozone concentrations in excess of ninety-five percent of the national ambient air quality standard for ozone, including but not limited to Chaves, Eddy, Lea, Rio Arriba, Sandoval, and San Juan. Sources located in Bernalillo County, on Tribal Lands, and in other areas that are not within the Board's jurisdiction are excluded.

20.2.50.3 STATUTORY AUTHORITY: NMSA 1978, § 74-2-5.3

20.2.50.4 DURATION: Permanent.

20.2.50.5 EFFECTIVE DATE:

[To be determined], except where a later date is cited in a section or paragraph.

20.2.50.6 APPLICABILITY:

- A. Except as provided in paragraph (B), Part 50 applies to crude oil production and natural gas production equipment and operations that extract, collect, store, transport, or handle hydrocarbon liquids or produced water in the areas specified in 20.2.50.2 NMAC. Crude oil production includes the well and extends to the point of custody transfer to the crude oil transmission pipeline or any other form of transportation. Natural gas production, processing, transmission, and storage includes the well and extends to, but does not include, the local distribution company custody transfer station.
- B. Oil refineries are not subject to this Part.
- C. Equipment located at stripper wells, as defined in 20.2.50.8 NMAC, is exempt from the requirements of this Part 50, except as specified in 20.2.50.25 NMAC.
- D. Individual facilities with a site-wide total annual potential to emit less than 15 tons per year (tpy) of volatile organic compounds (VOC) are exempt from the requirements of this Part, except as specified in 20.2.50.25 NMAC.

20.2.50.7 OBJECTIVE:

The objective of this Part is to establish emission standards for volatile organic compounds (VOC) and nitrogen oxides (NO_x) for oil and gas production and processing sources.

20.2.50.8 DEFINITIONS:

In addition to the terms defined in 20.2.2 NMAC (Definitions), as used in this Part:

- A. "Air Pollution Control Equipment" means open flares, enclosed combustion devices, thermal oxidizers, vapor recovery units, fuel cells, condensers, other combustion devices, air fuel ratio controllers, oxidative catalytic converters, selective and non-selective catalytic converters, or emission reduction equipment or technologies used to

comply with emission standards and emission reduction requirements in 20.2.50 NMAC that are approved by the Department.

- B.** “Approved Instrument Monitoring Method” means an infra-red camera, U.S. EPA Method 21, or other instrument-based monitoring method or program approved by the Department in advance and in accordance with 20.2.50 NMAC.
- C.** “Auto-Igniter” means a device which will automatically attempt to relight the pilot flame in the combustion chamber of a control device in order to combust volatile organic compound emissions.
- D.** “Bleed rate” means the rate in standard cubic feet per hour at which natural gas and VOC is continuously vented (bleeds) from a pneumatic controller.
- E.** “Calendar Year” means a year beginning January 1 and ending December 31.
- F.** “Centrifugal Compressor” means any machine used for raising the pressure of natural gas by drawing in low pressure natural gas and discharging significantly higher-pressure natural gas by means of mechanical rotating vanes or impellers. Screw, sliding vane, and liquid ring compressors are not centrifugal compressors.
- G.** “Commencement of operation” means for oil and natural gas wellheads, the date any permanent production equipment is in use and product is flowing to sales lines, gathering lines, or storage tanks from the first producing well at the stationary source, but no later than the end of well completion operations.
- H.** “Compressor station” means any permanent combination of one or more compressors that move natural gas at increased pressure through gathering or transmission pipelines, or into or out of storage. This includes, but is not limited to, gathering and boosting stations and transmission compressor stations.
- I.** “Component” means each pump seal, flange, pressure relief device (including thief hatches or other openings on a controlled storage tank), connector, and valve that contains or contacts a process stream with hydrocarbons, except for components in process streams consisting of glycol, amine, produced water, or methanol.
- J.** “Connector” means flanged, screwed, or other joined fittings used to connect two pipes or a pipe and a piece of process equipment or that close an opening in a pipe that could be connected to another pipe. Joined fittings welded completely around the circumference of the interface are not considered connectors.
- K.** “Custody Transfer” means the transfer of oil or natural gas after processing and/or treatment in the producing operations or from storage vessels or automatic transfer facilities or other such equipment, including product loading racks, to pipelines or any other forms of transportation.
- L.** “Department” means the New Mexico Environment Department.
- M.** “Downtime” means the period of time when equipment is not operational or a well is producing and the air pollution control equipment is not in operation.
- N.** “Enclosed Combustion Device” means any combustion device where gaseous fuel is combusted in an enclosed chamber. This may include, but is not limited to enclosed flares, boilers, re-boilers, and heaters.
- O.** “Existing” means any piece of equipment regulated by this Part that began operation prior to the effective date of the rule and has not since been modified or reconstructed.
- P.** “Gas processing plant” means equipment assembled for the extraction of natural gas liquids from natural gas, the fractionation of the liquids into natural gas products, or other operations associated with the processing of natural gas products. A process unit

can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the products.

- Q.** “Gathering and boosting site” means any permanent combination of equipment that collect or move natural gas, crude oil, condensate, or produced water between the wellhead site and midstream oil and natural gas collection or distribution facilities such as tank batteries or compressor stations, or into or out of storage.
- R.** “Glycol Dehydrator” means any device in which a liquid glycol absorbent (including, ethylene glycol, diethylene glycol, or triethylene glycol) directly contacts a natural gas stream and absorbs water.
- S.** “Hydrocarbon liquids” means any naturally occurring, unrefined petroleum liquid and can include oil, condensate, produced water, and intermediate hydrocarbons.
- T.** “Infra-red Camera” means an optical gas imaging instrument designed for and capable of detecting hydrocarbons.
- U.** “Liquids Unloading” means the removal of accumulated liquids from the wellbore that reduce or stop natural gas production.
- V.** “Liquid Transfers” means the loading and unloading of hydrocarbon liquids or produced water between storage tanks and tanker trucks or tanker rail cars for transport.
- W.** “Modification” means any physical change in, or change in the method of operation of, a stationary source which results in an increase in the potential emission rate of any regulated air contaminant emitted by the source or which results in the emission of any regulated air contaminant not previously emitted, but does not include:
- (1) a change in ownership of the source;
 - (2) routine maintenance, repair or replacement;
 - (3) installation of air pollution control equipment, and all related process equipment and materials necessary for its operation, undertaken for the purpose of complying with regulations adopted by the board or pursuant to the federal act; or
 - (4) unless previously limited by enforceable permit conditions:
 - (a) an increase in the production rate, if such increase does not exceed the operating design capacity of the source;
 - (b) an increase in the hours of operation; or
 - (c) use of an alternative fuel or raw material if, prior to January 6, 1975, the source was capable of accommodating such fuel or raw material, or if use of an alternate fuel or raw material is caused by any natural gas curtailment or emergency allocation or any other lack of supply of natural gas.
- X.** “Natural Gas Compressor Station” means one or more compressors designed to compress natural gas from well pressure to gathering system pressure prior to the inlet of a natural gas processing plant, or to move compressed natural gas through a transmission pipeline.
- Y.** “Natural Gas-Fired Heater” means an enclosed device using controlled flame and with a primary purpose to transfer heat directly to a process material or to a heat transfer material for use in a process.
- Z.** “Natural Gas Processing Plant” means any processing equipment engaged in the extraction of natural gas liquids from natural gas, fractionation of mixed natural gas liquids to natural gas products, or both. A Joule-Thompson valve, a dew point

depression valve, or an isolated or standalone Joule-Thompson skid is not a natural gas processing plant.

- AA.** “New” means any piece of equipment regulated by this Part that began operation on or after the effective date.
- BB.** “Optical gas imaging” means an imaging technology that utilizes high-sensitivity infrared cameras designed for and capable of detecting hydrocarbons.
- CC.** “Pneumatic Controller” means an automated instrument used for maintaining a process condition such as liquid level, pressure, flow volume, delta-pressure and temperature.
- DD.** “Pneumatic Pump” means a positive displacement pump powered by pressurized natural gas that uses the reciprocating action of flexible diaphragms in conjunction with check valves to pump a fluid. A pump in which a fluid is displaced by a piston driven by a diaphragm is not considered a diaphragm pump. A lean glycol circulation pump that relies on energy exchange with the rich glycol from the contactor is not considered a diaphragm pump.
- EE.** “Potential to Emit” means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation is federally enforceable. The potential to emit for nitrogen dioxide shall be based on total oxides of nitrogen.
- FF.** “Produced Water” means water that is extracted from the earth from an oil or natural gas production well, or that is separated from crude oil, condensate, or natural gas after extraction.
- GG.** “Reciprocating Compressor” means a piece of equipment that increases the pressure of process gas by positive displacement, employing linear movement of the piston rod.
- HH.** “Responsible Official” means one of the following:
 - (1)** For a corporation: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating.
 - (2)** For a partnership or sole proprietorship: a general partner or the proprietor, respectively.
 - (3)** For a municipality, state, federal or other public agency: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a regional administrator of US EPA).
- II.** “Startup” means the setting into operation of any air pollution control equipment or process equipment.
- JJ.** “Storage tank” means any process vessel, or fixed roof storage vessel or series of storage vessels that are connected together via a liquid line.
- KK.** “Storage vessel” means a single tank or other vessel that is designed to contain an accumulation of hydrocarbon liquids or produced water and is constructed primarily of non-earthen materials (such as wood, concrete, steel, fiberglass, or plastic) which

provide structural support, or a process vessel such as surge control vessels, bottom receivers, or knockout vessels. A well completion vessel that receives recovered liquids from a well after commencement of operation for a period which exceeds 60 days is considered a storage vessel. A storage vessel does not include: vessels that are skid-mounted or permanently attached to something that is mobile (such as trucks, railcars, barges, or ships); are located at the site for less than 180 consecutive days; or pressure vessels designed to operate in excess of 204.9 kilopascals and without emissions to the atmosphere.

LL. “Stripper well” means an oil well with a maximum daily average oil production not exceeding 10 barrels of oil per day, or a natural gas well with a maximum daily average natural gas production not exceeding 60,000 standard cubic feet per day, or a well with a maximum daily average combined oil and natural gas production not exceeding 10 barrels of oil equivalent per day during any 12-month consecutive time period.

MM. “Wellhead site” means all equipment at a single stationary source directly associated with one or more oil wells or natural gas wells upstream of the natural gas processing plant. This equipment includes, but is not limited to, equipment used for extraction, collection, routing, storage, separation, treating, dehydration, artificial lift, combustion, compression, pumping, metering, monitoring, and flowline.

20.2.50.9 AMENDMENT AND SUPERSESION OF PRIOR REGULATIONS [PLACEHOLDER]

20.2.50.10 DOCUMENTS:

Documents incorporated and cited in this Part may be viewed at the New Mexico Environment Department, Air Quality Bureau, Harold Runnels Building, 1190 St. Francis Dr., or 2048 Galisteo St., Santa Fe, NM 87502 [87505].

20.2.50.11 PLACEHOLDER

20.2.50.12 GENERAL PROVISIONS

A. General Requirements

- (1) All equipment subject to requirements under 20.2.50 NMAC shall be operated and maintained consistent with manufacturer specifications and good engineering and maintenance practices. The owner or operator shall keep manufacturer specifications and maintenance practices on file and make them available upon request by the Department.
- (2) Owners and operators of equipment subject to requirements under 20.2.50 NMAC shall establish and implement a plan to minimize emissions during routine or predictable startup, shutdown, and scheduled maintenance through work practice standards and good air pollution control practices. [20.2.7.14 NMAC]
- (3) The emission of an air contaminant in excess of the quantity, rate, opacity, or concentration specified in 20.2.50 NMAC that results in an excess emission is a violation of 20.2.50 NMAC.

- (4) The owner or operator of equipment having an excess emission shall comply with 20.2.7 NMAC and, to the extent practicable, operate the equipment, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.
- (5) The owner or operator of equipment that has an excess emission may claim an affirmative defense for the excess emission pursuant to 20.2.7.111, 20.2.7.112, and 20.2.7.113 NMAC.
- (6) Within one year of the effective date of this rule, owners and operators of equipment requiring an Equipment Monitoring Information and Tracking Tag (EMITT) shall physically tag the unit with an EMITT that is scannable with a hand held scanner (RFID or QR) that uniquely identifies the unit to which it is assigned and the EMITT shall be maintained by the owner or operator. Data in the EMITT shall be scannable by state inspectors to provide at a minimum, the following information:
 - (a) Unique unit identification number;
 - (b) UTM coordinates of the facility;
 - (c) Type of unit (tank, VRU, dehydrator, pneumatic controller, etc.);
 - (d) For equipment, the VOC (and NO_x, if applicable) potential to emit in pounds per hour and tons per year; and
 - (e) For control equipment, the controlled VOC (and NO_x, if applicable) potential to emit in pounds per hour and tons per year and the design control efficiency in percent.
- (7) The EMITT shall be linked to an EMITT Database accessible to state inspectors that at a minimum supplies the data required by Section 20.2.50.12 NMAC and any other data required for that equipment under this Part.

B. Monitoring Requirements

- (1) All equipment subject to control or monitoring requirements under this Part shall be inspected monthly to ensure proper maintenance and operation, unless a different inspection schedule is specified in the section below applicable to that particular type equipment. If the emission unit is shutdown at the time when periodic monitoring or inspections are due to be accomplished, the owner or operator is not required to restart the unit for the sole purpose of performing the monitoring or inspection but shall so note in the equipment or controller's records.
- (2) All periodic monitoring events shall be conducted at 90% or greater of the unit's capacity. If the 90% capacity cannot be achieved, the monitoring will be conducted at the maximum achievable load under prevailing operating conditions.
- (3) In order to allow for equivalent new and alternate monitoring technologies that satisfy the requirements of this regulation, prior to implementing, owners and operators may request an equally effective, enforceable, and equivalent alternative monitoring strategy to the Department for approval.
 - (a) Each request shall be made on application forms provided by the Department. Upon approval of a request, the Department will issue an Alternative Monitoring Approval Letter. All Alternative Monitoring Approval Letters will

be published on a link on the Department's webpage to provide authorization for the use of the approved alternative monitoring method.

- (b) Each owner or operator will need to request and receive approval from the Department in order to operate under an approved Alternative Monitoring Strategy.
- (4) Each EMITT shall be initially scanned and the required monitoring data shall be electronically captured during the monitoring event. The captured data shall be uploaded (either live or subsequently) into the database. At a minimum, the uploaded data shall include:
 - (a) Date and time of the monitoring event;
 - (b) The name of the monitoring personnel;
 - (c) Unique unit identification number;
 - (d) Type of unit;
 - (e) A description of any maintenance or repair activities conducted; and
 - (f) Required results of any monitoring required by 20.2.50 NMAC.

C. Recordkeeping Requirements

- (1) Owners and operators shall keep records of any inspections and/or maintenance required under this Part. Records shall include:
 - (a) Date and time of the monitoring event;
 - (b) The name of the monitoring personnel;
 - (c) Unique unit identification number;
 - (d) Type of unit;
 - (e) Required results of any monitoring required by 20.2.50 NMAC;
 - (f) Equipment make, model and serial number;
 - (g) A copy of the equipment manufacturer's maintenance or repair recommendations;
 - (h) A description of any maintenance or repair activities conducted; and
 - (i) All results of any required parameter readings.
- (2) Owners and operators shall keep records required this Part for a period of five years. The records shall be retained electronically. The Department may treat any loss of data or failure to maintain records (including failure to transfer records upon sale or transfer or ownership or operating authority) as a failure to collect the data.
- (3) Owners and operators shall keep records of emissions from equipment malfunctions and routine or predictable emissions during startup, shutdown, and scheduled maintenance.
- (4) Owners and operators of equipment having an excess emission shall record the following information no later than ten (10) days after the end of the excess emission event:
 - (a) The equipment type and identification number;
 - (b) The location, date, and time;
 - (c) The emission limit or air quality regulation that was exceeded;
 - (d) The air contaminant and the magnitude of the excess emission expressed in the units of the limit or air quality regulation;

- (e) The cause of the excess emission and any steps taken to limit the magnitude and duration of the excess emissions;
 - (f) The corrective action(s) taken to eliminate the cause of the excess emission and prevent a recurrence, if required; and
 - (g) Whether the owner or operator attributes the excess emission to malfunction, startup, or shutdown.
- (5) Records of each EMITT monitoring event required by 20.2.50.12.B NMAC shall be electronically uploaded (either in real time or subsequently) into the EMITT database. At a minimum, the uploaded data shall include the data required in 20.2.50.12.B(4) and 20.2.50.12.C(4) NMAC.
- (6) Prior to the transfer of ownership of any equipment subject to this Part, the current owner or operator shall conduct and document a full compliance evaluation of all equipment subject to the rule. The documentation shall indicate whether or not each piece of equipment subject to requirements under this Part is currently complying with those requirements. The compliance determination shall be conducted no earlier than one year prior to the transfer.

D. Reporting Requirements

- (1) Owners and operators shall submit reports upon the request of the Department. Any reports requested by the Department shall be submitted electronically via the Department's Secure Extranet Portal (SEP) at <https://sep.net.env.nm.gov/sep/login-form>.
- (2) Owner and operators of a source having an excess emission shall submit a Root Cause and Corrective Action Analysis, as directed in 20.2.7.114 NMAC, upon the request of the department.

20.2.50.13 STANDARDS FOR ENGINES AND TURBINES

A. Applicability

- (1) New and existing portable and stationary natural gas-fired spark ignition engines, compression ignition engines, and natural gas-fired combustion turbines located at wellheads, tank batteries, gathering and boosting sites, natural gas processing plants, and transmission compressor stations are subject to the requirements of 20.2.50.13 NMAC.
- (2) Existing sources that were subject to federal standards of performance under 40 CFR Part 60 and Part 63 between March 25, 2004 and January 1, 2009 are exempt from the requirements of 20.2.50.13 NMAC.

B. Emission Standards

- (1) Owners and operators of each portable or stationary natural gas-fired spark ignition engine, compression ignition engine, and natural gas-fired combustion turbine shall ensure compliance with the emission standards in 20.2.50.13.B NMAC by the dates specified in 20.2.50.13.B NMAC.
- (2) Each natural gas-fired spark ignition engine shall comply with the applicable emission standards in Table 1 of 20.2.50.13 NMAC.

- (3) By January 1, 2022, owners and operators of existing engines shall complete an inventory of all existing engines and shall prepare a schedule for each existing engine to ensure that all existing engines comply with these requirements and meet or exceed the emission standards in Table 1 by January 1, 2028. The schedule shall meet the following requirements:
- (a) By January 1, 2024, owners and operators shall ensure 30% of the company's fleet of existing engines meet the requirements of Table 1.
 - (b) By January 1, 2026, owners and operators shall ensure an additional 35% of the company's fleet of existing engines meet the requirements of Table 1.
 - (c) By January 1, 2028, owners and operators shall ensure that the remaining 35% of the company's fleet of existing engines meet the requirements of Table 1.

Table 1 - Emission Standards for Natural Gas-Fired Spark-Ignition Engines

For each natural gas-fired spark-ignition engine constructed or reconstructed and installed before the effective date of 20.2.50 NMAC, the owner or operator shall ensure the existing engine(s) does not exceed the following emission standards as determined by the compliance schedule required in 20.2.50.13.B(3) NMAC:				
Engine Type	Rated bhp	NOx	CO	NMNEHC (as propane)
Lean-burn	≤100	2.0 g/bhp-h	2.0 g/bhp-h	-
Lean-burn	>100 - ≤500	1.0 g/bhp-h	2.0 g/bhp-h	0.70 g/bhp-h
Lean-burn	>500	0.50 g/bhp-h	47 ppmvd @ 15% O2 or 93% reduction	0.30 g/bhp-h
Rich-burn	≤100	2.0 g/bhp-h	2.0 g/bhp-h	-
Rich-burn	>100 - ≤500	0.25 g/bhp-h	0.30 g/bhp-h	0.20 g/bhp-h
Rich-burn	>500	0.20 g/bhp-h	0.30 g/bhp-h	0.20 g/bhp-h
For each natural gas-fired spark-ignition engine constructed or reconstructed and installed on or after the effective date of 20.2.50 NMAC, the owner or operator shall ensure the engine does not exceed the following emission standards upon startup:				
Engine Type	Rated bhp	NOx	CO	NMNEHC (as propane)
Lean-burn	≤100	1.0 g/bhp-h	2.0 g/bhp-h	0.70 g/bhp-h
Lean-burn	>100 - ≤500	1.0 g/bhp-h	0.70 g/bhp-h	0.30 g/bhp-h
Lean-burn	>500 - <2,370	0.50 g/bhp-h	0.25 g/bhp-h	0.30 g/bhp-h
Lean-burn	≥2,370	0.30 g/bhp-h Uncontrolled or 0.05 g/bhp-h with Control	0.25 g/bhp-h	0.30 g/bhp-h
Rich-burn	≤100	1.0 g/bhp-h	2.0 g/bhp-h	0.70 g/bhp-h
Rich-burn	>100 - ≤500	0.25 g/bhp-h	0.30 g/bhp-h	0.20 g/bhp-h
Rich-burn	>500	0.20 g/bhp-h	0.30 g/bhp-h	0.20 g/bhp-h

- (4) Owners and operators of natural gas-fired spark ignition engines that control NOx emissions with a control technology that uses ammonia or urea as a reagent shall ensure that the exhaust ammonia slip is limited to 10 ppmvd or less, corrected to

- 15 percent oxygen.
- (5) Owners and operators of each compression ignition engine shall ensure compliance with the applicable emission standards in 20.2.50.13.B(5)(a) NMAC and 20.2.50.13.B(5)(b) NMAC.
- (a) Stationary compression ignition engines that are subject to and complying with standards in 40 CFR Part 60, subpart III, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, are exempt from the requirements of this paragraph.
- (b) Portable and stationary compression ignition engines with a maximum design power output equal to or greater than 500 horsepower that are not subject to the emission standards under 20.2.50.13.B(5)(a) NMAC shall limit NOx emissions to no more than 9 g/bhp-h. For each compression-ignition engine constructed or reconstructed and installed before the effective date of this Part, the owner or operator shall ensure compliance no later than one year from the effective date. For each compression-ignition engine constructed or reconstructed and installed on or after the effective date of this Part, the owner or operator shall ensure compliance upon startup.
- (6) Owners and operators of portable or stationary compression ignition engines that control NOx emissions with a control technology that uses ammonia or urea as a reagent shall ensure that the exhaust ammonia slip is limited to 10 ppmvd or less corrected to 15 percent oxygen.
- (7) Owners and operators of stationary natural gas-fired combustion turbines with a maximum design rating equal to or greater than 1,000 bhp (or a maximum heat input capacity equal to or greater than 2.54 MMBtu/hr) shall comply with the applicable emission standards for existing, new, or reconstructed turbines listed in Table 2 of 20.2.50.13 NMAC.

Table 2 - Emission Standards for Stationary Combustion Turbines

For each natural gas-fired combustion turbine constructed or reconstructed and installed before the effective date of 20.2.50 NMAC, the owner or operator shall ensure the turbine does not exceed the following emission standards no later than one year from the effective date:				
Turbine Rating (bhp)	Turbine Rating (MMBtu/hr)	NOx (ppmvd @ 15% O ₂)	CO (ppmvd @ 15% O ₂)	NMNEHC (as propane, ppmvd @ 15% O ₂)
≥1,000 and <5,000	≥2.54 and <12.7	25	25	9
≥5,000 and <15,000	≥12.7 and <38.2	15	25	9
≥15,000	≥38.2	15	10 or 93% reduction	5 or 50% reduction
For each natural gas-fired combustion turbine constructed or reconstructed and installed on or after the effective date of 20.2.50 NMAC, the owner or operator shall ensure the turbine does not exceed the following emission standards upon startup:				
Turbine Rating (bhp)	Turbine Rating (MMBtu/hr)	NOx (ppmvd @ 15% O ₂)	CO (ppmvd @ 15% O ₂)	NMNEHC (as propane, ppmvd @ 15% O ₂)

≥1,000 and <5,000	≥2.54 and <12.7	25	25	9
≥5,000 and <15,900	≥12.7 and <40.4	15	10	9
≥15,900	≥40.4	9.0 Uncontrolled or 2.0 with Control	10 Uncontrolled or 1.8 with Control	5

- (8) Owners and operators of stationary natural gas-fired combustion turbines that control NOx emissions with a control technology that uses ammonia or urea as a reagent shall ensure that the exhaust ammonia slip is limited to 10 ppmvd or less, corrected to 15% oxygen.
- (9) Owners and operators of new or existing engines or turbines shall install an Equipment Monitoring and Information Tracking Tag (EMITT) on each engine or turbine in accordance with 20.2.50.12 NMAC.

C. Monitoring Requirements

- (1) Maintenance and repair for all spark ignition engines, compression ignition engines, and stationary combustion turbines shall meet the minimum engine or turbine manufacturer's recommended maintenance schedule. Activities that involve engine or turbine maintenance, adjustment, replacement, or repair of functional components with the potential to affect the operation of an emission unit shall be documented as they occur for the following events:
 - (a) Routine maintenance that takes a unit out of service for more than two hours during any 24-hour period.
 - (b) Unscheduled repairs that require a unit to be taken out of service for more than two hours in any 24-hour period.
- (2) Oxidation catalytic converters, selective and non-selective catalytic converters, and air-fuel ratio (AFR) controllers shall be maintained according to manufacturer's or supplier's recommended maintenance, including replacement of oxygen sensors as necessary for oxygen-based controllers. During periods of catalyst or AFR controller maintenance, the owner or operator shall shut down the engine(s) or turbine(s) until the catalyst or AFR controller can be replaced with a functionally equivalent spare to allow the engine or turbine to remain in operation.
- (3) Compliance with the emission standards in 20.2.50.13.B NMAC shall be demonstrated by performing an initial and annual test for NOx, CO, and non-methane non-ethane hydrocarbons (NMNEHC) using a portable analyzer or EPA Reference Methods. For units with g/hp-hr emission standards, the engine load shall be calculated by using the following equations:

$$\text{Load (Hp)} = \frac{\text{Fuel consumption (scfh)} \times \text{Measured fuel heating value (LHV btu/scf)}}{\text{Manufacturer's rated BSFC (btu/bhp-hr) at 100\% load or best efficiency}}$$

$$\text{Load (Hp)} = \frac{\text{Fuel consumption (gal/hr)} \times \text{Measured fuel heating value (LHV btu/gal)}}{\text{Manufacturer's rated BSFC (btu/bhp-hr) at 100\% load or best efficiency}}$$

Where:

LVH = lower heating value, btu/scf, or btu/gal, as appropriate

BSCF = brake specific fuel consumption

- (a) Periodic monitoring utilizing a portable analyzer shall be conducted in accordance with the requirements of the current version of ASTM D 6522. However, if a facility has met a previously approved Department criterion for portable analyzers, the analyzer may be operated in accordance with that criterion until it is replaced.
 - (b) The default time period for each test run shall be at least 20 minutes.
 - (c) Each performance test shall consist of three separate runs. The arithmetic mean of results of the three runs shall be used to determine compliance with the applicable emission standard.
 - (d) For all periodic monitoring events, three test runs shall be conducted at 90% or greater of the unit's capacity. If the 90% capacity cannot be achieved, the monitoring will be conducted at the maximum achievable load under prevailing operating conditions. The load and the parameters used to calculate it shall be recorded to document operating conditions and shall be included with the monitoring test report.
 - (e) During emissions tests, pollutant and diluent concentration shall be monitored and recorded. Fuel flow rate shall be monitored and recorded if stack gas flow rate is determined utilizing EPA Reference Method 19. This information shall be included with the monitoring test report.
 - (f) Stack gas flow rate shall be calculated in accordance with EPA Reference Method 19 utilizing fuel flow rate (scf) determined by a dedicated fuel flow meter and fuel heating value (Btu/scf). The owner or operator shall provide a contemporaneous fuel gas analysis (preferably on the day of the test, but no earlier than three months prior to the test date) and a recent fuel flow meter calibration certificate (within the most recent quarter) with the final test report. Alternatively, stack gas flow rate may be determined by using EPA Reference Methods 1 through 4.
 - (g) The owner or operator shall submit a notification and protocol for periodic emissions tests upon the request of the Department.
- (4) Testing shall be conducted once per calendar year. Performance testing required by 40 CFR 60, Subparts GG, IIII, JJJJ, or KKKK, or 40 CFR 63, Subpart ZZZZ may be used to satisfy these periodic testing requirements if they meet the requirements of this section and are completed once per calendar year.
 - (5) Each monitoring, testing, inspection, or tune-up of an engine or turbine shall include the initial scanning of the EMITT, and the monitoring data entry shall be made in accordance with the requirements of 20.2.50.12 NMAC.

D. Recordkeeping Requirements

- (1) The owner or operator of spark ignition engines, compression ignition engines, or stationary combustion turbines shall maintain records in accordance with 20.2.50.12 NMAC for each engine or turbine of:

- (a) The make, model, serial number, and equipment identification number for each engine, turbine, and any control equipment,
- (b) A copy of the engine or turbine manufacturer's or control equipment manufacturer's recommended maintenance and repair schedule,
- (c) Inspections, maintenance and repairs activities on all engines, turbines, and control equipment, including:
 - (i) Date(s) and time(s) of inspection, maintenance, and/or repair;
 - (ii) Date(s) any subsequent analyses were performed (if applicable);
 - (iii) Name of the person or qualified entity conducting the inspection, maintenance, and/or repair;
 - (iv) A description of the physical condition of the equipment as found during any required inspection;
 - (v) Description of maintenance or repair activities conducted; and
 - (vi) Results of required equipment inspections including a description of any condition which required adjustment to bring the equipment back into compliance and a description of the required adjustments.
- (d) Results of any required parameter readings.
- (2) The owner or operator of spark ignition engines, compression ignition engines, or stationary combustion turbines shall maintain records of initial and annual performance testing in accordance with 20.2.50.12 NMAC for each engine or turbine, including:
 - (a) The make, model, serial number, and equipment identification number for all tested engines, turbines, and emission control equipment);
 - (b) Date(s) and time(s) of sampling or measurements;
 - (c) Date(s) analyses were performed;
 - (d) The qualified entity that performed the analyses;
 - (e) Analytical or test methods used;
 - (f) Results of analyses or tests; and
 - (g) Operating conditions existing at the time of sampling or measurement.
- (3) Owners and operators shall comply with the recordkeeping requirements in 20.2.50.12 NMAC.

E. Reporting Requirements.

Owners and operators shall comply with the reporting requirements in 20.2.50.12 NMAC.

20.2.50.14 STANDARDS FOR COMPRESSOR SEALS

A. Applicability

- (1) All new and existing centrifugal compressors using wet seals located at tank batteries, gathering and boosting sites, natural gas processing plants, and transmission compressor stations are subject to the requirements of 20.2.50.14 NMAC. Any new or existing centrifugal compressor located at a wellhead is not subject to the requirements of 20.2.50.14 NMAC.
- (2) All new and existing reciprocating compressors located at tank batteries,

gathering and boosting sites, natural gas processing plants, and transmission compressor stations are subject to the requirements of 20.2.50.14 NMAC. Any new or existing reciprocating compressor located at a wellhead is not subject to the requirements of 20.2.50.14 NMAC.

B. Emission Standards

- (1) Owners and operators of existing centrifugal compressors shall control VOC emissions from each centrifugal compressor wet seal fluid degassing system by 95%, beginning on the effective date of this Part. Emissions shall be captured and routed via a closed vent system to a control system, a recovery system, fuel cell, or a process stream.
- (2) Owners and operators of existing reciprocating compressors shall, either:
 - (a) Replace the reciprocating compressor rod packing after every 26,000 hours of compressor operation or every 36 months, whichever is reached later. The owner or operator shall begin counting the hours and months of compressor operation toward the first replacement of the rod packing beginning no later than one year from the effective date; OR
 - (b) Beginning no later than one year from the effective date, collect emissions from the rod packing under negative pressure and route via a closed vent system to a control system, a recovery system, fuel cell, or a process stream.
- (3) Owners and operators of new centrifugal compressors shall control VOC emissions from each centrifugal compressor wet seal fluid degassing system by 98% upon startup. Emissions shall be captured and routed via a closed vent system to a control system, a recovery system, fuel cell, or a process stream.
- (4) Owners and operators of new reciprocating compressors shall, upon startup, either:
 - (a) Replace the reciprocating compressor rod packing after every 26,000 hours of compressor operation, or every 36 months, whichever is reached later; OR
 - (b) Collect emissions from the rod packing under negative pressure and route via a closed vent system to a control system, a recovery system, fuel cell, or a process stream.
- (5) Owners and operators of new and existing centrifugal and reciprocating compressors shall install an Equipment Monitoring Information Tracking Tag (EMITT) on each compressor in accordance with 20.2.50.12 NMAC.
- (6) Owners and operators complying with the control requirements in 20.2.50.14.B NMAC through use of a control device shall comply with the control device requirements in 20.2.50.15 NMAC.
- (7) Owners and operators with an air permit shall incorporate these requirements in their permit during their next scheduled or requested permit or permit revision.

C. Monitoring Requirements

- (1) The owner or operator of a centrifugal compressor complying with 20.2.50.14.B(1) NMAC or 20.2.50.14.B(3) NMAC shall maintain a closed vent system encompassing the wet seal fluid degassing system that complies with the monitoring requirements in 20.2.50.15 NMAC.
- (2) The owner or operator of a reciprocating compressor complying with

20.2.50.14.B(2)(a) NMAC or 20.2.50.14.B(4)(a) NMAC shall continuously monitor the number of hours of operation with a non-resettable hour meter and track the number of months since initial startup or since the previous reciprocating compressor rod packing replacement.

- (3) The owner or operator of a reciprocating compressor complying with 20.2.50.14.B(2)(b) NMAC or 20.2.50.14.B(4)(b) NMAC shall monitor the rod packing emissions collection system semiannually to ensure that it operates under negative pressure and routes emissions through a closed vent system to a control device.
- (4) Owners and operators complying with the requirements in 20.2.50.14.B NMAC through use of a control device shall comply with the monitoring requirements in 20.2.50.15 NMAC.
- (5) Owners and operators of new and existing centrifugal and reciprocating compressors, during each required monitoring activity, shall scan the compressor EMITT and perform monitoring data entry in accordance with the requirements of 20.2.50.12 NMAC.
- (6) Owners and operators shall comply with the monitoring requirements in 20.2.50.12 NMAC.

D. Recordkeeping Requirements

- (1) The owner or operator of a centrifugal compressor shall maintain records of:
 - (a) The identification number and location of each centrifugal compressor using a wet seal system,
 - (b) The date of construction, reconstruction, or modification of each centrifugal compressor,
 - (c) The records of the monitoring and inspections required in 20.2.50.14.C NMAC. The records shall include the time and date of the inspection, the person conducting the inspection, a notation of which checks required in 20.2.50.12.C NMAC were completed, a description of any problems observed during the inspection, and a description and date of any corrective actions taken, and
 - (d) The location, type, make, model and unique identification number of any control equipment, recovery system, fuel cell, or process used to comply with the control requirements in 20.2.50.14.B NMAC.
- (2) The owner or operator of a reciprocating compressor shall maintain records of the following:
 - (a) The identification number and location of each reciprocating compressor;
 - (b) The date of construction, reconstruction, or modification of each reciprocating compressor; and
 - (c) The records of the monitoring and inspections required in 20.2.50.14.C NMAC. The records shall meet the requirements of 20.2.50.14.C NMAC and shall include:
 - (i) The number of hours of operation and the number of months of operation since initial startup or the last rod packing replacement;
 - (ii) The records of pressure in the rod packing emissions collection system; and

- (iii) The time and date of the inspection, the person conducting the inspection, a notation of which checks required in 20.2.50.14.C NMAC were completed, a description of any problems observed during the inspection, and a description and date of any corrective actions taken.
- (3) Owners and operators complying with the requirements in 20.2.50.14.B NMAC through use of a control device shall comply with the recordkeeping requirements in 20.2.50.15 NMAC.
- (4) Owners and operators shall comply with the recordkeeping requirements in 20.2.50.12 NMAC.

E. Reporting Requirements

- (1) Owners and operators shall comply with the reporting requirements in 20.2.50.12 NMAC.

20.2.50.15 STANDARDS FOR CONTROL DEVICES

A. Applicability

- (1) These requirements apply to open flares, enclosed combustors, thermal oxidizers, vapor recovery units, condensers, closed vent collection systems, other combustion devices, or emissions reduction equipment or technologies used to comply with the emission standards and emission reduction requirements in this Part.

B. General Requirements

- (1) All air pollution control equipment used to demonstrate compliance with this Part shall be installed, operated, and maintained consistent with manufacturer specifications and good engineering and maintenance practices.
- (2) All air pollution control equipment shall be adequately designed and sized to achieve the control efficiency rates required by this Part and to handle fluctuations in emissions of VOC or NO_x.
- (3) Owners and operators of a flare, combustion device, vapor recovery equipment, or other emission reduction technology or control device used to comply with the emission standards in this Part shall install an Equipment Monitoring and Information Tracking Tag (EMITT) on each flare, combustion device, vapor recovery equipment, or other emission reduction technology or control device in accordance with 20.2.50.12 NMAC.
- (4) Owners and operators shall inspect all air pollution control equipment used to control emissions from equipment subject to emission standards under this Part at least monthly to ensure proper maintenance and operation. Each EMITT inspection or monitoring event shall be initially scanned and the required monitoring data shall be electronically captured during the monitoring event.
- (5) Owners and operators shall ensure that any flare, combustion device, vapor recovery equipment, or other emission reduction technology or control device used to comply with emission standards in this Part shall at all times operate as a closed vent system that captures and routes all VOC emissions from equipment

subject to regulation under this Part to the control or vapor recovery device and that un-combusted gas is not vented to the atmosphere.

- (6) Owners and operators shall keep manufacturer specifications for all control or vapor recovery equipment on file. The information shall include:
 - (a) Manufacturer's name, control device name and model;
 - (b) Maximum heating value for open flares, enclosed combustors, and thermal oxidizers;
 - (c) Fuel gas flow range for open flares, enclosed combustors, and thermal oxidizers; and
 - (d) Designed destruction or vapor recovery efficiency.
- (7) Owners and operators shall keep records of any stack testing or control or vapor recovery efficiency testing for all control equipment. The records shall be kept in accordance with 20.2.50.12 NMAC for each flare, combustion device, vapor recovery equipment, or other emission reduction technology or control device and shall include:
 - (a) Control device type, name and model;
 - (b) Location;
 - (c) Date of the stack test; and
 - (d) A summary of the stack test results.

C. Requirements for Open Flares

(1) Emission Standards

- (a) The flare shall combust all gas sent to the flare. Owners and operators shall not send gas to the flare in excess of the flare's maximum rated capacity.
- (b) Owners and operators shall equip all flares with a continuous pilot flame, an auto-igniter, or require manual ignition.
 - (i) Flares with a continuous pilot flame or an auto-igniter shall be equipped with a system to ensure the flare is operated with a flame present at all times that gas is being sent to the flare.
 - (ii) Owners and operators of flares with manual ignition shall inspect and ensure a flame is present upon initiating each flaring event.
 - (iii) Any new flare constructed or re-constructed after the effective date of this Part shall be equipped with an auto-igniter. The auto-igniter shall be installed and operational upon startup.
 - (iv) Any existing flare constructed prior to the effective date of this Part shall be equipped with an auto-igniter no later than one year after the effective date.
- (c) Owners and operators shall operate any flare used for controlling VOC emissions to comply with this Part with no visible emissions, except for periods not to exceed a total of sixty (60) seconds during any fifteen (15) consecutive minutes. The flare shall be designed so that an observer can, by means of visual observation from the outside of the flare, or by other means such as a continuous monitoring device, determine whether it is operating properly.

(2) Monitoring Requirements

- (a) Owners and operators of flares with a continuous pilot or an auto igniter shall continuously monitor the presence of a pilot flame using a thermocouple equipped with a continuous recorder and alarm to detect the presence of a flame. Owners and operators may use any other equivalent device that fulfills the same purpose.
 - (b) Owners and operators of manually ignited flares shall monitor the presence of a flame using continual visual observation during each flaring event.
 - (c) Owners and operators, at least quarterly, and upon observing any visible emissions, shall perform a U.S. EPA Method 22 observation while the flare pilot flame is present to certify compliance with visible emission requirements. The observation period shall be a minimum of fifteen (15) consecutive minutes.
 - (d) Each EMITT inspection or monitoring event shall be initially scanned and the required monitoring data shall be electronically captured during the monitoring event in accordance with the monitoring requirements of 20.2.50.12 NMAC.
- (3) Recordkeeping Requirements
- (a) The owner or operator of open flares subject to regulation under 20.2.50.15.A NMAC shall keep records for each flare in accordance with 20.2.50.12 NMAC of the following:
 - (i) All instances of alarm activation, including the date and cause of alarm activation, actions taken to bring the flare into a normal operating condition, the name of the personnel conducting the inspection, and any maintenance activities performed;
 - (ii) The results of the U.S. EPA Method 22 observations and flame inspection for manual flares and
 - (iii) The results of any gas analysis for the gas being flared, including VOC content and heating value.
- (4) Reporting Requirements
- Owners and operators shall comply with the reporting requirements in 20.2.50.12 NMAC.

D. Requirements for Enclosed Combustion Devices (ECD) and Thermal Oxidizers (TO)

(1) Emission Standards

- (a) The ECD/TO shall combust all gas sent to the ECD/TO. Owners and operators shall not send gas to the ECD/TO in excess of the ECD/TO's maximum rated capacity.
- (b) Owners and operators shall equip all ECDs/TOs with a continuous pilot flame or an operational auto-igniter. ECDs/TOs constructed or re-constructed prior to the effective date of this Part shall be equipped with a continuous pilot flame or an auto-igniter no later than one year after the effective date. ECDs/TOs constructed or re-constructed on or after the effective date shall be equipped with a continuous pilot flame or an operational auto-igniter upon startup.
- (c) ECDs/TOs with a continuous pilot flame or an auto-igniter shall be equipped with a system to ensure that the ECD/TO is operated with a flame present at

all times that gas is being sent the ECD/TO. Combustion shall be maintained for the duration of time that gas is being sent to the ECD/TO.

- (d) Owners and operators shall operate ECDs/TOs used to control VOC emissions to comply with the emission standards in this Part with no visible emissions, except for periods not to exceed a total of sixty (60) seconds during any fifteen (15) consecutive minutes. The combustion device shall be designed so that an observer can, by means of visual observation from the outside of the combustion device, or by other means, such as a continuous monitoring device, determine whether it is operating properly.

(2) Monitoring Requirements

- (a) Owners and operators of ECDs/TOs with a continuous pilot or an auto igniter shall continuously monitor the presence of a pilot flame using a thermocouple equipped with a continuous recorder and alarm to detect the presence of a flame. Owners and operators may use any other equivalent device that fulfills the same purpose.
- (b) Owners and operators, at least quarterly, and upon observing any visible emissions, shall perform a Method 22 observation while the ECD/TO pilot flame is present to certify compliance with the visible emission requirements. The observation shall be a minimum of fifteen minutes.
- (c) Each EMITT inspection or monitoring event shall be initially scanned and the required monitoring data shall be electronically captured during the monitoring event in accordance with the monitoring requirements of 20.2.50.12 NMAC.

(3) Recordkeeping Requirements

- (a) The owner or operator of an ECD/TO subject to regulation under 20.2.50.15.A NMAC shall keep records in accordance with 20.2.50.12 NMAC for each ECD/TO of:
 - (i) All instances of alarm activation, including the date and cause of alarm activation, actions taken to bring the ECD/TO into normal operating conditions, the name of the personnel conducting the inspection, and any maintenance activities performed;
 - (ii) The results of the Method 22 observations; and
 - (iii) The results of any gas analysis for the gas being combusted, including VOC content and heating value.

(4) Reporting Requirements

- (a) Owners and operators shall comply with the reporting requirements in 20.2.50.12 NMAC.

E. Requirements for Vapor Recovery Units (VRU)

(1) Emission Standards

- (a) Owners and operators shall operate the VRU as a closed vent system that captures and routes all VOC emissions from units back to the process stream or to a sales pipeline and does not vent to the atmosphere.
- (b) Owners and operators shall control emissions during startup, shutdown, and maintenance (SSM) or other VRU downtime with a backup control device (flare/ECD/TO) or redundant VRU.

- (2) Monitoring Requirements
 - (a) Owners and operators shall comply with the standards for equipment leaks in 20.2.50.16 NMAC, or, alternatively, shall implement a program that meets the requirements of NSPS Subpart OOOOa (40 CFR 60.5416a).
 - (b) Each VRU EMITT inspection or monitoring event shall be initially scanned and the required monitoring data shall be electronically captured during the monitoring event requirements of 20.2.50.12 NMAC.
- (3) Recordkeeping Requirements
 - (a) For each VRU inspection or monitoring event, the owner or operator shall record the results of the VRU inspections in accordance with 20.2.50.12 NMAC, including the name of the personnel conducting the inspection, and noting any maintenance or repairs that are required.
- (4) Reporting Requirements
 - Owners and operators shall comply with the reporting requirements in 20.2.50.12 NMAC.

20.2.50.16 STANDARDS FOR EQUIPMENT LEAKS

A. Applicability

All new and existing wellheads, tank batteries, gathering and boosting sites, gas processing plants, transmission compressor stations and associated piping are subject to the requirements of 20.2.50.16 NMAC.

B. Emission Standards

Each owner and operator of oil and gas production and processing equipment located at a site identified in 20.2.50.16.A NMAC shall demonstrate compliance with 20.2.50.16 NMAC by performing the monitoring, recordkeeping, and reporting requirements specified in this Section.

C. Monitoring Requirements

- (1) Owners or operators shall comply with the monitoring requirements in 20.2.50.12 NMAC.
- (2) Default Equipment Leak Monitoring Requirements:
 - (a) Owners or operators shall conduct an audible, visual, and olfactory (AVO) inspection of each thief hatch, closed vent system, pump, compressor, pressure relief device, open-ended valve or line, valve, flange, connector, piping, and any associated equipment to identify defects and leaking components at least weekly as follows:
 - (i) Visually inspect for cracks, holes or gaps in piping or covers; loose connections; liquid leaks; broken or missing caps; broken, cracked or otherwise damaged seals or gaskets; broken or missing hatches; or broken or open access covers or other closure devices;
 - (ii) Listen for pressure leaks or liquid leaks.
 - (iii) Smell for unusual or strong odors.

- (iv) Any positive audible, visual, or odorous indication shall be considered a leak. All AVO leaks shall be tagged with a visible tag and reported to management or designee within three calendar days.
- (b) Owners or operators shall conduct an inspection using EPA Reference Method 21 (40 CFR 60, Appendix B) (RM 21) or optical gas imaging (OGI) with infrared cameras of each thief hatch, closed vent system, pump, compressor, pressure relief device, open-ended valve or line, valve, flange, connector, piping, and any associated equipment to identify leaking components at a frequency determined according to the following schedule:
 - (i) For well production and tank battery facilities:
 - (A) Annually at facilities with a potential to emit less than 2 tpy VOC.
 - (B) Semi-annually at facilities with a potential to emit equal to or greater than 2 tpy and less than 5 tpy VOC.
 - (C) Quarterly at facilities with a potential to emit equal to or greater than 5 tpy VOC.
 - (ii) For gathering and boosting sites, gas processing plants, and transmission compressor stations:
 - (A) Quarterly at facilities with a potential to emit less than 25 tpy VOC.
 - (B) Monthly at facilities with a potential to emit equal to or greater than 25 tpy VOC.
- (c) The inspections required under 20.2.50.16.C(2)(b) NMAC shall be conducted using RM 21 or OGI with infrared cameras.
 - (i) For leaks determined using 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) A leak is detected if an instrument reading of 500 ppm or greater of hydrocarbon is measured that is not associated with normal equipment operation, such as pneumatic device actuation and crank case ventilation.
 - (ii) For leaks determined using OGI:
 - (A) The instrument must comply with the specifications, the daily instrument checks, and the leak survey requirements at 40 CFR 60.18(i)(1) through (3).
 - (B) A leak is detected if any emissions are imaged by the OGI instrument that are not associated with normal equipment operation, such as pneumatic device actuation and crank case ventilation.
- (d) If a component is unsafe, difficult, or inaccessible to monitor, the owner or operator is not required to inspect the component until it becomes feasible to do so.
 - (i) Difficult to monitor components are those that cannot be monitored without elevating the monitoring personnel more than two (2) meters

above a supported surface or are unable to be reached via a wheeled scissor-lift or hydraulic type scaffold that allows access to components up to 7.6 meters (25 feet) above the ground.

- (ii) Unsafe to monitor components are those that cannot be monitored without exposing monitoring personnel to an immediate danger as a consequence of completing the monitoring.
- (iii) Inaccessible to monitor components are those that are buried, insulated, or obstructed by equipment or piping that prevents access to the components by monitoring personnel.

(3) Alternative Equipment Leak Monitoring Plans

- (a) As an equivalent means of compliance with 20.2.50.16 NMAC, owners or operators may comply with the equipment leak requirements through an individual alternative monitoring plan approved by the Department, subject to the following requirements:
 - (i) Upon the Department's approval of an alternative monitoring plan, the owner or operator shall comply with the terms and conditions of the approved alternative monitoring plan.
 - (ii) A responsible official shall certify compliance with the approved alternative monitoring plan on behalf of the owner or operator on an annual basis.
 - (iii) The Department may terminate an approved alternative monitoring plan if the Department finds that the owner or operator failed to comply with any provision of the plan and failed to correct and disclose the violation(s) to the Department within 15 calendar days of identifying the violation.
 - (iv) Upon the Department's denial or termination of an approved alternative monitoring plan, the owner or operator shall comply with the default monitoring requirements under 20.2.50.16.C(2) NMAC within 30 days.
- (b) As an equivalent means of compliance with 20.2.50.16 NMAC, owners or operators may comply with equipment leak requirements through one of the pre-approved monitoring plans maintained by the Department, subject to the following requirements:
 - (i) The owner or operator shall notify the Department of the pre-approved monitoring plan that the owner or operator will follow and shall comply with the terms and conditions of the pre-approved monitoring plan.
 - (ii) A responsible official shall certify compliance with the pre-approved monitoring plan on behalf of the owner or operator on an annual basis.
 - (iii) The Department may terminate the use of a pre-approved monitoring plan by the owner or operator if the Department finds that the owner or operator failed to comply with any provision of the plan and failed to correct and disclose the violation(s) to the Department within 15 calendar days of identifying the violation.
 - (iv) Upon the Department terminating the use of an approved monitoring plan by an owner or operator, the owner or operator shall comply with the

default monitoring requirements under 20.2.50.16.C(2) NMAC within 30 days.

D. Repair Requirements

- (1) For any leaks detected in 20.2.50.16(C) NMAC:
 - (a) The owner or operator shall place a visible tag on the leaking component until the component has been repaired;
 - (b) All leaks detected using optical gas imaging shall be repaired within 7 days of discovery, all other leaks shall be repaired within 15 days of discovery;
 - (c) The equipment must be re-monitored no later than 15 days after discovery of the leak to demonstrate that it has been repaired; and
 - (d) If the leak cannot be repaired within 7 days for leaks detected using optical gas imaging and within 14 days for all other leaks without a process unit shutdown, it may be designated “Repair delayed,” and must be repaired before the end of the next process unit shutdown.

E. Recordkeeping Requirements

- (1) Owners or operators shall keep records of all monitoring under 20.2.50.16.C NMAC and provide such records to the Department upon request.
- (2) Owners or operators subject to 20.2.50.16.C NMAC shall keep records of the following for all AVO, RM21, and OGI inspections conducted as required under 20.2.50.16.C NMAC:
 - (a) The facility location and unique inventory control number or name;
 - (b) The date of inspection;
 - (c) The monitoring method (AVO, RM 21, or OGI);
 - (d) The name of the operator(s) performing the inspection;
 - (e) A list of the leaks requiring repair or a statement that no leaks were found; and
 - (f) Whether a visible flag was placed on the leak or not;
- (3) Owners or operators shall keep the following records for any leak detected:
 - (a) Date the leak is detected;
 - (b) Dates of attempts to repair;
 - (c) For leaks with a designation of “repair delayed” keep the following:
 - (i) The reason for delay if the leak is not repaired within 30 days of leak discovery;
 - (ii) The signature of the authorized representative whose decision it was that the repair could not be implemented without a process shutdown;
 - (d) The date of successful leak repair;
 - (e) The date the leak was monitored after the repair and the results of the monitoring; and
 - (f) A list of components that are designated as unsafe, difficult, or inaccessible to monitor, an explanation stating why the component is so designated, and the schedule for monitoring such component(s).
- (4) For leaks determined using optical gas imaging with infrared cameras, owners or operators 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).
- (5) Owners or operators shall comply with the recordkeeping requirements in

20.2.50.12 NMAC.

F. Reporting Requirements

- (1) Owners and operators shall report the certifications required under 20.2.50.16.C(3)(a)(ii) and (b)(ii) NMAC to the Department annually.
- (2) Owners or operators shall comply with the reporting requirements in 20.2.50.12 NMAC.

20.2.50.17 STANDARDS FOR NATURAL GAS WELL LIQUIDS UNLOADING

A. Applicability

- (1) All manual liquids unloading, including those associated with down-hole well maintenance events, performed at natural gas wells are subject to the requirements of 20.2.50.17 NMAC.
- (2) Owners and operators shall comply with these requirements for any manual liquids unloading performed after the effective date of this Part.

B. Emission Standards

- (1) Owners and operators of natural gas wells shall use best management practices during the life of the well to avoid the need for manual liquids unloading.
- (2) Owners and operators of natural gas wells shall use the following best management practices during manual liquids unloading to minimize emissions, consistent with well site conditions and good engineering practices:
 - (a) Reduce wellhead pressure prior to blowdown;
 - (b) Monitor manual liquids unloading in close proximity to the well or via remote telemetry; and
 - (c) Close all well head vents to the atmosphere and return the well to normal production operation as soon as practicable.
- (3) Owners and operators of a natural gas well shall install an Equipment Monitoring and Information Tracking Tag (EMITT) on each natural gas well in accordance with 20.2.50.12 NMAC.

C. Monitoring Requirements

- (1) Owners and operators subject to 20.2.50.17 NMAC shall monitor the following parameters during manual liquids unloading:
 - (a) Wellhead pressure;
 - (b) Flow rate of the vented natural gas (to the extent feasible); and
 - (c) Duration of venting to the storage tank/atmosphere.
- (2) Owners and operators shall calculate the volume and mass of VOC vented during each manual liquids unloading event.
- (3) Each manual liquids unloading event shall include the scanning of the EMITT and monitoring data entry in accordance with the requirements of 20.2.50.12 NMAC.
- (4) Owners and operators shall comply with the monitoring requirements in 20.2.50.12 NMAC.

D. Recordkeeping Requirements

- (1) Owners and operators subject to 20.2.50.17 NMAC shall keep the following records for each manual liquids unloading:
 - (a) The identification number and location of the well;
 - (b) The date(s) the manual liquids unloading was performed;
 - (c) Wellhead pressure;
 - (d) Flow rate of the vented natural gas (to the extent feasible. If not feasible, the owner or operator shall use the maximum potential flow rate in the emission calculation);
 - (e) Duration of venting to the storage tank/atmosphere;
 - (f) A description of the management practices used to minimize release of VOC prior to and during the manual liquids unloading; and
 - (g) A calculation of the VOC emissions vented during the manual liquids unloading based on the duration, volume, and mass of VOC.
- (2) Owners and operators shall comply with the recordkeeping requirements in 20.2.50.12 NMAC.

E. Reporting Requirements

Owners and operators shall comply with the reporting requirements in 20.2.50.12 NMAC.

20.2.50.18 STANDARDS FOR GLYCOL DEHYDRATORS

A. Applicability

- (1) All new and existing glycol dehydrators with a potential to emit equal to or greater than 2 tpy of VOC and located at wellhead sites, tank batteries, gathering and boosting sites, natural gas processing plants, and transmission compressor stations are subject to the requirements of 20.2.50.18 NMAC.

B. Emission Standards

- (1) Owners and operators of an existing glycol dehydrator constructed on or before the effective date of this Part with a potential to emit equal to or greater than 2 tpy of VOC shall have a minimum combined capture and control efficiency of 95 percent of VOC emissions from the still vent and flash tank, no later than one year after the effective date. If a combustion control device is used, the combustion control device shall have a minimum design combustion efficiency of 98 percent.
- (2) Owners and operators of a new glycol dehydrator constructed after the effective date of this Part with a potential to emit equal to or greater than 2 tpy of VOC shall have a combined capture and control efficiency of 95 percent of VOC emissions from the still vent and flash tank upon startup. If a combustion control device is used, the combustion control device shall have a minimum design combustion efficiency of 98 percent.
- (3) Owners and operators of a new or existing glycol dehydrator subject to control requirements under 20.2.50.18 NMAC shall comply with the following equipment requirements:
 - (a) The still vent and flash tank emissions shall be routed at all times to the

reboiler firebox, condenser, combustion control device, fuel cell, to a process point that either recycles or recompresses the emissions or uses the emissions as fuel, or to a vapor recovery unit (VRU) that reinjects the VRU VOC emissions back into the process stream or natural gas gathering pipeline.

- (b) If a VRU is used, it shall consist of a closed loop system of seals, ducts, and a compressor that will reinject the natural gas into the process stream or the natural gas gathering pipeline. The VRU shall be operational at least 95 percent of the time the facility is in operation, resulting in a minimum combined capture and control efficiency of 95 percent. The VRU shall be installed, operated, and maintained according to the manufacturer's specifications.
- (c) The still vent and flash tank emissions shall not be vented to the atmosphere.
- (d) Owners and operators of a glycol dehydrator shall install an Equipment Monitoring and Information Tracking Tag (EMITT) on each glycol dehydrator in accordance with 20.2.50.12 NMAC.
- (4) Any new or existing glycol dehydrator subject to control requirements under 20.2.50.18 NMAC will become exempt from these requirements when its uncontrolled actual annual VOC emissions decreases to an amount less than 2 tpy.
- (5) Owners and operators complying with the control requirements in 20.2.50.18.B(1) NMAC or 20.2.50.18.B(2) NMAC through use of a control device shall comply with the control device operational requirements in 20.2.50.15 NMAC.

C. Monitoring Requirements

- (1) The owner or operator of a glycol dehydrator subject to control requirements in 20.2.50.18 NMAC shall conduct an annual extended gas analysis on the dehydrator inlet gas and calculate the uncontrolled VOC emissions (tpy) and controlled VOC emissions (tpy).
- (2) The owner or operator of any glycol dehydrator subject to control requirements shall inspect the glycol dehydrator, including the reboiler and regenerator, and the control equipment semi-annually to ensure it is operating as initially designed and in accordance with the manufacturer's recommended procedures.
- (3) Owners and operators complying with the requirements in 20.2.50.18.B(1) NMAC or 20.2.50.18.B(2) NMAC through use of a control device shall comply with the monitoring requirements in 20.2.50.15 NMAC.
- (4) Owners and operators shall comply with the monitoring requirements in 20.2.50.12 NMAC.

D. Recordkeeping Requirements

- (1) Owners and operators subject to control requirements in 20.2.50.18 NMAC shall maintain records of the following for each glycol dehydrator, in accordance with 20.2.50.12 NMAC:
 - (a) The dehydrator's location and unique inventory control number or name;
 - (b) Glycol circulation rate, monthly natural gas throughput, and the date of the most recent throughput measurement;
 - (c) The data and methodology used to estimate the potential to emit of VOC (the method must be a Department approved calculation methodology);

- (d) The controlled and uncontrolled VOC emissions (tpy);
 - (e) The location, type, make, model and unique identification number of any control equipment;
 - (f) The date and the results of all equipment inspections, including any maintenance or repairs needed to bring the glycol dehydrator into compliance; and
 - (g) Copies of the glycol dehydrator manufacturer’s operation and maintenance recommendations.
- (2) Owners and operators complying with the requirements in 20.2.50.18.B(1) NMAC or 20.2.50.18.B(2) NMAC through use of a control device shall comply with the recordkeeping requirements in 20.2.50.15 NMAC.
 - (3) Owners and operators shall comply with the recordkeeping requirements in 20.2.50.12 NMAC.

E. Reporting Requirements.

- (1) Owners and operators complying with the requirements in 20.2.50.18.B(1) NMAC or 20.2.50.18.B(2) NMAC through use of a control device shall comply with the reporting requirements in 20.2.50.15 NMAC.
- (2) Owners and operators shall comply with the reporting requirements in 20.2.50.12 NMAC.

20.2.50.19 STANDARDS FOR HEATERS

A. Applicability

- (1) All new and existing natural gas-fired heater units with a rated heat input equal to or greater than 10 MMBtu/hr including, but not limited to, heater treaters, heated flash separator units, evaporator units, fractionation column heaters, and glycol dehydrator reboilers in use at wellhead sites, tank batteries, gathering and boosting sites, natural gas processing plants, and transmission compressor stations are subject to the requirements of 20.2.50.19 NMAC.

B. Emission Standards

- (1) In order to ensure compliance with good combustion engineering practices, the owner or operator of a natural gas-fired heater units shall ensure compliance with the emission limits in Table 1 of 20.2.50.19 NMAC.

Table 1 - Emission Standards for NO_x and CO

Date of Construction:	NO _x (ppmvd @ 3% O ₂)	CO (ppmvd @ 3% O ₂)
Constructed or reconstructed before the effective date of 20.2.50 NMAC	30	300
Constructed or reconstructed on or after the effective date of 20.2.50 NMAC	30	130

- (2) Natural gas-fired heater units constructed or reconstructed prior to the effective date of this Part shall come into compliance with the requirements of 20.2.50.19 NMAC beginning no later than one year after the effective date.
- (3) Natural gas-fired heater units that are constructed or reconstructed on or after the effective date of this Part shall be in compliance with the requirements of this section upon startup.
- (4) Owners and operators of a natural gas-fired heater unit shall install an Equipment Monitoring and Information Tracking Tag (EMITT) on each combustion unit in accordance with 20.2.50.12 NMAC.

C. Monitoring Requirements

- (1) Owners and operators of natural gas-fired heater units with a rated heat input of greater than or equal to 10 MMBtu/hr shall:
 - (a) Conduct the monitoring for NO_x and CO specified in paragraph C(2) of this section within 180 days of the compliance date specified in the relevant paragraph B(2) or B(3) of this section and every 2 years thereafter.
 - (b) inspect, maintain, and repair each combustion unit consistent with the manufacturers specifications at least once every 2 years following the compliance date specified in the relevant paragraph B(2) or B(3) of this section. The inspection, maintenance, and repair shall include, at a minimum:
 - (i) Inspecting the burner and cleaning or replacing any components of the burner as necessary;
 - (ii) Inspecting the flame pattern and adjusting the burner as necessary to optimize the flame pattern consistent with the manufacturer's specifications or good combustion engineering practices;
 - (iii) Inspecting the system air-to-fuel ratio controller and ensuring it is calibrated and functioning properly;
 - (iv) Optimizing total emissions of CO consistent with the NO_x requirement and the manufacturer's specifications or good combustion engineering practices; and
 - (v) Measuring the concentrations in the effluent stream of CO in ppmvd and O₂ in volume percent before and after adjustments are made in accordance with paragraph C(2)(a) of this section.
- (2) Owners and operators of combustion units shall comply with the following combustion unit periodic monitoring requirements:
 - (a) Conduct three test runs of at least 20-minutes duration within 10% of 100% peak (or the highest achievable) load;
 - (b) Determine NO_x and CO emissions and O₂ concentrations in the exhaust with either an electro-chemical cell portable gas analyzer used and maintained in accordance with the manufacturer's specifications and following the procedures specified in the current version of ASTM D6522;
 - (c) If the measured NO_x or CO emissions concentrations are exceeding the emissions limits of Table 1 of this section, the owner or operator shall repeat the inspection and tune-up in paragraph C(1)(b) of this section within 180 days of the periodic monitoring; and

- (d) If at any time the owner or operator operates the combustion unit in excess of the highest achievable load plus 10%, the owner or operator shall perform the monitoring specified in paragraph C(2)(a) within 180 days from the anomalous operation.
- (3) When conducting periodic monitoring on a combustion unit, the owner or operator shall follow the procedures in paragraph C(2) of this section. If the owner or operator decides to deviate from those procedures, they must submit a request to use an alternative procedure, in writing, at least 60 days prior to performing the periodic monitoring. In the alternative procedure request, the owner or operator must demonstrate the alternative procedure's equivalence to the standard procedure to the satisfaction of the Department.
- (4) The owner or operator of any combustion unit subject to periodic monitoring, inspections, and/or tune-up shall monitor, inspect, maintain, and repair as required under 20.2.50.19.C NMAC. Each monitoring, inspection, maintenance or repair event shall include the scanning of the EMITT and the simultaneous monitoring data entry in accordance with the requirements of 20.2.50.12 NMAC.

D. Recordkeeping Requirements

- (1) For each combustion unit with a rated heat input of greater than or equal to 10 MMBtu/h, the owner or operator shall maintain the following records in accordance with 20.2.50.12 NMAC:
 - (a) The location of the combustion unit;
 - (b) Either the summary for each complete test report described in paragraph C(2) of this section, or the results of each periodic monitoring described in paragraph C(3) this section;
 - (c) The records of the inspection/maintenance/repair described in paragraph C(1)(c) of this section, which shall include at a minimum:
 - (i) The date the inspection/maintenance/repair was conducted;
 - (ii) The concentrations in the effluent stream of CO in ppmv and O₂ in volume percent as determined in paragraph C(2)(a) of this section; and
 - (iii) A description of any corrective actions taken as part of the inspection/maintenance/repair.

E. Reporting Requirements

Owners or operators shall comply with the reporting requirements in 20.2.50.12 NMAC.

20.2.50.20 STANDARDS FOR HYDROCARBON LIQUID TRANSFERS

A. Applicability

- (1) All new and existing hydrocarbon liquid transfer operations located at wellheads, tank batteries, gathering and boosting sites, natural gas processing plants, and transmission compressor stations are subject to the requirements of 20.2.50.20 NMAC, beginning on the effective date of this Part.

B. Emission Standards

- (1) Owners and operators of all existing and new liquid transfer operations subject to 20.2.50.20 NMAC shall use vapor balance, vapor recovery, or control VOC emissions by 98% or greater using vapor combustion when transferring liquids from storage tanks to transfer vessels, or when transferring liquids from transfer vessels to storage tanks.
- (2) Owners and operators using vapor balance during liquid transfer operations shall:
 - (i) Transfer the vapors displaced from the vessel being loaded back to the vessel being emptied via pipes and/or hoses connected prior to the start of transfer operations;
 - (ii) Ensure that the transfer does not begin until the vapor collection and return system is connected;
 - (iii) Maintain connector pipes, hoses, couplers, valves, and pressure relief devices in a condition that prevents leaks;
 - (iv) Check all liquid and vapor line connections for proper connection prior to commencing transfer operations; and
 - (v) Operate all transfer equipment at a pressure that is less than the pressure relief valve setting of the receiving transport vehicle or storage tank.
- (3) Bottom loading or submerged filling shall be used for all liquids transfers.
- (4) Connector pipes and couplers shall be maintained in a condition that prevents leaks.
- (5) All connections of hoses or piping used during liquid transfer operations shall be supported on a drip tray that collects any leaks, and any material collected shall be returned to the process or disposed of in a manner compliant with the state law.
- (6) Any liquid leaks that occur shall be cleaned and disposed of in a manner that prevents emissions to the atmosphere, and any material collected shall be returned to the process or disposed of in a manner compliant with the state law.
- (7) All owners and operators complying with the control requirements in 20.2.50.20.B(1) NMAC through use of a control device shall comply with the control device operational requirements in 20.2.50.15 NMAC.

C. Monitoring Requirements

- (1) All transfer equipment must be visually inspected during transfer operations to ensure that liquid transfer lines, hoses, couplings, valves, and pipes are not dripping or leaking. All leaking components shall be repaired to prevent dripping or leaking before the next transfer operation.
- (2) The owner or operator of any liquid transfer operations controlled by air pollution control equipment must follow manufacturer's recommended operation and maintenance procedures.
- (3) All tanker trucks or tanker rail cars used in liquid transfer service shall be tested annually for vapor tightness in accordance with the following test methods and vapor tightness standards:
 - (i) Method 27, appendix A, 40 CFR Part 60. Conduct the test using a time period (t) for the pressure and vacuum tests of 5 minutes. The initial pressure (Pi) for the pressure test shall be 460 mm H₂O (18 in. H₂O), gauge. The initial vacuum (Vi) for the vacuum test shall be 150 mm H₂O

(6 in. H₂O), gauge. The maximum allowable pressure and vacuum changes (Δp , Δv) are as shown in Table 1 of this section.

Table 1 - Allowable Cargo Tank Test Pressure or Vacuum Change

Cargo tank or compartment capacity, liters (gal)	Allowable vacuum change (Δv) in 5 minutes, mm H ₂ O (in. H ₂ O)	Allowable pressure change (Δp) in 5 minutes, mm H ₂ O (in. H ₂ O)
less than 3,785 (less than 1,000)	64 (2.5)	102 (4.0)
3,785 to less than 5,678 (1,000 to less than 1,500)	51 (2.0)	89 (3.5)
5,678 less than 9,464 (1,500 to less than 2,500)	38 (1.5)	76 (3.0)
9,464 or more (2,500 or more)	25 (1.0)	64 (2.5)

(ii) Pressure test of the cargo tank's internal vapor valve as follows:

(A) After completing the tests under 20.2.50.20.C(3)(i) NMAC, use the procedures in Method 27 to repressurize the tank to 460 mm H₂O (18 in. H₂O), gauge. Close the tank's internal vapor valve(s), thereby isolating the vapor return line and manifold from the tank.

(B) Relieve the pressure in the vapor return line to atmospheric pressure, then reseal the line. After 5 minutes, record the gauge pressure in the vapor return line and manifold. The maximum allowable 5-minute pressure increase is 130 mm H₂O (5 in. H₂O).

(4) Owners or operators complying with the requirements in 20.2.50.20.B(1) NMAC through use of a control device shall comply with the monitoring requirements in 20.2.50.15 NMAC.

(5) Owners or operators shall comply with the monitoring requirements in 20.2.50.12 NMAC.

D. Recordkeeping Requirements

(1) For each liquid transfer operation, the owner or operator shall maintain records of:

(a) The tank's location and the tank's unique inventory control number or name and,

(b) The location, type, make, and model of any control equipment.

(2) Each owner or operator shall maintain records of the inspections required in 20.2.50.20.C NMAC. These records shall include the following:

(i) the time and date of the inspection;

(ii) the person conducting the inspection;

(iii) a notation that each of the checks required under 20.2.50.20.C NMAC were completed;

(iv) a description of any problems observed during the inspection; and

(v) a description and date of any repairs and corrective actions taken.

(3) Owners and operators shall create and maintain a calendar year record for each site summarizing, calculating, recording, and totaling the liquid loading operation

liquids and associated VOC emissions. Each calendar year, the owners and operators shall create a company-wide record summarizing the liquid transfer total calculated emissions for the company.

- (4) Owners and operators complying with the requirements in 20.2.50.20.B(1) NMAC through use of a control device shall comply with the recordkeeping requirements in 20.2.50.15 NMAC.
- (5) Owners and operators shall comply with the recordkeeping requirements in 20.2.50.12 NMAC.

E. Reporting Requirements

- (1) Owners and operators complying with the requirements in 20.2.50.20.B(1) NMAC through use of a control device shall comply with the reporting requirements in 20.2.50.15 NMAC.
- (2) Owners and operators shall comply with the reporting requirements in 20.2.50.12 NMAC.

20.2.50.21 STANDARDS FOR PIG LAUNCHING AND RECEIVING

A. Applicability

- (1) All new and existing pipeline pig launching and receiving operations located within the property boundary at wellhead sites, tank batteries, gathering and boosting sites, natural gas processing plants, and transmission compressor stations are subject to the requirements of 20.2.50.21 NMAC.

B. Emission Standards

- (1) The owner or operator of new and existing pipeline pig launching and receiving operations with a potential to emit equal to or greater than 1.0 tpy of VOC shall capture and reduce VOC emissions by at least 98%, beginning on the effective date of this Part.
- (2) The owner or operator conducting the pig launching and receiving operations shall:
 - (a) Employ best management practices to minimize the liquids present in the pig receiver chamber and to prevent emissions from the pig receiver chamber to the atmosphere after receiving the pig in the receiving chamber and prior to opening the receiving chamber to the atmosphere;
 - (b) Employ methods to prevent emissions including, but not limited to, installing liquids ramps, installing liquid drains, routing high-pressure chambers to a low-pressure line or vessel, using ball valve type chambers, or using multiple pig chambers;
 - (c) Recover and dispose of all receiver liquids in a manner that prevents emissions to the atmosphere; and
 - (d) Ensure that any material collected is returned to the process or disposed of in a manner compliant with the state law.
- (3) Owners and operators of a pig launching and receiving operation shall install an Equipment Monitoring and Information Tracking Tag (EMITT) on each pig launcher and each pig receiver in accordance with 20.2.50.12 NMAC.

- (4) Any existing pipeline pig launching and receiving operation subject to control requirements may become exempt from those requirements when its actual annual emissions of VOC decreases to an amount less than 0.5 tpy of VOC.
- (5) Owners and operators complying with the control requirements in 20.2.50.21.B(2) NMAC through use of a control device shall comply with the control device operational requirements in 20.2.50.15 NMAC.

C. Monitoring Requirements

- (1) The owner or operator of any pig launching and receiving equipment shall monitor the type and volume of liquids cleared.
- (2) The owner or operator of any pig launching and receiving equipment subject to control requirements shall inspect the equipment for leaks using RM 21 or OGI with infrared cameras immediately prior to the commencement and immediately after the conclusion of each pig launching or receiving operation, and according to the requirements in 20.2.50.16 NMAC.
- (3) Owners and operators complying with the requirements in 20.2.50.21.B(1) NMAC through use of a control device shall comply with the monitoring requirements in 20.2.50.15 NMAC.
- (4) Owners and operators shall comply with the monitoring requirements in 20.2.50.12 NMAC.

D. Recordkeeping Requirements

- (1) Owners and operators shall maintain the following records in accordance with 20.2.50.12.C NMAC for each pig launching and receiving operation or event:
 - (a) Records of each pigging operation including the date and time of the pigging operation, and the type and volume of liquids cleared;
 - (b) The data and methodology used to estimate the actual emissions to the atmosphere;
 - (c) The data and methodology used to estimate the potential to emit; and
 - (d) The type of control(s), location, make, model and, if applicable, the unique identification number of the control equipment.
- (2) Owners and operators complying with the requirements in 20.2.50.21.B(1) NMAC through use of a control device shall comply with the recordkeeping requirements in 20.2.50.15 NMAC.
- (3) Owners and operators shall comply with the recordkeeping requirements in 20.2.50.12 NMAC.

E. Reporting Requirements

- (1) Owners and operators complying with the requirements in 20.2.50.21.B(1) NMAC through use of a control device shall comply with the reporting requirements in 20.2.50.15 NMAC.
- (2) Owners and operators shall comply with the reporting requirements in 20.2.50.12 NMAC.

20.2.50.22 STANDARDS FOR PNEUMATIC CONTROLLERS AND PUMPS

A. Applicability

- (1) All new and existing natural gas-driven pneumatic controllers and pumps located at wellhead sites, tank batteries, gathering and boosting sites, natural gas processing plants, and transmission compressor stations are subject to the requirements of 20.2.50.22 NMAC.

B. Emission Standards

- (1) Natural gas-driven pneumatic controllers and natural gas-driven pneumatic pumps constructed on or after the effective date of this Part shall comply with the requirements of 20.2.50.22 NMAC upon startup.
- (2) Natural gas-driven pneumatic controllers and natural gas-driven pneumatic pumps constructed before the effective date of this Part shall comply with the requirements of 20.2.50.22 NMAC within one year of the effective date of this Part.
- (3) Standards for natural gas-driven pneumatic controllers.
 - (a) Owners and operators of each pneumatic controller located at a natural gas processing plant shall ensure the pneumatic controller has a VOC emission rate of zero.
 - (b) Owners and operators of each pneumatic controller located at a wellhead site, tank battery, gathering and boosting site, or transmission compressor station with access to electrical power shall ensure the pneumatic controller has a VOC emission rate of zero.
 - (c) Owners and operators of each pneumatic controller located at a wellhead site, tank battery, gathering and boosting site, or transmission compressor station without access to electrical power shall ensure the pneumatic controller has a bleed rate of less than or equal to 6 standard cubic feet per hour.
 - (d) Pneumatic controllers with a bleed rate greater than 6 standard cubic feet per hour are permitted where the owner or operator has demonstrated that a higher bleed rate is required based on functional needs, including but not limited to response time, safety, and positive actuation.
- (4) Standards for natural gas-driven pneumatic pumps.
 - (a) Owners and operators of each pneumatic pump located at a natural gas processing plant shall ensure the pneumatic pump has a VOC emission rate of zero.
 - (b) Owners and operators of each pneumatic pump located at a wellhead site, tank battery, gathering and boosting site, or transmission compressor station with access to electrical power shall ensure the pump has a VOC emission rate of zero.
 - (c) Owners and operators of each pneumatic pump located at a wellhead site, tank battery, gathering and boosting site, or transmission compressor station without access to electrical power shall reduce VOC emissions from the pneumatic pump by 95% if it is technically feasible to route emissions to a control device, fuel cell, or process.
 - (d) If there is a control device available onsite, but it is unable to achieve a 95%

emission reduction, and it is not technically feasible to route the pneumatic pump emissions to a fuel cell or process this section, the owner or operator shall route the pneumatic pump emissions to this control device.

C. Monitoring Requirements

- (1) Owners and operators of pneumatic controllers or pumps with a natural gas bleed rate equal to zero are not subject to the requirements of this section.
- (2) Owners and operators of pneumatic controllers with a natural gas bleed rate greater than zero shall on a monthly basis scan each controller and, considering the EMITT specified design continuous or intermittent bleed rate, conduct an audible, visual, and olfactory (AVO) inspection and shall also inspect each pneumatic controller, perform necessary maintenance (such as cleaning, tuning, and repairing leaking gaskets, tubing fittings, and seals; tuning to operate over a broader range of proportional band; eliminating unnecessary valve positioners), and maintain the pneumatic controller according to manufacturer specifications to ensure that the controller's natural gas emissions are minimized.
- (3) Each EMITT shall be linked to a database allowing the state inspectors to, at a minimum, identify:
 - (a) unique pneumatic controller and pneumatic pump identification number;
 - (b) type of controller (continuous or intermittent);
 - (c) if continuous, design continuous bleed rate in standard cubic feet per hour;
 - (d) if intermittent, bleed volume per intermittent bleed in standard cubic feet; and
 - (e) design annual bleed in standard cubic feet per year.
- (4) Owners and operators of natural gas-driven a pneumatic pump with a natural gas bleed rate greater than zero shall on a monthly basis scan each pump or actuator and, considering the EMITT specified design pump rate or actuation volume, conduct an audible, visual, and olfactory (AVO) inspection and shall also inspect the pneumatic pump and perform necessary maintenance, and maintain the pneumatic pump according to manufacturer specifications to ensure that the pump's natural gas emissions are minimized.
- (5) Owners and operators shall comply with the monitoring requirements in 20.2.50.12 NMAC.

D. Recordkeeping Requirements

- (1) Owners and operators of pneumatic controllers, pumps with a natural gas bleed rate equal to zero are not subject to the requirements of this section.
- (2) Owners and operators shall maintain an electronic pneumatic controller inspection log for each pneumatic controller with a natural gas bleed rate greater than zero at each facility, including for each inspection:
 - (a) Unique pneumatic controller ID number;
 - (b) EMITT scanned inspection dates;
 - (c) Name of the inspector;
 - (d) AVO inspection results;
 - (e) Any AVO level discrepancy in continuous or intermittent bleed rate;
 - (f) Maintenance dates; and
 - (g) Maintenance activities.

- (3) Owners and operators who determine that the use of a natural gas-driven pneumatic controller with a bleed rate greater than 6 standard cubic feet per hour is required shall maintain a record in the EMITT database of each such pneumatic controller documenting why a bleed rate greater than 6 standard cubic feet per hour is required per the requirements in 20.2.50.22.B NMAC.
- (4) Owners and operators shall maintain records in the EMITT database of natural gas-driven pneumatic pumps with an emission rate greater than zero and their associated pump numbers at each facility, including:
 - (a) For natural gas-driven pneumatic pumps in operation less than 90 days per calendar year, records of the days of operation each calendar year.
 - (b) Records of control devices designed to achieve less than 95% emission reduction, including an evaluation or manufacturer specifications indicating the percentage reduction the control device is designed to achieve.
 - (c) Records of the engineering assessment and certification by a qualified professional engineer that routing pneumatic pump emissions to a control device, fuel cell, or process is technically infeasible.
- (5) Owners and operators shall comply with the recordkeeping requirements in 20.2.50.12 NMAC.

E. Reporting Requirements.

Owners and operators shall comply with the reporting requirements in 20.2.50.12 NMAC.

20.2.50.23 STANDARDS FOR STORAGE TANKS

A. Applicability

- (1) All new and existing hydrocarbon storage tanks with an uncontrolled potential to emit equal to or greater than 2 tpy of VOC and located at wellhead sites, tank batteries, gathering and boosting sites, natural gas processing plants, and transmission compressor stations are subject to regulation under 20.2.50.23 NMAC.

B. Emission Standards

- (1) All existing storage tanks with a potential to emit equal to or greater than 2 tpy and less than 10 tpy of VOC shall have a combined capture and control of VOC emissions by at least 95 percent no later than one year after the effective date of this Part.
- (2) All existing storage tanks with a potential to emit equal to or greater than 10 tpy of VOC shall have a combined capture and control of VOC emissions by at least 98 percent, no later than one year after the effective date of this Part.
- (3) All new storage tanks constructed after the effective date of this part with a potential to emit equal to or greater than 2 tpy and less than 10 tpy of VOC shall have a combined capture and control of VOC emissions by at least 95 percent upon startup.
- (4) All new storage tanks constructed after the effective date of this Part with a

potential to emit equal to or greater than 10 tpy of VOC shall have a combined capture and control and control of VOC emissions by at least 98 percent upon startup.

- (5) Any new or existing storage tank subject to control requirements under 20.2.50.23 NMAC becomes exempt from those requirements when its uncontrolled actual annual VOC emissions decreases to less than 2 tpy.
- (6) If air pollution control equipment is not installed by the applicable date specified in 20.2.50.23.B(1) through 20.2.50.23.B(4) NMAC, compliance with 20.2.50.23.B(1) through 20.2.50.23.B(4) NMAC may be demonstrated by shutting in all wells producing into that storage tank by that applicable date and so long as production does not resume from any such well until the air pollution control equipment is installed and operational.
- (7) Owners and operators of an existing or new tank with a thief hatch shall install a control device on the thief hatch which allows the thief hatch to open sufficiently to relieve overpressure in the tank and to automatically close once the tank overpressure is relieved. The thief hatch shall be equipped with a manual lock-open safety device to ensure positive hatch opening during times of human ingress. The lock-open safety device will only be engaged during in the presence of owner or operator staff and during active ingress activities.
- (8) Owners and operators of a new or existing hydrocarbon storage tank(s) shall install an Equipment Monitoring and Information Tracking Tag (EMITT) on each storage tank in accordance with 20.2.50.12 NMAC.
- (9) Owners and operators complying with the control requirements in 20.2.50.23.B(1) NMAC through 20.2.50.23.B(4) NMAC through use of a control device shall comply with the control device operational requirements in 20.2.50.15 NMAC.
- (10) After the compliance deadlines established in the rule, it is a violation to operate any tank not complying with the requirements of this section.

C. Monitoring Requirements

- (1) The owner or operator of any storage tank subject to control requirements shall monitor the total monthly liquid throughput (barrels) and the upstream separator pressure (psig) on a monthly basis. Any time the storage tank is unloaded less frequently than monthly, the throughput and separator pressure monitoring shall be conducted prior to the storage tank being unloaded.
- (2) The owner or operator of any storage tank subject to control requirements shall conduct an auditory, visual, and olfactory (AVO) inspection on a weekly basis. Any time the storage tank is unloaded less frequently than weekly, the AVO inspections shall be conducted prior to the storage tank being unloaded.
- (3) The owner or operator of any storage tank subject to control requirements shall inspect the tanks monthly to ensure compliance with the requirements of 20.2.50.23 NMAC. Inspections shall include a check to ensure the tanks have no leaks, that all hatches are closed, the pressure relief valves are properly seated, and all vent lines are closed.
- (4) Each monitoring or inspection shall include the scanning of the EMITT and the simultaneous entry of the required monitoring data in accordance with the requirements of 20.2.50.12 NMAC.

- (5) Owners and operators complying with the requirements in 20.2.50.23.B(1) NMAC through 20.2.50.23.B(4) NMAC through use of a control device shall comply with the monitoring requirements in 20.2.50.15 NMAC.
- (6) Owners and operators shall comply with the monitoring requirements in 20.2.50.12 NMAC.

D. Recordkeeping Requirements

- (1) Owners and operators subject to control requirements under 20.2.50.23 NMAC shall, on a monthly basis, maintain records in accordance with 20.2.50.12 NMAC for each storage tank of:
 - (a) The tank's location and unique inventory control number or name;
 - (b) Monthly liquid throughput and the most recent date of measurement;
 - (c) The average monthly upstream separator pressure;
 - (d) The data and methodology used to calculate the potential to emit of VOC (the calculation methodology must be a Department approved methodology);
 - (e) The controlled and uncontrolled VOC emissions (tpy); and
 - (f) The location, type, make, model and unique identification number of any control equipment.
- (2) Records of liquid throughput required in 20.2.50.23.D(1) NMAC shall be verified by dated delivery receipts from the purchaser of the hydrocarbon liquids, or metered volumes of hydrocarbon liquids sent downstream, or other proof of transfer.
- (3) Records of the inspections required in 20.2.50.23.C NMAC shall include the time and date of the inspection, the person conducting the inspection, a notation that each check required under 20.2.50.23.C NMAC was completed, a description of any problems observed during the inspection, and a description and date of any corrective actions taken in accordance with 20.2.50.12 NMAC.
- (4) Owners and operators complying with the requirements in 20.2.50.23.B(1) NMAC through 20.2.50.23.B(4) NMAC through use of a control device shall comply with the recordkeeping requirements in 20.2.50.15 NMAC.
- (5) Owners and operators shall comply with the recordkeeping requirements in 20.2.50.12 NMAC.

E. Reporting Requirements.

- (1) Owners and operators complying with the requirements in 20.2.50.23.B(1) NMAC through 20.2.50.23.B(4) NMAC through use of a control device shall comply with the reporting requirements in 20.2.50.15 NMAC.
- (2) Owners and operators shall comply with the reporting requirements in 20.2.50.12 NMAC.

20.2.50.24 STANDARDS FOR WORKOVERS

A. Applicability

- (1) All workovers performed at oil and natural gas wells are subject to the requirements of 20.2.50.24 NMAC for any workovers performed after the effective date of this Part.

B. Emission Standards

- (1) Owners and operators of oil or natural gas wells shall use the following best management practices during workovers to minimize emissions, consistent with well site conditions and good engineering practices:
 - (a) Reduce wellhead pressure prior to blowdown to minimize the volume of natural gas vented;
 - (b) Monitor manual venting in close proximity to the well or via remote telemetry; and
 - (c) Route natural gas flow to the sales line, if possible.

C. Monitoring Requirements

- (1) Owners and operators subject to 20.2.50.24 NMAC shall monitor the following parameters during workovers:
 - (a) Wellhead pressure;
 - (b) Flow rate of the vented natural gas (to the extent feasible); and
 - (c) Duration of venting to the atmosphere.
- (2) Owners and operators shall calculate the volume and mass of VOC vented during each workover.
- (3) Owners and operators shall comply with the monitoring requirements in 20.2.50.12 NMAC.

D. Recordkeeping Requirements

- (1) Owners and operators subject to 20.2.50.24 NMAC shall keep the following records for each workover:
 - (a) The identification number and location of the well;
 - (b) The date(s) the workover was performed;
 - (c) Wellhead pressure;
 - (d) Flow rate of the vented natural gas (to the extent feasible. If measurement of the flow rate is not feasible, the owner or operator shall use the maximum potential flow rate in the emission calculation);
 - (e) Duration of venting to the atmosphere;
 - (f) A description of the management practices used to minimize release of VOC prior to and during the workover; and
 - (g) A calculation of the VOC emissions vented during the workover based on the duration, volume, and mass of VOC.
- (2) Owners and operators shall comply with the recordkeeping requirements in 20.2.50.12 NMAC.

E. Reporting Requirements

- (1) Owners and operators shall comply with the reporting requirements in 20.2.50.12 NMAC.
- (2) If it is not feasible to prevent VOC emissions from being emitted to the atmosphere from any workover event, the owner or operator shall notify all residents by certified mail located within 0.25 miles of the well of the planned workover at least three (3) calendar days prior to the workover event.

20.2.50.25 STANDARDS FOR OIL AND NATURAL GAS STRIPPER WELLS AND FACILITIES WITH SITE-WIDE VOC POTENTIAL TO EMIT LESS THAN 15 TPY

A. Applicability

- (1) Stripper wells, defined as any oil and natural gas well producing less than 10 barrels of oil per day or less than 60 thousand standard cubic feet of natural gas per day, are subject to the requirements of 20.2.50.25 NMAC.
- (2) Owners or operators of stripper wells shall comply with these requirements no later than one year after the effective date of this Part.
- (3) Facilities with a site-wide annual PTE of less than 15 tons per year of VOC are subject to the requirements of 20.2.50.25 NMAC.
- (4) Owners or operators of facilities with a site-wide annual PTE of less than 15 tons per year of VOC shall comply with these requirements no later than one year after the effective date of this Part.
- (5) If at any time a facility identified in 20.2.50.25.A(1) or (3) NMAC exceeds the daily production limit or PTE threshold of 15 tpy of VOC, the owner or operator shall conduct semi-annual LDAR monitoring as required by 20.2.50.16.C(2)(b) NMAC for a period of two years.

B. Emission Standards

- (1) Owners or operators shall ensure that all equipment located at a stripper well or low-PTE facility shall be operated and maintained consistent with manufacturer specifications and good engineering and maintenance practices. The owner or operator shall keep manufacturer specifications and maintenance practices on file and make them available upon request by the Department.
- (2) Owners or operators of an oil or natural gas stripper well or individual facility with a site-wide PTE less than 15 tpy of VOC shall, within the first calendar quarter of the year, use actual production volumes to calculate the VOC and NO_x emissions from the stripper well site.
- (3) Owners or operators of an oil or natural gas stripper well(s) or facility(s) with a site-wide PTE less than 15 tpy of VOC shall maintain a database of company-wide calculated VOC and NO_x emissions estimates for each site and must update the database annually.

C. Monitoring Requirements

- (1) Owners or operators complying with 20.2.50.25 NMAC shall monitor the following for each stripper well or facility with a site-wide PTE of VOC less than 15 tpy:
 - (a) the unique identifier of the stripper well or facility (number and name, as applicable);
 - (b) the UTM coordinates of the stripper well or facility and its county of location;
 - (c) the annual total well production rate in barrels of oil per year and natural gas production in thousand standard cubic feet per year; and
 - (d) Dates, duration, and VOC emission estimates of any venting or flaring event longer than eight (8) hours.

- (2) Owners or operators shall comply with the monitoring requirements in 20.2.50.12 NMAC.

D. Recordkeeping Requirements

- (1) Owners or operators complying with 20.2.50.25 NMAC shall:
 - (a) maintain electronic records of the following for each stripper well and low-PTE facility:
 - (i) the unique identifier of the stripper well and low-PTE facility (number and name, as applicable);
 - (ii) the UTM coordinates of the stripper well and low-PTE facility and its county of location;
 - (iii) the total annual well production in barrels of oil per year and natural gas production in thousand standard cubic feet; and
 - (iv) Dates, duration, and VOC emission calculation of any venting or flaring event lasting longer than eight (8) hours, and the cause of the event.
 - (2) Within the first calendar quarter of the year, record the calculated total annual emissions of VOC and NO_x from each stripper well site and low-PTE facility in tons, and the company-wide total VOC and NO_x emissions from stripper wells and low-PTE facilities in tons. All venting and flaring emissions shall be included in the calculated total annual emissions.
 - (3) Within the first calendar quarter of the year, provide a description of the management practices used to minimize and prevent the release of VOC and NO_x at each stripper well and low-PTE facility.
 - (4) Owners or operators shall comply with the recordkeeping requirements in 20.2.50.12 NMAC.

E. Reporting Requirements

Owners or operators shall comply with the reporting requirements in 20.2.50.12 NMAC.

20.2.50.26 STANDARDS FOR EVAPORATION PONDS

A. Applicability

- (1) All new and existing oil and natural gas evaporation ponds with pond capacity equal to or greater than [TBD barrels] or a potential to emit greater than [10 lbs/day VOC] and located at wellhead sites, tank batteries, gathering and boosting sites, natural gas processing plants, transmission compressor stations, or not associated with a facility but located in San Juan, Lea, Eddy, Rio Arriba, Sandoval counties are subject to the requirements of 20.2.50.26 NMAC.
- (2) Owners or operators of oil and natural gas evaporation ponds shall comply with these requirements no later than 180 days after the effective date of this Part.

B. Emission Standards

- (1) Owners or operators of an oil or natural gas evaporation pond shall use best management practices to minimize emissions of VOC, consistent with good engineering practices.

- (2) Prior to unloading into a pond(s), all liquids shall be first loaded into a 20.2.50.23 NMAC compliant liquid storage tank designed to minimize subsequent VOC emissions from the pond.
- (3) Owners or operators shall install an impermeable continuous barrier or cover over the entire surface area of the liquid, which prevents VOC emissions from being emitted to the atmosphere. Owners and operators shall ensure that VOC emissions are collected and routed to a control device for destruction.

C. Monitoring Requirements

- (1) For each oil or natural gas evaporation pond, the owners or operators subject to 20.2.50.26 NMAC shall:
 - (a) on a monthly basis, perform an inspection to ensure that the barrier is an impermeable continuous barrier or cover that covers the entire surface area of liquid;
 - (b) on a monthly basis, ensure that all VOC emissions are being captured and routed to a control device; and
 - (c) monitor the monthly total and annual total oil and natural gas evaporation pond throughput in thousands of gallons of liquids.
- (2) Owners or operators shall comply with the monitoring requirements in 20.2.50.12 NMAC.

D. Recordkeeping Requirements

- (1) Owners or operators subject to 20.2.50.26 NMAC shall maintain electronic records of the following for each evaporation pond:
 - (a) the unique identifier of the evaporation pond (number and name, as applicable);
 - (b) the UTM coordinates of the evaporation pond site and its county of location;
 - (c) the results of the barrier or cover inspection, including the date, time, and name of the personnel performing the inspection;
 - (d) the results of the VOC capture and control device inspection, including the date, time, and name of the personnel performing the inspection; and
 - (e) the total calculated VOC emissions in tons per year.
- (2) Owners or operators of an oil or natural gas evaporation pond shall, within the first calendar quarter of the year, record the calculated emission estimates of VOC from the evaporation pond in tons per year.
- (3) Owners or operators of an oil or natural gas evaporation pond shall record a description of the management practices used to minimize release of VOC at the evaporation pond, and the company-wide total VOC emissions from evaporation ponds in tons per year.
- (4) Owners or operators of an oil or natural gas evaporation pond shall, within the first calendar quarter of the year, use actual volumes of liquid loaded into each site's pond(s) to calculate total site-wide VOC emissions from all evaporation ponds.
- (5) Owners or operators of an oil or natural gas evaporation pond(s) shall maintain a database of company-wide calculated annual total VOC emissions estimates in tons per year from each pond.

(6) Owners or operators shall comply with the recordkeeping requirements in 20.2.50.12 NMAC.

E. Reporting Requirements

Owners or operators shall comply with the reporting requirements in 20.2.50.12 NMAC.

20.2.50.27 PROHIBITED ACTIVITIES AND CREDIBLE INFORMATION PRESUMPTIONS

- A. Failure to comply with any of the emissions standards, recordkeeping, reporting, or other requirements of this Part within the timeframes specified shall constitute a violation of this Part subject to enforcement action under Section 74-2-12 of the Act.
- B. If credible information obtained by the Department indicates that a source is not in compliance with any provision of this Part, the source shall be presumed to be in violation of this Part unless and until the owner or operator provides credible evidence or information demonstrating otherwise.
- C. If credible information provided to the Department by a member of the public indicates that a source is not in compliance with any provision of this Part, the source shall be presumed to be in violation of this Part unless and until the owner or operator provides credible evidence or information demonstrating otherwise.