

# \*\*\*PUBLIC NOTICE\*\*\*

Copano Processing, L.L.C., Houston Central Gas Plant

## ANNOUNCEMENT OF PUBLIC NOTICE ON THE RESCISSION OF A CLEAN AIR ACT GREENHOUSE GAS PREVENTION OF SIGNIFICANT DETERIORATION PRECONSTRUCTION PERMIT

Public Notice Period September 2, 2015 – November 1, 2015

The United States Environmental Protection Agency (EPA) is providing notice of its decision to rescind the Prevention of Significant Deterioration (PSD) permit for Greenhouse Gases (GHG) issued to Copano Processing, L.L.C. (Copano), for its Houston Central Gas Plant on March 8, 2013. EPA Region 6 issued the GHG PSD permit based on the applicability provisions described, at the time of permit issuance, at 40 CFR § 52.21(b)(49)(v)(b). In *Utility Air Regulatory Group (UARG) v. Environmental Protection Agency*, 134 S. Ct. 2427 (2014), the Supreme Court held that EPA may not treat GHGs alone as an air pollutant for purposes of determining whether a source is a major source required to obtain a PSD or title V permit and thus invalidated regulations implementing that approach. On July 6, 2015, EPA finalized a rule to implement the Supreme Court's decision that allows EPA to issue permit rescissions of GHG PSD permits issued to those sources who were treated as major sources simply due to their GHG emissions. EPA is issuing notice of the GHG PSD permit rescission in accordance with the permit rescission regulations at 40 CFR § 52.21(w)(2).

Copano has demonstrated that, at the time of permit issuance, the modification at the existing major source did not result in an increase in emissions of any regulated New Source Review (NSR) pollutant other than GHGs in an amount equal to or greater than the NSR major source thresholds. The modification authorized the installation of a new 400 MMSCF/day cryogenic process train. This train consists of inlet gas mole sieve dehydrators, two supplemental heaters, a cryogenic process unit, a liquid amine treating unit that is controlled by a regenerative thermal oxidizer, two residue turbines, and amine storage tank and associated fugitive emissions. The permitted construction was planned to occur at an existing site location, which is located at 1650 County Road 255 South, Sheridan, Texas 77475. Copano received minor source NSR permits for its proposed non-GHG emissions increases for the modification from the Texas Commission on Environmental Quality (TCEQ) on August 8, 2012 and August 20, 2012. See standard permit registration numbers 104949 and 101369; RN101271419 and CN604532515. The non-GHG emissions associated with the TCEQ standard permits are as follows: VOC = 14.70 TPY, NO<sub>x</sub> = 39.18 TPY, CO = 67.79 TPY, SO<sub>2</sub> = 3.51 TPY, PM = 6.78, PM<sub>10</sub> = 6.78 TPY, PM<sub>2.5</sub> = 6.78 TPY. Copano has also asserted to EPA that the EPA-issued GHG PSD permit is not used, or planned to be used, for any other regulatory or compliance purpose. Based on EPA's review of the information provided to EPA, Copano has provided sufficient information to support the required rescission elements outlined in 40 CFR § 52.21(w)(2).

**Rescission Documents:** All documents associated with the rescission of this GHG PSD permit including Copano's rescission request and technical supporting information are part of the administrative record. The public can access key portions of the administrative record at EPA's website: <http://yosemite.epa.gov/r6/Apermit.nsf/AirP>.

Hard copies of the full administrative record for this action may also be viewed in person (please call at least 24-hours in advance for available viewing times) at the EPA Region 6 address below.

E-mail: [magee.melanie@epa.gov](mailto:magee.melanie@epa.gov)  
U.S. Mail: Melanie Magee  
Air Permits Section (6PD-R)  
U.S. EPA Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202  
Phone: (214) 665-7161

**Final Determination:** Based on the information provided to EPA Region 6, Copano has provided sufficient information to support the required rescission elements outlined in 40 CFR § 52.21(w)(2). With the publication of this notice, this GHG PSD permit rescission for PSD-TX-104949-GHG becomes effective 60 days after publication.