

**United States Environmental Protection Agency
Region VIII
Air and Radiation Program
1595 Wynkoop Street
Denver, CO 80202**



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

In accordance with the provisions of title V of the Clean Air Act and 40 CFR Part 71 and applicable rules and regulations,

**BP America Production Company
Treating Site #1 Compressor Station**

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 at the following location:

**Southern Ute Reservation
Section 13, Township 32N, Range 8W
La Plata County, Colorado**

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 EPA and citizens under the Clean Air Act.

A handwritten signature in black ink, appearing to read "Callie A. Videtich", is written over a horizontal line.

Callie A. Videtich, Director
Air and Radiation Program
US EPA Region VIII

1/30/08
Date

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**AIR POLLUTION CONTROL
TITLE V PERMIT TO OPERATE
BP America Production Company
Treating Site #1 Compressor Station**

Permit Number: V-SU-0001-05.01
Replaces Permit No.: V-SU-0001-05.00

Issue Date: January 30, 2008
Effective Date: January 30, 2008
Expiration Date: October 28, 2012

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

Permit Revision History

DATE OF REVISION	TYPE OF REVISION	SECTION NUMBER, CONDITION NUMBER	DESCRIPTION OF REVISION
September 1999	Initial Permit Issued		Title V Permit # V-SU-0001-00.00
September 2007	1 st Renewal Permit Issued		Title V Permit # V-SU-0001-05.00
January 2008	Administrative Amendment	Permit Cover; I.A Source Information; II.D.3 Monitoring Requirements; III.C Alternative Operating Scenario; IV.A. Annual Fee Payment; IV.Q. Off Permit Changes; V. Appendix	Moved permit numbers and issue/effective/expiration dates from signature cover page to new permit issuance cover page following signature cover page. Removed facility contact information. Information now located only in Statement of Basis. Clarification to the periodic monitoring requirements for engines that run less than half of the quarter. Revised text for clarification in related section discussing permitted RICE that are replaced or rebuilt. Changed the bank name and address for submittal of annual fee payments. Revised text for clarification. Moved permit revision history table from appendix to new permit issuance cover page.

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Abbreviations and Acronyms

AR	Acid Rain
ARP	Acid Rain Program
bbls	Barrels
BACT	Best Available Control Technology
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAM	Compliance Assurance Monitoring
CEMS	Continuous Emission Monitoring System
CFR	Code of Federal Regulations
CMS	Continuous Monitoring System (includes COMS, CEMS and diluent monitoring)
COMS	Continuous Opacity Monitoring System
CO	Carbon monoxide
CO ₂	Carbon dioxide
DAHS	Data Acquisition and Handling System
dscf	Dry standard cubic foot
dscm	Dry standard cubic meter
EIP	Economic Incentives Programs
EPA	Environmental Protection Agency
FGD	Flue gas desulfurization
gal	Gallon
GPM	Gallons per minute
H ₂ S	Hydrogen sulfide
gal	gallon
HAP	Hazardous Air Pollutant
hr	Hour
Id. No.	Identification Number
kg	Kilogram
lb	Pound
MACT	Maximum Achievable Control Technology
MVAC	Motor Vehicle Air Conditioner
Mg	Megagram
MMBtu	Million British Thermal Units
mo	Month
NESHAP	National Emission Standards for Hazardous Air Pollutants
NMHC	Non-methane hydrocarbons
NO _x	Nitrogen Oxides
NSPS	New Source Performance Standard
NSR	New Source Review
pH	Negative logarithm of effective hydrogen ion concentration (acidity)
PM	Particulate Matter
PM ₁₀	Particulate matter less than 10 microns in diameter
ppm	Parts per million
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
psi	Pounds per square inch
psia	Pounds per square inch absolute
RMP	Risk Management Plan
scfm	Standard cubic feet per minute
SNAP	Significant New Alternatives Program
SO ₂	Sulfur Dioxide
tpy	Ton Per Year
US EPA	United States Environmental Protection Agency
VOC	Volatile Organic Compounds

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I. Source Information and Emission Unit Identification

I.A. Source Information

Parent Company Name: BP America Production Company

Plant Name: Treating Site #1 Compressor Station

Plant Mailing Address: BP America Production Company
380 Airport Road
Durango, Colorado 81303

Plant Location: Section 13, Township 32N, Range 8W

Region: VIII

State: Colorado

County: La Plata

Reservation: Southern Ute Reservation

Tribe: Southern Ute Indian Tribe

Responsible Official: Red Cedar Operations Manager

SIC Code: 1311

AFS Plant Identification Number: 08-067-00260

Other Clean Air Act Permits: EPA issued PSD Permit # PSD-SU-0006-95.00 on July 31, 1997 and amended PSD Permit # PSD-SU-0006-95.00 on June 9, 1999.

Description of Process:

Treating Site #1 Compressor Station is a central facility used to treat the gas and water recovered from the coal matrix reservoirs of the San Juan Basin located in Area #1 of the Ignacio Blanco Fruitland field. Coal bed methane gas wells are produced similarly to conventional gas wells, but with a larger quantity of associate water production. After leaving the well, the production is sent to a wellsite separator which splits the stream into separate gas and water gathering lines prior to entering the treating facility.

The gas enters the facility at about 56 psi and passes through a slug catcher used for water and gas separation. The water that drops out combines with the produced water stream from the field and is stored in water tanks. Each water tank has a tank heater used during the winter months to heat the water. The produced water is pumped from the tanks through water injection pumps and re-injected into a deep reservoir for disposal. After leaving the slug catcher, the produced gas is compressed to about 380 psi before passing through a glycol dehydrator unit equipped with a natural gas fired reboiler to further dry the gas. After dehydration, most of the gas is sent through a custody transfer sales meter to Red Cedar Gathering, while some of the gas is returned to the field to be used as wellsite fuel gas. The gas contains only a negligible amount of hydrogen sulfide (H_2S). Therefore, no H_2S removal is necessary. It should be noted that these wells do not produce any condensate or natural gas liquids and VOC content of the gas is only 0.6% by weight. Current production at this facility is about 13 MMscfd.

The potential to emit for the facility as a whole are as follows:

- Nitrogen Oxides (NO_x) – 49.4 tpy
- Carbon Monoxide (CO) – 110.9 tpy
- Volatile Organic Compounds (VOC) – 25.1 tpy
- Small Particulates (PM_{10}) – 1.8 tpy
- Sulfur Dioxide (SO_2) - 0.05 tpy
- Total Hazardous Air Pollutants (HAPs) -1.96 tpy
- Largest Single HAP (formaldehyde, HCHO) – 1.3 tpy

I.B. Source Emission Points

**Table 1 - Source Emission Points
BP Treating Site #1 Compressor Station**

Emission Unit Id. No.	Description	Control Equipment
TS1-1 TS1-2	1215 hp, Waukesha L5790-GSI Compressor Engine Serial No. 401231 Installed: 1989 Serial No. No Plate Installed: 1989	NSCR and A/F controller
TS1-3	68 hp, Waukesha VRG330 Generator Engine Serial No. 401075 Installed: 1992	None
TS1-4	105 hp, Waukesha F11-G Pump Engine Serial No. No Plate Installed: 1989	None
TS1-9*	375 hp, Waukesha F18 GL Pump Engine Serial No. NA Installed: Removed 2004	NA

* TS1-9 has been shut-down and permanently removed from the facility. However, this engine remains in the part 71 permit as it is still listed in the PSD permit for this facility.

**Table 2 - Insignificant Emission Units
BP Treating Site #1 Compressor Station**

Emission Unit Id. No.	Description
TS1-5, TS1-6	2 - 500 MBTU/hr Tank Heaters
TS1-7	1 - 500 MBTU/hr Glycol Reboiler
TS1-10	1 - 512 MBTU/hr Glycol Reboiler
TS1-7b and TS1-10b	2 - 12.5 MMscf/d Glycol Still Column Vents
TS1-7c and TS1-10c	2 - Glycol Dehy Unit Flash Tank Vents
TS1-8	Fugitive Sources
TS1-11	1 - 375 MBTU/hr Tank Heater
TS1-12	11 - < 470 bbl De minimus storage tanks (storing lube oil, used oil, EG, TEG)
NA	3 - 12 MBTU/hr Catalytic Space Heaters
NA	9 - 48 MBTU/hr Catalytic Space Heaters

II. Specific Requirements for Units TS1-1, TS1-2, TS1-3, & TS1-4

II.A. Emission Limits [40 CFR 52.21 PSD Permit-July 31, 1997, revised June 9, 1999 and 40 CFR 71.6(a)(1), 71.6(a)(1)(i) and 71.6(a)(1)(iii)]

Table 3 - Engine Emission Limits

Emission Unit Id. No.	Description	Emission Factor NOx (g/hp-hr)	NOx (lbs/hr)	NOx (tpy)	Emission Factor CO (g/hp-hr)	CO (lbs/hr)	CO (tpy)
TS1-1	1215 hp Wauk. L5790-GSI	1.0	2.7	11.7	2.0	5.4	23.5
TS1-2	1215 hp Wauk. L5790-GSI	1.0	2.7	11.7	2.0	5.4	23.5
TS1-3	68 hp Wauk. VRG330	7.5	1.1	4.9	45.0	6.7	29.5
TS1-4	105 hp Wauk. F11-G	20.7	4.8	21	34.0	7.9	34.5

II.B. Maintenance and Operation [40 CFR 52.21 PSD Permit-July 31, 1997, revised June 9, 1999]

At all times, including periods of startup (except for replacement/overhauled engines), shut-down, and equipment malfunction, the facility, to the extent practical, shall be maintained and operated in a manner consistent with good air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to EPA, which may include, but not be limited to monitoring results, review of operating and maintenance procedures, manufacturer's specifications, industry practices, or inspection of the facility.

II.C. Testing Requirements [40 CFR 52.21 PSD Permit-July 31, 1997, revised June 9, 1999 and 40 CFR 71.6(a)(3)(i)(A) through (C)]

1. Compliance with emissions limits of this permit for any engine type (except for the Waukesha VRG 330 model for which testing is not required) may be determined by emission tests, when required by EPA. The engine Testing Protocol, dated October 29, 1997 and approved by EPA and used for the initial compliance tests shall be used by the permittee during any emission tests, unless the permittee chooses to use a different engine Testing Protocol. Any other engine Testing Protocols, not approved by EPA, must be submitted to EPA for approval prior to performing emissions tests.

2. These emissions tests shall be performed in accordance with the test methods specified in 40 CFR Part 60, Appendix A. EPA Reference Method 7 shall be used to measure NO_x emissions and EPA Reference Method 10 shall be used to measure CO emissions, unless alternative methods are approved by the Administrator.
3. The permittee shall provide EPA with at least 30 (thirty) calendar days prior notice (in writing) of any emissions test required by this permit, in order to give EPA the opportunity to observe the test; unless a shorter timeframe is agreed upon by the permittee and EPA.

II.D. Monitoring Requirements [40 CFR 52.21 PSD Permit-July 31, 1997, revised June 9, 1999 and 40 CFR 71.6(a)(3)(i)(A) through (C)]

1. The permittee shall measure NO_x and CO emissions from engines TS1-1, TS1-2, and TS1-4 at least once every semi-annual period (January 1st–June 30th and July 1st–December 31st).
2. To meet the monitoring requirement above, the permittee shall measure the NO_x and CO emissions from each engine using a portable analyzer and the monitoring protocol approved by EPA.
3. The permittee shall conduct the following additional monitoring and maintenance activities on each controlled engine (TS1-1, TS1-2) at least once every calendar quarter unless the engine runs less than half of the quarter. If the engines runs less than half of the quarter, the permittee may choose to perform the following once every 2190 hours of run-time:
 - (a) Measure exhaust back pressure;
 - (b) Measure differential pressure and temperature across the catalytic converter;
 - (c) Replace oxygen sensors;
 - (d) Inspect and lubricate air/fuel ratio control valves; and
 - (e) Measure concentrations of CO and NO_x in exhaust.

If these monitoring and maintenance activities can not be performed on one of the controlled engines during any quarter, the reason preventing the activities shall be reported in the next semi-annual report required under the Reporting Requirements section of this permit.

4. The permittee shall not conduct NO_x and CO emissions monitoring or parametric monitoring and maintenance activities on the engines identified in this permit that have not been operated during the specified monitoring period. The permittee must certify that the

engine(s) did not operate during the specified monitoring period and maintain this certification in accordance with the recordkeeping requirements listed in this permit.

II.E. Recordkeeping Requirements [40 CFR 52.21 PSD Permit-July 31, 1997, revised June 9, 1999, and 40 CFR 71.6(a)(3)(ii)]

1. The permittee shall keep a record of all required emissions monitoring and compliance tests, and the parametric monitoring and maintenance activities required in the Monitoring Requirements section of this permit. The record shall include:
 - (a) The date, place, and time of sampling or monitoring;
 - (b) The date(s) the analyses were performed;
 - (c) The company or entity that performed the analyses;
 - (d) The analytical techniques or methods used;
 - (e) The results of such analyses; and
 - (f) The operating conditions that existed at the time of sampling or monitoring.
2. The permittee shall retain records of all required monitoring data and support information, reports, notifications, testing, monitoring, measurements, observations, and maintenance activities compiled in accordance with this permit for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or record. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. This data must be available at the permittee's nearest regularly manned facility for inspection by EPA and must be submitted to EPA upon request.

II.F. Reporting Requirements [40 CFR 52.21 PSD Permit-July 31, 1997, revised June 9, 1999 and 40 CFR 71.6(a)(3)(iii).]

1. The permittee shall submit a written report of any initial compliance test results for replacement/overhauled engines installed at the facility and for any engine compliance tests required by EPA. This emissions test report shall be submitted to EPA along with the next semi-annual monitoring results report due to be submitted and referenced in this section of this permit.
2. The permittee shall submit a written report containing all required emissions monitoring results for TS1-1, TS1-2, and TS1-4 and the parametric monitoring results and maintenance activities required in the Monitoring Requirements section of this permit. This report shall be submitted semi-annually to EPA by April 1 and October 1 of each year. The reporting period for the April 1 report is July 1 – December 31, and the reporting period for the October 1 report is January 1 – June 30. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with Submissions section of this permit.

3. Except for emission deviations from replacement/overhauled engines which are addressed in section **III.E** of this permit, the permittee shall keep a record of any excess emissions that occur during periods of startup, shut-down, equipment malfunction, or upset conditions, for any reason. Malfunction is defined as any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

For each occurrence of excess emissions, all of the following shall be provided to EPA in writing and submitted with the semi-annual reports referenced in condition **II.F.2**, above:

- (a) Deviations from permit requirements, including those attributable to upset conditions;
- (b) The probable cause of such deviations;
- (c) The identity of the stack or emission point where excess emissions occurred;
- (d) The magnitude of excess emissions expressed in terms of permit conditions;
- (e) The time and duration of excess emissions; and
- (f) Any corrective actions or preventive measures taken.

III. Facility-Wide Requirements

Conditions in this section of the permit apply to all emissions units located at the facility, including any units not specifically listed in **Table 1** and **Table 2** of section **I.B.**

[40 CFR 71.6(a)(1)]

III.A. General Recordkeeping Requirements [40 CFR 71.6(a)(3)(ii)]

The permittee shall comply with the following generally applicable recordkeeping requirements:

1. If the permittee determines that his or her stationary source that emits (or has the potential to emit, without federally recognized controls) one or more hazardous air pollutants is not subject to a relevant standard or other requirement established under 40 CFR part 63, the permittee shall keep a record of the applicability determination at the Operations Center for a period of five years after the determination, or until the source changes its operations to become an affected source, whichever comes first. The record of the applicability determination shall include an analysis (or other information) that demonstrates why the permittee believes the source is unaffected (e.g., because the source is an area source).

[40 CFR 63.10(b)(3)]

2. The permittee is an owner or operator of a glycol dehydration unit that is exempt from the control requirements under §63.764(e)(1). The permittee shall retain the GRI-GLYCalc determination used to demonstrate that actual average benzene emissions are below 1 tpy.

[40 CFR 63.774(d)(1)]

3. Records shall be kept, as required by condition **IV.Q**, of off-permit changes made in accordance with the approved Alternative Operating Scenarios.

III.B General Reporting Requirements [40 CFR 71.6(a)(3)(iii)]

1. The permittee shall submit to EPA reports of any monitoring and recordkeeping required under this permit semi-annually by April 1st and October 1st of each year. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with section **IV.E** of this permit.

[Explanatory note: To help part 71 permittees meet reporting responsibilities, EPA has developed a form "SIXMON" for six-month monitoring reports. The form may be found on EPA website at: <http://www.epa.gov/air/oaqps/permits/p71forms.html>]

2. "Deviation," means any situation in which an emissions unit fails to meet a permit term or condition. A deviation is not always a violation. A deviation can be determined by observation or through review of data obtained from any testing, monitoring, or recordkeeping established in accordance with §71.6(a)(3)(i) and (a)(3)(ii). For a situation

lasting more than 24 hours which constitutes a deviation, each 24 hour period is considered a separate deviation. Included in the meaning of deviation are any of the following:

- (a) A situation where emissions exceed an emission limitation or standard;
 - (b) A situation where process or emissions control device parameter values indicate that an emission limitation or standard has not been met;
 - (c) A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit;
3. The permittee shall promptly report to the EPA Regional Office deviations from permit requirements, including those attributable to upset conditions as defined in this permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. "Prompt" is defined as follows:
- (a) Any definition of "prompt" or a specific timeframe for reporting deviations provided in an underlying applicable requirement as identified in this permit;
 - (b) Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations will be submitted based on the following schedule:
 - (i) For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in the applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
 - (ii) For emissions of any regulated air pollutant, excluding a hazardous air pollutant or a toxic air pollutant that continues for more than two hours in excess of permit requirements, the report must be made within 48 hours.
 - (iii) For all other deviations from permit requirements, the report shall be submitted with the semi-annual monitoring report.
4. If any of the conditions in **III.B.3.(b)(i)** or **(ii)** are met, the source must notify EPA by telephone (1-800-227-8917) or facsimile (303-312-6064) based on the timetables listed above. *[Notification by telephone or fax must specify that this notification is a deviation report for a part 71 permit]*. A written notice, certified consistent with the Submissions section of this permit must be submitted within 10 working days of the occurrence. All deviations reported under this section must also be identified in the semi-annual report required under this permit.

[Explanatory note: To help part 71 permittees meet reporting responsibilities, EPA has developed a form "PDR" for prompt deviation reporting. The form may be found on EPA website at: <http://www.epa.gov/air/oaqps/permits/p71forms.html>]

III.C. Alternative Operating Scenario – Engine Replacement/Overhaul for Non-PSD Permitted Engines [40 CFR 71.6(a)(9) and 40 CFR 71.6(a)(3)(ii)]

1. Replacement of an existing permitted engine with a new or overhauled engine of the same make, model, horsepower rating, and configured to operate in the same manner as the engine being replaced, and which satisfies all the provisions for Off-Permit Change under this permit, including the provisions specific to engine replacement, shall be considered an allowed alternative operating scenario under this permit.
2. Any emission limits, requirements, control technologies, testing or other provisions that apply to engines that are replaced under this Alternative Operating Scenarios section shall also apply to the replacement engines.
3. Engine replacement shall satisfy all the provisions of the Off-Permit Changes section of this permit including contemporaneous notification of the change.

[40 CFR 71.6(a)(12)]

[Explanatory note: This section was included to allow for Off-Permit replacement of engines that may have existing federally enforceable limits. For replacement engines which trigger new applicable requirements (i.e., NSPS, NESHAP, etc.), the minor permit modification process (condition IV.I of this permit) shall be utilized to maintain the permitted emission limits of the replaced engine and incorporate the new applicable requirements.]

III.D. Alternative Operating Scenario – Engine Replacement/Overhaul for PSD Permitted Engines [40 CFR 52.21 PSD Permit-July 31, 1997, revised June 9, 1999]

1. The permittee may replace an existing PSD permitted engine requiring a complete overhaul with a new or overhauled engine of the same make, model, horsepower rating, and configuration. Such a like-kind replacement engine will be configured for operation in the same manner as the engine being replaced. Each like-kind replacement engine shall have equivalent types of air emissions control devices installed as the engine being replaced including, but not limited to, non-selective catalytic reduction (NSCR) devices and air-to-fuel ratio controllers.
2. The permittee shall be allowed to operate the replacement/overhauled engine without the use of the catalytic converter assembly for a period not to exceed 200 hours from engine startup, unless a longer time period has been approved by EPA, in writing. The permittee shall keep a record of the number of hours of operation of the uncontrolled replacement/overhauled engine and submit this information to EPA with the initial compliance demonstration test report per the Reporting Requirements section of this permit.
3. The permittee shall note if an engine is a replacement/overhauled unit in the semi-annual monitoring report. The compliance demonstration shall measure NO_x and CO emissions from the replaced/overhauled engine using a portable analyzer and a monitoring protocol approved by EPA. This demonstration shall be conducted within 60 (sixty) calendar days of engine start-up.

4. The permittee shall provide notice to EPA of such compliance demonstration testing in accordance with the provisions of the Testing Requirements section of this permit. The permittee shall adhere to the recordkeeping and reporting requirements of this permit for the compliance demonstration of the replacement/overhauled engine.

III.E. Permit Shield [40 CFR 71.6(f)(3)]

Nothing in this permit shall alter or affect the following:

1. The liability of a permittee for any violation of applicable requirements prior to or at the time of permit issuance;
2. The ability of EPA to obtain information from a source pursuant to Section 114 of the Clean Air Act or;
3. The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of EPA under that section.

IV. Part 71 Administrative Requirements

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

1. The permittee shall pay an annual permit fee in accordance with the procedures outlined below.
[40 CFR 71.9(a)]
2. The permittee shall pay the annual permit fee each year no later than April 1st. The fee shall cover the previous calendar year.
[40 CFR 71.9(h)]
3. 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 U.S. Environmental Protection Agency.
[40 CFR 71.9(k)(1)]
4. The permittee shall send fee payment and a completed fee filing form to:

For regular U.S. postal service mail

U.S. Environmental Protection Agency
FOIA and Miscellaneous Payments
Cincinnati Finance Center
P.O. Box 979078
St. Louis, MO 63197-9000

For non-U.S. postal service express mail
(FedEx, Airborne, DHL, and UPS)

U.S. Bank
Government Lockbox 979078
U.S. EPA FOIA & Misc. Payments
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, MO 63101

[40 CFR 71.9(k)(2)]

5. 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 Submissions section of this permit.
[40 CFR 71.9(h)(1)]

[Explanatory note: The fee filing form “FF” and the fee calculation worksheet form “FEE” may be found on EPA website at: <http://www.epa.gov/air/oaqps/permits/p71forms.html>]

6. Basis for calculating annual fee:
 - (a) 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.
[40 CFR 71.9(c)(1)]

- (i) “Actual emissions” means the actual rate of emissions in tpy 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.

[40 CFR 71.9(c)(6).]

- (ii) Actual emissions shall be computed using methods required by the permit for determining compliance, such as monitoring or source testing data.

[40 CFR 71.9(h)(3)]

- (iii) If actual emissions cannot be determined using the compliance methods in the permit, the permittee shall use other federally recognized procedures.

[40 CFR 71.9(e)(2)]

[Explanatory note: The presumptive fee amount is revised each calendar year to account for inflation, and it is available from EPA prior to the start of each calendar year.]

- (b) The permittee shall exclude the following emissions from the calculation of fees:

- (i) The amount of actual emissions of each regulated pollutant (for fee calculation) that the source emits in excess of 4,000 tons per year;

[40 CFR 71.9(c)(5)(i)]

- (ii) Actual emissions of any regulated pollutant (for fee calculation) already included in the fee calculation; and

[40 CFR 71.9(c)(5)(ii)]

- (iii) The quantity of actual emissions (for fee calculation) of insignificant activities [defined in §71.5(c)(11)(i)] or of insignificant emissions levels from emissions units identified in the permittee’s application pursuant to §71.5(c)(11)(ii).

[40 CFR 71.9(c)(5)(iii)]

- 7. Fee calculation worksheets shall be certified as to truth, accuracy, and completeness by a responsible official.

[40 CFR 71.9(h)(2)]

[Explanatory note: The fee calculation worksheet form already incorporates a section to help you meet this responsibility.]

- 8. The permittee shall retain fee calculation worksheets and other emissions-related data used to determine fee payment for 5 years following submittal of fee payment. [Emission-related data include, for example, emissions-related forms provided by 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 §71.6(a)(3)(ii).]

[40 CFR 71.9(i)]

9. Failure of the permittee to pay fees in a timely manner shall subject the permittee to assessment of penalties and interest in accordance with §71.9(l).

[40 CFR 71.9(l)]

10. When notified by EPA of underpayment of fees, the permittee shall remit full payment within 30 days of receipt of notification.

[40 CFR 71.9(j)(2)]

11. A permittee who thinks an EPA assessed fee is in error and who wishes to challenge such a fee, shall provide a written explanation of the alleged error to EPA along with full payment of the EPA assessed fee.

[40 CFR 71.9(j)(3)]

IV.B. Annual Emissions Inventory [40 CFR 71.9(h)(1)and (2)]

The permittee shall submit an annual emissions report of its actual emissions for both criteria pollutants and regulated HAPS for this facility for the preceding calendar year for fee assessment purposes. The annual emissions report shall be certified by a responsible official and shall be submitted each year to EPA by April 1st.

The annual emissions report shall be submitted to EPA at the address listed in the Submissions section of this permit.

[Explanatory note: An annual emissions report, required at the same time as the fee calculation worksheet by §71.9(h), has been incorporated into the fee calculation worksheet form as a convenience.]

IV.C. Compliance Requirements

1. Compliance with the Permit

- (a) The permittee must comply with all conditions of this part 71 permit. Any permit noncompliance constitutes a violation of the Clean Air Act and is grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application.

[40 CFR 71.6(a)(6)(i)]

- (b) 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.

[40 CFR 71.6(a)(6)(ii)]

- (c) For the purpose of submitting compliance certifications in accordance with this permit, or establishing whether or not a person has violated or is in violation of any requirement of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[Section 113(a) and 113(e)(1) of the Act, 40 CFR 51.212, 52.12, 52.33,
60.11(g), and 61.12]

2. Compliance Schedule

- (a) For applicable requirements with which the source is in compliance, the source will continue to comply with such requirements.
[40 CFR 71.5(c)(8)(iii)(A)]
- (b) For applicable requirements that will become effective during the permit term, the source shall meet such requirements on a timely basis.
[40 CFR 71.5(c)(8)(iii)(B)]

3. Compliance Certifications

The permittee shall submit to EPA a certification of compliance with permit terms and conditions, including emission limitations, standards, or work practices annually by April 1st, and shall cover the preceding calendar year.

[Explanatory note: To help part 71 permittees meet reporting responsibilities, EPA has developed a reporting form for annual compliance certifications. The form may be found on EPA website at: <http://www.epa.gov/air/oaqps/permits/p71/forms.html>]

The compliance certification shall be certified as to truth, accuracy, and completeness by a responsible official consistent with §71.5(d).

[40 CFR 71.6(c)(5)]

- (a) The certification shall include the following:
 - (i) Identification of each permit term or condition that is the basis of the certification;
 - (ii) The 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. Such methods and other means shall include, at a minimum, the methods and means required in this permit. If necessary, the permittee also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Clean Air Act, which prohibits knowingly making a false certification or omitting material information;

- (iii) The status of compliance with each term and condition of the permit for the period covered by the certification based on the method or means designated in the preceding paragraph of this permit. The certification shall identify each deviation and take it into account in the compliance certification;
- (iv) Such other facts as the EPA may require to determine the compliance status of the source; and
- (v) Whether compliance with each permit term was continuous or intermittent.

[40 CFR 71.6(c)(5)(iii)]

IV.D. Duty to Provide and Supplement Information

[40 CFR 71.6(a)(6)(v), 71.5(a)(3), and 71.5(b)]

1. The permittee shall furnish to EPA, within a reasonable time, any information that 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 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 must be accompanied by a claim of confidentiality according to the provisions of 40 CFR part 2, subpart B.

[40 CFR 71.6(a)(6)(v) and 40 CFR 71.5(a)(3)]

2. 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. In addition, a permittee shall provide additional information as necessary to address any requirements that become applicable after the date a complete application is filed, but prior to release of a draft permit.

[40 CFR 71.5(b)]

IV.E. Submissions [40 CFR 71.5(d), 71.6(c)(1) and 71.9(h)(2)]

1. Any document (application form, report, compliance certification, etc.) required to be submitted under 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.

[Explanatory note: EPA has developed a reporting form "CTAC" for certifying truth, accuracy and completeness of part 71 submissions. The form may be found on EPA website at: <http://www.epa.gov/air/oagps/permits/p71forms.html>]

2. Any documents required to be submitted under this permit, including reports, test data, monitoring data, notifications, compliance certifications, fee calculation worksheets, and applications for renewals and permit modifications shall be submitted to:

Part 71 Permit Contact
Air and Radiation Program, 8P-AR
U.S. Environmental Protection Agency,
1595 Wynkoop Street
Denver, Colorado 80202

IV.F. Severability Clause [40 CFR 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 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 71.7(d)]

The permittee may request the use of administrative permit amendment procedures for a permit revision that:

1. Corrects typographical errors;
2. 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;
3. Requires more frequent monitoring or reporting by the permittee;
4. Allows for a change in ownership or operational control of a source where the 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 EPA;
5. Incorporates into the part 71 permit the requirements from preconstruction review permits authorized under an EPA-approved program, provided that such a program meets procedural requirements substantially equivalent to the requirements of §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 §71.6; or

6. Incorporates any other type of change which EPA has determined to be similar to those listed above in subparagraphs **1** through **5** above.

[Note to permittee: If subparagraphs 1 through 5 above do not apply, please contact 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 71.7(e)(1)]

1. The permittee may request the use of minor permit modification procedures only for those modifications that:
 - (a) Do not violate any applicable requirements;
 - (b) Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;
 - (c) 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;
 - (d) 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:
 - (i) A federally enforceable emissions cap assumed to avoid classification as a modification under any provision of title I; and
 - (ii) An alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the Clean Air Act;
 - (e) Are not modifications under any provision of title I of the Clean Air Act; and
 - (f) Are not required to be processed as a significant modification.

[40 CFR 71.7(e)(1)(i)(A)]

2. Notwithstanding the list of changes ineligible for minor permit modification procedures in paragraph **1** 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 EPA.

[40 CFR 71.7(e)(1)(i)(B)]

3. An application requesting the use of minor permit modification procedures shall meet the requirements of §71.5(c) and shall include the following:
 - (a) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
 - (b) The source's suggested draft permit;
 - (c) Certification by a responsible official, consistent with §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
 - (d) Completed forms for the permitting authority to use to notify affected States as required under §71.8.

[40 CFR 71.7(e)(1)(ii)]

4. 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 §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.

[40 CFR 71.7(e)(1)(v)]

5. The permit shield under §71.6(f) may not extend to minor permit modifications.

[40 CFR 71.7(e)(1)(vi)]

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

1. Group processing of modifications by EPA may be used only for those permit modifications:
 - (a) That meet the criteria for minor permit modification procedures under the Minor Permit Modifications section of this permit; and
 - (b) 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 §71.2, or 5 tons per year, whichever is least.

[40 CFR 71.7(e)(2)(i)]

2. An application requesting the use of group processing procedures shall be submitted to EPA, shall meet the requirements of §71.5(c), and shall include the following:

- (a) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
- (b) The source's suggested draft permit;
- (c) Certification by a responsible official, consistent with §71.5(d), that the proposed modification meets the criteria for use of group processing procedures and a request that such procedures be used;
- (d) 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 this section of this permit; and
- (e) Completed forms for the permitting authority to use to notify affected States as required under §71.8.

[40 CFR 71.7(e)(2)(ii)]

3. 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 §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.

[40 CFR 71.7(e)(2)(v)]

4. The permit shield under §71.6(f) does not extend to group processing of minor permit modifications.

[40 CFR 71.7(e)(1)(vi)]

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

1. The permittee must request the use of significant permit modification procedures for those modifications that:
 - (a) Do not qualify as minor permit modifications or as administrative amendments;
 - (b) Are significant changes in existing monitoring permit terms or conditions; or
 - (c) Are relaxations of reporting or recordkeeping permit terms or conditions.

[40 CFR 71.7(e)(3)(i)]

2. 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.

[40 CFR 71.7(e)(3)(i)]

3. Permittees must meet all requirements of part 71 for applications, public participation, and review by affected states and tribes for significant permit modifications. For the application to be determined complete, the permittee must supply all information that is required by §71.5(c) for permit issuance and renewal, but only that information that is related to the proposed change.

[40 CFR 71.7(e)(3)(ii), 71.8(d), and 71.5(a)(2)]

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

1. The permit may be reopened and revised prior to expiration under any of the following circumstances:
 - (a) Additional applicable requirements under the Act become applicable to a major part 71 source with a remaining permit term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such 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);
 - (b) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit;
 - (c) 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; or
 - (d) EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

IV.M. Property Rights [40 CFR 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 71.6(c)(2)]

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

1. 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;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

4. As authorized by the Clean Air Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

IV.O. Emergency Provisions [40 CFR 71.6(g)]

1. In addition to any emergency or upset provision contained in any applicable requirement, the permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (a) An emergency occurred and that the permittee can identify the cause(s) of the emergency;
 - (b) The permitted facility was at the time being properly operated;
 - (c) During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and
 - (d) The permittee submitted notice of the emergency to EPA within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. This notice fulfills the requirements for prompt notification of deviations.
2. In any enforcement proceeding the permittee attempting to establish the occurrence of an emergency has the burden of proof.
3. An “emergency” means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.

IV.P. Transfer of Ownership or Operation [40 CFR 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 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 EPA.

IV.Q. Off Permit Changes [40 CFR 71.6(a)(12) and 40 CFR 71.6(a)(3)(ii)]

The permittee is allowed to make certain changes without a permit revision, provided that the following requirements are met, and that all records required by this section are kept at the Operations Center for a period of five years:

1. Each change is not addressed or prohibited by this permit;
2. Each change shall meet all applicable requirements and shall not violate any existing permit term or condition;
3. Changes under this provision may not include changes subject to any requirement of 40 CFR parts 72 through 78 or modifications under any provision of title I of the Clean Air Act;
4. The permittee must provide contemporaneous written notice to EPA of each change, except for changes that qualify as insignificant activities under §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;
5. The permit shield does not apply to changes made under this provision;
6. 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; and
7. For replacement of an existing permitted engine with a new or overhauled engine of the same make, model, horsepower rating, and configured to operate in the same manner as the engine being replaced, in addition to satisfying all other provisions for Off-Permit Changes, the permittee satisfies the following provisions:
 - (a) The replacement engine employs air emissions control devices, monitoring, record keeping and reporting that are equivalent to those employed by the engine being replaced;
 - (b) The replacement of the existing engine does not constitute a major modification or major new source as defined in Federal PSD regulations (40 CFR 52.21);
 - (c) No new applicable requirements, as defined in 40 CFR 71.2, are triggered by the replacement; and
 - (d) The following information is provided in a written notice to EPA, prior to installation of the replacement engine, in addition to the standard information listed above for contemporaneous written notices for off-permit changes:
 - (i) Make, model number, serial number, horsepower rating and configuration of the existing engine and the replacement engine, and

- (ii) 40 CFR part 63, subpart ZZZZ (RICE MACT) non-applicability documentation, as follows:

[Explanatory note: RICE means reciprocating internal combustion engine.]

- (A) If the permitted facility is a major source of hazardous air pollutant (HAP) emissions, as defined by 40 CFR 63.6585(b), and a permitted stationary RICE is replaced, a demonstration of RICE MACT non-applicability.
 - (B) If the permitted facility is a major source of hazardous air pollutant (HAP) emissions, as defined by 40 CFR 63.6585(b), and a permitted stationary RICE is rebuilt:
 - (1) A demonstration, including all calculations, that the fixed capital cost of the new components does not exceed 50 percent of the fixed capital cost that would be required to construct a comparable new source; or
 - (2) A demonstration that it is technologically and economically infeasible for the reconstructed source to meet the relevant standards established by the administrator pursuant to section 112 of the CAA.
 - (C) If the permitted facility is not a major source of HAP emissions as defined by 40 CFR 63.6585(b), documentation with calculations to show that the PTE of the facility, for HAP pollutants regulated under the Act, is below the level defined as a major HAP source in 40 CFR 63.6585(b).
- (iii) Documentation to demonstrate that the replacement does not constitute a major new source or major modification, as defined in Federal PSD rules (40 CFR 52.21), as follows:
 - (A) If the replacement will not constitute a “physical change or change in the method of operation” as described in §52.21(b)(2)(i), an explanation of how that conclusion was reached shall be provided.
 - (B) If the replacement will constitute a “physical change or change in the method of operation” as described §52.21(b)(2)(i), the following information shall be provided:

- (1) If the existing source is a “major stationary source” as defined in §52.21(b)(1): For each “regulated NSR pollutant” as defined in §52.21(b)(50), a demonstration (including all calculations) that the replacement will not be a “major modification” as defined in §52.21(b)(2). A modification is major only if it causes a “significant emissions increase” as defined in §52.21(b)(40), and also causes a “significant net emissions increase” as defined in §§52.21(b)(3) and (b)(23).

The procedures of §52.21(a)(2)(iv) shall be used to calculate whether or not there will be a significant emissions increase. If there will be a significant emissions increase, then calculations shall be provided to demonstrate there will not be a significant net emissions increase. These latter calculations shall include all sourcewide contemporaneous and creditable emission increases and decreases, as defined in §52.21(b)(3), summed with the PTE of the replacement unit(s).

If netting is used to demonstrate that the replacement will not constitute a “major modification,” verification shall be provided that the replacement engine(s) or turbine(s) employ emission controls at least equivalent in control effectiveness to those employed by the engine(s) or turbine(s) being replaced.

PTE of replacement unit(s) shall be determined based on the definition of PTE in §52.21(b)(4). For each “regulated NSR pollutant” for which the PTE is not “significant,” calculations used to reach that conclusion shall be provided.

- (2) If the existing source is not a “major stationary source” as defined in §52.21(b)(1): For each “regulated NSR pollutant,” a demonstration (including all calculations) that the replacement engine(s) or turbine(s), by itself, will not constitute a “major stationary source” as defined in §52.21(b)(1)(i).

8. The notice shall be kept at the Operations Center and made available to EPA on request, in accordance with the general recordkeeping provision of this permit.
9. Submittal of the written notice required above shall not constitute a waiver, exemption, or shield from applicability of any applicable standard or PSD permitting requirements under 40 CFR 52.21 that would be triggered by the replacement of any one engine, or by replacement of multiple engines.

IV.R. Permit Expiration and Renewal [40 CFR 71.5(a)(1)(iii), 71.5(a)(2), 71.5(c)(5), 71.6(a)(11), 71.7(b), 71.7(c)(1), and 71.7(c)(3)]

1. This permit shall expire upon the earlier occurrence of the following events:
 - (a) Five (5) years elapses from the date of issuance; or
 - (b) The source is issued a part 70 or part 71 permit under an EPA approved or delegated permit program.

[40 CFR 71.6(a)(11)]
2. Expiration of this permit terminates the permittee's right to operate unless a timely and complete permit renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration of this permit.

[40 CFR 71.5(a)(1)(iii)]
3. If the permittee submits a timely and complete permit application for renewal, consistent with §71.5(a)(2), but EPA has failed to issue or deny the renewal permit, then all the terms and conditions of the permit, including any permit shield granted pursuant to §71.6(f) shall remain in effect until the renewal permit has been issued or denied.

[40 CFR 71.7(c)(3)]
4. The permittee's failure to have a part 71 permit is not a violation of this part until 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 EPA.

[40 CFR 71.7(b)]
5. 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.

[40 CFR 71.7(c)(1)]
6. 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.

[40 CFR 71.5(a)(2) and 71.5(c)(5)]

V. Appendix

V.A. Inspection Information

1. Directions to Plant

Drive north on NM 511 past Navajo Dam to approximately mile marker 28.6.
Turn left at cattle guard (near the top of La Boca hill).
Drive approximately 1.6 miles and turn right immediately crossing cattle guard, which is the New Mexico - Colorado State line.
Drive approximately 1/4 mile to "Y" in road and keep left.
Travel approximately one mile going down very steep hill and turn right just prior to the Southern Ute 13-5; 32-8 gas well.
Travel approximately 1/2 mile to Treating Site #1 Compressor Station.

2. Latitude and Longitude Coordinates

Lat. 37.01578376 Long. -107.6644961

3. Safety Considerations

All visitors to the BP America Production Company's Treating Site #1 Compressor Station are required to wear a hard hat, safety glasses, safety shoes, hearing protection and fire retardant clothing.