

## **Four Corners Air Quality Group Update on Recent Agency Activities – September 2017**

### **EPA's Activities:**

#### Proposed 2015 Ozone Designation and Implementation

- On June 6, 2017, the EPA Administrator extended the deadline by one year for designating areas in nonattainment of the 70 ppb 2015 ozone NAAQS. This would require areas to be designated on October 1, 2018.
- However, on August 2, 2017, the Administrator withdrew the extension, and announced that designations will proceed.
- As of this agency update, it is unclear when the nonattainment designations or finalization of the 2015 ozone implementation rule will occur.

#### New Source Performance Standard OOOOa

- On June 5, 2017, in response to the President's Energy Independence executive order, the EPA published a three-month stay of certain aspects of the NSPS OOOOa regulations and a proposed further two-year stay.
- However, on July 3, 2017, the D.C. circuit court vacated the three-month stay. The OOOOa rule remains in effect. Additionally, the EPA has not finalized the proposed two-year stay.

#### Monitoring

- Ozone monitoring in the Four Corners region is ongoing by CDPHE, NM Environment Department, Southern Ute Indian Tribe, Navajo Nation, National Park Service, and US Forest Service.
- Gaseous Oxidized Mercury dry deposition measurements have resumed by the U.S. EPA Regions 6 and 8, U.S. EPA ORD, NMED, USFS and NPS.

### **Southern Ute Indian Tribe's Activities**

The Southern Ute Indian Tribe (Tribe) is a signatory party to the *Memorandum of Understanding for the Interagency Policy Oversight Group of the Four Corners Air Quality Group*.

Air Monitoring: <http://www.southernute-nsn.gov/environmental-programs/air-quality/ambient-monitoring/>

- The Tribe operates three air monitoring stations, the Ute 1 (Ignacio, CO), Ute 3 (Bondad, CO) and a mobile air monitoring station located at Lake Capote which record meteorological data, visibility, CO, SO<sub>2</sub>, O<sub>3</sub>, NO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>
- Ambient air monitoring data submitted to AQS and AirNow.
- Real-time air monitoring and meteorological data available on the Tribe's ambient monitoring webpage.
- Incorporating two new Thermo 55i Methane Analyzers into the monitoring network at the Ute 3 and Lake Capote monitoring stations.

Title V Operating Permit Program: <http://www.southernute-nsn.gov/environmental-programs/air-quality/air-permitting/>

- The Tribe has full delegation of a Title V operating permit program.

- The Southern Ute Reservation has 36 Title V sources, including 31 natural gas compressor stations, 3 natural gas treatment plants, 1 natural gas processing plant, and 1 municipal solid waste landfill.
- The Tribe's EPA approved Compliance Monitoring Strategy requires Title V sources to be inspected once every 2-years.
- The Tribe conducted 16 compliance inspections of Title V sources in fiscal year 2017.
- Non-compliance is addressed according to the enforcement pathways and protocols outlined in the Tribe's Enforcement Procedures and Penalty Policy.
- One enforcement action was finalized through a Settlement Agreement in fiscal year 2017.

#### Emissions Inventory Development

- The Tribe completed a comprehensive emissions inventory for the Reservation for calendar year 2015 to quantify emissions from all oil and gas activities and other significant point and non-point sources.
- Small oil and gas source emissions quantified from equipment counts and production data obtained through a Clean Air Act Section 114 information collection request issued by the Tribe to all oil and gas operators on the Reservation in June, 2016.

SUIT/CO Environmental Commission (Commission): <http://www.southernute-nsn.gov/environmental-commission/>

- The Commission oversees development and implementation of air quality programs for all land within the exterior boundaries of the Southern Ute Reservation.
- Commission meetings are held on a semi-annual to quarterly basis.
- The last meeting of the Commission was held on April 12, 2017. Agenda items included an air quality monitoring update, updates on the draft Emissions Inventory, Enforcement Procedures and Penalty Policy and a coal fired burner complaint update. The agenda also included updates from the Colorado Department of Public Health and Environmental regarding the State of Colorado's ozone designation process and application of source aggregation.
- More information about the Commission, meeting dates, meeting agendas and a copy of the Tribe's Reservation Air Code are available on the Tribe's Environmental Commission website.

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#### **Federal Land Managers' Activities**

##### Oil and Gas

- June, 2011 Memorandum of Understanding: Multi-Agency Air Quality Analyses and Mitigation for Federal Oil and Gas Decisions through the NEPA Process (NPS, FWS, BLM, USFS, EPA) provides for:
  - interagency consultation throughout the NEPA process,
  - common procedures for determining appropriate AQ analyses,

- specific provisions for analyzing and discussing impacts to AQ and for mitigating such impacts,
  - and a dispute resolution process.
  - <http://www.nature.nps.gov/air/hot/index.cfm>
- San Juan National Forest –
    - NO<sub>x</sub> emissions stipulation required for new stationary gas field compressor engines.
    - Facility optimization/centralization/co-location included in Land Use Plans for new development.
    - Condensation tank and petroleum liquid storage tank VOC controls for SW Colorado.
    - Low-bleed pneumatic devices required.
    - Reduced emission gas well completions included in Land Use Plans.
    - Mandatory continuous dust abatement.
    - Land Use Plans call for use of low or zero emission dehydrators.
    - Vapor recovery units or combustors for tank batteries, dehydrators, separators.
  - Collaboration among agencies on energy development planning including proposed leasing near Chaco Culture National Historical Park and Mesa Verde National Park, and regional air quality modeling to predict the effects of development in SW Colorado and NW New Mexico.

See the 2016 meeting report for a full list of monitoring activities. The only addition is a NO<sub>x</sub> monitor at Chaco Canyon.

### **Navajo Nation EPA**

The Navajo Nation is a signatory party to the *Memorandum of Understanding for the Interagency Policy Oversight Group of the Four Corners Air Quality Group*.

- ❖ Continue to operate two dedicated air monitoring sites: Shiprock Air Monitoring Site (Shiprock, NM) and Nazlini Air Monitoring Site (Nazlini, AZ). These monitors are established for informational purpose only.
  - Shiprock monitoring site collects O<sub>3</sub>, NO<sub>2</sub>, and SO<sub>2</sub> air data with upload to US EPA Air Quality System (AQS) data base. Meteorological data is collected but not uploaded to AQS.
  - Nazlini monitoring site collects PM<sub>2.5</sub> air data using collocated filter based (FRM) monitors with upload to AQS data base. A new meteorological tower was installed at Nazlini and met data is now currently being collected but not uploaded to AQS.
- ❖ In May 2017, the AQCP completed one (1) year of air monitoring in the greater Counselor, NM community. The AQCP monitored NO<sub>x</sub>, SO<sub>2</sub>, O<sub>3</sub>, and PM<sub>10</sub> in response to community air quality concerns.
- ❖ The AQCP has included an Indoor Air Quality (IAQ) component and has begun conducting IAQ assessments within tribal homes. Additional IAQ work has included involvement with on-going studies led by the University of Montana and University of Tulsa, respectively.
- ❖ The AQCP continues to implement Navajo Nation Open Burn Regulations to prevent open burning of prohibited materials.

## Navajo Nation EPA Part 71 Operating Permit Program:

### ❖ Title V Permit Renewals:

- The final Title V Operating Permit for Resolute Natural Resources-Aneth Unit was issued on April 25, 2017. The draft permit for a new facility Preferred Sands of Arizona – Sanders facility was out for public notice providing an opportunity for the public and interested parties to submit comments. The public comment period ended September 8, 2017. The program is also working on permit renewals for EPNG White Rock Station and Western Refinery Wingate facility and expects Resolute Montezuma Creek facility to submit their Title V application sometime in September 2017. With the addition of the Preferred Sands of Arizona Sanders facility and the Resolute Montezuma Creek facility, the NNEPA AQCP/OPP will have a total of 14 facilities that will be operating with their Title V permits in the near future.
- Title V permits for FCPP and NGS have been drafted and released for public notice. Both are at a standstill currently because the FIPs for these facilities are being revised to include the affirmative defense clause and changes in the opacity requirements for the PM CEMS to comply with the MATS regulations. The FCPP FIP will also incorporate the requirements of the Consent Decree that was finalized on August 17, 2015.
- FCPP is currently in the process of installing SCRs on the two remaining units to comply with the Regional Haze BART.
- The NEPA process related to the proposed Extension Lease for NGS is ongoing.

On August 22, 2017 USEPA informed the Nation that it intends to designate the Navajo Nation portion of Coconino County, AZ (located within a 50-kilometer radius of NGS) as an Unclassifiable Area and the Navajo Nation portion of San Juan County, NM (area around the FCPP) and all remaining areas of the Nation as Unclassifiable/Attainment Areas for the 2010 Primary National Ambient Air Quality Standards (NAAQS) for sulfur dioxide. The NNEPA AQCP plans on responding to recommendations within the 120 day comment period.

### **Colorado's Activities**

***Air Quality Monitoring:*** Ozone monitoring in Cortez (PM<sub>2.5</sub> monitoring ended 12/31/2014); PM<sub>10</sub> monitoring in Durango and Pagosa Springs; Colorado monitoring in the Four Corners area shows attainment with the ozone, PM<sub>2.5</sub> and PM<sub>10</sub> NAAQS.

***Commitment to Climate Change and Clean Energy:*** Colorado's Governor signed an Executive Order on July 11, 2017 that sets statewide greenhouse gas reduction goals in tandem with the 2015 Paris Accord along with carbon dioxide reduction and electricity savings targets for the electrical sector. As part of this EO, the Department of Public Health and Environment will develop a state greenhouse gas reporting rule that mirrors the current federal reporting rule by the end of 2018. The order is available at:

[https://www.colorado.gov/governor/sites/default/files/executive\\_orders/climate\\_eo.pdf](https://www.colorado.gov/governor/sites/default/files/executive_orders/climate_eo.pdf)

***Oil and Gas:*** Colorado fully adopted NSPS OOOO in February 2014: relevant information is available at: <https://www.colorado.gov/pacific/cdphe/emissions-requirements-oil-and-gas-industry>

- The Colorado Department of Public Health and Environment created the Oil and Gas Health Information and Response program to respond to public concerns about health

related to oil and gas activities. See: <http://www.oghir.dphe.state.co.us/> for more information.

- In October 2016, EPA recently promulgated the Oil and Gas Control Techniques Guideline (CTG) which provides recommendations on what constitutes reasonably available control technology (RACT) for the oil and gas sector in moderate or higher ozone non-attainment areas. The Denver Metro/North Front Range ozone non-attainment area, because of its moderate classification, must adopt RACT SIP requirements concerning the source categories addressed in EPA's Oil and Gas CTG. The Colorado Air Quality Control Commission has scheduled a public hearing in October 2017 to consider CTG related proposed amendments to Regulation Number 7.

***Ozone Designation Recommendations:*** In 2016, Colorado recommended that EPA designate all areas of the state as attainment/unclassifiable, except for the Denver Metro/North Front Range area, which is nonattainment for the 70 ppb standard. EPA anticipates finalizing the designations for the 70 ppb ozone standard sometime this fall for most areas nationwide.

***Public Outreach:*** The Western Colorado Regional Air Quality Collaboration continues to be active with thirty counties and two cities participating as of December 2016. Promotes ongoing engagement and education on air quality issues. For more information check the website: [www.colorado.gov/cdphe/regionalAQcollaboration](http://www.colorado.gov/cdphe/regionalAQcollaboration).

### **New Mexico's Activities**

- The New Mexico Environment Department (NMED) will guide the creation of New Mexico's Beneficiary Mitigation Plan for the Volkswagen settlement plan funds. For more information go to: <https://www.env.nm.gov/vw-settlement/>.
- All areas of New Mexico appear to be in attainment of the 2015 Ozone Standard (70 parts per billion) except for southern Doña Ana County, on the border with El Paso and Mexico, when looking at 2013-2015 data. For 2014-2016 data, only the Sunland Park area appears to be above the standard of 70 parts per billion. The New Mexico Environment Department followed EPA's guidance to prepare our partial county nonattainment designation recommendation for Doña Ana County. A link to the Department's recommendation can be found here: <https://www.env.nm.gov/air-quality/ozone/>.
- In March of 2017, New Mexico submitted the annual Regional Sulfur Dioxide (SO<sub>2</sub>) Emissions and Milestone Report for 2015. Based on the average annual emissions estimate (2013, 2014, 2015), the Section 309 states have determined that emissions in 2015 were below the regional SO<sub>2</sub> milestone for 2015.
- In January of 2017, New Mexico submitted modeling to the U.S. EPA showing that the area around San Juan Generating Station meets the SO<sub>2</sub> National Ambient Air Quality Standard.
- NMED continues to support and participate in Western Regional Air Partnership activities, including the 2014 San Juan Basin emissions inventory and a new Four Corners modeling study.

- NMED is a partner in the Intermountain West Data Warehouse / Western Air Quality Study
  - Contributing with emission inventory, modeling work in New Mexico.
  - Participating on technical and oversight committees.

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