From: Methanestrategy, NM, NMENV
Sent: Friday, September 4, 2020 10:41 AM
To: Kuehn, Elizabeth, NMENV
Subject: Fw: Response to Preliminary Draft 74-2-5.3

From: Matt Courtney <matt@jayco.org>
Sent: Friday, August 7, 2020 8:35 AM
To: Methanestrategy, NM, NMENV
Subject: [EXT] Response to Preliminary Draft 74-2-5.3

August 7, 2020

Attn: Methane Advisory Panel

I am writing you today in response to the draft ozone precursor emissions rules released July 20, 2020. My company manufactures thief hatches and vent valves that are in wide use in New Mexico. We take fugitive emissions very seriously and have made great strides to update our products to meet and exceed allowable leakage rates set forth by the API.

I take exception to the underlined portion of your proposed rule below.

20.2.50.23 Standards for storage tanks
B. Emission Standards
(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.

This drafted document is purposed to "reduce the VOCs, NOx, methane emissions" and the underlined portion does not further that end; it actually is a feature that might encourage the opposite result. If there is a feature to lock open a thief hatch lid, there is a message to operators that this should be locked open and furthers the possibility of the thief hatch being left open. Thief hatches should be closed during normal operations, and if left open would be detrimental to protecting air quality.

Secondly, the underlined is not an industry standard and it not part of API documented standards for storage tanks. Our thief hatch lid, when fully open, passes the gravitational plumb line and is kept open by gravity. There is no need to introduce a device to lock the lid in this position. As of this time, I do not know of any thief hatch on the market with this feature.

Thirdly, the inclusion of the underlined rule would cause a great burden on oil and gas producers in New Mexico because none of the thief hatches in the field have this feature, and therefore every thief hatch would need to be replaced — all for a rule that does not further the purpose of this proposal: to reduce the emissions of ozone harming pollutants. There is already a burden in place for companies to protect the environment, and I agree with that goal, so I think their energies and budgets should be focused on complying with regulations that protect air quality and not overburden them with issues that will not help and may possibly do more damage.

Fourthly, adding this locking open feature could introduce a malfunction that could interfere with the proper functioning of the thief hatch. If this interference did not allow for the thief hatch internals to automatically close once overpressure is relieved, then the tank would emit more emissions than necessary. Conversely, if the interference did not allow the thief hatch internals to automatically open to relieve overpressure, this introduces a great hazard to the integrity of the tank and puts anyone nearby at great risk.

I am asking that this underlined portion of the rule be removed. This portion could have the opposite intended consequence, is unnecessary, misplaces the focus of environmental regulatory compliance, and could introduce a hazard to the workplace. Please reply to this email that it has been received and read.

Regards,

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