



April 23, 2020

Mr. Gregory Sopkin
Regional Administrator
U.S. EPA, Region 8
1595 Wynkoop Street
Denver, CO 80202-1129

Re: Sulfur Dioxide Attainment Status Recommendation

Dear Mr. Sopkin:

On June 22, 2010, the United States Environmental Protection Agency (EPA) published its final rule regarding the primary National Ambient Air Quality Standards (NAAQS) for sulfur dioxide (SO₂). The one-hour standard was established at 75 parts per billion (ppb). Since that promulgation, EPA has designated all areas of North Dakota as attainment/unclassifiable except for Williams County. Williams County was not classified because ambient monitoring data was being collected around the Hess Tioga Gas Plant as required by the Data Requirements Rule (40 CFR 51, Subpart BB).

Hess Tioga Gas Plant, LLC has conducted three years (2017-2019) of ambient monitoring around the plant in Williams County as required by the Data Requirements Rule. That monitoring was conducted in accordance with the requirements of 40 CFR 58. The data have been entered into the Air Quality System and have been certified. The Tioga, ND site (Site ID 381050106) data indicate a design value of 16 parts per billion (ppb) for 2019. The design value is based on 2017-2019 ninety-ninth percentile one-hour concentrations of 17 ppb, 14 ppb and 17 ppb, respectively. The data demonstrate compliance with the primary 1-hour NAAQS for SO₂.

In addition to the Tioga, ND site, the Hess #3 monitoring site (Site ID 381050105) was operated near the plant during this same time period. It is the Department of Environmental Quality's (DEQ) understanding that data from this site were the basis for EPA including the Tioga Gas Plant under the Data Requirements Rule. The 2017-2019 monitoring data at this site were collected in accordance with the requirements of 40 CFR 58 and have been entered into the Air Quality System. The results of this monitoring indicate a design value of 67 ppb for 2019. Although this site is located on Hess' property and technically does not meet the requirements for monitoring "ambient air", it is further evidence that the area around the plant and Williams County is in attainment with the primary one-hour SO₂ NAAQS. The data also indicate the basis for including the Tioga Gas Plant under the Data Requirements Rule is no longer valid.

The Tioga Gas Plant is the only major source (greater than 100 tons per year) of SO₂ in Williams County. There are no other major sources of SO₂ located within 50 kilometers of the plant. Therefore, the Tioga Gas Plant is the only significant source that influences the SO₂ concentrations in Williams County. DEQ recently issued a Permit to Construct to Hess Tioga Gas Plant, LLC which will reduce SO₂ emissions from the plant. Allowable SO₂ emissions from the tail-gas incinerator have now been reduced from 671 pounds per hour (lb/hr) to 155 lb/hr. The potential-to-emit from the incinerator stack has been reduced from 2,939 tons per year (tpy) to 679 tpy. Actual SO₂ emissions from the tail-gas incinerator were 719 tons in



2017, 994 tons in 2018 and 1,195 tons in 2019. Hess Tioga Gas Plant, LLC conducted dispersion modeling for the new incinerator emission limit and determined that it will comply with the primary one-hour SO₂ NAAQS. Since the terrain around the plant is rural and relatively flat, geography and topography have little influence on ambient concentrations. The modeling is available for your review.

Based on the information presented above, it is recommended that Williams County be designated attainment/unclassifiable for the one-hour primary SO₂ NAAQS. If you have any questions, please contact the Department of Environmental Quality, Division of Air Quality, at (701) 328-5188.

Regards,

A handwritten signature in blue ink, appearing to read "Doug Burgum".

Doug Burgum
Governor