

**Part 71 Permit
And
General Conditions**

FOR

**TRANSWESTERN PIPELINE COMPANY
COMPRESSOR STATION NUMBER 6 (LAGUNA)
LAGUNA, CIBOLA COUNTY, NEW MEXICO**

Based On
40 Code of Federal Regulations (CFR) Part 71
Operating Permit Program
Promulgated July 1, 1996

July 2000

**United States Environmental Protection
Agency
Region 6**

Air Permits Section

1445 Ross Avenue,
Dallas, TX 75202



**AIR POLLUTION CONTROL
TITLE V PERMIT TO OPERATE**

Permit Number: R6FOPP71-01

Issue Date:

Expiration Date:

Effective Date:

Replaces Permit Number: N/A

In accordance with the provisions of Title V of the Clean Air Act and 40 Code of Federal Regulations (CFR) Part 71 and applicable rules and regulations,

Transwestern Pipeline Company
Compressor Station Number 6 (Laguna)
Laguna, Cibola County, New Mexico

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

This source is authorized to operate in the following location(s):

Laguna Reservation in New Mexico

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

If all proposed control measures and/or equipment are not installed and properly operated and maintained, this will be considered a violation of the permit.

The permit number cited above should be referenced in future correspondence regarding this facility.

Carl E. Edlund, P.E., Division Director

Date

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Abbreviations and Acronyms

AR	Acid Rain
ARP	Acid Rain Program
CAA	Clean Air Act [42 United States Code Section 7401 et seq.]
CAM	Compliance Assurance Monitoring
CFR	Code of Federal Regulations
gal	gallon
HAP	Hazardous Air Pollutant
hr	hour
ID. No.	Identification Number
kg	kilogram
lb	pound
MACT	Maximum Achievable Control Technology
Mg	megagram
mmBtu	million British Thermal Units
mo	month
NESHAP	National Emission Standards for Hazardous Air Pollutants
Nox	Nitrogen Oxides
NSPS	New Source Performance Standard
NSR	New Source Review
PM	Particulate Matter
PM10	Particulate matter less than 10 microns in diameter
ppm	parts per million
PSD	Prevention of Significant Deterioration
psia	pounds per square inch absolute
RMP	Risk Management Plan
SO2	Sulfur Dioxide
US EPA	United States Environmental Protection Agency
VOC	Volatile Organic Compounds

TABLES

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Table 1. Source Emission Points.....	
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I. Source Identification and Unit Specific Information

I.A. General Source Information

Parent Company name: Transwestern Pipeline Company

Parent Company Mailing Address: 6381 North Main

City: Roswell State: NM Zip: 88202

Plant Name: Compressor Station Number 6 (Laguna)

Plant location: ½ mile south of Laguna, New Mexico

Region: 6

State: New Mexico Tribe: Laguna

County: Cibola

Reservation: Laguna Indian Reservation

Plant mailing address: 6381 North Main

City: Roswell State: NM Zip: 88202

Name of Owner: Transwestern Pipeline Company

Phone: (505) 625-8022

Responsible Official: Nelson, Michel E.

Phone: (402) 398 -7600

Plant Manager/Contact: Larry T. Campbell

Phone: (505) 625-8060

Tribal Contact (if applicable):

Phone:

Local Government Contact (if applicable):

Phone:

Standard Industrial Code (SIC) Code: 4922

AIRS Facility System Plant Identification Number: R6FOPP71-01

Description of Process: Transwestern Pipeline, with SIC code 4922, is a natural gas compression and transmission facility with pressurized natural gas as its principal products.

I. B. Source Emission Points

Emission Unit ID No.	Unit Description	Size	Associated Unit ID. No.
601	Clark TVC-12 Reciprocating Compressor Engine	4500-Horse Power (hp)	N/A
602	Clark TVC-12 Reciprocating Compressor Engine	4500-hp	N/A
603	Clark TVC-12 Reciprocating Compressor Engine	4500-hp	N/A
621	Waukesha F3520GU Reciprocating Generator Engine	450-hp	N/A
T-2	Pipeline Liquids (Condensate) Fixed Roof Storage Tank	500 barrel	N/A

Pollutant	Total Emissions, tons/yr
NOX	1,540
SO2	0.0
CO	490
PM10	22
VOC	61
Lead	0.0
HAPs	12

VOC emissions include Formaldehyde which has an emission rate of 4.93 tons/year

II. Permit Shield [40 CFR section 71.6(f)]

- (a) Nothing in this permit shall alter or affect the following:
 - (i) The liability of a permittee for any violation of applicable requirements prior to or at the time of permit issuance;
 - (ii) The ability of the US EPA to obtain information from a source under Section 114 of the Clean Air Act or;
 - (iii) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the Administrator under that section.
- (b) Conditions with the terms and conditions of this permit shall be deemed in compliance with the applicable requirements specifically listed in Section IV of this permit as of the date of permit issuance.

III. Facility Wide Permit Conditions

III.A. Generic Permit Requirements

Conditions in this section apply to all emissions units located at the facility, including any units not specifically listed in Table 1.

1. There is no air pollution control equipment installed at this facility.
2. The combined total amount of natural gas burned in emission units 601, 602, 603, and 621 shall not exceed 905.6 million cubic feet per year.
3. The actual heat input for each reciprocating engine shall not exceed 34.65 mmBtu/hr.
4. The records of repair and maintenance activities shall include identification of emission units and the work involved.
5. The fuel flow/consumption shall be recorded for emission units 601, 602, 603, and 621 on a monthly basis.
6. The records of fuel consumption shall be maintained for

emission units 601, 602, 603, and 621.

7. The permittee shall keep records of the serial numbers for each emission unit. The emission units and their serial numbers are: 601 with serial number 107510; 602 with serial number 107511; 603 with serial number 107512; 621 with serial number 129011. The serial number with emission unit ID T-2 is unknown prior to permit issuance. A change in serial number should also be reflected in the report.
8. Retention of these records and support information shall be for a period of at least five years from the date of measurement, report, or application. Support information includes all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.
9. The following reports shall be maintained by the facility:
 1. Fuel consumption records showing monthly and yearly average of fuel usage
 2. Repair and maintenance records of the emission units identified in the permit
10. These reports shall be submitted to the:

Air Enforcement Section, 6EN-A
US EPA, Region 6
1445 Ross Avenue
Dallas, Texas 75202

every six months following the anniversary of permit issuance.

IV. Title V Administrative Requirements

IV.A. Annual Fee Payment [40 CFR section 71.6(a)(7) and 40 CFR section 71.9]

- (a) The permittee shall pay an annual permit fee in accordance with the procedures outlined below.
[See section 71.9(a).]
- (b) The permittee shall pay the annual permit fee each

year:

The fee shall be received no later than July 20 of each year.

- (c) The fee payment shall be in United States currency and shall be paid by money order, bank draft, certified check, corporate check, or electronic funds transfer payable to the order of the US EPA.
- (d) The permittee shall send fee payment and a completed fee filing form to

US EPA, Region VI
P. O. Box 360582M
Pittsburgh, PA 15251

- (e) The permittee shall send an updated fee calculation worksheet form and a photocopy of each fee payment check (or other confirmation of actual fee paid) submitted annually by the same deadline as required for fee payment to the address listed in Section IV.E. of this permit. [Note that an annual emissions report, required at the same time as the fee calculation worksheet by section 71.9(h), has been incorporated into the fee calculation worksheet form as a convenience.]

- (f) Basis for calculating annual fee:

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

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

- (2) Actual emissions shall be computed using

methods required by the permit for determining compliance, such as monitoring or source testing data.
[See section 71.9(h)(3).]

- (3) If actual emissions cannot be determined using the compliance methods in the permit, the permittee shall use other federally recognized procedures. [section 71.9(e)(2).]
 - (4) The term "regulated pollutant (for fee calculation)" is defined in section 71.2.
 - (5) The permittee should note that the presumptive fee amount is revised each calendar year to account for inflation, and it is available from the US EPA prior to the start of each calendar year.
- (ii) The permittee shall exclude the following emissions from the calculation of fees:
- (1) The amount of actual emissions of each regulated pollutant (for fee calculation) that the source emits in excess of 4,000 tons per year. See section 71.9(c)(5)(i);
 - (2) Actual emissions of any regulated pollutant (for fee calculation) already included in the fee calculation, see section 71.9(c)(5)(ii); and
 - (3) The quantity of actual emissions (for fee calculation) of insignificant activities [defined in section 71.5(c)(11)(i)] or of insignificant emissions levels from emissions units identified in the permittee's application [pursuant to section 71.5(c)(11)(ii)]. [See section 71.9(c)(5)(iii).]
- (g) Fee calculation worksheets shall be certified as to truth, accuracy, and completeness by a responsible official.
- (h) The permittee shall retain fee calculation worksheets and other emissions-related data used to determine fee payment for five years following submittal of fee payment. Emission-related data include, for example,

emissions-related forms provided by the US EPA and used by the permittee for fee calculation purposes, emissions-related spreadsheets, and emissions-related data, such as records of emissions monitoring data and related support information required to be kept in accordance with section 71.6(a)(3)(ii). [See section 71.9(i).]

- (i) Failure of the permittee to pay fees in a timely manner shall subject the permittee to assessment of penalties and interest in accordance with section 71.9(1).
- (j) Failure of the permittee to pay all fees, interest, and penalties owed in full shall result in failure of EPA to acting on applications for permit renewal or modification. [See section 71.9(m).]
- (k) When notified by the US EPA of underpayment of fees, the permittee shall remit full payment within 30 days of receipt of notification. [See section 71.9(j)(1) and (2).]
- (l) A permittee who thinks a US EPA assessed fee is in error and who wishes to challenge such fee, shall provide a written explanation of the alleged error to EPA along with full payment of the US EPA assessed fee. [See section 71.9(j)(3).]

IV.B. Blanket Compliance Statement [40 CFR section 71.6(a)(6)(i) and (ii)]

- (a) The permittee must comply with all conditions of this Part 71 permit. Any permit noncompliance, including, but not limited to, violation of any applicable requirement; any permit term or condition; any fee or filing requirement; any duty to allow or carry out inspection, entry, or monitoring activities; or any regulation or order issued by the permitting authority pursuant to this part constitutes a violation of the CAA and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [Section 71.6(a)(6)(i) and (ii).]

2. Determinations of deviations, continuous or intermittent compliance status, or violations of this permit, are not limited to the applicable testing or monitoring methods required by the underlying regulations or this permit; other credible evidence (including any evidence admissible under the Federal Rules of Evidence) must be considered in such determinations. [Section 113(a) and 113(e)(1) of the Act, section 51.212, section 52.12, section 52.33, section 60.11(g), and section 61.12.]

IV.C. Compliance Certifications [40 CFR section 71.6(c)(5)]

The permittee shall submit to the US EPA a certification of compliance with permit terms and conditions, including emission limitations, standards, or work practices, annually on the anniversary of the date of issuance of this permit. The compliance certification shall be certified as to truth, accuracy, and completeness by a responsible official consistent with section 71.5(d).

- (a) The certification shall include the following:
 - (i) Identification of each permit term or condition that is the basis of the certification.
 - (ii) Identification of the method(s) or other means used for determining the compliance status of each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the CAA, which prohibits knowingly making a false certification or omitting material information.
 - (iii) The compliance status of each term and condition of the permit for the period covered by the certification based on the method or means designated above. The certification shall identify each deviation and take it into account in the compliance certification.
 - (iv) Any other requirements sufficient to assure or determine compliance, consistent with section

71.6(c)(5)(iii)(D) and section 71.6 (c)(6).

IV.D. Duty to Provide and Supplement Information [40 CFR section 71.6(a)(6)(v) section 71.5(b)]

The permittee shall furnish to the US EPA, within a reasonable time, any information that the US EPA may request in writing to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the US EPA copies of records that are required to be kept pursuant to the terms of the permit, including information claimed to be confidential. Information claimed to be confidential should be accompanied by a claim of confidentiality according to the provisions of 40 CFR part 2, subpart B. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. The permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after this permit is issued.

IV.E. Submissions [40 CFR section 71.5(d) and section 71.6 and section 71.9]

Any document required to be submitted with this permit shall be certified by a responsible official as to truth, accuracy, and completeness. Such certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. All documents required to be submitted, including reports, test data, monitoring data, notifications, and compliance certifications shall be submitted to:

Air Enforcement Section, 6EN-A
1445 Ross Avenue
Dallas, Texas 75202

while the fee calculation worksheets, and applications for renewals and permit modifications shall be submitted to:

Air Permits Section, 6PD-R
1445 Ross Avenue
Dallas, Texas 75202

IV.F. Severability Clause [40 CFR section 71.6(a)(5)]

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

IV.G. Permit Actions [40 CFR section 71.6(a)(6)(iii)]

This permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

IV.H. Administrative Permit Amendments [40 CFR section 71.7(d)]

- (a) The permittee may request the use of administrative permit amendment procedures for a permit revision that:
 - (i) Corrects typographical errors.
 - (ii) Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the source.
 - (iii) Requires more frequent monitoring or reporting by the permittee.
 - (iv) Allows for a change in ownership or operational control of a source where the US EPA determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the US EPA.
 - (v) Incorporates into the part 71 permit the requirements from preconstruction review permits authorized under a US EPA-approved program, provided that such a program meets procedural requirements substantially equivalent to the requirements of sections 71.7 and 71.8 that would

be applicable to the change if it were subject to review as a permit modification, and compliance requirements substantially equivalent to those contained in section 71.6.

- (vi) Incorporates any other type of change which the US EPA has determined to be similar to those listed above in **subparagraphs (i) through (v)**. [Note to permittee: If subparagraphs (i) through (v) above do not apply, please contact the US EPA for a determination of similarity prior to submitting your request for an administrative permit amendment under this provision].

IV.I. Minor Permit Modifications [40 CFR section 71.7(e)(1)]

- (a) The permittee may request the use of minor permit modification procedures only for those modifications that:
 - (i) Do not violate any applicable requirement.
 - (ii) Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit.
 - (iii) Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis.
 - (iv) Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include:
 - (1) A federally enforceable emissions cap assumed to avoid classification as a modification under any provision of title I; and
 - (2) An alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the CAA.

- (v) Are not modifications under any provision of title I of the CAA.
 - (vi) Are not required to be processed as a significant modification.
- (b) Notwithstanding the list of changes eligible for minor permit modification procedures in **paragraph (a)** above, minor permit modification procedures may be used for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that such minor permit modification procedures are explicitly provided for in an applicable implementation plan or in applicable requirements promulgated by the US EPA.
- (c) An application requesting the use of minor permit modification procedures shall meet the requirements of section 71.5(c) and shall include the following:
- (i) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
 - (ii) The source's suggested draft permit;
 - (iii) Certification by a responsible official, consistent with section 71.5(d), that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used; and
 - (iv) Completed forms for the permitting authority to use to notify affected States as required under section 71.8.
- (d) The source may make the change proposed in its minor permit modification application immediately after it files such application. After the source makes the change allowed by the preceding sentence, and until the permitting authority takes any of the actions authorized by section 71.7(e)(1)(iv)(A) through (C), the source must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, the source need not comply with the existing permit terms and conditions it seeks to modify. However, if the source fails to comply with its proposed permit

terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it.

- (e) The permit shield under section 71.6(f) may not extend to minor permit modifications. [See section 71.7(e)(1)(vi)].

IV.J. Group Processing of Minor Permit Modifications. [40 CFR section 71.7(e)(2)]

- (a) Group processing of modifications by the US EPA may be used only for those permit modifications:
 - (i) That meet the criteria for minor permit modification procedures under **paragraphs IV.I. (a)** of this permit; and
 - (ii) That collectively are below the threshold level of 10 percent of the emissions allowed by the permit for the emissions unit for which the change is requested, 20 percent of the applicable definition of major source in section 71.2, or five tons per year, whichever is least.
- (b) An application requesting the use of group processing procedures shall be submitted to the US EPA, shall meet the requirements of sections 71.5(c), and shall include the following:
 - (i) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs.
 - (ii) The source's suggested draft permit.
 - (iii) Certification by a responsible official, consistent with section 71.5(d), that the proposed modification meets the criteria for use of group processing procedures and a request that such procedures be used.
 - (iv) A list of the source's other pending applications awaiting group processing, and a determination of whether the requested modification, aggregated with these other applications, equals or exceeds the threshold set under **subparagraph (a)(ii)** above.

- (vi) Completed forms for the permitting authority to use to notify affected States as required under section 71.8.
- (c) The source may make the change proposed in its minor permit modification application immediately after it files such application. After the source makes the change allowed by the preceding sentence, and until the permitting authority takes any of the actions authorized by section 71.7(e)(1)(iv)(A) through (C), the source must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, the source need not comply with the existing permit terms and conditions it seeks to modify. However, if the source fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it.
- (d) The permit shield under section 71.6(f) may not extend to group processing of minor permit modifications. [See section 71.7(e)(1)(vi)].

IV.K. Significant Permit Modifications [40 CFR section 71.7(e)(3)]

- (a) The permittee must request the use of significant permit modification procedures for those modifications that:
 - (i) Do not qualify as minor permit modifications or as administrative amendments.
 - (ii) Are significant changes in existing monitoring permit terms or conditions.
 - (iii) Are relaxations of reporting or recordkeeping permit terms or conditions.
- (b) Nothing herein shall be construed to preclude the permittee from making changes consistent with part 71 that would render existing permit compliance terms and conditions irrelevant.
- (c) Permittees must meet all requirements of part 71 for applications for significant permit modifications. For the application to be determined complete, the

permittee must supply all information that is required by section 71.5(c) for permit issuance and renewal, but only that information that is related to the proposed change. [See section 71.7(e)(3)(ii) and section 71.5(a)(2).]

IV.L. Reopening for Cause [40 CFR section 71.7(f)]

- (a) The US EPA shall reopen and revise this permit under the following circumstances:
 - (i) Additional applicable requirements under the CAA become applicable to a major part 71 source with a remaining permit term of three or more years. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended pursuant to 71.7(c)(3).
 - (ii) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offsets plans shall be deemed to be incorporated into the permit.
 - (iii) The US EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
 - (iv) The US EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

IV.M. Property Rights [40 CFR section 71.6(a)(6)(iv)]

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

IV.N. Inspection and Entry [40 CFR section 71.6(c)(2)]

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

- (a) Enter upon the permittee's premises where a Part 71 source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- (d) As authorized by the CAA, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

IV.O. Transfer of Ownership or Operation [40 CFR section 71.7(d)(1)(iv)]

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

IV.P. Off Permit Changes [40 CFR section 71.6(a)(12)]

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

- (a) Each change is not addressed or prohibited by this permit.
- (b) Each change must comply with all applicable requirements and may not violate any existing permit term or condition;

- (c) Changes under this provision may not include changes or activities subject to any requirement under Title IV or that are modifications under any provision of Title I of the CAA;
- (d) The permittee must provide contemporaneous written notice to the US EPA of each change, except for changes that qualify as insignificant activities under section 71.5(c)(11). The written notice must describe each change, the date of the change, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change.
- (e) The permit shield does not apply to changes made under this provision;
- (f) The permittee must keep a record describing all changes that result in emissions of any regulated air pollutant subject to any applicable requirement not otherwise regulated under this permit, and the emissions resulting from those changes.

IV.Q. Permit Expiration and Renewal [40 CFR section 71.5(a)(1)(iii), section 71.6(a)(11), section 71.7(b), section 71.7(c)(1)(i) and (ii), section 71.8(d)]

- (a) This permit shall expire upon the earlier occurrence of the following events:
 - (i) five years elapses from the date of issuance; or
 - (ii) the source is issued a part 70 permit by an EPA-approved permitting authority.
- (b) Expiration of this permit terminates the permittee's right to operate unless a timely and complete permit renewal application has been submitted on or before March 31, 2005.
- (c) If the permittee submits a timely and complete permit application for renewal, consistent with section 71.5(a)(2), but the permitting authority has failed to issue or deny the renewal permit, then:
 - (i) the permit shall not expire until the renewal permit has been issued or denied and any permit

shield granted pursuant to section 71.6(f) may extend beyond the original permit term until renewal.

- (d) The permittee's failure to have a Part 71 permit where timely and complete application for renewal submitted, is not a violation of this part until the US EPA takes final action on the permit renewal application. This protection shall cease to apply if, subsequent to the completeness determination, the permittee fails to submit any additional information identified as being needed to process the application by the deadline specified in writing by the US EPA.
- (e) Renewal of this permit is subject to the same procedural requirements that apply to initial permit issuance, including those for public participation, affected State, and tribal review.
- (f) The application for renewal shall include the current permit number, description of permit revisions and off-permit changes that occurred during the permit term, any applicable requirements that were promulgated and not incorporated into the permit during the permit term, and other information required by the application form.

Air Pollution Control
Title V Permit to Operate
Statement of Basis for Draft Permit Number R6FOPP71-01

Transwestern Pipeline Company
Compressor Station Number 6 (Laguna)
Laguna, Cibola County, New Mexico

- (a) Environmental Protection Agency (EPA) Authority to Issue Part 71 Permits Pursuant to Title V of the Clean Air Act (CAA)

On July 1, 1996 (61 Federal Register (FR) 34202), EPA adopted regulations codified at 40 Code of Federal Regulations (CFR) 71 setting forth the procedures and terms under which the Agency would administer a Federal Operating Permits Program. These regulations were updated on February 19, 1999 (64 FR 8247) to incorporate EPA's approach for issuing Federal operating permits to covered stationary sources in Indian country.

As described in 40 CFR 71.4(a), 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, Indian Tribes are not required to develop Operating Permits Programs, though 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, EPA will administer and enforce a part 71 Federal Operating Permits Program for stationary sources until Tribes receive approval to administer their own operating permits programs.

a. Hollow Permit Discussion

Based on the information provided in Transwestern Pipeline Company's application, EPA has no evidence that this source is subject to any existing applicable Federal CAA programs. Federal CAA programs include Prevention of Significant Deterioration, New Source Performance Standards, National Emission Standards for Hazardous Air Pollutants, and the acid rain program under Title IV of the CAA. Further, Transwestern Pipeline Company is not subject to any implementation plan such as exist within State jurisdictions. Therefore, Transwestern Pipeline Company, Compressor Station Number 6 is not subject to any substantive requirements that control their emissions under the CAA.

The EPA recognizes that, in some cases, sources of air pollution located in Indian country are subject to fewer requirements than similar sources located on land under the jurisdiction of a State or local air pollution control agency. To address this regulatory gap, EPA is in the process of developing national regulatory programs for preconstruction review of major sources in nonattainment areas and of minor sources in both attainment and nonattainment areas. These programs will establish, where appropriate, control requirements for sources that would be incorporated into part 71 permits. To establish additional applicable, federally-enforceable emission limits, EPA Regional Offices will, as necessary and appropriate, promulgate Federal Implementation Plans (FIPs) that will establish Federal requirements for sources in specific areas. The EPA will establish priorities for its direct Federal implementation activities by addressing as its highest priority the most serious threats to public health and the environment in Indian country that are not otherwise being adequately addressed. Although the Transwestern Pipeline Company has indicated in its application that FIP is an applicable requirement, EPA believes that Transwestern Pipeline Company is presently not creating a serious air problem that needs attention. Therefore, a FIP is not necessary at this time. Further, EPA encourages and will work closely with all Tribes wishing to develop Tribal Implementation Plans (TIPs) for approval under the Tribal Authority Rule. The EPA intends that its Federal regulations created through a FIP will apply only in those situations in which a Tribe does not have an approved TIP.

2. The Laguna Pueblo

Tribal Members: 6,233
Acreage: 533,000
Location: 45 miles west of Albuquerque, south of I-40
Address: P.O. Box 194, Laguna, NM 87026
Phone: 505-552-6654 Fax: 505-552-6941
Internet Access: yes
Geographic Information System capability: no
Affiliations: Member of All Indian Pueblo Council

- a. Geographical boundaries: The Pueblo is located in Cibola, Bernalillo, and Valencia Counties. Most of the Pueblo lands are situated in the Datil section of the Colorado Plateaus physiographic province, which is characterized by high mesas, canyons, and abundant evidence of volcanic activity.
- b. History: The land around present day Laguna Pueblo has

been occupied for over 3,000 years, though the modern Pueblo was not established until 1699. The occupants are said to have been refugees from the Pueblo Revolt of 1680 and represented five Pueblos and four language groups. The residents of Old Laguna formed six villages which include: Mesita, Paguete, Paraje, Encinal, and Seama. Each village, although part of a larger whole, are autonomous to some degree.

- c. Current Leadership: Honorable Harry Early, Governor
Wilbur Louis Jr., 1st Lieutenant Governor
Lloyd Dailey, 2nd Lieutenant Governor
- (ii Selection process of tribal leaders: A general election is held the third Monday of December of each even-numbered year. Installation of elected officers is held no later than January 6 of each odd-numbered year.
- e. Environmental Office: Barbara Cywinska-Bernacik, Environmental Director (polbarbara @sandia.net)
Sam Anderson, Phillip Sarracino (Environmental Department) Stacey Carr (Natural Resources);
Marvin Sarracinco (Reclamation)
Phone: 505-552-7534 Fax: 505-552-7534
- (ii Local air quality and attainment status: The Pueblo is located in a CAA attainment area. However, some parts of Bernalillo County are in a carbon monoxide (CO) maintenance area. The Pueblo currently receives no CAA section 103 or section 105 grants. The following air emissions sources and pollutants were identified by the Pueblo Office of Environmental Protection air quality control program (1993): medical incinerator - CO, particulate matter, and dioxin; Laguna Burnell Industries (solvents) - particulate matter, dioxin, and lead (Pb); abandoned uranium mines - particulate matter and radio-nuclides; three industrial storage yards (Bureau of Indian Affairs storage yard, State highway) - methane gas, hydrocarbons, and Pb; two pipeline compressor stations (Transwestern and El Paso) - nitrous oxides; several strip mines (operations and pits) - particulate matter; several sand and gravel operations - particulate matter; several open dumps (open burning, contains State highway waste) - methane gas and particulate matter; Pueblo open dump (open burning, contains IHS wastes) - particulate matter; wood and coal burning - CO, particulate matter and sulfur dioxide (SO₂); and dirt roads - particulate

matter.

3. Facility Information

- a. Location: The Transwestern Pipeline Company, Compressor Station Number 6 is located a half mile south of Laguna, New Mexico. The mailing address is:

Transwestern Pipeline Company
6381 North Main
Roswell, NM 88202

- b. Facility Contact/ Responsible Official

The facility contact and responsible official is Nelson, Michel E. and the plant manager/facility contact is Larry T. Campbell.

- c. Description of Operations and Products

Transwestern Pipeline, with Standard Industrial Classification code 4922, is a natural gas compression and transmission facility with pressurized natural gas as its principal product. The facility receives natural gas through an inlet line which passes through an inlet separator. At the separators, free liquids are knocked out and collected in storage tanks. The inlet gas is then compressed by one of three engine driven gas compressors. After compression, the natural gas exits the facility. The compressor engines are Clark TVC-12 turbocharged engines rated at 4,500-Horse Power (hp). These units were installed in 1967 and have not been modified. These units have the following serial numbers: 601 with serial number 107510; 602 with serial number 107511; and 603 with serial number 107512. It is expected that the source keep records of these serial numbers and any change in serial number for each emission unit should be reflected in the report.

The Waukesha F3520GU units rated at 450-hp is a gas-fired engine driven generator which provides electric power to the station. The unit was installed in 1967 and has never been modified. Products of combustion from the compressor and generator engines exhaust through independent stacks. The serial number for this emission unit is 129011 and it is expected that the source keep record of this serial number and any change in the serial number should also be reported.

The tanks at the facility are used for storing new and used lube oils, antifreeze (ethylene glycol), oily waste water, and

pipeline liquids. There is a single 1.0 Million British Thermal Units (mmBtu)/hour (hr) gas-fired heater used to evaporate waste water from the storage tanks. The serial number for the 500 Barrel fixed roof storage tank, with emission unit ID, T-2 is unknown prior to permit issuance. This tank was installed in 1966 and have not been modified.

Several blowdown relief vents are located at the station. These vents are used to relieve gas pressure during an emergency shutdown or during maintenance events. There is also a pipeline pigging receiver and launcher at the station. This equipment is used periodically to flush accumulations of liquids from the gas pipeline.

d. Permitting and/or Construction History

The compressor station Number 6 is owned by Transwestern Pipeline Company and operated by Enron Transportation and Storage Company. This is the initial permit for the facility which commenced operations in 1967. The EPA has no record of any Federal permitting activity at this facility.

A permit application dated July 20, 1999, was received requesting a Part 71 Operating Permit. Additional information dated October 5, 1999, and April 6, 2000 were also submitted.

e. Potential to Emit

Table 1 includes the potential to emit data provided by Transwestern Pipeline Company. Potential to emit means the maximum capacity of Transwestern Pipeline Company, Compressor Station Number 6 to emit any air pollutant under its physical or operational design. Any physical or operational limitation on the capacity of Transwestern Pipeline Company to emit an air pollutant, including air pollution control equipment and restrictions on hours of operations or on the type or amount of material combusted, stored, or processed, may be treated as part of its design if the limitation is enforceable by EPA. Potential to Emit is meant to be a worst case emissions calculation. Actual emissions may be much lower. The Potential to Emit provided in the permit as well as in this statement of basis is for informational purposes only, since the Transwestern Pipeline Company, Compressor Station Number 6 is a grandfathered facility. Note that the company updated its Potential to Emit in the updated version of the application sent to EPA on April 6, 2000.

In their original application, Transwestern Pipeline Company

did not speciate all volatile organic compounds (VOC) emissions into their respective hazardous air pollutants (HAPs). However, Transwestern Pipeline Company later sent in an updated Part 71 permit application that shows the VOC HAP Speciation report. This report indicates the compounds that are HAPs with their respective VOC emissions in each emission unit.

The company has provided the Region the 1998 annual estimates of actual emissions for all regulated pollutants for fee payment purposes. The company must continue to submit annual estimates of actual emissions for all regulated pollutants as part of the requirement to pay an annual fee (see section IV of the permit). The EPA will review this submittal for accuracy.

Table 1

Potential to Emit in Tons per Year

Transwestern Pipeline Company, Compressor Station Number 6,
Laguna

Emissions Unit and Unit ID	NOx	VOC	SO2	PM10	CO	Lead	HAP
601 Clark TVC-12 Reciprocating Compressor Engine, 601	499	18.69	0	7	151	0	4
Clark TVC-12 Reciprocating Compressor Engine, 602	499	18.69	0	7	151	0	4
Clark TVC-12 Reciprocating Compressor Engine, 603	499	18.69	0	7	151	0	4
Waukesha F3520GU Reciprocating Generator Engine, 621	43	0.61	0	1	37	0	0
Pipeline Liquids (Condensate) Fixed Roof Storage Tank, T-2	0	3	0	0	0	0	0

TOTALS	1,540	61	0	22	490	0	12
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NOx - oxides of nitrogen

VOC - volatile organic compounds

SO2 - sulfur dioxide

PM10 - particulate matter with a diameter 10 microns or less

CO - carbon monoxide

HAP - hazardous air pollutants (see CAA Section 112(b))

f. Emission Units and Emission Generating Activities

Transwestern Pipeline Company, Compressor Station Number 6 provided in their application the information contained in tables 2 and 3. All emission units at this facility are identified in either table 2 or table 3. Table 2 lists emission units. There are no air pollution control devices at this facility since the facility is grandfathered. Emission units identified as "insignificant" are listed separately in table 3.

Part 71 allows sources to separately list in the permit application units or activities that qualify as "insignificant" based on potential emissions below 2 tons/year for all regulated pollutants that are not listed as HAPs under Section 112(b) and below 1000 pounds/year or the de minimus level established under Section 112(g), whichever is lower, for HAPs. Units 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.

Transwestern Pipeline Company, Compressor Station Number 6 stated in their application that the emission units in table 3 below are eligible for insignificant treatment under section 71.5(c)(II)(ii). Most of these emission sources are fixed roof storage tanks used to store oily waste water, engine lube oil, and ethylene glycol. Other insignificant emission sources at the facility includes the truck loading point for pipeline liquids and the 1.0 mmBtu/hr for gas fired water evaporation heater as well as the fugitive emissions from piping components.

Table 2

Emission Units and Control Devices

Transwestern Pipeline Company, Compressor Station Number 6

Emissions Unit and Unit ID Number	Description	Control Device
Reciprocating Engine, 601	<ul style="list-style-type: none"> Model TVC-12, Manufacturer - Clark Installed in 1967 Maximum design heat input - 34.65 MMBTU/hr Fuel type - Natural gas Primary use - Gas Compression 	None
Reciprocating Engine, 602	<ul style="list-style-type: none"> Model TVC-12, Manufacturer - Clark Installed in 1967 Maximum design heat input - 34.65 MMBTU/hr Fuel type - Natural gas Primary use - Gas Compression 	None
Reciprocating Engine, 603	<ul style="list-style-type: none"> Model TVC-12, Manufacturer - Clark Installed in 1967 Maximum design heat input - 34.65 MMBTU/hr Fuel type - Natural gas Primary use - Gas Compression 	None
Reciprocating Engine, 621	<ul style="list-style-type: none"> Model F3520GU, Manufacturer- Waukesha Installed in 1967 Maximum design heat input - 4.2 MMBTU/hr Fuel Type - Natural gas Primary Use - Electric Generation 	None

Emissions Unit and Unit ID Number	Description	Control Device
500 Barrel Fixed Roof Storage Tank, T-2	<ul style="list-style-type: none"> Model and Manufacturer- Unknown Installed in 1966 	None

Table 3

Insignificant Emission Units

Transwestern Pipeline Company, Compressor Station Number 6,
Laguna

Number	Description of Activities or Emission Units
1	210 barrel vertical fixed roof storage tank for oily waste water
2	210 barrel vertical fixed roof storage tank for engine lube oil
2	65 barrel vertical fixed roof storage tank for ethylene glycol
1	65 barrel vertical fixed roof storage tank for used ethylene glycol
2	65 barrel vertical fixed roof storage tank for used lube oil
1	truck loading point for pipeline liquids
1	1.0 MMBTU/hr gas fired water evaporation heater
1	fugitive emissions from piping components

C Applicable Requirements

The Transwestern Pipeline Company, Compressor Station Number 6 application was reviewed for compliance with Part 71 Operating Permit Program. However, based on the information provided by Transwestern Pipeline Company in their application, Compressor Station Number 6 would be subject to the following Generic permit requirements:

1. Fuel Usage Rates: The fuel type used at this facility is natural gas which is used in emission units 601, 602, 603, and 621. The maximum annual usage rate stated in the application for these emissions units are 290 MMcf for emissions units 601, 602, and 603 while emission unit 621 has its maximum annual usage rate as 35.6 MMcf. Based on this information, the combined total amount of natural gas burned at this facility shall not exceed 905.6 MMcf per year.

2. Heat Input: The maximum design heat input for each reciprocating engine is 34.65 mmBtu/hr based on the information presented in the application. Therefore, it is expected that the actual (average) heat input should not exceed the maximum design heat input.

3. Recordkeeping: Although this facility is not subject to any Federal applicable requirements, it would be appropriate for the facility to keep the following records: serial number for each emission unit, records of repair and maintenance activities which shall include identification of emission units and the work involved, monthly recordkeeping of the fuel flow/consumption of each reciprocating engine.

5.

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. Public notice has been 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, the State and Federal land managers and the local emergency planning authorities which have jurisdiction over the area where the source is located. A copy of the notice has also been 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 Maria Okpala at the address listed below:

Maria Okpala
Air Permits Section
U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue (6PD-R)
Dallas, TX 75202
E-mail: okpala.maria@epa.gov

Public notice has also been published in a daily or weekly

newspaper of general circulation in the area affected by this source.

b. Opportunity for Comment

Members of the public may review a copy of the draft permit prepared by 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:

Pueblo of Laguna Library

P.O. Box 194

Laguna, NM 87026

Phone # : (505) 552-6280

U.S. EPA, Region 6
Library

1445 Ross Avenue

Dallas, TX 75202

Phone #: (214) 665-6424

Or

(214) 665-6427

Copies of the draft permit and this statement of basis are also available electronically on the EPA Region 6 Website, <http://www.epa.gov/earthlr6/6pd/air/pd-r/lagunac6.pdf>.

Any interested person may submit written comments on the draft Part 71 operating permit during the public comment period to Maria Okpala at the address listed in section 5.a above. All comments shall be considered and answered by EPA in making the final decision on the permit. The EPA will keep 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 must 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 been already 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 Maria Okpala, at the address listed in section 5.a above, by stating the nature of the issues to be raised at the public hearing. Based on the number of

hearing requests received, 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.

draft