

**Air Pollution Control
Federal Title V Permit to Operate
Statement of Basis for Draft Permit No. V-TAT-000367-2015.00**

**Arrow Pipeline, LLC
Station 1 Compressor Station
Station 2 Compressor Station
Station 3 Compressor Station
Station 4 Compressor Station
Station 5 Compressor Station
Station 6 Compressor Station
(Herein referred to, collectively, as Stations 1-6)
Fort Berthold Indian Reservation
Dunn and McKenzie County, North Dakota**

I. Facility Information

A. Location

Arrow Pipeline, LLC's (Arrow) Stations 1-6 Compressor Stations are located on Indian country lands within the Fort Berthold Indian Reservation, in the western part of the state of North Dakota, in Dunn and McKenzie County. Stations 1-6 Compressor Stations are located at the following locations:

Station 1 Compressor Station, Latitude 47.759800, Longitude -102.725922
Station 2 Compressor Station, Latitude 47.723781, Longitude -102.694333
Station 3 Compressor Station, Latitude 47.729061, Longitude -102.590211
Station 4 Compressor Station, Latitude 47.667064, Longitude -102.545058
Station 5 Compressor Station, Latitude 47.666366, Longitude -102.728030
Station 6 Compressor Station, Latitude 47.730086, Longitude -102.356544

The facility mailing address is:

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B. Contact

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C. Description of Operations

Stations 1-6 transport natural gas via pipeline from the various production wells in the area to a Central Delivery Point (CDP) located off the Fort Berthold Indian Reservation. Natural gas first enters each compressor station through a gas system receiver, where the natural gas passes through a slug catcher to "knock out" excess liquids. Further removal of liquids from the natural gas is carried out by a filter separator, after which the gas is routed to the individual screw-type compressor unit for compression. The compressor units each consist of an inlet filter separator, a compressor, a finned-fan heat exchanger, and a natural gas-fired engine to power the compressor. Gas entering the individual compressor unit first passes through the filter separator to further remove liquids from the gas stream before compression, after which the gas is compressed by the compressor. Compressed gas is then routed to a splitter, with most of the gas routed to the gas pipeline exiting the station and the remainder routed to a fuel gas coalescer. Gas from the fuel gas coalescer will be routed to and combusted by individual screw-type compressor engines and/or natural gas-fired electrical generator engines designed to provide power to the station.

Condensate and water removed from the natural gas via the slug catch and/or filter separator(s) is routed to on-site storage tanks. Truck load out area(s) are used to load tanker trucks with water and condensate for transit to the CDP. Furthermore, the current design of Stations 1-6 does not allow crude oil to be handled in the emissions units; rather, crude oil remains in underground pipelines located at or near Stations 1-6.

In addition, a condensate stabilizer system consisting of a condensate stabilizer tower and natural gas-fired heater is used at Station 2. Raw condensate is piped from the inlet separation equipment to the condensate stabilizer tower. Light hydrocarbon components flash off and rise to the top of the tower as vapor that is transferred to the gas gathering line. Heavier hydrocarbons fall to the bottom of tower as liquid that is transferred into the oil gathering line. Process heat is provided to the system by a standard natural gas-fired burner rated at 5.0 MMBtu/hr. The system is a completely closed system and, other than the combustion emissions from the burner, does not have any process vents that are vented to atmosphere.

In order to provide Arrow with the flexibility to relocate emissions units (i.e., compressors, pumps, and electrical generator engines) between the various locations, the synthetic Minor New Source Review Permit (MNSR) (#SMSNR-TAT-000367-2018.004) limits the maximum natural gas-fired reciprocating internal combustion engine (RICE) horsepower to 9,100 at an individual station and a maximum natural gas-fired RICE horsepower of 21,100 for the entire project.

Table 1 lists emissions units and emissions generating activities from each of the six compressor stations, including any air pollution control devices, that are operating at Stations 1-6, according to the information provided in Arrow's 40 CFR part 71 (Part 71) initial permit application. The Title V Operating Permit Program at Part 71 allows the Permittee to separately list in the permit application units or activities that qualify as "insignificant" based on potential emissions below 2 tons per year (tpy) for all regulated pollutants that are not listed as hazardous air pollutants (HAP) under Clean Air Act (CAA) section 112(b) and below 1,000 lbs/year or the de minimis level established under CAA section 112(g), whichever is lower, for HAP. However, the application may not omit information needed to determine the applicability of, or to impose, any applicable requirement. Units and activities that qualify as "insignificant" for the purposes of the Part 71 application are in no way exempt from applicable requirements or any requirements of the Part 71 permit.

Unit I.D. **	Description (Acronyms defined below)	Control Equipment
ENG- 5283702081	Waukesha L-7042GSI, 1,480 hp 4SRB RICE Natural Gas-Fired Compressor Engine Serial No. 5283702081 Installed: 12/10/2013 Manufactured: 7/1/2012	Oxidation Catalyst/ NSCR
ENG-3217425	Waukesha L-7042GSI S4, 1,480 hp 4SRB RICE Natural Gas-Fired Compressor Engine Serial No. 3217425 Installed: 11/11/2020 Manufactured: 5/1/2019	Oxidation Catalyst/ NSCR
ENG-C- 16685/1 (Station 1)	Waukesha F-18GL, 400 hp 4SLB RICE Natural Gas-Fired Generator Engine Serial No. C-16685/1 Installed: 3/21/2014 Manufactured: 12/31/2006	None
ENG-401656 (Station 2)	Waukesha F-3521G, 515 hp 4SRB RICE Natural Gas-Fired Generator Engine Serial No. 401656 Installed: 12/1/2014 Manufactured: 9/1/2014	Oxidation Catalyst/ NSCR

Unit I.D. **	Description (Acronyms defined below)	Control Equipment
ENG-5283705545	Waukesha L-7044GSI, 1,680 hp 4SRB RICE Natural Gas-Fired Compressor Engine Serial No. 5283705545 Installed: 12/20/2019 Manufactured: 12/1/2017	Oxidation Catalyst/ NSCR
ENG-5283705531	Waukesha L-7042GSI, 1,480 hp 4SRB RICE Natural Gas-Fired Compressor Engine Serial No. 5283705531 Installed: 9/13/2018 Manufactured: 12/1/2017	Oxidation Catalyst/ NSCR
ENG-5283705538	Waukesha L-7042GSI, 1,480 hp 4SRB RICE Natural Gas-Fired Compressor Engine Serial No. 5283705538 Installed: 9/13/2018 Manufactured: 12/1/2017	Oxidation Catalyst/ NSCR
TANK-1 (Station 1)	One – 210 bbl, fixed roof condensate and produced water storage tank (comingled liquids)	None
TRUCK-1 (Station 1)	Truck loadout for condensate and produced water (comingled)	None
FLARE-1 (Station 1)	Zeeco VCU-200, elevated, non-assisted flare	None (Emissions unit is a control device)
HEATER-1 (Station 1)	One – 0.50 MMBtu/hr natural gas-fired heater	None
TANK-2 (Station 2)	One – 400 bbl, fixed roof produced water storage tank	Flare
TANK-3 (Station 2)	One – 400 bbl, fixed roof condensate storage tank	Flare
TRUCK-2 (Station 2)	Truck loadout for condensate and produced water	None
FLARE-2 (Station 2)	Zeeco VCU-200, elevated, non-assisted flare	None (Emissions unit is a control device)
TANK-4 (Station 3)	One – 400 bbl, fixed roof condensate storage tank	Flare
TANK-5 (Station 3)	One – 400 bbl, fixed roof produced water storage tank	Flare
TRUCK-3 (Station 3)	Truck loadout for condensate and produced water	None
FLARE-3 (Station 3)	Zeeco VCU-200, elevated, non-assisted flare	None (Emissions unit is a control device)
TANK-6 (Station 4)	One – 400 bbl, fixed roof produced water storage tank	Flare
TANK-7 (Station 4)	One – 400 bbl, fixed roof condensate storage tank	Flare
TRUCK-4 (Station 4)	Truck loadout for condensate and produced water	None
FLARE-4 (Station 4)	Zeeco VCU-200, elevated, non-assisted flare	None (Emissions unit is a control device)
TANK-8 (Station 5)	One – 400 bbl, fixed roof produced water storage tank	Flare
TANK-9 (Station 5)	One – 400 bbl, fixed roof condensate storage tank	Flare

Unit I.D. **	Description (Acronyms defined below)	Control Equipment
TRUCK-5 (Station 5)	Truck loadout for condensate and produced water	None
FLARE-5 (Station 5)	Zeeco VCU-200, elevated, non-assisted flare	None (Emissions unit is a control device)
TANK-10 (Station 6)	One – 400 bbl, fixed roof produced water storage tank	Flare
TANK-11 (Station 6)	One – 400 bbl, fixed roof condensate storage tank	Flare
TANK-12 (Station 2)	One – 400 bbl, fixed roof condensate storage tank	Flare
TANK-12 (Station 2)	One – 400 bbl, fixed roof condensate storage tank	Flare
TANK-14 (Station 1)	One – 400 bbl, fixed roof produced water storage tank	Flare
TANK-15 (Station 1)	One – 400 bbl, fixed roof condensate storage tank	Flare
TRUCK-6 (Station 6)	Truck loadout for condensate and produced water	None
COMBUSTOR -1	Cimarron HV ECD, elevated, non-assisted enclosed combustion device	None (Emissions unit is a control device)
FUG-1	Fugitive emissions from Station 1	None
FUG-2	Fugitive emissions from Station 2	None
FUG-3	Fugitive emissions from Station 3	None
FUG-4	Fugitive emissions from Station 4	None
FUG-5	Fugitive emissions from Station 5	None
FUG-6	Fugitive emissions from Station 6	None

* hp = horsepower; bbl = barrel; gal = gallon; kW=kilowatt; MMscfd = million standard cubic feet per day; MMBtu/hr = million British thermal units per hour.

**Emission units without a facility description or location denoting specific Stations 1-6 location are allowed operational flexibility as provided by the enforceable requirements of a synthetic Minor New Source Review Permit (Permit Number: SMNSR-TAT-000367-2018.004, See Section II.C below).

E. Potential to Emit

Pursuant to 40 CFR 52.21, potential to emit (PTE) is defined as the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its design if the limitation, or the effect it would have on emissions, is federally enforceable. Independently enforceable applicable requirements are considered enforceable to the extent that the source is in compliance with the standard. In addition, beneficial reductions in non-targeted pollutants resulting from compliance with an independently enforceable applicable requirement may be counted towards PTE provided the emissions reduction of the non-targeted pollutant is enforceable as a practical matter and compliance is being met. See the 1995 guidance memo signed by John Seitz, Director of the Office of Air Quality Planning and Standards titled, “Options for Limiting Potential to Emit of a Stationary Source under Section 112 and Title V of the Clean Air Act.”

Arrow reported the controlled emissions unit-specific PTE in their Part 71 permit application. The PTE in Table 2 are based on the applicable legally and practically enforceable requirements outlined in the

draft permit, including the synthetic MNSR permit (See Section II.C below). Table 2 also contains the total PTE for all insignificant emissions units.

Table 2. Potential-to-Emit with Legally and Practically Enforceable Controls

Unit I.D.	NO _x *	CO*	VOC *	PM*	SO ₂ *	CH ₂ O	Total HAP*	CO ₂ e*
ENG-5283702081	9.29	12.86	2.46	0.94	0.03	0.07	0.67	5,842
ENG- 3217425	9.29	12.86	2.46	0.94	0.03	0.07	0.67	5,842
ENG-401656 (Station 2)	3.98	3.98	0.14	0.32	0.2	0.05	0.22	1,938
ENG-C-16685/1	7.73	5.02	1.04	0.01	0.01	0.65	0.87	1,435
ENG-5283702083	9.29	12.86	2.46	0.94	0.03	0.07	0.67	5,842
ENG-5283702011	9.29	12.86	2.46	0.94	0.03	0.07	0.67	5,842
ENG-C-10392/1A (Station 3)	3.98	3.98	0.14	0.32	0.2	0.05	0.22	1,938
ENG-289683A (Station 4)	3.98	3.98	0.14	0.32	0.2	0.05	0.22	1,938
ENG-5283702084	9.29	12.86	2.46	0.94	0.03	0.07	0.67	5,842
ENG-5283702042	9.29	12.86	2.46	0.94	0.03	0.07	0.67	5,842
ENG-5283702080	9.29	12.86	2.46	0.94	0.03	0.07	0.67	5,842
ENG-5283702040	9.29	12.86	2.46	0.94	0.03	0.07	0.67	5,842
ENG-5283701892	9.29	12.86	2.46	0.94	0.03	0.07	0.67	5,842
ENG-5283705532	9.29	12.86	2.46	0.94	0.03	0.07	0.67	5,842
ENG-5283705545	10.79	18.17	1.14	1.08	0.03	0.08	0.76	6,673
ENG-5283705531	9.29	12.86	2.46	0.94	0.03	0.07	0.67	5,842
ENG-5283705538	9.29	12.86	2.46	0.94	0.03	0.07	0.67	5,842
TANK-1 (Station 1)	-	-	0.02	-	-	-	0.01	-
TRUCK-1 (Station 1)	-	-	3.43	-	-	-	0.34	-
FLARE-1 (Station 1)	1.24	4.93	0.05	0.07	0.01	-	0.02	54
HEATER-1 (Station 1)	2.19	1.84	0.12	0.16	0.01	-	0.04	2,577
TANK-2 (Station 2)	-	-	0.02	-	-	-	0.01	-
TANK-3 (Station 2)	-	-	1.44	-	-	-	0.04	-

Unit I.D.	NO _x *	CO*	VOC *	PM*	SO ₂ *	CH ₂ O	Total HAP*	CO _{2e} *
TRUCK-2 (Station 2)	-	-	6.47	-	-	-	0.19	-
FLARE-2 (Station 2)	10.68	42.55	0.42	0.58	0.05	-	0.14	1,610
TANK-4 (Station 3)	-	-	1.44	-	-	-	0.04	-
TANK-5 (Station 3)	-	-	0.02	-	-	-	0.01	-
TRUCK-3 (Station 3)	-	-	6.47	-	-	-	0.19	-
FLARE-3 (Station 3)	1.72	6.84	0.07	0.09	0.01	-	0.02	1,610
TANK-6 (Station 4)	-	-	0.02	-	-	-	0.01	-
TANK-7 (Station 4)	-	-	1.44	-	-	-	0.04	-
TRUCK-4 (Station 4)	-	-	6.47	-	-	-	0.19	-
FLARE-4 (Station 4)	1.72	6.84	0.07	0.09	0.01	-	0.02	1,610
TANK-8 (Station 5)	-	-	0.02	-	-	-	0.01	-
TANK-9 (Station 5)	-	-	1.44	-	-	-	0.04	-
TRUCK-5 (Station 5)	-	-	6.47	-	-	-	0.19	-
FLARE-5 (Station 5)	1.72	6.84	0.07	0.09	0.01	-	0.02	1,610
TANK-10 (Station 6)	-	-	0.02	-	-	-	0.01	-
TANK-11 (Station 6)	-	-	1.44	-	-	-	0.04	-
TANK-12 (Station 2)	-	-	3.31	-	-	-	0.09	-
TANK-13 (Station 2)	-	-	3.31	-	-	-	0.09	-
TANK-14 (Station 1)	-	-	0.01	-	-	-	0.01	-
TANK-15 (Station 1)	-	-	0.77	-	-	-	0.02	-
TRUCK-6 (Station 6)	-	-	6.47	-	-	-	0.19	-
COMBUSTOR -1	1.72	6.84	0.07	0.09	0.01	-	0.02	-
FUG-1	-	-	14.06	-	-	-	0.03	165
FUG-2	-	-	14.06	-	-	-	0.03	165
FUG-3	-	-	14.06	-	-	-	0.03	165
FUG-4	-	-	14.06	-	-	-	0.03	165
FUG-5	-	-	14.06	-	-	-	0.03	165
FUG-6	-	-	14.06	-	-	-	0.03	165

Unit I.D.	NO _x *	CO*	VOC *	PM*	SO ₂ *	CH ₂ O	Total HAP*	CO ₂ e*
Totals^a	<245	<245	<245	14.28	1.08	<9.8	<24.5	<98,000

^a. NO_x, VOC, CO, CO₂e, CH₂O, and Total HAP Totals are based on the enforceable requirements of a synthetic Minor New Source Review Permit (Permit Number: SMNSR-TAT-000367-2018.004, See Section II.C below).

*NO_x = nitrogen oxide; CO = carbon monoxide; VOC = volatile organic compound; PM = particulate matter; SO₂ = sulfur dioxide; CH₂O = formaldehyde; HAP = hazardous air pollutant; CO₂e = equivalent CO₂.

II. Applicable Requirement Review

The following sections discuss the information provided by Arrow in their Part 71 permit initial application, certified to be true and accurate by the Responsible Official of this facility.

A. 40 CFR 52.21: Prevention of Significant Deterioration

The Prevention of Significant Deterioration (PSD) Permit Program at 40 CFR part 52 (Part 52) is a preconstruction review requirement of the CAA that applies to proposed projects that are sufficiently large (in terms of emissions) to be a “major” stationary source or “major” modification of an existing stationary source. Source size is defined in terms of PTE, which is its capability at maximum design capacity to emit a pollutant, except as constrained by existing legally and practically enforceable conditions applicable to the source. A new stationary source or a modification to an existing minor stationary source is major if the proposed project has the PTE for any pollutant regulated under the Part 52 requirements in amounts equal to or exceeding specified major source thresholds. The major source thresholds are 100 tpy for 28 listed industrial source categories and 250 tpy for all other sources. The PSD Permit Program also applies to modifications at existing major sources that cause a “significant net emissions increase” at that source. Significance levels for each pollutant are defined in the PSD regulations at 40 CFR 52.21.

According to information provided by Arrow in the Part 71 initial permit application, at the time of its construction, Stations 1-6 was a minor source of emissions with respect to the PSD Permit Program, as the PTE did not exceed the major source thresholds of any criteria pollutants regulated under the PSD Permit Program due to enforceability of a synthetic MNSR permit (Permit Number: SMSNR-TAT-000367-2018.004) as discussed in Section II.C of this statement of basis. As such, the source was not subject to preconstruction permitting requirements of the PSD Permit Program.

B. Source Determination

At 40 CFR 71.2, a major source is generally defined as any stationary source (or any group of stationary sources that are located on one or more contiguous or adjacent properties, and are under common control of the same person (or persons under common control)), belonging to a single major industrial grouping and that are a major source as described in the definition. On June 3, 2016, the EPA published a final rule clarifying when oil and natural gas sector equipment and activities must be deemed a single source when determining whether major source permitting programs (PSD and New Source Review preconstruction permit programs, and the Part 71 Permit Program) apply (81 FR 35622). By clarifying the term “adjacent,” the rule specifies that equipment and activities in the oil and natural gas sector that are under common control will be considered part of the same source if they are located on the same surface site or on individual surface sites that share equipment and are within ¼ mile of each other.

According to information provided by Arrow in their initial Part 71 permit application, there are no surface sites with shared emissions equipment within ¼ mile of any of Stations 1-6. Stations 1-6 are considered a single source at the request of Arrow for operational flexibility between the 6 compressor stations. The distance between each source is greater than ¼ mile but the synthetic MNSR permit allows for compressor engines to be moved between facilities depending on compression demand. This permits Stations 1-6 greater ease of facility operation with less regulatory burden.

C. 40 CFR Part 49, Subpart C: General Federal Implementation Plan Provisions – Federal Minor New Source Review Program in Indian Country

The Federal MNSR Permit Program at 40 CFR part 49, subpart C (§§49.151 through 49.165), is a preconstruction review requirement of the CAA that applies to all new and modified minor sources, synthetic minor sources and minor modifications at major sources, located in Indian country where no EPA-approved program is in place. True minor sources and modifications and minor modifications at existing major sources are proposed projects that have PTE for any pollutant regulated under the MNSR Permit Program that are below the major source thresholds in the PSD Permit Program or the Nonattainment New Source Review Permit Program (NNSR) at 40 CFR part 49, subpart C, and above the minor source thresholds in Table 1 of 40 CFR 49.153 (thresholds differ depending on the pollutant). The MNSR Permit Program also provides the EPA authority to establish enforceable restrictions for an otherwise major source to establish that source as a synthetic minor source for NSR-regulated pollutants or HAP for the purposes of the PSD, NNSR or Title V Permit Programs, or for the purposes of major source requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAP) at 40 CFR part 63. Additionally, the MNSR Permit Program established a Federal Implementation Plan (FIP) (§§49.101 through 49.105) for true minor sources in the oil and natural gas (O&NG) production and natural gas processing segments that are in Indian country (O&NG FIP).

An initial synthetic MNSR permit was issued to Stations 1-6 on March 11, 2013 (permit number SMNSR-TAT-000367-2012.001), however there have been 3 administrative revisions to correct material mistakes and clarify language. There have been no change in emissions limits with the administrative revisions. Stations 1-6 currently hold a synthetic MNSR permit issued by the EPA pursuant to the provisions of 40 CFR 49.158, effective on August 26, 2020 (permit number SMNSR-TAT-000367-2018.004). This synthetic MNSR permit replaced all previous synthetic MNSR permits at Stations 1-6. The permit contains legally and practicably enforceable requirements for the installation and operation of emissions units that compress natural gas gathered from several customers in the region for transmission to a CDP located outside the exterior boundaries of the Fort Berthold Indian Reservation. The permit includes legally and practicably enforceable facility-wide requirements and requirements for: engines, tanks, control systems for hydrocarbon emissions, truck loading operations, pneumatic pump, pneumatic controller, compressor blowdowns, equipment leaks from closed-vent systems and fugitive dust. The requirements of the synthetic MNSR permit allow Stations 1-6 to have the operational flexibility to move engines from different compressor stations depending on compression requirements at the compressor stations. Arrow obtained the synthetic MNSR permit to maintain emissions limits on criteria pollutants at Stations 1-6 below PSD thresholds as a synthetic minor source with regards to the PSD Permit Program.

D. 40 CFR Part 60, Subpart A: General Provisions

This subpart applies to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of applicability of any standard in 40 CFR part 60 (Part 60). The general provisions under subpart A apply to sources that are

subject to the specific subparts of Part 60.

As explained below, all of the spark ignition (SI) engines, besides emissions unit ENG-C-16685/1, operating at Stations 1-6 are subject to 40 CFR part 60, subpart JJJJ (Subpart JJJJ); and the compressor stations Station 1, Station 4 and Station 5 were modified thereby triggering subpart OOOOa; therefore, the General Provisions of Part 60 apply.

E. 40 CFR Part 60, Subpart Dc: Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units

This subpart applies to steam generating units having a capacity between 10 MMBtu/hr and 100 MMBtu/hr that are constructed, reconstructed or modified after June 9, 1989.

According to the information provided by Arrow in their Part 71 initial permit application, no heaters located at the facility are rated at greater than 10 MMBtu/hr, therefore, Stations 1-6 are not subject to this subpart.

F. 40 CFR Part 60, Subpart Kb: Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After July 23, 1984

This subpart establishes requirements for controlling VOC emissions from storage vessels with a capacity greater than or equal to 75 cubic meters that are used to store volatile organic liquids for which construction, reconstruction, or modification commenced after July 23, 1984.

According to the information provided by Arrow in their Part 71 initial permit application, the storage vessels at this facility are exempt from these requirements because they have a capacity less than 75 cubic meters each. Therefore, Stations 1-6 are not subject to this subpart.

G. 40 CFR Part 60, Subpart GG: Standards of Performance for Stationary Gas Turbines

This subpart applies to stationary gas turbines with a heat input at peak load equal to or greater than 10.7 gigajoules (10 million Btu) per hour, based on the lower heating value of the fuel fired and constructed, reconstructed or modified after October 3, 1977.

According to the information provided by Arrow in their Part 71 initial permit application, there are no gas turbines at the facility, therefore, Stations 1-6 are not subject to this subpart.

H. 40 CFR Part 60, Subpart JJJJ: Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

This subpart establishes emission standards and compliance requirements for the control of emissions from stationary SI internal combustion engines (ICE) that commenced construction, modification or reconstruction after June 12, 2006, where the SI ICE are manufactured on or after specified manufacture trigger dates. The manufacture trigger dates are based on the engine type, fuel used and maximum engine horsepower.

According to the information provided by Arrow in their Part 71 initial permit application, the SI ICE emissions unit ENG-C-16685/1 was manufactured prior to the applicable trigger date and therefore is

not subject to this subpart.

According to the information provided by Arrow in their Part 71 initial permit application, all other SI ICE, (Emissions units ENG-5283702081, ENG-3217425, ENG-401656, ENG-5283702083, ENG-5283702011, ENG-C-10392/1A, ENG-5283702084, ENG-289683A, ENG-5283702042, ENG-5283702080, ENG-5283701892, ENG-5283705532, ENG-5283705545, ENG-5283705531 and ENG-5283705538) besides emissions unit ENG-C-16685/1 as noted in the paragraph above, have a maximum engine power greater than 500 hp, were manufactured after July 1, 2007 and constructed after June 12, 2006. Therefore, all remaining SI ICE are subject to this subpart.

I. 40 CFR Part 60, Subpart OOOO: Standards of Performance for Crude Oil and Natural Gas Production, Transmission, and Distribution for which Construction, Modification or Reconstruction Commenced After August 23, 2011, and on or before September 18, 2015

This subpart establishes emission standards for the control of VOC and SO₂ emissions from affected facilities that commence construction, modification, or reconstruction after August 23, 2011 and on or before September 18, 2015. Affected facilities include, but are not limited to well completions, centrifugal compressors, reciprocating compressor, pneumatic controllers, storage vessels and sweetening units.

According to the information provided by Arrow in their Part 71 initial permit application, the current equipment operating at Stations 1-6 did not commence construction, modification or reconstruction during the applicability dates range for this subpart. Therefore, Stations 1-6 are not subject to this subpart.

J. 40 CFR Part 60, Subpart OOOOa: Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015

This subpart establishes emission standards for the control of VOC and SO₂ emissions from affected facilities that commence construction, modification, or reconstruction on or after September 18, 2015. Affected facilities include, but are not limited to well completions, centrifugal compressors, reciprocating compressors, pneumatic controllers, storage vessels and sweetening units.

According to the information provided by Arrow in their Part 71 initial permit application, the equipment at Station 3 and Station 6 predates the applicability date of this subpart and are therefore not affected facilities under this subpart.

According to the information provided by Arrow in their Part 71 initial permit application, Station 1, Station 2, Station 4 and Station 5 have added additional compression after the applicability date of this subpart. The compressors at Stations 1-6 are screw-type compressor units, and per the definitions of *centrifugal compressor* at 40 CFR 60.5430a “Screw... compressors are not centrifugal compressors for the purposes of this subpart.” Additionally, reciprocating compressors means a piece of equipment that increases the pressure of a process gas by positive displacement, employing linear movement of the driveshaft, which a screw compressor would again not qualify as an affected source under this definition. Therefore, while the additional compression makes these compressor stations subject to the fugitive emissions requirements of this subpart according to 40 CFR 60.5365a(j), there are no additional requirements for the screw-type compressors themselves.

K. 40 CFR Part 63, Subpart A: National Emission Standards for Hazardous Air Pollutants for Source Categories, General Provisions

The requirements of 40 CFR part 63 subpart A (Part 63) apply to sources that are subject to the specific subparts of Part 63.

As explained below, emissions units ENG-C-16685/1, ENG-5283702081, ENG-3217425, ENG-401656, ENG-5283702083, ENG-5283702011, ENG-C-10392/1A, ENG-5283702084, ENG-289683A, ENG-5283702042, ENG-5283702080, ENG-5283701892, ENG-5283705532, ENG-5283705545, ENG-5283705531 and ENG-5283705538 operating at Stations 1-6 are subject to 40 CFR part 63, subpart ZZZZ (Subpart ZZZZ); therefore, the General Provisions of Part 63 apply.

L. 40 CFR Part 63, Subpart HH: National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities

This subpart establishes emission standards for the control of HAP emissions from affected sources located at natural gas production facilities that process, upgrade, or store natural gas prior to the point of custody transfer, or that process, upgrade, or store natural gas prior to the point at which natural gas enters the natural gas transmission and storage source category or is delivered to a final end user. The affected sources are glycol dehydration units, storage vessels with the potential for flash emissions and natural gas throughput greater than 79,500 liters per day (660 bbls/day), and the group of ancillary equipment and compressors intended to operate in volatile HAP service which is located at natural gas processing plants.

According to the information provided by Arrow in their Part 71 initial permit application, Stations 1-6 do not operate any affected sources. Therefore, Stations 1-6 are not subject to this subpart.

M. 40 CFR Part 63, Subpart ZZZZ: National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

This subpart establishes emission standards and operating limitations for the control of HAP emissions from reciprocating and compression ignition engines.

According to the information provided by Arrow in their Part 71 initial permit application and pursuant to the synthetic MNSR permit issued by the EPA, Stations 1-6 are an area source of HAP emissions. Emissions unit ENG-C-16685/1 is a non-emergency, non-black start 4SLB remote stationary RICE with less than 500 hp and was manufactured on September 1, 2005, and is therefore subject to this subpart.

The remaining RICE at Stations 1-6 (Emissions units ENG-5283702081, ENG-3217425, ENG-401656, ENG-5283702083, ENG-5283702011, ENG-C-10392/1A, ENG-5283702084, ENG-289683A, ENG-5283702042, ENG-5283702080, ENG-5283701892, ENG-5283705532, ENG-5283705545, ENG-5283705531 and ENG-5283705538) are considered new RICE, because they commenced construction after June 12, 2006, and they must meet the requirements of Subpart ZZZZ by meeting the requirements of Subpart JJJJ. No other requirements of Subpart ZZZZ apply to the RICE at Stations 1-6.

N. 40 CFR Part 64: Compliance Assurance Monitoring

Pursuant to requirements concerning enhanced monitoring and compliance certification under the CAA, the EPA promulgated regulations to implement compliance assurance monitoring (CAM) for major stationary sources of air pollution, for purposes of Title V permitting that are required to obtain operating permits under Part 71. The rule requires owners or operators of such sources to conduct

monitoring that provide a reasonable assurance of compliance with applicable requirements under the CAA. The effective date of this rule is November 21, 1997.

1. CAM Applicability

According to 40 CFR 64.2(a), CAM applies to each pollutant specific emission unit (PSEU) located at a major source which is required to obtain a Part 71 permit if the unit satisfies all of the following criteria:

- (a) The unit is subject to an emission limitation or standard for the applicable regulated air pollutant other than an emissions limitation or standard that is exempt under 40 CFR 64.2(b)(1);
- (b) The unit uses a control device to achieve compliance with any such limit or standard; and
- (c) The unit has pre-control device emissions of the applicable regulated pollutant that are equal to or greater than 100 percent of the amount, in tpy, required for a source to be classified as a major Title V source.

2. CAM Plan Submittal Deadlines

- (a) Large PSEUs. A CAM plan submittal for all PSEUs with the PTE (taking into account control devices) of any one regulated air pollutant in an amount equal to or greater than 100% of the amount, in tpy, required for a source to be classified as a major source, is due at the following times:
 - (i) On or after April 20, 1998, if by that date, a Part 71 application has either:
 - (A) Not been filed; or
 - (B) Not yet been determined to be complete.
 - (ii) On or after April 20, 1998, if a Part 71 permit application for a significant modification is submitted with respect to those PSEUs for which the requested permit revision is applicable; or
 - (iii) Upon application for a renewed Part 71 permit and a CAM plan has not yet been submitted with an initial or a significant modification application, as specified above.
- (b) Other PSEUs. A CAM Plan must be submitted for all PSEUs that are not large PSEUs, but are subject to this rule, upon application for a Part 71 renewal permit.

According to the information provided by Arrow in their Part 71 initial permit application, the engines, emissions units ENG-5283702081, ENG-3217425, ENG-5283702083, ENG-5283702011, ENG-

5283702084, ENG-5283702042, ENG-5283702080, ENG-5283701892, ENG-5283705532, ENG-5283705545, ENG-5283705531 and ENG-5283705538 at the Stations 1-6 have potential pre-control device emissions that are greater than 100 tpy. However, these units are subject to emission limitations under Subpart JJJJ and Subpart ZZZZ and thus meet the exemption criteria of §64.2(b)(1). Thus, the emissions units at Stations 1-6 are not subject to this rule.

O. 40 CFR Part 68, Subpart A: Chemical Accident Prevention

This subpart contains general requirements for sources that have more than a threshold quantity of a regulated substance in a process and the requirements for a Risk Management Plan (RMP).

According to the information provided by Arrow in their Part 71 initial permit application, the facility is not subject to 40 CFR part 68.

P. 40 CFR Part 98: Mandatory Greenhouse Gas Reporting

This rule requires sources above certain emission thresholds to calculate, monitor, and report greenhouse gas emissions. According to the definition of "applicable requirement" in 40 CFR 71.2, neither 40 CFR part 98 (Part 98), nor CAA §307(d)(1)(V), the CAA authority under which 40 CFR part 98 was promulgated, are listed as applicable requirements for the purpose of Title V permitting. Although the rule is not an applicable requirement under Part 71, the source is not relieved from the requirement to comply with the rule separately from compliance with their Part 71 operating permit. It is the responsibility of each source to determine applicability to Part 98 and to comply, if necessary.

III. EPA Authority

Title V of the CAA requires that the EPA promulgate, administer and enforce a federal operating permit program when a state does not submit an approvable program within the time frame set by Title V or does not adequately administer and enforce its EPA approved program. On July 1, 1996 (61 FR 34202), the EPA adopted regulations codified at Part 71 setting forth the procedures and terms under which the Agency would administer a federal operating permit program. These regulations were updated on February 19, 1999 (64 FR 8247) to incorporate the EPA's approach for issuing federal operating permits to stationary sources in Indian country.

As described in 40 CFR 71.4(a), the EPA will implement a Part 71 program in areas where a state, local, or tribal agency has not developed an approved 40 CFR part 70 program. Unlike states, tribes are not required to develop operating permits programs, though the EPA encourages tribes to do so. See, e.g., Indian Tribes: Air Quality Planning and Management (63 FR 7253, February 12, 1998) (also known as the "Tribal Authority Rule"). Therefore, within Indian country, the EPA will administer and enforce a Part 71 federal operating permit program for stationary sources until a tribe receives approval to administer their own operating permit program. As of the issuance of this draft permit, the Three Affiliated Tribes have not applied for or received EPA approval to administer an operating permit program.

IV. Use of All Credible Evidence

Determinations of deviations, continuous or intermittent compliance status, or violations of the permit are not limited to the testing or monitoring methods required by the underlying regulations or this

permit; other credible evidence (including any evidence admissible under the Federal Rules of Evidence) must be considered by the Permittee and the EPA in such determinations.

V. Public Participation

A. Public Notice

As described in 40 CFR 71.11(a)(5), all Part 71 draft operating permits shall be publicly noticed and made available for public comment. The public notice of permit actions and public comment period is described in 40 CFR 71(d).

There will be at least a 30-day public comment period for actions pertaining to a draft permit. Notification will be given for this draft permit by emailing a copy of the notice to the permit applicant, the affected tribe, the affected state, the tribal and local air pollution control agencies, the city and county executives, and the state and federal land managers which have jurisdiction over the area where the source is located. A notification will also be provided to all persons who have submitted a request to be included on the notification list.

If you would like to be added to our notification list to be informed of future actions on these or other CAA permits issued in Indian country, please send an email using the link for the Region 8 CAA public comment opportunities provided at <https://www.epa.gov/caa-permitting/caa-permit-public-comment-opportunities-region-8>.

Public notice will be provided at <https://www.epa.gov/caa-permitting/caa-permit-public-comment-opportunities-region-8> giving opportunity for public comment on the draft permit and the opportunity to request a public hearing.

B. Opportunity to Comment

Due to the COVID-19 pandemic, you may view an electronic copy of the proposed permit and related documents online at the website cited below. Information is also available by emailing or speaking with the following contacts:

Three Affiliated Tribes

404 Frontage Road

New Town, North Dakota 58763

Contact: Edmund Baker, Environmental Director, at (701) 627-6127 or edmundbaker@mhanation.com

and

U.S. Environmental Protection Agency, Region 8, 8ARD-PM

1595 Wynkoop Street

Denver, Colorado 80202-1129

Contact: Colin Schwartz, Environmental Scientist, at (303) 312-6043 or schwartz.colin@epa.gov

Electronic copies of the draft permit, Statement of Basis and supporting permit record may be accessed at:

<https://www.epa.gov/caa-permitting/caa-permit-public-comment-opportunities-region-8>.

Any interested person may submit written comments on the draft Part 71 operating permit during the public comment period by email using the instructions on the public comment opportunities web site at the address listed above or through <https://www.regulations.gov> (Docket ID # EPA-R08-OAR-2018-0351). All comments will be considered and responded to by the EPA in making the final decision on the permit. The EPA keeps a record of the commenters and of the issues raised during the public participation process.

Anyone, including the applicant, who believes any condition of the draft permit is inappropriate should raise all reasonable ascertainable issues and submit all arguments supporting their position by the close of the public comment period. Any supporting materials submitted must be included in full and may not be incorporated by reference, unless the material has already been submitted as part of the administrative record in the same proceeding or consists of state or federal statutes and regulations, EPA documents of general applicability or other generally available reference material.

The final permit will be a public record that can be obtained upon request. A statement of reasons for changes made to the draft permit and responses to comments received will be sent to all persons who comment on the draft permit. The final permit, response to comments document and the full administrative record for the permit will also be accessible online at:

<https://www.epa.gov/caa-permitting/caa-permits-issued-epa-region-8>.

Anyone may request a paper copy of the final permit at any time by contacting the Tribal Air Permit Program at (800) 227-8917 or by sending an email to r8airpermitting@epa.gov.

C. Opportunity to Request a Hearing

A person may submit a written request for a public hearing to the Part 71 Permitting Lead, U.S. EPA Region 8, by stating the nature of the issues to be raised at the public hearing. Based on the number of hearing requests received, the EPA will hold a public hearing whenever it finds there is a significant degree of public interest in a draft operating permit. The EPA will provide public notice of the public hearing. If a public hearing is held, any person may submit oral or written statements and data concerning the draft permit.

In light of the current COVID-19 pandemic, the EPA reserves the right to delay, within reason, or hold virtual public hearings if possible. Further guidance regarding public hearings will be decided at a later date taking into account local health and safety with regards to the COVID-19 pandemic.

D. Appeal of Permits

Within 30 days after the issuance of a final permit decision, any person who filed comments on the draft permit or participated in the public hearing may petition to the Environmental Appeals Board (EAB) to review any condition of the permit decision. Any person who failed to file comments or participate in the public hearing may petition for administrative review, only if the changes from the draft to the final permit decision or other new grounds were not reasonably foreseeable during the public comment period. The 30-day period to appeal a permit begins with the EPA's service of the notice of the final permit decision.

The petition to appeal a permit must include a statement of the reasons supporting the review, a demonstration that any issues were raised during the public comment period, a demonstration that it was impracticable to raise the objections within the public comment period, or that the grounds for such objections arose after such a period. When appropriate, the petition may include a showing that the condition in question is based on a finding of fact or conclusion of law which is clearly erroneous; or, an exercise of discretion, or an important policy consideration that the EAB should review.

The EAB will issue an order either granting or denying the petition for review, within a reasonable time following the filing of the petition. Public notice of the grant of review will establish a briefing schedule for the appeal and state that any interested person may file an amicus brief. Notice of denial of review will be sent only to the permit applicant and to the person requesting the review. To the extent review is denied, the conditions of the final permit decision become final agency action.

A motion to reconsider a final order shall be filed within ten days after the service of the final order. Every motion must set forth the matters claimed to have been erroneously decided and the nature of the alleged errors. Motions for reconsideration shall be directed to the Administrator rather than the EAB. A motion for reconsideration shall not stay the effective date of the final order unless it is specifically ordered by the EAB.

E. Petition to Reopen a Permit for Cause

Any interested person may petition the EPA to reopen a permit for cause, and the EPA may commence a permit reopening on its own initiative.

The EPA will only revise, revoke and reissue, or terminate a permit for the reasons specified in 40 CFR 71.7(f) or 71.6(a)(6)(i). All requests must be in writing and must contain facts or reasons supporting the request. If the EPA decides the request is not justified, it will send the requester a brief written response giving a reason for the decision. Denial of these requests is not subject to public notice, comment, or hearings. Denials can be informally appealed to the EAB by a letter briefly setting forth the relevant facts.