Air Pollution Control
Federal Clean Air Act (CAA) Title V Permit to Operate
Statement of Basis for Draft Permit No. V-UO-000021-2008.00

Monarch Natural Gas, LLC
Riverbend Compressor Station
Uintah & Ouray Reservation
Uintah County, Utah

I. Facility Information

A. Location

The Riverbend Compressor Station (Riverbend), owned and operated by Monarch Natural Gas, LLC (Monarch), is located within the exterior boundaries of the Uintah and Ouray Reservation approximately 13 miles southeast of the town of Myton, Utah. The exact location is Latitude 39° 58' 55.543" N, Longitude 109° 50' 51.125" W. The mailing address is:

Monarch Natural Gas, LLC
5613 DTC Parkway, Suite 310
Greenwood Village, Colorado 80111

B. Contact

Charlene Pearson
Monarch Natural Gas, LLC
5613 DTC Parkway, Suite 310
Greenwood Village, Colorado 80111
720-381-4585

C. Description of Operations

Riverbend gathers hydrocarbons (natural gas and natural gas condensate) from surrounding well sites via a gathering pipeline system. The natural gas condensate gathered in the well field is temporary stored in storage tanks in the field prior to being sent to the Riverbend. The stabilized natural gas condensate from the well field is then routed to natural gas condensate storage tanks at the Riverbend. The natural gas is sent to two triethylene glycol dehydration units to remove water vapor entrained in the gas stream. The natural gas is then compressed with four natural gas-fired compressor engines. The compressed natural gas is routed to the gas sales pipeline. The natural gas condensate is transported off site by tanker trucks. The facility also utilizes a methanol injection system to reduce the formation of hydrates in the gas stream. Emission controls for the facility include:

1. An oxidation catalyst for lean-burn engines; and
2. A thermal oxidizer for the condensate storage tanks and dehydration units.

D. Emission Points

Table 1 lists emission units and emission generating activities, including any air pollution control devices.

The Title V Operating Permit Program at 40 CFR Part 71 (Part 71) allows the Permittee to separately list in the permit application units or activities that qualify as "insignificant" based on potential emissions below 2 tons per year (tpy) for all regulated pollutants that are not listed as hazardous air pollutants (HAPs) under section 112(b) and below 1,000 lbs/year or the deminimis level established under section 112(g), whichever is lower, for HAPs. However, the application may not omit information needed to determine the applicability of or to impose, any applicable requirement. Units and activities that qualify as "insignificant" for the purposes of the Part 71 application are in no way exempt from applicable requirements or any requirements of the Part 71 permit.

Table 1 – Emission Units and Emission Generating Activities

Unit I.D.	Description		Control Equipment
	Caterpillar G3516LE; 1,340 hp* 4-Stroke Lean-Burn Reciprocating Internal Combustion Engines Natural Gas-Fired		
RB#1	Serial No. 4EK04225	Installed: 7/20/2013 Mfg*: 10/2004	Oxidation Catalyst
RB#2	Serial No. 4EK04234	Installed: 7/26/2013 Mfg: 9/2004	
RB#3	Serial No. 4EK04235	Installed: 6/23/2013 Mfg: 10/2004	
RB#5	Serial No. 4EK04227	Installed: 9/15/2015 Mfg: 9/30/2004	
Dehy#3	24 MMscfd Triethylene Glycol Dehydration Unit Serial No. EL2D78607-01	Installed: 1/1/2006	Thermal Oxidizer
Dehy#4	25 MMscfd Triethylene Glycol Dehydration Unit Serial No. EL9G35501-02	Installed: 12/12/2007	Thermal Oxidizer
	400 bbl* Condensate Storage Tanks 6,000 bbl/year total throughput		
T-1	Installed: 2/1/2007		Thermal Oxidizer
T-2	Installed: 11/1/2011		
T-3	Installed: 11/1/2011		
	Methanol Storage Tanks		
T-4	300 bbl capacity	Installed: 11/1/2011	None (IEU*)
T-5	300 bbl capacity	Installed: 11/1/2011	
T-6	210 bbl capacity	Installed: 11/1/2004	
T-7	210 bbl capacity	Installed: Unknown	
T-8	210 bbl capacity	Installed: Unknown	
F-1	Fugitive Emissions		None
P-1	33 Natural Gas-Driven Pneumatic Pumps		None

Unit I.D.	Description	Control Equipment
-	Pigging Operations	None (IEU)
-	Condensate Truck Loading	None (IEU)
-	0.750 MMBtu/hr Reboiler Heater #3	Operation and Maintenance Standards
-	0.500 MMBtu/hr Reboiler Heater #4	Operation and Maintenance Standards
-	0.250 MMBtu/hr natural gas-fired production heater	None (IEU)
-	1.0 MMBtu/hr natural gas-fired heater/treater	None (IEU)
-	2.5 MMBtu/hr natural gas-fired reboiler	None (IEU)
-	Two (2) 0.250 MMBtu/hr natural gas-fired line heaters	None (IEU)

* Mfg = Manufactured; hp = horsepower; bbl = barrel; MMscfd = million standard cubic feet per day; MMBtu/hr = million British thermal units per hour; IEU = insignificant emission unit.

E. Potential to Emit

Pursuant to 40 CFR 52.21, potential to emit (PTE) is defined as the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a 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, or the effect it would have on emissions, is federally enforceable. Independently enforceable applicable requirements are considered enforceable to the extent that the source is in compliance with the standard. In addition, beneficial reductions in non-targeted pollutants resulting from compliance with an independently enforceable applicable requirement may be counted towards PTE provided the emission reduction of the non-targeted pollutant is enforceable as a practical matter and compliance is being met. See the 1995 guidance memo signed by John Seitz, Director of the Office of Air Quality Planning and Standards titled, "Options for Limiting Potential to Emit of a Stationary Source under Section 112 and Title V of the Clean Air Act".

Monarch reported the controlled emission unit-specific PTE in their Part 71 permit application. The controlled emissions in Table 2 are based on the legally and practically enforceable requirements set forth in this proposed permit.

Table 2 – Potential-to-Emit With Legally and Practically Enforceable Controls

Regulated Air Pollutants (tpy)											
	NO_X*	**CO***	**VOC***	**PM***	**SO_2***	**CH_2O***	**Total HAPs***	**CO_2***	**CH_4* (as CO_2e)**	**N_2O* (as CO_2e)**	**CO_2e***
RB#1	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
RB#2	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
RB#3	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
RB#5	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
D-3	0.0	0.0	1.8	0.0	0.0	0.0	1.2	0.0	0.0	0.0	0.0
D-4	0.0	0.0	2.0	0.0	0.0	0.0	1.4	0.0	0.0	0.0	0.0
T-1, T-2, T-3	0.0	0.0	0.85	0.0	0.0	0.0	0.8	0.0	0.0	0.0	0.0
F-1	0.0	0.0	10.1	0.0	0.0	0.0	0.4	0.0	0.0	0.0	0.0
P-1	0.0	0.0	25.5	0.0	0.0	0.0	1.0	0.0	2,395.0	0.0	2,395.0
IEUs	2.8	5.2	2.7	0.2	0.0	0.0	0.1	0.0	0.0	0.0	0.0
TOTAL	**106.4**	**108.8**	**65.8**	**0.2**	**0.0**	**12.8**	**20.5**	**20,513.2**	**2,405**	**12.0**	**22,930.2**

*NO_X = nitrogen oxide; CO = carbon monoxide; VOC = volatile organic compound; PM = particulate matter; SO_2 = sulfur dioxide; CH_2O = formaldehyde; HAP = hazardous air pollutant; CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; CO_2e = equivalent CO_2.

II. Applicable Requirement Review

The following sections discuss the information provided by Monarch in their Part 71 application, certified to be true and accurate by the Responsible Official of this facility.

A. 40 CFR 52.21 - Prevention of Significant Deterioration

The Prevention of Significant Deterioration Permit Program at 40 CFR Part 52 (PSD) is a preconstruction review requirement of the CAA that applies to proposed projects that are sufficiently large (in terms of emissions) to be a "major" stationary source or "major" modification of an existing stationary source. Source size is defined in terms of "potential to emit," which is its capability at maximum design capacity to emit a pollutant, except as constrained by existing legally and practically enforceable conditions applicable to the source. A new stationary source or a modification to an existing minor stationary source is major if the proposed project has the PTE any pollutant regulated under the CAA in amounts equal to or exceeding specified major source thresholds, which are 100 tpy for 28 listed industrial source categories and 250 tpy for all other sources. PSD also applies to modifications at existing major sources that cause a "significant net emissions increase" at that source. Significance levels for each pollutant are defined in the PSD regulations at 40 CFR 52.21.

According to the emissions information provided by Monarch in their Part 71 application, this facility is currently a minor source with respect to PSD as the PTE does not exceed the threshold of criteria pollutants regulated under PSD.

B. 40 CFR Part 60, Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After July 23, 1984

This subpart establishes requirements for controlling VOC emissions from storage vessels with a capacity greater than or equal to 75 cubic meters that are used to store volatile organic liquids for which construction, reconstruction, or modification commenced after July 23, 1984.

Based on the information provided by Monarch in their Part 71 application and our review of that information, the condensate tanks, T-1, T-2, and T-3, and methanol tanks T-4, T-5, T-6, T-7, and T-8 at this facility are exempt from these requirements, because they have a capacity of less than 10,000 bbls.

C. 40 CFR Part 60, Subpart KKK: Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011

This subpart establishes requirements for controlling fugitive VOC emissions from onshore natural gas processing plants. It applies to natural gas processing plants that commenced construction, reconstruction, or modification after January 20, 1984 and on or before August 23, 2011.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend is not a natural gas processing plant, therefore the facility is not subject to this subpart.

D. 40 CFR Part 60, Subpart LLL: Standards of Performance for SO_2 Emissions From Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011

This subpart applies to sweetening units and sulfur recovery units at onshore natural gas processing facilities. As defined in this subpart, sweetening units are process devices that separate hydrogen sulfide (H_2S) and CO_2 from a sour natural gas stream. Sulfur recovery units are defined as process devices that recover sulfur from the acid gas (consisting of H_2S and CO_2) removed by a sweetening unit.

Based on the information provided by Monarch in their Part 71 application and our review of that information, neither sweetening nor sulfur recovery are performed at the facility. Therefore, this facility is not subject to this subpart.

E. 40 CFR Part 60, Subpart JJJJ: Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

This subpart establishes emission standards and compliance requirements for the control of emissions from stationary spark ignition internal combustion engines that commenced construction, modification, or reconstruction after June 12, 2006, and are manufactured on or after specified manufacture trigger dates. The manufacture trigger dates are based on the engine type, fuel used, and maximum engine horsepower.

Based on the information provided by Monarch in their Part 71 application and our review of that information, the engines operating at the facility were manufactured prior to the manufacture trigger dates in the rule (January 1, 2008 for engines RB#1, RB#2, RB#3, and RB#5). Therefore, this subpart does not apply.

F. 40 CFR Part 60, Subpart OOOO – Standards of Performance for Crude Oil and Natural Gas production, Transmission, and Distribution

This subpart establishes emission standards for the control of VOC and SO_2 emissions from affected facilities that commence construction, modification, or reconstruction after August 23, 2011. Affected facilities include, but are not limited to well completions, centrifugal compressors, reciprocating compressors, pneumatic controllers, storage vessels, and sweetening units.

Based on the information provided by Monarch in their Part 71 application and our review of that information, the current equipment at Riverbend predates the applicability date for this subpart. Therefore, Riverbend is not subject to this subpart.

G. 40 CFR Part 63, Subpart HH: National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities

This subpart establishes emission standards for the control of HAP emissions from affected units located at natural gas production facilities that process, upgrade, or store natural gas prior to the point of custody transfer, or that process, upgrade, or store natural gas prior to the point at which natural gas enters the natural gas transmission and storage source category or is delivered to a final end user. The affected units are glycol dehydration units, storage vessels with the potential for flash emissions (as defined in the rule) and the group of ancillary equipment and compressors intended to operate in volatile HAP service which are located at natural gas processing plants.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend does not operate any storage vessels with the potential for flash emissions (as defined in the rule). Uncontrolled emissions from dehydration units Dehy#3 and Dehy#4 exceed the major source thresholds for HAPs. Therefore, dehydration units Dehy#3 and Dehy#4 are subject to the major source requirements of this subpart.

H. 40 CFR Part 63, Subpart ZZZZ (MACT ZZZZ): National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

This subpart establishes emission standards and operating limitations for the control of HAP emissions from spark ignition and compression ignition reciprocating internal combustion engines.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend is subject to the major source requirements of this subpart. The affected units are the reciprocating internal combustion engines operating at the facility.

I. 40 CFR Part 63, Subpart DDDDD (Boiler MACT): National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters

This rule establishes national emission limitations and operating limitations for HAPs emitted from new and existing industrial boilers, institutional boilers, commercial boilers, and process heaters that are located at major sources of HAPs. For the purposes of this subpart, a major source of HAPs is as defined in §63.2, except that for oil and natural gas production facilities, a major source of HAPs is as defined in §63.761. Boilers or process heaters that combust natural gas for fuel or have a maximum designed heat input capacity less than 10 MMBtu/hr are subject to work practice standards in lieu of emission limits. For the purposes of this subpart, an affected unit is an existing unit if it was constructed prior to June 4, 2010.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Dehydration Unit Reboiler #3 and Dehydration Unit Reboiler #4 meet the definition of existing process heaters in the rule. However, Riverbend does not meet the definition of a major source under the rule. Therefore, this subpart does not apply.

J. 40 CFR Part 63, Subpart JJJJJJ (Boiler MACT (for area sources)): National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers.

This rule establishes national emission standards and operating limitations for HAPs emitted from new and existing industrial boilers, institutional boilers, and commercial boilers that are fueled by coal, biomass, or oil and are located at area sources of HAPs. For the purposes of this subpart, an affected unit is an existing unit if it was constructed prior to June 4, 2010.

Based on the information provided by Monarch in their Part 71 application and our review of that information, there are no industrial, commercial, or institutional boilers located at Riverbend. Therefore, Subpart JJJJJJ does not apply.

K. 40 CFR Part 64: Compliance Assurance Monitoring

Pursuant to requirements concerning enhanced monitoring and compliance certification under the CAA, the EPA promulgated regulations to implement compliance assurance monitoring (CAM) for major stationary sources of air pollution, for purposes of Title V permitting that are required to obtain operating permits under Part 71. The rule requires owners or operators of such sources to conduct monitoring that provide a reasonable assurance of compliance with applicable requirements under the CAA. The effective date of this rule is November 21, 1997.

1. CAM Applicability

According to §64.2(a), CAM applies to <u>each</u> pollutant specific emission unit (PSEU) located at a major source which is required to obtain a Part 71 permit if the unit satisfies all of the following criteria:

(a) The unit is subject to an emission limitation or standard for the applicable regulated air pollutant other than an emissions limitation or standard that is exempt under §64.2(b)(1);

(b) The unit uses a control device to achieve compliance with any such limit or standard; and

(c) The unit has pre-control device emissions of the applicable regulated pollutant that are equal to or greater than 100 percent of the amount, in tpy, required for a source to be classified as a major Title V source.

2. CAM Plan Submittal Deadlines

(a) <u>Large pollutant-specific emissions units</u>. A CAM plan submittal for all PSEUs with the PTE (taking into account control devices) of any one regulated air pollutant in an amount equal to or greater than 100 percent of the amount, in tpy, required for a source to be classified as a major source, is due at the following times:

(i) On or after April 20, 1998, if by that date, a Part 71 application has either:

(A) Not been filed; or
(B) Not yet been determined to be complete.

(ii) On or after April 20, 1998, if a Part 71 permit application for a significant modification is submitted with respect to those PSEUs for which the requested permit revision is applicable; or

(iii) Upon application for a renewed Part 71 permit and a CAM plan has not yet been submitted with an initial or a significant modification application, as specified above.

(b) Other pollutant-specific emissions units. A CAM Plan must be submitted for all PSEUs that are not large PSEUs, but are subject to this rule, upon application for a Part 71 renewal permit.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend is a major source of NO_X, CO, and HAPs. Dehy#3 and Dehy#4 are both PSEUs with pre-controlled emissions that equal or exceed 100percent of VOC and HAP thresholds. However, Dehy#3 and Dehy#4 are subject to 40 CFR Part 63, Subpart HH and thus meet the exemption criteria of §64.2(b)(1). Since no other PSEUs at the facility have pre-controlled emissions that exceed or equal 100 percent of major source thresholds, Riverbend is not subject to CAM requirements.

L. 40 CFR Part 68: Chemical Accident Prevention Provisions.

This rule applies to stationary sources that manufacture, process, use, store, or otherwise handle more than the threshold quantity of a regulated substance in a process. Regulated substances include 77 toxic and 63 flammable substances which are potentially present in the natural gas stream entering the facility and in the storage vessels located at the facility. The quantity of a regulated substance in a process is determined according to the procedures presented under §68.115. §68.115(b)(l) and (2)(i) indicate that toxic and flammable substances in a mixture do not need to be considered when determining whether more than a threshold quantity is present at a stationary source if the concentration of the substance is below one percent by weight of the mixture. §68.115(b)(2)(iii) indicates that prior to entry into a natural gas processing plant, regulated substances in naturally occurring hydrocarbon mixtures need not be considered when determining whether more than a threshold quantity is present at a stationary source. Naturally occurring hydrocarbon mixtures include condensate, field gas, and produced water. Based on the updated information provided in Monarch's 2014 supplemental application, Riverbend does not have regulated substances above the threshold quantities in this rule and therefore is not subject to the requirement to develop and submit a risk management plan.

M. Consent Decree Case No. 2:08-CV-00167-TS-PMV

Riverbend is subject to the requirements of Consent Decree Case No. 2:10-cv-01282-PMW (Consent Decree), filed on April 6, 2011. The Consent Decree has been included in Appendix A of this permit.

III. EPA Authority

Title V of the CAA requires that the EPA promulgate, administer, and enforce a federal operating permit program when a state does not submit an approvable program within the time frame set by Title V or does not adequately administer and enforce its EPA approved program. On July 1, 1996 (61 FR 34202), the EPA adopted regulations codified at 40 CFR Part 71 setting forth the procedures and terms under which the agency would administer a federal operating permit program. These regulations were updated on February 19, 1999 (64 FR 8247) to incorporate the EPA's approach for issuing federal operating permits to stationary sources in Indian country.

As described in 40 CFR 71.4(a), the EPA will implement a Part 71 program in areas where a state, local, or tribal agency has not developed an approved Part 70 program. Unlike states, tribes are not required to develop operating permits programs, though the EPA encourages tribes to do so. See, e.g., Indian Tribes: Air Quality Planning and Management (63 FR 7253, February 12, 1998) (also known as the "Tribal Authority Rule"). Therefore, within Indian country, the EPA will administer and enforce a Part 71 federal operating permit program for stationary sources until a tribe receives approval to administer their own operating permit program.

IV. Use of All Credible Evidence

Determinations of deviations, continuous or intermittent compliance status, or violations of the permit are not limited to the testing or monitoring methods required by the underlying regulations or this permit; other credible evidence (including any evidence admissible under the Federal Rules of Evidence) must be considered by the Permittee and the EPA in such determinations.

V. Public Participation

A. Public Notice

As described in 40 CFR 71.11(a)(5), all Part 71 draft operating permits shall be publicly noticed and made available for public comment. The public notice of permit actions and public comment period is described in 40 CFR 71(d).

There will be a 30 day public comment period for actions pertaining to a draft permit. Notification will be given for this draft permit by mailing a copy of the notice to the permit applicant, the affected state, tribal and local air pollution control agencies, the city and county executives, and the state and federal land managers which have jurisdiction over the area where the source is located. A notification will be provided to all persons who have submitted a written request to be included on the mailing list.

If you would like to be added to our mailing list to be informed of future actions on these or other CAA permits issued in Indian country, please send your name and address to the contact listed below:

Part 71 Permitting Lead
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street (8P-AR)
Denver, Colorado 80202-1129

Public notice will be published in the Vernal Express giving opportunity for public comment on the draft permit and the opportunity to request a public hearing.

B. Opportunity to Comment

Members of the public will be given an opportunity to review a copy of the draft permit prepared by the EPA, the application, this Statement of Basis for the draft permit and all supporting materials for the draft permit. Copies of these documents are available at:

Uintah County Clerk's Office
147 East Main Street, Suite 2300
Vernal, Utah 84078

And

Ute Indian Tribe
Energy & Mineral Department
910 South 7500 East
Fort Duchesne, Utah 84026

and

U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street (8P-AR)
Denver, Colorado 80202-1129

All documents are available for review at the Region 8 office Monday through Friday from 8:00 a.m. to 4:00 p.m. (excluding federal holidays).

Any interested person may submit written comments on the draft Part 71 operating permit during the public comment period to the Part 71 Permitting Lead, U.S. EPA Region 8. All comments will be considered and answered by the EPA in making the final decision on the permit. The EPA keeps a record of the commenters and of the issues raised during the public participation process.

Anyone, including the applicant, who believes any condition of the draft permit is inappropriate should raise all reasonable ascertainable issues and submit all arguments supporting their position by the close of the public comment period. Any supporting materials submitted must be included in full and may not be incorporated by reference, unless the material has already been submitted as part of the administrative record in the same proceeding or consists of state or federal statutes and regulations, EPA documents of general applicability or other generally available reference material.

C. Opportunity to Request a Hearing

A person may submit a written request for a public hearing to the Part 71 Permitting Lead, U.S. EPA Region 8, by stating the nature of the issues to be raised at the public hearing. Based on the number of hearing requests received, the EPA will hold a public hearing whenever it finds there is a significant degree of public interest in a draft operating permit. The EPA will provide public notice of the public hearing. If a public hearing is held, any person may submit oral or written statements and data concerning the draft permit.

D. Appeal of Permits

Within 30 days after the issuance of a final permit decision, any person who filed comments on the draft permit or participated in the public hearing may petition to the Environmental Appeals Board (EAB) to review any condition of the permit decision. Any person who failed to file comments or participate in the public hearing may petition for administrative review, only if the changes from the draft to the final permit decision or other new grounds were not reasonably foreseeable during the public comment period. The 30-day period to appeal a permit begins with the EPA's service of the notice of the final permit decision.

The petition to appeal a permit must include a statement of the reasons supporting the review, a demonstration that any issues were raised during the public comment period, a demonstration that it was impracticable to raise the objections within the public comment period, or that the grounds for such objections arose after such a period. When appropriate, the petition may include a showing that the condition in question is based on a finding of fact or conclusion of law which is clearly erroneous; or, an exercise of discretion, or an important policy consideration that the EAB should review.

The EAB will issue an order either granting or denying the petition for review, within a reasonable time following the filing of the petition. Public notice of the grant of review will establish a briefing schedule for the appeal and state that any interested person may file an amicus brief. Notice of denial of review will be sent only to the permit applicant and to the person requesting the review. To the extent review is denied, the conditions of the final permit decision become final agency action.

A motion to reconsider a final order shall be filed within ten days after the service of the final order. Every motion must set forth the matters claimed to have been erroneously decided and the nature of the alleged errors. Motions for reconsideration shall be directed to the Administrator rather than the EAB. A motion for reconsideration shall not stay the effective date of the final order unless it is specifically ordered by the EAB.

E. Petition to Reopen a Permit for Cause

Any interested person may petition the EPA to reopen a permit for cause, and the EPA may commence a permit reopening on its own initiative. The EPA will only revise, revoke and reissue, or terminate a permit for the reasons specified in 40 CFR 71.7(f) or 71.6(a)(6)(i). All requests must be in writing and must contain facts or reasons supporting the request. If the EPA decides the request is not justified, it will send the requester a brief written response giving a reason for the decision. Denial of these requests is not subject to public notice, comment, or hearings. Denials can be informally appealed to the EAB by a letter briefly setting forth the relevant facts.

Air Pollution Control
Federal Clean Air Act (CAA) Title V Permit to Operate
Statement of Basis for Draft Permit No. V-UO-000021-2008.00

Monarch Natural Gas, LLC
Riverbend Compressor Station
Uintah & Ouray Reservation
Uintah County, Utah

I. Facility Information

A. Location

The Riverbend Compressor Station (Riverbend), owned and operated by Monarch Natural Gas, LLC (Monarch), is located within the exterior boundaries of the Uintah and Ouray Reservation approximately 13 miles southeast of the town of Myton, Utah. The exact location is Latitude 39° 58' 55.543" N, Longitude 109° 50' 51.125" W. The mailing address is:

Monarch Natural Gas, LLC
5613 DTC Parkway, Suite 310
Greenwood Village, Colorado 80111

B. Contact

Charlene Pearson
Monarch Natural Gas, LLC
5613 DTC Parkway, Suite 310
Greenwood Village, Colorado 80111
720-381-4585

C. Description of Operations

Riverbend gathers hydrocarbons (natural gas and natural gas condensate) from surrounding well sites via a gathering pipeline system. The natural gas condensate gathered in the well field is temporary stored in storage tanks in the field prior to being sent to the Riverbend. The stabilized natural gas condensate from the well field is then routed to natural gas condensate storage tanks at the Riverbend. The natural gas is sent to two triethylene glycol dehydration units to remove water vapor entrained in the gas stream. The natural gas is then compressed with four natural gas-fired compressor engines. The compressed natural gas is routed to the gas sales pipeline. The natural gas condensate is transported off site by tanker trucks. The facility also utilizes a methanol injection system to reduce the formation of hydrates in the gas stream. Emission controls for the facility include:

1. An oxidation catalyst for lean-burn engines; and
2. A thermal oxidizer for the condensate storage tanks and dehydration units.

D. Emission Points

Table 1 lists emission units and emission generating activities, including any air pollution control devices.

The Title V Operating Permit Program at 40 CFR Part 71 (Part 71) allows the Permittee to separately list in the permit application units or activities that qualify as "insignificant" based on potential emissions below 2 tons per year (tpy) for all regulated pollutants that are not listed as hazardous air pollutants (HAPs) under section 112(b) and below 1,000 lbs/year or the deminimis level established under section 112(g), whichever is lower, for HAPs. However, the application may not omit information needed to determine the applicability of or to impose, any applicable requirement. Units and activities that qualify as "insignificant" for the purposes of the Part 71 application are in no way exempt from applicable requirements or any requirements of the Part 71 permit.

Table 1 – Emission Units and Emission Generating Activities

Unit I.D.	Description		Control Equipment
	Caterpillar G3516LE; 1,340 hp* 4-Stroke Lean-Burn Reciprocating Internal Combustion Engines Natural Gas-Fired		
RB#1	Serial No. 4EK04225	Installed: 7/20/2013 Mfg*: 10/2004	Oxidation Catalyst
RB#2	Serial No. 4EK04234	Installed: 7/26/2013 Mfg: 9/2004	
RB#3	Serial No. 4EK04235	Installed: 6/23/2013 Mfg: 10/2004	
RB#5	Serial No. 4EK04227	Installed: 9/15/2015 Mfg: 9/30/2004	
Dehy#3	24 MMscfd Triethylene Glycol Dehydration Unit Serial No. EL2D78607-01	Installed: 1/1/2006	Thermal Oxidizer
Dehy#4	25 MMscfd Triethylene Glycol Dehydration Unit Serial No. EL9G35501-02	Installed: 12/12/2007	Thermal Oxidizer
	400 bbl* Condensate Storage Tanks 6,000 bbl/year total throughput		
T-1	Installed: 2/1/2007		Thermal Oxidizer
T-2	Installed: 11/1/2011		
T-3	Installed: 11/1/2011		
	Methanol Storage Tanks		
T-4	300 bbl capacity	Installed: 11/1/2011	None (IEU*)
T-5	300 bbl capacity	Installed: 11/1/2011	
T-6	210 bbl capacity	Installed: 11/1/2004	
T-7	210 bbl capacity	Installed: Unknown	
T-8	210 bbl capacity	Installed: Unknown	
F-1	Fugitive Emissions		None
P-1	33 Natural Gas-Driven Pneumatic Pumps		None

Unit I.D.	Description	Control Equipment
-	Pigging Operations	None (IEU)
-	Condensate Truck Loading	None (IEU)
-	0.750 MMBtu/hr Reboiler Heater #3	Operation and Maintenance Standards
-	0.500 MMBtu/hr Reboiler Heater #4	Operation and Maintenance Standards
-	0.250 MMBtu/hr natural gas-fired production heater	None (IEU)
-	1.0 MMBtu/hr natural gas-fired heater/treater	None (IEU)
-	2.5 MMBtu/hr natural gas-fired reboiler	None (IEU)
-	Two (2) 0.250 MMBtu/hr natural gas-fired line heaters	None (IEU)

* Mfg = Manufactured; hp = horsepower; bbl = barrel; MMscfd = million standard cubic feet per day; MMBtu/hr = million British thermal units per hour; IEU = insignificant emission unit.

E. Potential to Emit

Pursuant to 40 CFR 52.21, potential to emit (PTE) is defined as the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a 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, or the effect it would have on emissions, is federally enforceable. Independently enforceable applicable requirements are considered enforceable to the extent that the source is in compliance with the standard. In addition, beneficial reductions in non-targeted pollutants resulting from compliance with an independently enforceable applicable requirement may be counted towards PTE provided the emission reduction of the non-targeted pollutant is enforceable as a practical matter and compliance is being met. See the 1995 guidance memo signed by John Seitz, Director of the Office of Air Quality Planning and Standards titled, "Options for Limiting Potential to Emit of a Stationary Source under Section 112 and Title V of the Clean Air Act".

Monarch reported the controlled emission unit-specific PTE in their Part 71 permit application. The controlled emissions in Table 2 are based on the legally and practically enforceable requirements set forth in this proposed permit.

Table 2 – Potential-to-Emit With Legally and Practically Enforceable Controls

Regulated Air Pollutants (tpy)											
	NO_X*	**CO***	**VOC***	**PM***	**SO_2***	**CH_2O***	**Total HAPs***	**CO_2***	**CH_4* (as CO_2e)**	**N_2O* (as CO_2e)**	**CO_2e***
RB#1	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
RB#2	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
RB#3	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
RB#5	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
D-3	0.0	0.0	1.8	0.0	0.0	0.0	1.2	0.0	0.0	0.0	0.0
D-4	0.0	0.0	2.0	0.0	0.0	0.0	1.4	0.0	0.0	0.0	0.0
T-1, T-2, T-3	0.0	0.0	0.85	0.0	0.0	0.0	0.8	0.0	0.0	0.0	0.0
F-1	0.0	0.0	10.1	0.0	0.0	0.0	0.4	0.0	0.0	0.0	0.0
P-1	0.0	0.0	25.5	0.0	0.0	0.0	1.0	0.0	2,395.0	0.0	2,395.0
IEUs	2.8	5.2	2.7	0.2	0.0	0.0	0.1	0.0	0.0	0.0	0.0
TOTAL	**106.4**	**108.8**	**65.8**	**0.2**	**0.0**	**12.8**	**20.5**	**20,513.2**	**2,405**	**12.0**	**22,930.2**

*NO_X = nitrogen oxide; CO = carbon monoxide; VOC = volatile organic compound; PM = particulate matter; SO_2 = sulfur dioxide; CH_2O = formaldehyde; HAP = hazardous air pollutant; CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; CO_2e = equivalent CO_2.

II. Applicable Requirement Review

The following sections discuss the information provided by Monarch in their Part 71 application, certified to be true and accurate by the Responsible Official of this facility.

A. 40 CFR 52.21 - Prevention of Significant Deterioration

The Prevention of Significant Deterioration Permit Program at 40 CFR Part 52 (PSD) is a preconstruction review requirement of the CAA that applies to proposed projects that are sufficiently large (in terms of emissions) to be a "major" stationary source or "major" modification of an existing stationary source. Source size is defined in terms of "potential to emit," which is its capability at maximum design capacity to emit a pollutant, except as constrained by existing legally and practically enforceable conditions applicable to the source. A new stationary source or a modification to an existing minor stationary source is major if the proposed project has the PTE any pollutant regulated under the CAA in amounts equal to or exceeding specified major source thresholds, which are 100 tpy for 28 listed industrial source categories and 250 tpy for all other sources. PSD also applies to modifications at existing major sources that cause a "significant net emissions increase" at that source. Significance levels for each pollutant are defined in the PSD regulations at 40 CFR 52.21.

According to the emissions information provided by Monarch in their Part 71 application, this facility is currently a minor source with respect to PSD as the PTE does not exceed the threshold of criteria pollutants regulated under PSD.

B. 40 CFR Part 60, Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After July 23, 1984

This subpart establishes requirements for controlling VOC emissions from storage vessels with a capacity greater than or equal to 75 cubic meters that are used to store volatile organic liquids for which construction, reconstruction, or modification commenced after July 23, 1984.

Based on the information provided by Monarch in their Part 71 application and our review of that information, the condensate tanks, T-1, T-2, and T-3, and methanol tanks T-4, T-5, T-6, T-7, and T-8 at this facility are exempt from these requirements, because they have a capacity of less than 10,000 bbls.

C. 40 CFR Part 60, Subpart KKK: Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011

This subpart establishes requirements for controlling fugitive VOC emissions from onshore natural gas processing plants. It applies to natural gas processing plants that commenced construction, reconstruction, or modification after January 20, 1984 and on or before August 23, 2011.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend is not a natural gas processing plant, therefore the facility is not subject to this subpart.

D. 40 CFR Part 60, Subpart LLL: Standards of Performance for SO_2 Emissions From Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011

This subpart applies to sweetening units and sulfur recovery units at onshore natural gas processing facilities. As defined in this subpart, sweetening units are process devices that separate hydrogen sulfide (H_2S) and CO_2 from a sour natural gas stream. Sulfur recovery units are defined as process devices that recover sulfur from the acid gas (consisting of H_2S and CO_2) removed by a sweetening unit.

Based on the information provided by Monarch in their Part 71 application and our review of that information, neither sweetening nor sulfur recovery are performed at the facility. Therefore, this facility is not subject to this subpart.

E. 40 CFR Part 60, Subpart JJJJ: Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

This subpart establishes emission standards and compliance requirements for the control of emissions from stationary spark ignition internal combustion engines that commenced construction, modification, or reconstruction after June 12, 2006, and are manufactured on or after specified manufacture trigger dates. The manufacture trigger dates are based on the engine type, fuel used, and maximum engine horsepower.

Based on the information provided by Monarch in their Part 71 application and our review of that information, the engines operating at the facility were manufactured prior to the manufacture trigger dates in the rule (January 1, 2008 for engines RB#1, RB#2, RB#3, and RB#5). Therefore, this subpart does not apply.

F. 40 CFR Part 60, Subpart OOOO – Standards of Performance for Crude Oil and Natural Gas production, Transmission, and Distribution

This subpart establishes emission standards for the control of VOC and SO_2 emissions from affected facilities that commence construction, modification, or reconstruction after August 23, 2011. Affected facilities include, but are not limited to well completions, centrifugal compressors, reciprocating compressors, pneumatic controllers, storage vessels, and sweetening units.

Based on the information provided by Monarch in their Part 71 application and our review of that information, the current equipment at Riverbend predates the applicability date for this subpart. Therefore, Riverbend is not subject to this subpart.

G. 40 CFR Part 63, Subpart HH: National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities

This subpart establishes emission standards for the control of HAP emissions from affected units located at natural gas production facilities that process, upgrade, or store natural gas prior to the point of custody transfer, or that process, upgrade, or store natural gas prior to the point at which natural gas enters the natural gas transmission and storage source category or is delivered to a final end user. The affected units are glycol dehydration units, storage vessels with the potential for flash emissions (as defined in the rule) and the group of ancillary equipment and compressors intended to operate in volatile HAP service which are located at natural gas processing plants.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend does not operate any storage vessels with the potential for flash emissions (as defined in the rule). Uncontrolled emissions from dehydration units Dehy#3 and Dehy#4 exceed the major source thresholds for HAPs. Therefore, dehydration units Dehy#3 and Dehy#4 are subject to the major source requirements of this subpart.

H. 40 CFR Part 63, Subpart ZZZZ (MACT ZZZZ): National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

This subpart establishes emission standards and operating limitations for the control of HAP emissions from spark ignition and compression ignition reciprocating internal combustion engines.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend is subject to the major source requirements of this subpart. The affected units are the reciprocating internal combustion engines operating at the facility.

I. 40 CFR Part 63, Subpart DDDDD (Boiler MACT): National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters

This rule establishes national emission limitations and operating limitations for HAPs emitted from new and existing industrial boilers, institutional boilers, commercial boilers, and process heaters that are located at major sources of HAPs. For the purposes of this subpart, a major source of HAPs is as defined in §63.2, except that for oil and natural gas production facilities, a major source of HAPs is as defined in §63.761. Boilers or process heaters that combust natural gas for fuel or have a maximum designed heat input capacity less than 10 MMBtu/hr are subject to work practice standards in lieu of emission limits. For the purposes of this subpart, an affected unit is an existing unit if it was constructed prior to June 4, 2010.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Dehydration Unit Reboiler #3 and Dehydration Unit Reboiler #4 meet the definition of existing process heaters in the rule. However, Riverbend does not meet the definition of a major source under the rule. Therefore, this subpart does not apply.

J. 40 CFR Part 63, Subpart JJJJJJ (Boiler MACT (for area sources)): National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers.

This rule establishes national emission standards and operating limitations for HAPs emitted from new and existing industrial boilers, institutional boilers, and commercial boilers that are fueled by coal, biomass, or oil and are located at area sources of HAPs. For the purposes of this subpart, an affected unit is an existing unit if it was constructed prior to June 4, 2010.

Based on the information provided by Monarch in their Part 71 application and our review of that information, there are no industrial, commercial, or institutional boilers located at Riverbend. Therefore, Subpart JJJJJJ does not apply.

K. 40 CFR Part 64: Compliance Assurance Monitoring

Pursuant to requirements concerning enhanced monitoring and compliance certification under the CAA, the EPA promulgated regulations to implement compliance assurance monitoring (CAM) for major stationary sources of air pollution, for purposes of Title V permitting that are required to obtain operating permits under Part 71. The rule requires owners or operators of such sources to conduct monitoring that provide a reasonable assurance of compliance with applicable requirements under the CAA. The effective date of this rule is November 21, 1997.

1. CAM Applicability

According to §64.2(a), CAM applies to <u>each</u> pollutant specific emission unit (PSEU) located at a major source which is required to obtain a Part 71 permit if the unit satisfies all of the following criteria:

(a) The unit is subject to an emission limitation or standard for the applicable regulated air pollutant other than an emissions limitation or standard that is exempt under §64.2(b)(1);

(b) The unit uses a control device to achieve compliance with any such limit or standard; and

(c) The unit has pre-control device emissions of the applicable regulated pollutant that are equal to or greater than 100 percent of the amount, in tpy, required for a source to be classified as a major Title V source.

2. CAM Plan Submittal Deadlines

(a) <u>Large pollutant-specific emissions units</u>. A CAM plan submittal for all PSEUs with the PTE (taking into account control devices) of any one regulated air pollutant in an amount equal to or greater than 100 percent of the amount, in tpy, required for a source to be classified as a major source, is due at the following times:

(i) On or after April 20, 1998, if by that date, a Part 71 application has either:

(A) Not been filed; or
(B) Not yet been determined to be complete.

(ii) On or after April 20, 1998, if a Part 71 permit application for a significant modification is submitted with respect to those PSEUs for which the requested permit revision is applicable; or

(iii) Upon application for a renewed Part 71 permit and a CAM plan has not yet been submitted with an initial or a significant modification application, as specified above.

(b) Other pollutant-specific emissions units. A CAM Plan must be submitted for all PSEUs that are not large PSEUs, but are subject to this rule, upon application for a Part 71 renewal permit.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend is a major source of NO_X, CO, and HAPs. Dehy#3 and Dehy#4 are both PSEUs with pre-controlled emissions that equal or exceed 100percent of VOC and HAP thresholds. However, Dehy#3 and Dehy#4 are subject to 40 CFR Part 63, Subpart HH and thus meet the exemption criteria of §64.2(b)(1). Since no other PSEUs at the facility have pre-controlled emissions that exceed or equal 100 percent of major source thresholds, Riverbend is not subject to CAM requirements.

L. 40 CFR Part 68: Chemical Accident Prevention Provisions.

This rule applies to stationary sources that manufacture, process, use, store, or otherwise handle more than the threshold quantity of a regulated substance in a process. Regulated substances include 77 toxic and 63 flammable substances which are potentially present in the natural gas stream entering the facility and in the storage vessels located at the facility. The quantity of a regulated substance in a process is determined according to the procedures presented under §68.115. §68.115(b)(l) and (2)(i) indicate that toxic and flammable substances in a mixture do not need to be considered when determining whether more than a threshold quantity is present at a stationary source if the concentration of the substance is below one percent by weight of the mixture. §68.115(b)(2)(iii) indicates that prior to entry into a natural gas processing plant, regulated substances in naturally occurring hydrocarbon mixtures need not be considered when determining whether more than a threshold quantity is present at a stationary source. Naturally occurring hydrocarbon mixtures include condensate, field gas, and produced water. Based on the updated information provided in Monarch's 2014 supplemental application, Riverbend does not have regulated substances above the threshold quantities in this rule and therefore is not subject to the requirement to develop and submit a risk management plan.

M. Consent Decree Case No. 2:08-CV-00167-TS-PMV

Riverbend is subject to the requirements of Consent Decree Case No. 2:10-cv-01282-PMW (Consent Decree), filed on April 6, 2011. The Consent Decree has been included in Appendix A of this permit.

III. EPA Authority

Title V of the CAA requires that the EPA promulgate, administer, and enforce a federal operating permit program when a state does not submit an approvable program within the time frame set by Title V or does not adequately administer and enforce its EPA approved program. On July 1, 1996 (61 FR 34202), the EPA adopted regulations codified at 40 CFR Part 71 setting forth the procedures and terms under which the agency would administer a federal operating permit program. These regulations were updated on February 19, 1999 (64 FR 8247) to incorporate the EPA's approach for issuing federal operating permits to stationary sources in Indian country.

As described in 40 CFR 71.4(a), the EPA will implement a Part 71 program in areas where a state, local, or tribal agency has not developed an approved Part 70 program. Unlike states, tribes are not required to develop operating permits programs, though the EPA encourages tribes to do so. See, e.g., Indian Tribes: Air Quality Planning and Management (63 FR 7253, February 12, 1998) (also known as the "Tribal Authority Rule"). Therefore, within Indian country, the EPA will administer and enforce a Part 71 federal operating permit program for stationary sources until a tribe receives approval to administer their own operating permit program.

IV. Use of All Credible Evidence

Determinations of deviations, continuous or intermittent compliance status, or violations of the permit are not limited to the testing or monitoring methods required by the underlying regulations or this permit; other credible evidence (including any evidence admissible under the Federal Rules of Evidence) must be considered by the Permittee and the EPA in such determinations.

V. Public Participation

A. Public Notice

As described in 40 CFR 71.11(a)(5), all Part 71 draft operating permits shall be publicly noticed and made available for public comment. The public notice of permit actions and public comment period is described in 40 CFR 71(d).

There will be a 30 day public comment period for actions pertaining to a draft permit. Notification will be given for this draft permit by mailing a copy of the notice to the permit applicant, the affected state, tribal and local air pollution control agencies, the city and county executives, and the state and federal land managers which have jurisdiction over the area where the source is located. A notification will be provided to all persons who have submitted a written request to be included on the mailing list.

If you would like to be added to our mailing list to be informed of future actions on these or other CAA permits issued in Indian country, please send your name and address to the contact listed below:

Part 71 Permitting Lead
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street (8P-AR)
Denver, Colorado 80202-1129

Public notice will be published in the Vernal Express giving opportunity for public comment on the draft permit and the opportunity to request a public hearing.

B. Opportunity to Comment

Members of the public will be given an opportunity to review a copy of the draft permit prepared by the EPA, the application, this Statement of Basis for the draft permit and all supporting materials for the draft permit. Copies of these documents are available at:

Uintah County Clerk's Office
147 East Main Street, Suite 2300
Vernal, Utah 84078

And

Ute Indian Tribe
Energy & Mineral Department
910 South 7500 East
Fort Duchesne, Utah 84026

and

U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street (8P-AR)
Denver, Colorado 80202-1129

All documents are available for review at the Region 8 office Monday through Friday from 8:00 a.m. to 4:00 p.m. (excluding federal holidays).

Any interested person may submit written comments on the draft Part 71 operating permit during the public comment period to the Part 71 Permitting Lead, U.S. EPA Region 8. All comments will be considered and answered by the EPA in making the final decision on the permit. The EPA keeps a record of the commenters and of the issues raised during the public participation process.

Anyone, including the applicant, who believes any condition of the draft permit is inappropriate should raise all reasonable ascertainable issues and submit all arguments supporting their position by the close of the public comment period. Any supporting materials submitted must be included in full and may not be incorporated by reference, unless the material has already been submitted as part of the administrative record in the same proceeding or consists of state or federal statutes and regulations, EPA documents of general applicability or other generally available reference material.

C. Opportunity to Request a Hearing

A person may submit a written request for a public hearing to the Part 71 Permitting Lead, U.S. EPA Region 8, by stating the nature of the issues to be raised at the public hearing. Based on the number of hearing requests received, the EPA will hold a public hearing whenever it finds there is a significant degree of public interest in a draft operating permit. The EPA will provide public notice of the public hearing. If a public hearing is held, any person may submit oral or written statements and data concerning the draft permit.

D. Appeal of Permits

Within 30 days after the issuance of a final permit decision, any person who filed comments on the draft permit or participated in the public hearing may petition to the Environmental Appeals Board (EAB) to review any condition of the permit decision. Any person who failed to file comments or participate in the public hearing may petition for administrative review, only if the changes from the draft to the final permit decision or other new grounds were not reasonably foreseeable during the public comment period. The 30-day period to appeal a permit begins with the EPA's service of the notice of the final permit decision.

The petition to appeal a permit must include a statement of the reasons supporting the review, a demonstration that any issues were raised during the public comment period, a demonstration that it was impracticable to raise the objections within the public comment period, or that the grounds for such objections arose after such a period. When appropriate, the petition may include a showing that the condition in question is based on a finding of fact or conclusion of law which is clearly erroneous; or, an exercise of discretion, or an important policy consideration that the EAB should review.

The EAB will issue an order either granting or denying the petition for review, within a reasonable time following the filing of the petition. Public notice of the grant of review will establish a briefing schedule for the appeal and state that any interested person may file an amicus brief. Notice of denial of review will be sent only to the permit applicant and to the person requesting the review. To the extent review is denied, the conditions of the final permit decision become final agency action.

A motion to reconsider a final order shall be filed within ten days after the service of the final order. Every motion must set forth the matters claimed to have been erroneously decided and the nature of the alleged errors. Motions for reconsideration shall be directed to the Administrator rather than the EAB. A motion for reconsideration shall not stay the effective date of the final order unless it is specifically ordered by the EAB.

E. Petition to Reopen a Permit for Cause

Any interested person may petition the EPA to reopen a permit for cause, and the EPA may commence a permit reopening on its own initiative. The EPA will only revise, revoke and reissue, or terminate a permit for the reasons specified in 40 CFR 71.7(f) or 71.6(a)(6)(i). All requests must be in writing and must contain facts or reasons supporting the request. If the EPA decides the request is not justified, it will send the requester a brief written response giving a reason for the decision. Denial of these requests is not subject to public notice, comment, or hearings. Denials can be informally appealed to the EAB by a letter briefly setting forth the relevant facts.

Air Pollution Control
Federal Clean Air Act (CAA) Title V Permit to Operate
Statement of Basis for Draft Permit No. V-UO-000021-2008.00

Monarch Natural Gas, LLC
Riverbend Compressor Station
Uintah & Ouray Reservation
Uintah County, Utah

I. Facility Information

A. Location

The Riverbend Compressor Station (Riverbend), owned and operated by Monarch Natural Gas, LLC (Monarch), is located within the exterior boundaries of the Uintah and Ouray Reservation approximately 13 miles southeast of the town of Myton, Utah. The exact location is Latitude 39° 58' 55.543" N, Longitude 109° 50' 51.125" W. The mailing address is:

Monarch Natural Gas, LLC
5613 DTC Parkway, Suite 310
Greenwood Village, Colorado 80111

B. Contact

Charlene Pearson
Monarch Natural Gas, LLC
5613 DTC Parkway, Suite 310
Greenwood Village, Colorado 80111
720-381-4585

C. Description of Operations

Riverbend gathers hydrocarbons (natural gas and natural gas condensate) from surrounding well sites via a gathering pipeline system. The natural gas condensate gathered in the well field is temporary stored in storage tanks in the field prior to being sent to the Riverbend. The stabilized natural gas condensate from the well field is then routed to natural gas condensate storage tanks at the Riverbend. The natural gas is sent to two triethylene glycol dehydration units to remove water vapor entrained in the gas stream. The natural gas is then compressed with four natural gas-fired compressor engines. The compressed natural gas is routed to the gas sales pipeline. The natural gas condensate is transported off site by tanker trucks. The facility also utilizes a methanol injection system to reduce the formation of hydrates in the gas stream. Emission controls for the facility include:

1. An oxidation catalyst for lean-burn engines; and
2. A thermal oxidizer for the condensate storage tanks and dehydration units.

D. Emission Points

Table 1 lists emission units and emission generating activities, including any air pollution control devices.

The Title V Operating Permit Program at 40 CFR Part 71 (Part 71) allows the Permittee to separately list in the permit application units or activities that qualify as "insignificant" based on potential emissions below 2 tons per year (tpy) for all regulated pollutants that are not listed as hazardous air pollutants (HAPs) under section 112(b) and below 1,000 lbs/year or the deminimis level established under section 112(g), whichever is lower, for HAPs. However, the application may not omit information needed to determine the applicability of or to impose, any applicable requirement. Units and activities that qualify as "insignificant" for the purposes of the Part 71 application are in no way exempt from applicable requirements or any requirements of the Part 71 permit.

Table 1 – Emission Units and Emission Generating Activities

Unit I.D.	Description		Control Equipment
	Caterpillar G3516LE; 1,340 hp* 4-Stroke Lean-Burn Reciprocating Internal Combustion Engines Natural Gas-Fired		
RB#1	Serial No. 4EK04225	Installed: 7/20/2013 Mfg*: 10/2004	Oxidation Catalyst
RB#2	Serial No. 4EK04234	Installed: 7/26/2013 Mfg: 9/2004	
RB#3	Serial No. 4EK04235	Installed: 6/23/2013 Mfg: 10/2004	
RB#5	Serial No. 4EK04227	Installed: 9/15/2015 Mfg: 9/30/2004	
Dehy#3	24 MMscfd Triethylene Glycol Dehydration Unit Serial No. EL2D78607-01	Installed: 1/1/2006	Thermal Oxidizer
Dehy#4	25 MMscfd Triethylene Glycol Dehydration Unit Serial No. EL9G35501-02	Installed: 12/12/2007	Thermal Oxidizer
	400 bbl* Condensate Storage Tanks 6,000 bbl/year total throughput		
T-1	Installed: 2/1/2007		Thermal Oxidizer
T-2	Installed: 11/1/2011		
T-3	Installed: 11/1/2011		
	Methanol Storage Tanks		
T-4	300 bbl capacity	Installed: 11/1/2011	None (IEU*)
T-5	300 bbl capacity	Installed: 11/1/2011	
T-6	210 bbl capacity	Installed: 11/1/2004	
T-7	210 bbl capacity	Installed: Unknown	
T-8	210 bbl capacity	Installed: Unknown	
F-1	Fugitive Emissions		None
P-1	33 Natural Gas-Driven Pneumatic Pumps		None

Unit I.D.	Description	Control Equipment
-	Pigging Operations	None (IEU)
-	Condensate Truck Loading	None (IEU)
-	0.750 MMBtu/hr Reboiler Heater #3	Operation and Maintenance Standards
-	0.500 MMBtu/hr Reboiler Heater #4	Operation and Maintenance Standards
-	0.250 MMBtu/hr natural gas-fired production heater	None (IEU)
-	1.0 MMBtu/hr natural gas-fired heater/treater	None (IEU)
-	2.5 MMBtu/hr natural gas-fired reboiler	None (IEU)
-	Two (2) 0.250 MMBtu/hr natural gas-fired line heaters	None (IEU)

* Mfg = Manufactured; hp = horsepower; bbl = barrel; MMscfd = million standard cubic feet per day; MMBtu/hr = million British thermal units per hour; IEU = insignificant emission unit.

E. Potential to Emit

Pursuant to 40 CFR 52.21, potential to emit (PTE) is defined as the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a 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, or the effect it would have on emissions, is federally enforceable. Independently enforceable applicable requirements are considered enforceable to the extent that the source is in compliance with the standard. In addition, beneficial reductions in non-targeted pollutants resulting from compliance with an independently enforceable applicable requirement may be counted towards PTE provided the emission reduction of the non-targeted pollutant is enforceable as a practical matter and compliance is being met. See the 1995 guidance memo signed by John Seitz, Director of the Office of Air Quality Planning and Standards titled, "Options for Limiting Potential to Emit of a Stationary Source under Section 112 and Title V of the Clean Air Act".

Monarch reported the controlled emission unit-specific PTE in their Part 71 permit application. The controlled emissions in Table 2 are based on the legally and practically enforceable requirements set forth in this proposed permit.

Table 2 – Potential-to-Emit With Legally and Practically Enforceable Controls

Regulated Air Pollutants (tpy)											
	NO_X*	**CO***	**VOC***	**PM***	**SO_2***	**CH_2O***	**Total HAPs***	**CO_2***	**CH_4* (as CO_2e)**	**N_2O* (as CO_2e)**	**CO_2e***
RB#1	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
RB#2	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
RB#3	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
RB#5	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
D-3	0.0	0.0	1.8	0.0	0.0	0.0	1.2	0.0	0.0	0.0	0.0
D-4	0.0	0.0	2.0	0.0	0.0	0.0	1.4	0.0	0.0	0.0	0.0
T-1, T-2, T-3	0.0	0.0	0.85	0.0	0.0	0.0	0.8	0.0	0.0	0.0	0.0
F-1	0.0	0.0	10.1	0.0	0.0	0.0	0.4	0.0	0.0	0.0	0.0
P-1	0.0	0.0	25.5	0.0	0.0	0.0	1.0	0.0	2,395.0	0.0	2,395.0
IEUs	2.8	5.2	2.7	0.2	0.0	0.0	0.1	0.0	0.0	0.0	0.0
TOTAL	**106.4**	**108.8**	**65.8**	**0.2**	**0.0**	**12.8**	**20.5**	**20,513.2**	**2,405**	**12.0**	**22,930.2**

*NO_X = nitrogen oxide; CO = carbon monoxide; VOC = volatile organic compound; PM = particulate matter; SO_2 = sulfur dioxide; CH_2O = formaldehyde; HAP = hazardous air pollutant; CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; CO_2e = equivalent CO_2.

II. Applicable Requirement Review

The following sections discuss the information provided by Monarch in their Part 71 application, certified to be true and accurate by the Responsible Official of this facility.

A. 40 CFR 52.21 - Prevention of Significant Deterioration

The Prevention of Significant Deterioration Permit Program at 40 CFR Part 52 (PSD) is a preconstruction review requirement of the CAA that applies to proposed projects that are sufficiently large (in terms of emissions) to be a "major" stationary source or "major" modification of an existing stationary source. Source size is defined in terms of "potential to emit," which is its capability at maximum design capacity to emit a pollutant, except as constrained by existing legally and practically enforceable conditions applicable to the source. A new stationary source or a modification to an existing minor stationary source is major if the proposed project has the PTE any pollutant regulated under the CAA in amounts equal to or exceeding specified major source thresholds, which are 100 tpy for 28 listed industrial source categories and 250 tpy for all other sources. PSD also applies to modifications at existing major sources that cause a "significant net emissions increase" at that source. Significance levels for each pollutant are defined in the PSD regulations at 40 CFR 52.21.

According to the emissions information provided by Monarch in their Part 71 application, this facility is currently a minor source with respect to PSD as the PTE does not exceed the threshold of criteria pollutants regulated under PSD.

B. 40 CFR Part 60, Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After July 23, 1984

This subpart establishes requirements for controlling VOC emissions from storage vessels with a capacity greater than or equal to 75 cubic meters that are used to store volatile organic liquids for which construction, reconstruction, or modification commenced after July 23, 1984.

Based on the information provided by Monarch in their Part 71 application and our review of that information, the condensate tanks, T-1, T-2, and T-3, and methanol tanks T-4, T-5, T-6, T-7, and T-8 at this facility are exempt from these requirements, because they have a capacity of less than 10,000 bbls.

C. 40 CFR Part 60, Subpart KKK: Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011

This subpart establishes requirements for controlling fugitive VOC emissions from onshore natural gas processing plants. It applies to natural gas processing plants that commenced construction, reconstruction, or modification after January 20, 1984 and on or before August 23, 2011.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend is not a natural gas processing plant, therefore the facility is not subject to this subpart.

D. 40 CFR Part 60, Subpart LLL: Standards of Performance for SO_2 Emissions From Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011

This subpart applies to sweetening units and sulfur recovery units at onshore natural gas processing facilities. As defined in this subpart, sweetening units are process devices that separate hydrogen sulfide (H_2S) and CO_2 from a sour natural gas stream. Sulfur recovery units are defined as process devices that recover sulfur from the acid gas (consisting of H_2S and CO_2) removed by a sweetening unit.

Based on the information provided by Monarch in their Part 71 application and our review of that information, neither sweetening nor sulfur recovery are performed at the facility. Therefore, this facility is not subject to this subpart.

E. 40 CFR Part 60, Subpart JJJJ: Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

This subpart establishes emission standards and compliance requirements for the control of emissions from stationary spark ignition internal combustion engines that commenced construction, modification, or reconstruction after June 12, 2006, and are manufactured on or after specified manufacture trigger dates. The manufacture trigger dates are based on the engine type, fuel used, and maximum engine horsepower.

Based on the information provided by Monarch in their Part 71 application and our review of that information, the engines operating at the facility were manufactured prior to the manufacture trigger dates in the rule (January 1, 2008 for engines RB#1, RB#2, RB#3, and RB#5). Therefore, this subpart does not apply.

F. 40 CFR Part 60, Subpart OOOO – Standards of Performance for Crude Oil and Natural Gas production, Transmission, and Distribution

This subpart establishes emission standards for the control of VOC and SO_2 emissions from affected facilities that commence construction, modification, or reconstruction after August 23, 2011. Affected facilities include, but are not limited to well completions, centrifugal compressors, reciprocating compressors, pneumatic controllers, storage vessels, and sweetening units.

Based on the information provided by Monarch in their Part 71 application and our review of that information, the current equipment at Riverbend predates the applicability date for this subpart. Therefore, Riverbend is not subject to this subpart.

G. 40 CFR Part 63, Subpart HH: National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities

This subpart establishes emission standards for the control of HAP emissions from affected units located at natural gas production facilities that process, upgrade, or store natural gas prior to the point of custody transfer, or that process, upgrade, or store natural gas prior to the point at which natural gas enters the natural gas transmission and storage source category or is delivered to a final end user. The affected units are glycol dehydration units, storage vessels with the potential for flash emissions (as defined in the rule) and the group of ancillary equipment and compressors intended to operate in volatile HAP service which are located at natural gas processing plants.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend does not operate any storage vessels with the potential for flash emissions (as defined in the rule). Uncontrolled emissions from dehydration units Dehy#3 and Dehy#4 exceed the major source thresholds for HAPs. Therefore, dehydration units Dehy#3 and Dehy#4 are subject to the major source requirements of this subpart.

H. 40 CFR Part 63, Subpart ZZZZ (MACT ZZZZ): National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

This subpart establishes emission standards and operating limitations for the control of HAP emissions from spark ignition and compression ignition reciprocating internal combustion engines.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend is subject to the major source requirements of this subpart. The affected units are the reciprocating internal combustion engines operating at the facility.

I. 40 CFR Part 63, Subpart DDDDD (Boiler MACT): National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters

This rule establishes national emission limitations and operating limitations for HAPs emitted from new and existing industrial boilers, institutional boilers, commercial boilers, and process heaters that are located at major sources of HAPs. For the purposes of this subpart, a major source of HAPs is as defined in §63.2, except that for oil and natural gas production facilities, a major source of HAPs is as defined in §63.761. Boilers or process heaters that combust natural gas for fuel or have a maximum designed heat input capacity less than 10 MMBtu/hr are subject to work practice standards in lieu of emission limits. For the purposes of this subpart, an affected unit is an existing unit if it was constructed prior to June 4, 2010.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Dehydration Unit Reboiler #3 and Dehydration Unit Reboiler #4 meet the definition of existing process heaters in the rule. However, Riverbend does not meet the definition of a major source under the rule. Therefore, this subpart does not apply.

J. 40 CFR Part 63, Subpart JJJJJJ (Boiler MACT (for area sources)): National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers.

This rule establishes national emission standards and operating limitations for HAPs emitted from new and existing industrial boilers, institutional boilers, and commercial boilers that are fueled by coal, biomass, or oil and are located at area sources of HAPs. For the purposes of this subpart, an affected unit is an existing unit if it was constructed prior to June 4, 2010.

Based on the information provided by Monarch in their Part 71 application and our review of that information, there are no industrial, commercial, or institutional boilers located at Riverbend. Therefore, Subpart JJJJJJ does not apply.

K. 40 CFR Part 64: Compliance Assurance Monitoring

Pursuant to requirements concerning enhanced monitoring and compliance certification under the CAA, the EPA promulgated regulations to implement compliance assurance monitoring (CAM) for major stationary sources of air pollution, for purposes of Title V permitting that are required to obtain operating permits under Part 71. The rule requires owners or operators of such sources to conduct monitoring that provide a reasonable assurance of compliance with applicable requirements under the CAA. The effective date of this rule is November 21, 1997.

1. CAM Applicability

According to §64.2(a), CAM applies to <u>each</u> pollutant specific emission unit (PSEU) located at a major source which is required to obtain a Part 71 permit if the unit satisfies all of the following criteria:

(a) The unit is subject to an emission limitation or standard for the applicable regulated air pollutant other than an emissions limitation or standard that is exempt under §64.2(b)(1);

(b) The unit uses a control device to achieve compliance with any such limit or standard; and

(c) The unit has pre-control device emissions of the applicable regulated pollutant that are equal to or greater than 100 percent of the amount, in tpy, required for a source to be classified as a major Title V source.

2. CAM Plan Submittal Deadlines

(a) <u>Large pollutant-specific emissions units</u>. A CAM plan submittal for all PSEUs with the PTE (taking into account control devices) of any one regulated air pollutant in an amount equal to or greater than 100 percent of the amount, in tpy, required for a source to be classified as a major source, is due at the following times:

(i) On or after April 20, 1998, if by that date, a Part 71 application has either:

(A) Not been filed; or
(B) Not yet been determined to be complete.

(ii) On or after April 20, 1998, if a Part 71 permit application for a significant modification is submitted with respect to those PSEUs for which the requested permit revision is applicable; or

(iii) Upon application for a renewed Part 71 permit and a CAM plan has not yet been submitted with an initial or a significant modification application, as specified above.

(b) Other pollutant-specific emissions units. A CAM Plan must be submitted for all PSEUs that are not large PSEUs, but are subject to this rule, upon application for a Part 71 renewal permit.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend is a major source of NO_X, CO, and HAPs. Dehy#3 and Dehy#4 are both PSEUs with pre-controlled emissions that equal or exceed 100percent of VOC and HAP thresholds. However, Dehy#3 and Dehy#4 are subject to 40 CFR Part 63, Subpart HH and thus meet the exemption criteria of §64.2(b)(1). Since no other PSEUs at the facility have pre-controlled emissions that exceed or equal 100 percent of major source thresholds, Riverbend is not subject to CAM requirements.

L. 40 CFR Part 68: Chemical Accident Prevention Provisions.

This rule applies to stationary sources that manufacture, process, use, store, or otherwise handle more than the threshold quantity of a regulated substance in a process. Regulated substances include 77 toxic and 63 flammable substances which are potentially present in the natural gas stream entering the facility and in the storage vessels located at the facility. The quantity of a regulated substance in a process is determined according to the procedures presented under §68.115. §68.115(b)(l) and (2)(i) indicate that toxic and flammable substances in a mixture do not need to be considered when determining whether more than a threshold quantity is present at a stationary source if the concentration of the substance is below one percent by weight of the mixture. §68.115(b)(2)(iii) indicates that prior to entry into a natural gas processing plant, regulated substances in naturally occurring hydrocarbon mixtures need not be considered when determining whether more than a threshold quantity is present at a stationary source. Naturally occurring hydrocarbon mixtures include condensate, field gas, and produced water. Based on the updated information provided in Monarch's 2014 supplemental application, Riverbend does not have regulated substances above the threshold quantities in this rule and therefore is not subject to the requirement to develop and submit a risk management plan.

M. Consent Decree Case No. 2:08-CV-00167-TS-PMV

Riverbend is subject to the requirements of Consent Decree Case No. 2:10-cv-01282-PMW (Consent Decree), filed on April 6, 2011. The Consent Decree has been included in Appendix A of this permit.

III. EPA Authority

Title V of the CAA requires that the EPA promulgate, administer, and enforce a federal operating permit program when a state does not submit an approvable program within the time frame set by Title V or does not adequately administer and enforce its EPA approved program. On July 1, 1996 (61 FR 34202), the EPA adopted regulations codified at 40 CFR Part 71 setting forth the procedures and terms under which the agency would administer a federal operating permit program. These regulations were updated on February 19, 1999 (64 FR 8247) to incorporate the EPA's approach for issuing federal operating permits to stationary sources in Indian country.

As described in 40 CFR 71.4(a), the EPA will implement a Part 71 program in areas where a state, local, or tribal agency has not developed an approved Part 70 program. Unlike states, tribes are not required to develop operating permits programs, though the EPA encourages tribes to do so. See, e.g., Indian Tribes: Air Quality Planning and Management (63 FR 7253, February 12, 1998) (also known as the "Tribal Authority Rule"). Therefore, within Indian country, the EPA will administer and enforce a Part 71 federal operating permit program for stationary sources until a tribe receives approval to administer their own operating permit program.

IV. Use of All Credible Evidence

Determinations of deviations, continuous or intermittent compliance status, or violations of the permit are not limited to the testing or monitoring methods required by the underlying regulations or this permit; other credible evidence (including any evidence admissible under the Federal Rules of Evidence) must be considered by the Permittee and the EPA in such determinations.

V. Public Participation

A. Public Notice

As described in 40 CFR 71.11(a)(5), all Part 71 draft operating permits shall be publicly noticed and made available for public comment. The public notice of permit actions and public comment period is described in 40 CFR 71(d).

There will be a 30 day public comment period for actions pertaining to a draft permit. Notification will be given for this draft permit by mailing a copy of the notice to the permit applicant, the affected state, tribal and local air pollution control agencies, the city and county executives, and the state and federal land managers which have jurisdiction over the area where the source is located. A notification will be provided to all persons who have submitted a written request to be included on the mailing list.

If you would like to be added to our mailing list to be informed of future actions on these or other CAA permits issued in Indian country, please send your name and address to the contact listed below:

Part 71 Permitting Lead
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street (8P-AR)
Denver, Colorado 80202-1129

Public notice will be published in the Vernal Express giving opportunity for public comment on the draft permit and the opportunity to request a public hearing.

B. Opportunity to Comment

Members of the public will be given an opportunity to review a copy of the draft permit prepared by the EPA, the application, this Statement of Basis for the draft permit and all supporting materials for the draft permit. Copies of these documents are available at:

Uintah County Clerk's Office
147 East Main Street, Suite 2300
Vernal, Utah 84078

And

Ute Indian Tribe
Energy & Mineral Department
910 South 7500 East
Fort Duchesne, Utah 84026

and

U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street (8P-AR)
Denver, Colorado 80202-1129

All documents are available for review at the Region 8 office Monday through Friday from 8:00 a.m. to 4:00 p.m. (excluding federal holidays).

Any interested person may submit written comments on the draft Part 71 operating permit during the public comment period to the Part 71 Permitting Lead, U.S. EPA Region 8. All comments will be considered and answered by the EPA in making the final decision on the permit. The EPA keeps a record of the commenters and of the issues raised during the public participation process.

Anyone, including the applicant, who believes any condition of the draft permit is inappropriate should raise all reasonable ascertainable issues and submit all arguments supporting their position by the close of the public comment period. Any supporting materials submitted must be included in full and may not be incorporated by reference, unless the material has already been submitted as part of the administrative record in the same proceeding or consists of state or federal statutes and regulations, EPA documents of general applicability or other generally available reference material.

C. Opportunity to Request a Hearing

A person may submit a written request for a public hearing to the Part 71 Permitting Lead, U.S. EPA Region 8, by stating the nature of the issues to be raised at the public hearing. Based on the number of hearing requests received, the EPA will hold a public hearing whenever it finds there is a significant degree of public interest in a draft operating permit. The EPA will provide public notice of the public hearing. If a public hearing is held, any person may submit oral or written statements and data concerning the draft permit.

D. Appeal of Permits

Within 30 days after the issuance of a final permit decision, any person who filed comments on the draft permit or participated in the public hearing may petition to the Environmental Appeals Board (EAB) to review any condition of the permit decision. Any person who failed to file comments or participate in the public hearing may petition for administrative review, only if the changes from the draft to the final permit decision or other new grounds were not reasonably foreseeable during the public comment period. The 30-day period to appeal a permit begins with the EPA's service of the notice of the final permit decision.

The petition to appeal a permit must include a statement of the reasons supporting the review, a demonstration that any issues were raised during the public comment period, a demonstration that it was impracticable to raise the objections within the public comment period, or that the grounds for such objections arose after such a period. When appropriate, the petition may include a showing that the condition in question is based on a finding of fact or conclusion of law which is clearly erroneous; or, an exercise of discretion, or an important policy consideration that the EAB should review.

The EAB will issue an order either granting or denying the petition for review, within a reasonable time following the filing of the petition. Public notice of the grant of review will establish a briefing schedule for the appeal and state that any interested person may file an amicus brief. Notice of denial of review will be sent only to the permit applicant and to the person requesting the review. To the extent review is denied, the conditions of the final permit decision become final agency action.

A motion to reconsider a final order shall be filed within ten days after the service of the final order. Every motion must set forth the matters claimed to have been erroneously decided and the nature of the alleged errors. Motions for reconsideration shall be directed to the Administrator rather than the EAB. A motion for reconsideration shall not stay the effective date of the final order unless it is specifically ordered by the EAB.

E. Petition to Reopen a Permit for Cause

Any interested person may petition the EPA to reopen a permit for cause, and the EPA may commence a permit reopening on its own initiative. The EPA will only revise, revoke and reissue, or terminate a permit for the reasons specified in 40 CFR 71.7(f) or 71.6(a)(6)(i). All requests must be in writing and must contain facts or reasons supporting the request. If the EPA decides the request is not justified, it will send the requester a brief written response giving a reason for the decision. Denial of these requests is not subject to public notice, comment, or hearings. Denials can be informally appealed to the EAB by a letter briefly setting forth the relevant facts.

Air Pollution Control
Federal Clean Air Act (CAA) Title V Permit to Operate
Statement of Basis for Draft Permit No. V-UO-000021-2008.00

Monarch Natural Gas, LLC
Riverbend Compressor Station
Uintah & Ouray Reservation
Uintah County, Utah

I. Facility Information

A. Location

The Riverbend Compressor Station (Riverbend), owned and operated by Monarch Natural Gas, LLC (Monarch), is located within the exterior boundaries of the Uintah and Ouray Reservation approximately 13 miles southeast of the town of Myton, Utah. The exact location is Latitude 39° 58' 55.543" N, Longitude 109° 50' 51.125" W. The mailing address is:

Monarch Natural Gas, LLC
5613 DTC Parkway, Suite 310
Greenwood Village, Colorado 80111

B. Contact

Charlene Pearson
Monarch Natural Gas, LLC
5613 DTC Parkway, Suite 310
Greenwood Village, Colorado 80111
720-381-4585

C. Description of Operations

Riverbend gathers hydrocarbons (natural gas and natural gas condensate) from surrounding well sites via a gathering pipeline system. The natural gas condensate gathered in the well field is temporary stored in storage tanks in the field prior to being sent to the Riverbend. The stabilized natural gas condensate from the well field is then routed to natural gas condensate storage tanks at the Riverbend. The natural gas is sent to two triethylene glycol dehydration units to remove water vapor entrained in the gas stream. The natural gas is then compressed with four natural gas-fired compressor engines. The compressed natural gas is routed to the gas sales pipeline. The natural gas condensate is transported off site by tanker trucks. The facility also utilizes a methanol injection system to reduce the formation of hydrates in the gas stream. Emission controls for the facility include:

1. An oxidation catalyst for lean-burn engines; and
2. A thermal oxidizer for the condensate storage tanks and dehydration units.

D. Emission Points

Table 1 lists emission units and emission generating activities, including any air pollution control devices.

The Title V Operating Permit Program at 40 CFR Part 71 (Part 71) allows the Permittee to separately list in the permit application units or activities that qualify as "insignificant" based on potential emissions below 2 tons per year (tpy) for all regulated pollutants that are not listed as hazardous air pollutants (HAPs) under section 112(b) and below 1,000 lbs/year or the deminimis level established under section 112(g), whichever is lower, for HAPs. However, the application may not omit information needed to determine the applicability of or to impose, any applicable requirement. Units and activities that qualify as "insignificant" for the purposes of the Part 71 application are in no way exempt from applicable requirements or any requirements of the Part 71 permit.

Table 1 – Emission Units and Emission Generating Activities

Unit I.D.	Description		Control Equipment
	Caterpillar G3516LE; 1,340 hp* 4-Stroke Lean-Burn Reciprocating Internal Combustion Engines Natural Gas-Fired		
RB#1	Serial No. 4EK04225	Installed: 7/20/2013 Mfg*: 10/2004	Oxidation Catalyst
RB#2	Serial No. 4EK04234	Installed: 7/26/2013 Mfg: 9/2004	
RB#3	Serial No. 4EK04235	Installed: 6/23/2013 Mfg: 10/2004	
RB#5	Serial No. 4EK04227	Installed: 9/15/2015 Mfg: 9/30/2004	
Dehy#3	24 MMscfd Triethylene Glycol Dehydration Unit Serial No. EL2D78607-01	Installed: 1/1/2006	Thermal Oxidizer
Dehy#4	25 MMscfd Triethylene Glycol Dehydration Unit Serial No. EL9G35501-02	Installed: 12/12/2007	Thermal Oxidizer
	400 bbl* Condensate Storage Tanks 6,000 bbl/year total throughput		
T-1	Installed: 2/1/2007		Thermal Oxidizer
T-2	Installed: 11/1/2011		
T-3	Installed: 11/1/2011		
	Methanol Storage Tanks		
T-4	300 bbl capacity	Installed: 11/1/2011	None (IEU*)
T-5	300 bbl capacity	Installed: 11/1/2011	
T-6	210 bbl capacity	Installed: 11/1/2004	
T-7	210 bbl capacity	Installed: Unknown	
T-8	210 bbl capacity	Installed: Unknown	
F-1	Fugitive Emissions		None
P-1	33 Natural Gas-Driven Pneumatic Pumps		None

Unit I.D.	Description	Control Equipment
-	Pigging Operations	None (IEU)
-	Condensate Truck Loading	None (IEU)
-	0.750 MMBtu/hr Reboiler Heater #3	Operation and Maintenance Standards
-	0.500 MMBtu/hr Reboiler Heater #4	Operation and Maintenance Standards
-	0.250 MMBtu/hr natural gas-fired production heater	None (IEU)
-	1.0 MMBtu/hr natural gas-fired heater/treater	None (IEU)
-	2.5 MMBtu/hr natural gas-fired reboiler	None (IEU)
-	Two (2) 0.250 MMBtu/hr natural gas-fired line heaters	None (IEU)

* Mfg = Manufactured; hp = horsepower; bbl = barrel; MMscfd = million standard cubic feet per day; MMBtu/hr = million British thermal units per hour; IEU = insignificant emission unit.

E. Potential to Emit

Pursuant to 40 CFR 52.21, potential to emit (PTE) is defined as the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a 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, or the effect it would have on emissions, is federally enforceable. Independently enforceable applicable requirements are considered enforceable to the extent that the source is in compliance with the standard. In addition, beneficial reductions in non-targeted pollutants resulting from compliance with an independently enforceable applicable requirement may be counted towards PTE provided the emission reduction of the non-targeted pollutant is enforceable as a practical matter and compliance is being met. See the 1995 guidance memo signed by John Seitz, Director of the Office of Air Quality Planning and Standards titled, "Options for Limiting Potential to Emit of a Stationary Source under Section 112 and Title V of the Clean Air Act".

Monarch reported the controlled emission unit-specific PTE in their Part 71 permit application. The controlled emissions in Table 2 are based on the legally and practically enforceable requirements set forth in this proposed permit.

Table 2 – Potential-to-Emit With Legally and Practically Enforceable Controls

Regulated Air Pollutants (tpy)											
	NO_X*	**CO***	**VOC***	**PM***	**SO_2***	**CH_2O***	**Total HAPs***	**CO_2***	**CH_4* (as CO_2e)**	**N_2O* (as CO_2e)**	**CO_2e***
RB#1	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
RB#2	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
RB#3	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
RB#5	25.9	25.9	5.7	0.0	0.0	3.2	3.9	5,128.3	2.5	3.0	5,133.8
D-3	0.0	0.0	1.8	0.0	0.0	0.0	1.2	0.0	0.0	0.0	0.0
D-4	0.0	0.0	2.0	0.0	0.0	0.0	1.4	0.0	0.0	0.0	0.0
T-1, T-2, T-3	0.0	0.0	0.85	0.0	0.0	0.0	0.8	0.0	0.0	0.0	0.0
F-1	0.0	0.0	10.1	0.0	0.0	0.0	0.4	0.0	0.0	0.0	0.0
P-1	0.0	0.0	25.5	0.0	0.0	0.0	1.0	0.0	2,395.0	0.0	2,395.0
IEUs	2.8	5.2	2.7	0.2	0.0	0.0	0.1	0.0	0.0	0.0	0.0
TOTAL	**106.4**	**108.8**	**65.8**	**0.2**	**0.0**	**12.8**	**20.5**	**20,513.2**	**2,405**	**12.0**	**22,930.2**

*NO_X = nitrogen oxide; CO = carbon monoxide; VOC = volatile organic compound; PM = particulate matter; SO_2 = sulfur dioxide; CH_2O = formaldehyde; HAP = hazardous air pollutant; CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; CO_2e = equivalent CO_2.

II. Applicable Requirement Review

The following sections discuss the information provided by Monarch in their Part 71 application, certified to be true and accurate by the Responsible Official of this facility.

A. 40 CFR 52.21 - Prevention of Significant Deterioration

The Prevention of Significant Deterioration Permit Program at 40 CFR Part 52 (PSD) is a preconstruction review requirement of the CAA that applies to proposed projects that are sufficiently large (in terms of emissions) to be a "major" stationary source or "major" modification of an existing stationary source. Source size is defined in terms of "potential to emit," which is its capability at maximum design capacity to emit a pollutant, except as constrained by existing legally and practically enforceable conditions applicable to the source. A new stationary source or a modification to an existing minor stationary source is major if the proposed project has the PTE any pollutant regulated under the CAA in amounts equal to or exceeding specified major source thresholds, which are 100 tpy for 28 listed industrial source categories and 250 tpy for all other sources. PSD also applies to modifications at existing major sources that cause a "significant net emissions increase" at that source. Significance levels for each pollutant are defined in the PSD regulations at 40 CFR 52.21.

According to the emissions information provided by Monarch in their Part 71 application, this facility is currently a minor source with respect to PSD as the PTE does not exceed the threshold of criteria pollutants regulated under PSD.

B. 40 CFR Part 60, Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After July 23, 1984

This subpart establishes requirements for controlling VOC emissions from storage vessels with a capacity greater than or equal to 75 cubic meters that are used to store volatile organic liquids for which construction, reconstruction, or modification commenced after July 23, 1984.

Based on the information provided by Monarch in their Part 71 application and our review of that information, the condensate tanks, T-1, T-2, and T-3, and methanol tanks T-4, T-5, T-6, T-7, and T-8 at this facility are exempt from these requirements, because they have a capacity of less than 10,000 bbls.

C. 40 CFR Part 60, Subpart KKK: Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011

This subpart establishes requirements for controlling fugitive VOC emissions from onshore natural gas processing plants. It applies to natural gas processing plants that commenced construction, reconstruction, or modification after January 20, 1984 and on or before August 23, 2011.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend is not a natural gas processing plant, therefore the facility is not subject to this subpart.

D. 40 CFR Part 60, Subpart LLL: Standards of Performance for SO_2 Emissions From Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011

This subpart applies to sweetening units and sulfur recovery units at onshore natural gas processing facilities. As defined in this subpart, sweetening units are process devices that separate hydrogen sulfide (H_2S) and CO_2 from a sour natural gas stream. Sulfur recovery units are defined as process devices that recover sulfur from the acid gas (consisting of H_2S and CO_2) removed by a sweetening unit.

Based on the information provided by Monarch in their Part 71 application and our review of that information, neither sweetening nor sulfur recovery are performed at the facility. Therefore, this facility is not subject to this subpart.

E. 40 CFR Part 60, Subpart JJJJ: Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

This subpart establishes emission standards and compliance requirements for the control of emissions from stationary spark ignition internal combustion engines that commenced construction, modification, or reconstruction after June 12, 2006, and are manufactured on or after specified manufacture trigger dates. The manufacture trigger dates are based on the engine type, fuel used, and maximum engine horsepower.

Based on the information provided by Monarch in their Part 71 application and our review of that information, the engines operating at the facility were manufactured prior to the manufacture trigger dates in the rule (January 1, 2008 for engines RB#1, RB#2, RB#3, and RB#5). Therefore, this subpart does not apply.

F. 40 CFR Part 60, Subpart OOOO – Standards of Performance for Crude Oil and Natural Gas production, Transmission, and Distribution

This subpart establishes emission standards for the control of VOC and SO_2 emissions from affected facilities that commence construction, modification, or reconstruction after August 23, 2011. Affected facilities include, but are not limited to well completions, centrifugal compressors, reciprocating compressors, pneumatic controllers, storage vessels, and sweetening units.

Based on the information provided by Monarch in their Part 71 application and our review of that information, the current equipment at Riverbend predates the applicability date for this subpart. Therefore, Riverbend is not subject to this subpart.

G. 40 CFR Part 63, Subpart HH: National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities

This subpart establishes emission standards for the control of HAP emissions from affected units located at natural gas production facilities that process, upgrade, or store natural gas prior to the point of custody transfer, or that process, upgrade, or store natural gas prior to the point at which natural gas enters the natural gas transmission and storage source category or is delivered to a final end user. The affected units are glycol dehydration units, storage vessels with the potential for flash emissions (as defined in the rule) and the group of ancillary equipment and compressors intended to operate in volatile HAP service which are located at natural gas processing plants.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend does not operate any storage vessels with the potential for flash emissions (as defined in the rule). Uncontrolled emissions from dehydration units Dehy#3 and Dehy#4 exceed the major source thresholds for HAPs. Therefore, dehydration units Dehy#3 and Dehy#4 are subject to the major source requirements of this subpart.

H. 40 CFR Part 63, Subpart ZZZZ (MACT ZZZZ): National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

This subpart establishes emission standards and operating limitations for the control of HAP emissions from spark ignition and compression ignition reciprocating internal combustion engines.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend is subject to the major source requirements of this subpart. The affected units are the reciprocating internal combustion engines operating at the facility.

I. 40 CFR Part 63, Subpart DDDDD (Boiler MACT): National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters

This rule establishes national emission limitations and operating limitations for HAPs emitted from new and existing industrial boilers, institutional boilers, commercial boilers, and process heaters that are located at major sources of HAPs. For the purposes of this subpart, a major source of HAPs is as defined in §63.2, except that for oil and natural gas production facilities, a major source of HAPs is as defined in §63.761. Boilers or process heaters that combust natural gas for fuel or have a maximum designed heat input capacity less than 10 MMBtu/hr are subject to work practice standards in lieu of emission limits. For the purposes of this subpart, an affected unit is an existing unit if it was constructed prior to June 4, 2010.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Dehydration Unit Reboiler #3 and Dehydration Unit Reboiler #4 meet the definition of existing process heaters in the rule. However, Riverbend does not meet the definition of a major source under the rule. Therefore, this subpart does not apply.

J. 40 CFR Part 63, Subpart JJJJJJ (Boiler MACT (for area sources)): National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers.

This rule establishes national emission standards and operating limitations for HAPs emitted from new and existing industrial boilers, institutional boilers, and commercial boilers that are fueled by coal, biomass, or oil and are located at area sources of HAPs. For the purposes of this subpart, an affected unit is an existing unit if it was constructed prior to June 4, 2010.

Based on the information provided by Monarch in their Part 71 application and our review of that information, there are no industrial, commercial, or institutional boilers located at Riverbend. Therefore, Subpart JJJJJJ does not apply.

K. 40 CFR Part 64: Compliance Assurance Monitoring

Pursuant to requirements concerning enhanced monitoring and compliance certification under the CAA, the EPA promulgated regulations to implement compliance assurance monitoring (CAM) for major stationary sources of air pollution, for purposes of Title V permitting that are required to obtain operating permits under Part 71. The rule requires owners or operators of such sources to conduct monitoring that provide a reasonable assurance of compliance with applicable requirements under the CAA. The effective date of this rule is November 21, 1997.

1. CAM Applicability

According to §64.2(a), CAM applies to <u>each</u> pollutant specific emission unit (PSEU) located at a major source which is required to obtain a Part 71 permit if the unit satisfies all of the following criteria:

(a) The unit is subject to an emission limitation or standard for the applicable regulated air pollutant other than an emissions limitation or standard that is exempt under §64.2(b)(1);

(b) The unit uses a control device to achieve compliance with any such limit or standard; and

(c) The unit has pre-control device emissions of the applicable regulated pollutant that are equal to or greater than 100 percent of the amount, in tpy, required for a source to be classified as a major Title V source.

2. CAM Plan Submittal Deadlines

(a) <u>Large pollutant-specific emissions units</u>. A CAM plan submittal for all PSEUs with the PTE (taking into account control devices) of any one regulated air pollutant in an amount equal to or greater than 100 percent of the amount, in tpy, required for a source to be classified as a major source, is due at the following times:

(i) On or after April 20, 1998, if by that date, a Part 71 application has either:

(A) Not been filed; or
(B) Not yet been determined to be complete.

(ii) On or after April 20, 1998, if a Part 71 permit application for a significant modification is submitted with respect to those PSEUs for which the requested permit revision is applicable; or

(iii) Upon application for a renewed Part 71 permit and a CAM plan has not yet been submitted with an initial or a significant modification application, as specified above.

(b) Other pollutant-specific emissions units. A CAM Plan must be submitted for all PSEUs that are not large PSEUs, but are subject to this rule, upon application for a Part 71 renewal permit.

Based on the information provided by Monarch in their Part 71 application and our review of that information, Riverbend is a major source of NO_X, CO, and HAPs. Dehy#3 and Dehy#4 are both PSEUs with pre-controlled emissions that equal or exceed 100percent of VOC and HAP thresholds. However, Dehy#3 and Dehy#4 are subject to 40 CFR Part 63, Subpart HH and thus meet the exemption criteria of §64.2(b)(1). Since no other PSEUs at the facility have pre-controlled emissions that exceed or equal 100 percent of major source thresholds, Riverbend is not subject to CAM requirements.

L. 40 CFR Part 68: Chemical Accident Prevention Provisions.

This rule applies to stationary sources that manufacture, process, use, store, or otherwise handle more than the threshold quantity of a regulated substance in a process. Regulated substances include 77 toxic and 63 flammable substances which are potentially present in the natural gas stream entering the facility and in the storage vessels located at the facility. The quantity of a regulated substance in a process is determined according to the procedures presented under §68.115. §68.115(b)(l) and (2)(i) indicate that toxic and flammable substances in a mixture do not need to be considered when determining whether more than a threshold quantity is present at a stationary source if the concentration of the substance is below one percent by weight of the mixture. §68.115(b)(2)(iii) indicates that prior to entry into a natural gas processing plant, regulated substances in naturally occurring hydrocarbon mixtures need not be considered when determining whether more than a threshold quantity is present at a stationary source. Naturally occurring hydrocarbon mixtures include condensate, field gas, and produced water. Based on the updated information provided in Monarch's 2014 supplemental application, Riverbend does not have regulated substances above the threshold quantities in this rule and therefore is not subject to the requirement to develop and submit a risk management plan.

M. Consent Decree Case No. 2:08-CV-00167-TS-PMV

Riverbend is subject to the requirements of Consent Decree Case No. 2:10-cv-01282-PMW (Consent Decree), filed on April 6, 2011. The Consent Decree has been included in Appendix A of this permit.

III. EPA Authority

Title V of the CAA requires that the EPA promulgate, administer, and enforce a federal operating permit program when a state does not submit an approvable program within the time frame set by Title V or does not adequately administer and enforce its EPA approved program. On July 1, 1996 (61 FR 34202), the EPA adopted regulations codified at 40 CFR Part 71 setting forth the procedures and terms under which the agency would administer a federal operating permit program. These regulations were updated on February 19, 1999 (64 FR 8247) to incorporate the EPA's approach for issuing federal operating permits to stationary sources in Indian country.

As described in 40 CFR 71.4(a), the EPA will implement a Part 71 program in areas where a state, local, or tribal agency has not developed an approved Part 70 program. Unlike states, tribes are not required to develop operating permits programs, though the EPA encourages tribes to do so. See, e.g., Indian Tribes: Air Quality Planning and Management (63 FR 7253, February 12, 1998) (also known as the "Tribal Authority Rule"). Therefore, within Indian country, the EPA will administer and enforce a Part 71 federal operating permit program for stationary sources until a tribe receives approval to administer their own operating permit program.

IV. Use of All Credible Evidence

Determinations of deviations, continuous or intermittent compliance status, or violations of the permit are not limited to the testing or monitoring methods required by the underlying regulations or this permit; other credible evidence (including any evidence admissible under the Federal Rules of Evidence) must be considered by the Permittee and the EPA in such determinations.

V. Public Participation

A. Public Notice

As described in 40 CFR 71.11(a)(5), all Part 71 draft operating permits shall be publicly noticed and made available for public comment. The public notice of permit actions and public comment period is described in 40 CFR 71(d).

There will be a 30 day public comment period for actions pertaining to a draft permit. Notification will be given for this draft permit by mailing a copy of the notice to the permit applicant, the affected state, tribal and local air pollution control agencies, the city and county executives, and the state and federal land managers which have jurisdiction over the area where the source is located. A notification will be provided to all persons who have submitted a written request to be included on the mailing list.

If you would like to be added to our mailing list to be informed of future actions on these or other CAA permits issued in Indian country, please send your name and address to the contact listed below:

Part 71 Permitting Lead
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street (8P-AR)
Denver, Colorado 80202-1129

Public notice will be published in the Vernal Express giving opportunity for public comment on the draft permit and the opportunity to request a public hearing.

B. Opportunity to Comment

Members of the public will be given an opportunity to review a copy of the draft permit prepared by the EPA, the application, this Statement of Basis for the draft permit and all supporting materials for the draft permit. Copies of these documents are available at:

Uintah County Clerk's Office
147 East Main Street, Suite 2300
Vernal, Utah 84078

And

Ute Indian Tribe
Energy & Mineral Department
910 South 7500 East
Fort Duchesne, Utah 84026

and

U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street (8P-AR)
Denver, Colorado 80202-1129

All documents are available for review at the Region 8 office Monday through Friday from 8:00 a.m. to 4:00 p.m. (excluding federal holidays).

Any interested person may submit written comments on the draft Part 71 operating permit during the public comment period to the Part 71 Permitting Lead, U.S. EPA Region 8. All comments will be considered and answered by the EPA in making the final decision on the permit. The EPA keeps a record of the commenters and of the issues raised during the public participation process.

Anyone, including the applicant, who believes any condition of the draft permit is inappropriate should raise all reasonable ascertainable issues and submit all arguments supporting their position by the close of the public comment period. Any supporting materials submitted must be included in full and may not be incorporated by reference, unless the material has already been submitted as part of the administrative record in the same proceeding or consists of state or federal statutes and regulations, EPA documents of general applicability or other generally available reference material.

C. Opportunity to Request a Hearing

A person may submit a written request for a public hearing to the Part 71 Permitting Lead, U.S. EPA Region 8, by stating the nature of the issues to be raised at the public hearing. Based on the number of hearing requests received, the EPA will hold a public hearing whenever it finds there is a significant degree of public interest in a draft operating permit. The EPA will provide public notice of the public hearing. If a public hearing is held, any person may submit oral or written statements and data concerning the draft permit.

D. Appeal of Permits

Within 30 days after the issuance of a final permit decision, any person who filed comments on the draft permit or participated in the public hearing may petition to the Environmental Appeals Board (EAB) to review any condition of the permit decision. Any person who failed to file comments or participate in the public hearing may petition for administrative review, only if the changes from the draft to the final permit decision or other new grounds were not reasonably foreseeable during the public comment period. The 30-day period to appeal a permit begins with the EPA's service of the notice of the final permit decision.

The petition to appeal a permit must include a statement of the reasons supporting the review, a demonstration that any issues were raised during the public comment period, a demonstration that it was impracticable to raise the objections within the public comment period, or that the grounds for such objections arose after such a period. When appropriate, the petition may include a showing that the condition in question is based on a finding of fact or conclusion of law which is clearly erroneous; or, an exercise of discretion, or an important policy consideration that the EAB should review.

The EAB will issue an order either granting or denying the petition for review, within a reasonable time following the filing of the petition. Public notice of the grant of review will establish a briefing schedule for the appeal and state that any interested person may file an amicus brief. Notice of denial of review will be sent only to the permit applicant and to the person requesting the review. To the extent review is denied, the conditions of the final permit decision become final agency action.

A motion to reconsider a final order shall be filed within ten days after the service of the final order. Every motion must set forth the matters claimed to have been erroneously decided and the nature of the alleged errors. Motions for reconsideration shall be directed to the Administrator rather than the EAB. A motion for reconsideration shall not stay the effective date of the final order unless it is specifically ordered by the EAB.

E. Petition to Reopen a Permit for Cause

Any interested person may petition the EPA to reopen a permit for cause, and the EPA may commence a permit reopening on its own initiative. The EPA will only revise, revoke and reissue, or terminate a permit for the reasons specified in 40 CFR 71.7(f) or 71.6(a)(6)(i). All requests must be in writing and must contain facts or reasons supporting the request. If the EPA decides the request is not justified, it will send the requester a brief written response giving a reason for the decision. Denial of these requests is not subject to public notice, comment, or hearings. Denials can be informally appealed to the EAB by a letter briefly setting forth the relevant facts.