UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

SEP 12 2017

Ref: 8P-AR

Craig Reid
President
Catamount Energy Partners
1801 Broadway, Suite 1000
Denver, Colorado 80202

Re: Catamount Energy Partners – Ignacio Gas Treating Plant
Permit #SMNSR-SU-000052-2016.001
Final Synthetic Minor New Source Review Permit and Response to Comments

Dear Mr. Reid:

The U.S. Environmental Protection Agency Region 8 has completed its review of Catamount Energy Partner's application request to obtain a synthetic minor source permit pursuant to the Tribal Minor New Source Review (MNSR) Permit Program at 40 CFR part 49 for the Ignacio Gas Treating Plant, located on Indian country lands within the Southern Ute Indian Reservation, in La Plata County, Colorado. This permit was requested in accordance with a Settlement Agreement and Stipulated Final Compliance Order (Settlement Agreement) Enforcement Case (ID: 2016-02) executed between the Southern Ute Indian Tribe (SUIT) and Elm Ridge on May 2, 2016.

Catamount requested the MNSR permit to incorporate enforceable requirements of the Settlement Agreement applicable to two (2) triethylene glycol (TEG) natural gas dehydration units operating at the facility, such that the Settlement Agreement may be terminated. Based on the information submitted in Catamount's permit application, the EPA hereby issues the enclosed final synthetic MNSR permit for the Ignacio Gas Treating Plant. Please review each condition carefully and note any restrictions placed on this source.

A 30-day public comment period was held from June 26, 2017 to July 27, 2017. The EPA received comments from Catamount on July 14 and 17, 2017. No other comments were received during the public comment period. The EPA's responses to the comments are enclosed. The EPA made several revisions to the permit based on Catamount's comments. Additionally, the EPA made formatting changes to improve the structure and flow of the permit and ensure consistency in terminology. The final permit will be effective on October 12, 2017.

Pursuant to 40 CFR 49.159, within 30 days after the final permit decision has been issued, any person who commented on the specific terms and conditions of the draft permit may petition the Environmental

Appeals Board to review any term or condition of the permit. Any person who failed to comment on the specific terms and conditions of this permit may petition for administrative review only to the extent that the changes from the draft to the final permit or other new grounds were not reasonably ascertainable during the public comment period. The 30-day period within which a person may request review begins with this dated notice of the final permit decision. If an administrative review of the final permit is requested, the specific terms and conditions of the permit that are the subject of the request for review must be stayed.

If you have any questions concerning the enclosed final permit, please contact Claudia Smith of my staff at (303) 312-6520.

Sincerely,

Monica S. Morales
Director, Air Program
Office of Partnerships and Regulatory Assistance

Enclosures (2)

cc: Mark Hutson, Acting Director, Southern Ute Indian Tribe Environmental Program
Danny Powers, Air Quality Technical Manager, Southern Ute Indian Tribe Air Quality Program
Alan Kane, Kane Environmental Engineering, Inc.
Russell Hamm, Kane Environmental Engineering, Inc.

EPA Responses to Comments from Catamount Energy Partners, Inc., on the Proposed Synthetic MNSR Permit for the Ignacio Gas Treating Plant Pursuant to the MNSR Permit Program at 40 CFR Part 49

1. "C.3(a)(i) Is the first sentence requiring 'all flash gas emissions to the sales pipeline, as specified in this permit.' Here and throughout, we would prefer to see 'all flash gas emissions to the sales pipeline **or fuel system**, as specified in this permit,' to reflect the use of the flash gas as burner and driver fuel facility wide."

EPA Response: We have revised the permit generally as requested. The process description and process flow diagram in the original permit application did not mention the use of flash gas as burner and driver fuel facility-wide. However, the attachments to the synthetic minor permit application form (SYNMIN) occurring later in the application state that the gas from the flash tank is either used as fuel gas at the plant or vented to the atmosphere. Due to the discrepancies in the permit application, we requested and received from Catamount submitted updated process description, process flow diagram and form SYNMIN attachments dated August 17, 2017 to reflect that all flash gas emissions are routed to the burner fuel system or to the compressors to be recycled or recompressed. We have revised the permit accordingly. The updated information has been added to the administrative record for the permit action.

2. "C.3(a)(iv) States 'Each TEG dehydration unit regenerator still vent column shall be equipped with an electronically controlled temperature-sensing device capable of continuously measuring and recording the operating temperature of the steam exiting the regenerator still vent and capable of triggering an alarm when the temperature exceeds a certain set point.' Exceeding any federal requirements. Catamount proposes to record and log temperatures twice daily and modify the recordkeeping requirement to reflect the twice daily log to verify that temperatures have not exceeded the set threshold."

EPA Response: We have not revised the permit as requested. We have revised the requirement to equip and operate each TEG dehydration system regenerator still vent column with an electronically controlled continuous temperature monitoring device with recording capabilities to clarify our intent that it be a simple device setup, such as a thermocouple and data logger, both of which we continue to maintain are readily available and economical. As proposed in your comments, we have revised the temperature monitoring requirements in the permit to include twice daily manual readings of the temperature monitoring device and checks of the data logger to ensure the temperature of the steam exiting the still vent columns has not exceeded the maximum operating temperature specified in the permit at any time during each day. We have included in the revised conditions the provision that manual temperature readings may be reduced to once every 24 hours after 3 consecutive months of compliance with the maximum still vent column operating temperature has been demonstrated. Manual temperature readings must revert back to once every 12 hours following any incident in which the operating temperature of the steam exiting any regenerator still vent column exceeds the maximum operating temperature specified in the permit. Additionally, we have revised any associated recordkeeping and reporting requirements as necessary to accommodate the revisions.

As explained in the Technical Support Document for the proposed permit, the SUIT Air Quality Program found that the TEG dehydration units are undersized for gas flow through the system. Catamount has to elevate the TEG temperature in the regenerators at or above the temperature for burning TEG in order to drive the moisture from the TEG fast enough to keep up with the influent wet gas flow. Subsequently, scorched TEG vapors were found exiting the regenerator still vent, causing a strong odor in the vicinity of the plant. The Settlement Agreement attempted to address the issue by requiring the addition of a dispersion stack on the still vent of the high pressure unit (previously plumbed to ground level) and by requiring monitoring of the temperature of the steam exiting the TEG regenerator still vents to prevent excessive temperatures that result in scorching of the TEG. We do not consider twice daily manual temperature reading and recording alone to meet the requirement of the Settlement Agreement to ensure that the temperature does not exceed the maximum operating temperature for each system. We believe that continuous measurement and data logging of the operating temperature of the steam exiting each regenerator still vent column, in combination with twice daily manual readings of the device and checks of the data logger, will ensure that the maximum temperature established for the steam exiting the regenerator still vent columns is not exceeded, preventing scorching of TEG vapors.

3. "C.3(a)(v) Limits steam exiting each regenerator still vent to 375º F. Catamount requests that this limitation be extended to less than 400º F."

   In a subsequent email dated August 3, 2017, Catamount indicated that "based on technical conversations with operations and the TEG supplier, we believe that the increased temperature will provide more operating flexibility and better conditioning of the glycol. We have been told that the TEG will not degrade until it reaches temperature of 404 degrees F or more. We are also considering of installing a high temperature shut down to prevent the temperature from exceeding 400 F."

EPA Response: We have revised the permit as requested.

4. "C.3(b) Stipulates that the permittee shall meet the requirements 'for the closed-vent system,' which do not apply to installed units 12b and 14. Catamount requests that the entirety of section C.3(b), and concomitantly Section C.5(b), and Section C.6(i) be struck from the authorization based on the following exemptions:

   > Per 40 CFR 63.764€(1), the owner or operator of an area source is exempt from the requirements under 40 CFR 63.764(d) if the actual average emissions of benzene are less than 0.90 Megagram per year (tpy). It has been demonstrated that the actual emissions of benzene from both dehydrators are much less than 1 tpy.
   >
   > 40 CFR 63.771(c) (*which is the MACT HH citation from which the closed-vent system requirements have been sourced from*), is not referenced by 40 CFR 63.764(d)(2) which has the requirements for optimum glycol recirculation rate, as referenced by the Settlement agreement document.

Neither the settlement agreement nor MACT HH requires these TEG dehydrators (12b and 14) be subject to closed vent system requirements under MACT HH."

EPA Response: We have revised the permit as requested. We agree that the primary intent of the requested permit was to incorporate requirements from the Settlement Agreement; therefore, the conditions should be consistent with the conditions of the Settlement Agreement to the extent that the conditions meet the requirements for a MNSR permit.

5. "C.4 Requires the permittee to 'obtain a wet gas analyses of the inlet wet gas stream to each TEG dehydration system at least once per calendar month,' and 'include the inlet gas temperature and pressure at which the samples were taken.' The associated monitoring and recordkeeping requirements are found in C.5(c)(i), C.5(d), and C.6(a), and all require a monthly analysis as the basis for calculation. Due to the exorbitant costs, fact that the associated coalbed methane gas has little associated benzene, and the inlet stream has little variation, Catamount proposes an annual sampling event with rolling 12-month records kept based on the previous analysis and monthly calculations based on throughput."

EPA Response: We have revised the permit as requested. We agree that in the case of the low benzene content of coalbed methane, using the results of annual wet gas analyses in monthly and rolling 12-month calculations are sufficient to demonstrate compliance with the benzene emission limit.

6. "The only remaining alteration our review has revealed relates to the cited circulation rates of units 12b and 14. The pumps on unit 12b and unit 14 are too large and are being altered, resulting in significant emissions reductions. Both unit 12b and unit 14 will have one (1) Kimray 21020 and one (1) Kimray 9020 PV series circulation pumps installed with only one pump operating at a time. This change will result in a maximum circulation rate of 3.5 gallons per minute based on the higher pumping rate of the 21020's."

   In a subsequent submittal dated July 17, 2017, Catamount indicated "In Catamount Energy Partner's July 14, 2017 Proposed Synthetic Minor Source Review Permit response, it was stated that: 'Both, unit 12b and unit 14, will have one (1) Kimray 21020 and one (1) Kimray 9020 PV series circulation pumps installed with only one pump operating at a time.' After the letter was provided to the EPA, field operations clarified that unit 12b, the 25MMscfd max throughput dehydrator, will have (2) Kimray 21020's rather than one (1) Kimray 2120 and one (1) Kimray 9020. Intended operation with only a single pump operating at a time remains unchanged with the maximum circulation rate of 3.5gallons per minute."

EPA Response: We have revised the maximum circulation rates in the permit, as requested, to reflect planned equipment changes. Based on the planned equipment changes, we have also added a requirement that only one of the two (2) pumps connected to each dehydration unit be operated at any given time.

United States Environmental Protection Agency
Region 8, Air Program
1595 Wynkoop Street
Denver, CO 80202

Air Pollution Control
Synthetic Minor Source Permit to Construct

40 CFR 49.151

#SMNSR-SU-000052-2016.001

Permit to Construct to establish legally and practically enforceable limitations and requirements on sources at an existing facility

Permittee:

Catamount Energy Partners

Permitted Facility:

Ignacio Gas Treating Plant
Southern Ute Indian Reservation
La Plata County, Colorado

Summary

On July 27, 2016, the U.S. Environmental Protection Agency, Region 8 (EPA) received an application from Elm Ridge Exploration Company, LLC (Elm Ridge) requesting a permit for the Ignacio Gas Treating Plant (Ignacio plant) in accordance with the requirements of the Tribal Minor New Source Review (MNSR) Permit Program at 40 CFR part 49. On May 29, 2017, the EPA received notification that the owner and operator of the facility had changed to Catamount Energy Partners (Catamount). The EPA held a public comment period for the proposed permit from June 26, 2017 through July 27, 2017. Catamount submitted an amendment to the application dated August 17, 2017, in response to the EPA request for clarification necessary to respond to some of the comments received. Changes were made to the proposed permit based on comments received.

Catamount owns and operates the Ignacio plant on Indian country lands within the Southern Ute Indian Reservation, in La Plata County, Colorado. The Ignacio plant is a permitted major source with respect to the Title V Operating Permit Program at 40 CFR, part 70, as administered by the Southern Ute Indian Tribe (SUIT) Environmental Programs Division, Air Quality Program.[1] During compliance evaluations conducted by the SUIT in January of 2016, potential violations of the Title V operating permit and the SUIT/State of Colorado Environmental Commission's Reservation Air Code (RAC) were discovered. As a result, a Settlement Agreement and Stipulated Final Compliance Order Enforcement Case (ID: 2016-02), herein referred to as the Settlement Agreement, was executed between the SUIT and Elm Ridge on May 2, 2016. Two (2) triethylene glycol (TEG) dehydration units operating at the facility have historically claimed the exemption from the federal requirements at 40 CFR 63.764(d) (National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Oil and Gas Production Facilities, (subpart HH)) due to actual annual average emissions of benzene being less than 0.9 megagrams per year (Mg/yr), or 1 ton per year (tpy), per 40 CFR 63.764(e). The Settlement Agreement stated that after extended gas sampling had been done, it should be used to demonstrate that the actual annual benzene emissions are less than 0.9 Mg/yr in accordance with 40 CFR 63.772(b). The Settlement Agreement stated that if Elm Ridge could demonstrate that the TEG dehydration units meet the actual annual average benzene exemption, Elm Ridge must apply to the EPA to obtain a permit under the MNSR rule to establish legally and practically enforceable limits for the dehydration units to limit benzene emissions to less than 0.9 Mg/yr.

This permit does not authorize the construction of any new emission sources, nor does it otherwise authorize any other physical modifications to the facility or its operations. This permit is intended only to incorporate requested emission limits and provisions from the July 27, 2016, application from Elm Ridge requesting a federally enforceable synthetic MNSR permit.

Upon compliance with this synthetic MNSR permit, the legally and practically enforceable emissions limitations can be used when determining the applicability of 40 CFR part 63, subpart HH, as well as other Clean Air Act (CAA) requirements, such as the Title V Operating Permit Program at 40 CFR part 70 (part 70), in accordance with the SUIT's EPA-approved Part 70 Operating Permit Program, and other NESHAP at 40 CFR part 63.

The EPA has determined that issuance of this synthetic MNSR permit will not contribute to National Ambient Air Quality Standards (NAAQS) violations, or have potentially adverse effects on ambient air quality.

[1] Permit Number V-SUIT-0052-2014.01

Table of Contents

I. Conditional Permit to Construct

A. General Information

Facility:	Catamount Energy Partners Ignacio Gas Treating Plant
Permit Number:	SMNSR-SU-000052-2016.001
SIC Code and SIC Description:	1311 - Crude Petroleum and Natural Gas
NAICS Code and NAICS Description:	211111 – Crude Petroleum and Natural Gas Extraction

Site Location:	Corporate Office Location
Ignacio Gas Treating Plant Sec 13 T33N R9W Southern Ute Indian Reservation La Plata County, Colorado	Catamount Energy Partners (Catamount) 1801 Broadway, Suite 1000 Denver, Colorado 80202

The equipment listed in this permit may only be operated by Catamount at the following location:

Latitude 37.10N, Longitude -107.77W

B. Applicability

1. This permit is being issued under authority of the MNSR Permit Program.

2. The requirements in this permit have been created, at the Permittee's request, to establish legally and practically enforceable restrictions for limiting benzene TEG dehydration system emissions.

3. Any conditions established for this facility or any specific units at this facility pursuant to any permit issued under the authority of the Prevention of Significant Deterioration (PSD) Permit Program or the MNSR Permit Program shall continue to apply.

4. By issuing this permit, the EPA does not assume any risk of loss which may occur as a result of the operation of the permitted facility by the Permittee, Owner, and/or Operator, if the conditions of this permit are not met by the Permittee, Owner, and/or Operator.

C. Requirements for TEG Dehydration Systems

1. Construction and Operational Limits:

   (a) The Permittee may install and operate no more than one (1) high pressure TEG dehydration system meeting the following specifications:

      (i) Limited to a maximum natural gas processing capacity of 25 million standard cubic feet per day (MMscfd);

      (ii) Equipped with a natural gas-fired TEG regenerator limited to a maximum heat input capacity of 0.5 million British thermal units per hour (MMBtu/hr); and

(iii) Equipped with no more than one (1) primary TEG recirculation pump and one (1) backup TEG recirculation pump.

(b) The Permittee may install and operate no more than one (1) low pressure TEG dehydration system meeting the following specifications:

(i) Limited to a maximum natural gas processing capacity of 12 MMscfd;

(ii) Equipped with a natural gas-fired TEG regenerator limited to a maximum heat input capacity of 1.0 MMBtu/hr; and

(iii) Equipped with no more than one (1) primary TEG recirculation pump and one (1) backup TEG recirculation pump.

(c) Only the TEG dehydration systems that are operated and controlled as specified in this permit may be installed and operated.

2. Emission Limits: Actual average emissions of benzene from the process vents to the atmosphere for each of the TEG dehydration units approved in this permit for installation and operation at the facility shall be maintained at less than 0.9 megagrams, or 1 ton, in any consecutive 12-month period. The emission limits shall apply at all times.

3. Control and Operational Requirements: *TEG Dehydration Systems.* The Permittee shall meet the following requirements for the TEG dehydration units:

(a) Each TEG dehydration system shall be equipped with flash gas separators that removes and routes all flash gas emissions to the compressors to be recycled or recompressed or to the TEG regenerator burner for fuel;

(b) For each TEG dehydration system, only one (1) TEG recirculation pump shall operate at any given time;

(c) The high pressure TEG dehydration system shall be equipped with an elevated dispersion stack on the TEG regenerator still vent column;[2]

(d) The Permittee shall meet the requirements in paragraphs (i) through (iv) for each TEG dehydration system:

(i) Determine the optimum glycol recirculation rate using the following equation:

$$L_{OPT} = 1.15 * 3.0 \frac{\text{gal TEG}}{\text{lb } H_2O} * \left(\frac{F * (I - O)}{24 \text{ hr/day}} \right)$$

Where:

L_{OPT} = Optimal circulation rate in gallons per hour (gal/hr)
F = Gas flowrate in MMscfd
I = Inlet water content in pounds per MMscfd (lb/MMscfd)
O = Outlet water content (lb/MMscfd)

[2] The dispersion stack was installed on June 28, 2016, to comply with the May 2, 2016 Settlement Agreement with the SUIT.

3.0 = The industry accepted rule of thumb for a TEG-to-water ratio in gal TEG/lb H_2O
1.15 = Adjustment factor included for a margin of safety

(ii) Operate the TEG dehydration system such that the actual glycol circulation rate does not exceed the optimum glycol circulation rate determined in accordance with paragraph (i) above. If the TEG dehydration system is unable to meet the sales gas specification for moisture content using the glycol circulation rate determined in accordance with paragraph (i) above, the Permittee shall calculate an alternate circulation rate using GRI-GLYCalc™, Version 3.0 or higher. The Permittee shall document why the TEG dehydration system must be operated using the alternate circulation rate and submit this documentation to the EPA within 30 days of beginning operation using that alternate circulation rate;

(iii) If operating conditions change and a modification to the optimum or alternate glycol circulation rate is required, the Permittee shall prepare a new determination in accordance with paragraphs (i) and (ii) above; and

(iv) Submit documentation of each modified optimum glycol circulation rate and alternate glycol circulation rate determination to the EPA within 30 days of beginning operation using that circulation rate. Include in each submittal a statement by an official authorized by the Permittee, with that official's name, title and signature certifying that the Permittee will always operate the TEG dehydration system using the optimum or alternative circulation rate determined in accordance with paragraphs (i) or (ii) above;

(e) Each TEG dehydration unit regenerator still vent column shall be equipped with an electronically controlled temperature-sensing device capable of continuously measuring and recording the operating temperature of the steam exiting the regenerator still vent column, such as a thermocouple and data logger.

(f) The Permittee shall ensure that the operating temperature of the steam exiting each regenerator still vent column does not exceed 400 ºF.

(g) The Permittee shall follow, for each TEG dehydration system, the manufacturer's recommended maintenance schedule and procedures to ensure optimum performance.

(h) The Permittee shall minimize leaks of hydrocarbon emissions from all vent lines, connections, fittings, valves, relief valves, or any other appurtenance employed to contain, collect, and transport gases, vapors, and fumes from the flash gas separators to the to the compressors to be recycled or recompressed or to the TEG regenerator burner for fuel.

4. Testing Requirements: The Permittee shall obtain an extended wet gas analysis of the inlet wet gas stream to each TEG dehydration system at least once per calendar year, with no more than 12 months separating each sampling event. The analysis shall include the inlet gas temperature and pressure at which the sample was taken.

5. Monitoring and Recordkeeping Requirements:

(a) The Permittee shall manually read the temperature of the steam exiting the regenerator still vent column and review temperature data logged since the previous manual reading at least

twice per day of operation to ensure there are no exceedances of the maximum operating temperature specified in this permit. Manual temperature reading and review of data logged since the previous manual reading may be reduced to once per day after 3 consecutive months of compliance with the maximum operating temperature specified in this permit. Manual temperature reading and review of the data logged since the previous manual reading must revert back to twice per day of operation immediately following any incident in which the operating temperature exceeds the maximum operating temperature specified in this permit.

(b) The Permittee shall monitor the operating hours of each TEG recirculation pump connected to each TEG dehydration unit, to demonstrate compliance with the requirement that only one (1) pump operate at any given time.

(c) Actual average benzene emissions from each of the TEG dehydration units shall be determined using the most recent version of the GRI-GLYCalc™, Version 3.0 or higher, model and the following input parameters:

(i) The inlet wet gas stream properties provided in the most recent annual extended wet gas analysis;

(ii) The temperature and pressure of the inlet wet gas provided in the most recent annual extended wet gas analysis; and

(iii) The maximum gas throughput and optimum or alternate glycol pump recirculation rate (as determined in accordance with Section I.C.3(d)(i) and (ii) of this permit) for each TEG dehydration system as follows:

TEG Dehydration Unit Description	**Maximum Glycol Pump Recirculation Rate***
25 MMscfd maximum gas throughput	3.5 gallons per minute
12 MMscfd maximum gas throughput	3.5 gallons per minute

* Note: Unless an alternative circulation rate is determined in accordance with Section I.C.3(d)(ii).

(d) Actual average benzene emissions from each TEG dehydration system shall be calculated and recorded at the end of each month, beginning with the first full calendar month after the effective date of this permit. Prior to 12 full months of operation under this permit, the Permittee shall, at the end of each month, add the emissions for that month to the calculated emissions for all previous months since the permit became effective, and record the total. Thereafter, the Permittee shall, at the end of each month, add the emissions for that month to the calculated emissions for the preceding 11 months and record a new 12-month total.

(e) The Permittee shall keep records of the following:

(i) The monthly and consecutive 12-month benzene emissions calculations, GRI-GLYCalc™ model input parameters and GRI-GLYCalc™ model reports for each TEG dehydration unit;

(ii) The manufacturer's or vendor's written, site-specific engineering specifications, operating instructions, operating procedures and maintenance schedules for each TEG dehydration system and regenerator still vent column temperature sensing and recording device;

(iii) Reports of all required extended wet gas analyses of the inlet wet gas stream to each TEG dehydration system.

(iv) Documentation of all determinations of optimum and alternate glycol circulation rates for each TEG dehydration system calculated in accordance with Section I.C.3(d)(i) and (ii) of this permit;

(v) All required manual readings of the temperature of the steam exiting each TEG dehydration system regenerator still vent column and reviews of the logged temperature data. The records shall include the date and time of each reading and logged data review and the name of the person performing the reading and logged data review;

(vi) Any instances of an exceedance of the maximum operating temperature of the steam exiting any regenerator still vent column specified in this permit, including:

(A) The date and time the exceedance occurred and the system subsequently began operating below the maximum regenerator still vent column operating temperature specified in this permit;
(B) The temperature recorded at the time the exceedance occurred and at the time the system subsequently began compliant operation; and
(C) Any corrective actions taken and preventative measures adopted to bring the operating temperature back into compliance.

(vii) The operating hours of each TEG recirculation pump connected to each TEG dehydration unit, including the startup date and time and subsequent shut down date and time for each pump; and

(viii) Any instances in which the temperature-sensing device installed to measure the operating temperature in each TEG dehydration unit regenerator still vent column or the temperature data logger is not operational, including:

(A) The date, time, and duration of the malfunction; and
(B) Any corrective actions taken and any preventative measures adopted to avoid such malfunction.

D. Requirements for Records Retention

1. The Permittee shall retain all records required by this permit for a period of at least 5 years from the date the record was created.

2. Records shall be kept in the vicinity of the facility, such as at the facility, the location that has day-to-day operational control over the facility, or the location that has day-to-day responsibility for compliance of the facility.

E. Requirements for Reporting

1. Annual Emission Reports

(a) The Permittee shall submit a written annual report of the actual annual benzene emissions from each TEG dehydration system at the facility each year no later than April 1st. The annual report shall cover the period for the previous calendar year. All reports must be certified to truth and accuracy by the by the person primarily responsible for Clean Air Act compliance of the Permittee.

(b) The report shall be submitted to:

U.S. Environmental Protection Agency, Region 8
Office of Partnerships and Regulatory Assistance
Tribal Air Permitting Program, 8P-AR
1595 Wynkoop Street
Denver, Colorado 80202

The report may be submitted via electronic mail to r8AirPermitting@epa.gov.

2. All other documents required to be submitted under this permit, with the exception of the **Annual Emission Reports**, shall be submitted to:

U.S. Environmental Protection Agency, Region 8
Office of Enforcement, Compliance & Environmental Justice
Air Toxics and Technical Enforcement Program, 8ENF-AT
1595 Wynkoop Street
Denver, Colorado 80202

Documents may be submitted electronically to r8airreportenforcement@epa.gov.

3. The Permittee shall promptly submit to the EPA a written report of any deviations of permit requirements, a description of the probable cause of such deviations, and any corrective actions or preventative measures taken. A "prompt" deviation report is one that is post marked or submitted via electronic mail to r8airreportenforcement@epa.gov as follows:

(a) Within 30 days from the discovery of any deviation of permit requirements that is left un-corrected for more than 5 days after discovering the deviation; and

(b) By April 1st, for the discovery of a deviation of recordkeeping or other permit conditions during the preceding calendar year that do not affect the Permittee's ability to meet the emission limits.

4. The Permittee shall submit a written report for any required performance tests to the EPA within 60 days after completing the tests.

5. The Permittee shall submit any record or report required by this permit upon EPA request.

II. General Provisions

A. Conditional Approval

Pursuant to the authority of 40 CFR 49.151, the EPA hereby conditionally grants this permit. This authorization is expressly conditioned as follows:

1. *Document Retention and Availability:* This permit and any required attachments shall be retained and made available for inspection upon request at the location set forth herein.

2. *Permit Application:* The Permittee shall abide by all representations, statements of intent and agreements contained in the application submitted by the Permittee. The EPA shall be notified 10 days in advance of any significant deviation from this permit application as well as any plans, specifications or supporting data furnished.

3. *Permit Deviations:* The issuance of this permit may be suspended or revoked if the EPA determines that a significant deviation from the permit application, specifications, and supporting data furnished has been or is to be made. If the proposed source is constructed, operated, or modified not in accordance with the terms of this permit, the Permittee will be subject to appropriate enforcement action.

4. *Compliance with Permit:* The Permittee shall comply with all conditions of this permit, including emission limitations that apply to the affected emissions units at the permitted facility/source. Noncompliance with any permit term or condition is a violation of this permit and may constitute a violation of the Clean Air Act and is grounds for enforcement action and for a permit termination or revocation.

5. *Fugitive Emissions:* The Permittee shall take all reasonable precautions to prevent and/or minimize fugitive emissions during the construction period.

6. *National Ambient Air Quality Standard and PSD Increment:* The permitted source shall not cause or contribute to a National Ambient Air Quality Standard violation or a PSD increment violation.

7. *Compliance with Federal and Tribal Rules, Regulations, and Orders:* Issuance of this permit does not relieve the Permittee of the responsibility to comply fully with all other applicable federal and tribal rules, regulations, and orders now or hereafter in effect.

8. *Enforcement:* It is not a defense, for the Permittee, in an enforcement action, to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

9. *Modifications of Existing Emissions Units/Limits:* For proposed modifications, as defined at 40 CFR 49.152(d), that would increase an emissions unit's allowable emissions of a pollutant above its existing permitted annual allowable emissions limit, the Permittee shall first obtain a permit for the modification pursuant to the MNSR regulations approving the increase. For a proposed modification that is not otherwise subject to review under the PSD or MNSR regulations, such

proposed increase in the annual allowable emissions limit shall be approved through an administrative permit revision as provided at 40 CFR 49.159(f).

10. *Relaxation of Legally and Practically Enforceable Limits:* At such time that a new or modified source within this permitted facility/source or modification of this permitted facility/source becomes a major stationary source or major modification solely by virtue of a relaxation in any legally and practically enforceable limitation which was established after August 7, 1980, on the capacity of this permitted facility/source to otherwise emit a pollutant, such as a restriction on hours of operation, then the requirements of the PSD regulations shall apply to the source or modification as though construction had not yet commenced on the source or modification.

11. *Revise, Reopen, Revoke and Reissue, or Terminate for Cause:* This permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee, for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. The EPA may reopen this permit for a cause on its own initiative, e.g., if this permit contains a material mistake or the Permittee fails to assure compliance with the applicable requirements.

12. *Severability Clause:* 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.

13. *Property Rights:* This permit does not convey any property rights of any sort or any exclusive privilege.

14. *Information Requests:* The Permittee shall furnish to the EPA, within a reasonable time, any information that the EPA may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating this permit or to determine compliance with this permit. For any such information claimed to be confidential, you shall also submit a claim of confidentiality in accordance with 40 CFR part 2, subpart B.

15. *Inspection and Entry:* The EPA or its authorized representatives may inspect this permitted facility/source during normal business hours for the purpose of ascertaining compliance with all conditions of this permit. Upon presentation of proper credentials, the Permittee shall allow the EPA or its authorized representative to:

    (a) Enter upon the premises where this permitted facility/source is located or emissions-related activity is conducted, or where records are required to be kept under the conditions of this permit;

    (b) Have access to and copy, at reasonable times, any records that are required to be kept under the conditions of this permit;

    (c) Inspect, during normal business hours or while this permitted facility/source is in operation, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

    (d) Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or other applicable requirements; and

(e) Record any inspection by use of written, electronic, magnetic and photographic media.

16. *Permit Effective Date:* This permit is effective immediately upon issuance unless a later effective date is specified in the permit, or unless comments resulted in a change in the proposed permit, in which case this permit is effective 30 days after issuance. If within 30 days after the service of notice of the final permit issuance, a person petitions the Environmental Appeals Board to review any condition(s) of the final permit in accordance with 40 CFR 49.159(d), the specific terms and conditions of the permit that are the subject of the request for review must be stayed.

17. *Permit Transfers:* Permit transfers shall be made in accordance with 40 CFR 49.159(f). The Air Program Director shall be notified in writing at the address shown below if the company is sold or changes its name.

U.S. Environmental Protection Agency, Region 8
Office of Partnerships and Regulatory Assistance
Tribal Air Permitting Program, 8P-AR
1595 Wynkoop Street
Denver, Colorado 80202

18. *Invalidation of Permit:* Unless this permitted source is an existing source, this permit becomes invalid if construction is not commenced within 18 months after the effective date of this permit, construction is discontinued for 18 months or more, or construction is not completed within a reasonable time. The EPA may extend the 18-month period upon a satisfactory showing that an extension is justified. This provision does not apply to the time period between the construction of the approved phases of a phased construction project. The Permittee shall commence construction of each such phase within 18 months of the projected and approved commencement date.

19. *Notification of Start-Up:* The Permittee shall submit a notification of the anticipated date of initial start-up of this permitted source to the EPA within 60 days of such date, unless this permitted source is an existing source.

B. Authorization

Authorized by the United States Environmental Protection Agency, Region 8

Monica S. Morales 9/12/17

Monica S. Morales — Date
Director, Air Program
Office of Partnerships and Regulatory Assistance