



# Navajo Nation Minor Source Regulations

NAVAJO NATION ENVIRONMENTAL PROTECTION AGENCY

AIR QUALITY CONTROL PROGRAM

OPERATING PERMIT PROGRAM

# Current Permitting Mechanisms in Indian Country - Navajo Nation

- ▶ Tribal Minor New Source Review Rule (TNSR)
  - ▶ Federal Implementation Plan in Indian Country (Preconstruction Permit)
- ▶ Sources that have the potential to emit above the TNSR thresholds
  - ▶ Must obtain a permit prior to commencing construction, or register if they are an existing source

# Current permitting mechanisms in Indian Country - Navajo Nation

## General Permits

- Hot Mix Asphalt Plants
- Stone Quarrying, Crushing, and Screen Facilities
- Concrete Batch Plants
- Boilers & emergency Generators
- Stationary Spark Ignition Engines
- Graphic Art and Printing Operations
- Sawmill Facilities

## Permits by Rule

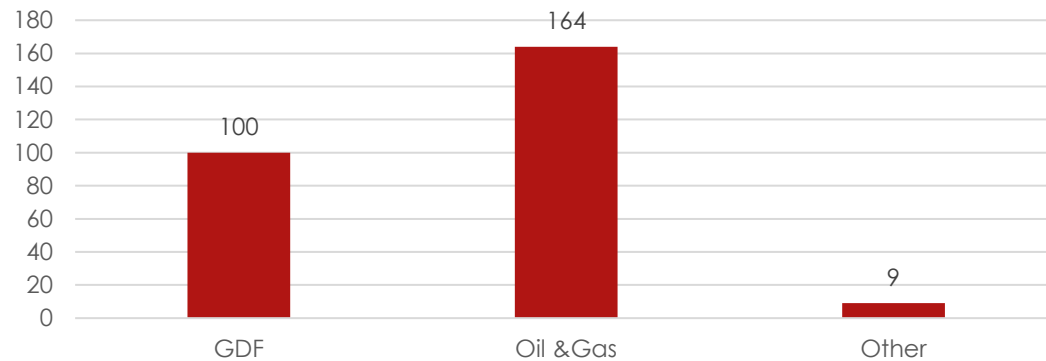
- Gasoline Dispensing Facilities
- Auto Body Repair and Miscellaneous Surface Coating Operations
- Petroleum Dry Cleaning Facilities

## **Federal Implementation Plan**

- Oil and Natural Gas Sources

# Purpose

## TNSR Registered Sources on Navajo Nation



<https://www.epa.gov/caa-permitting/tribal-new-source-review-actions-epas-pacific-southwest-region-9>

- ▶ Minor Sources tend to be the primary sources of air pollution in Indian Country
- ▶ Fills a regulatory gap within AQCP/OPP
- ▶ Enhances Navajo Nation sovereignty rights
- ▶ Tribally implemented program
- ▶ Protect the air quality and public health of the Navajo People

# Navajo Nation Minor Source Permitting Mechanism

- ▶ Will establish a unitary operating and preconstruction review permitting program
  - ▶ New or modified sources
- ▶ Registration Program
  - ▶ existing sources below the threshold
- ▶ More stringent than the current federal TNSR
  - ▶ Federal rule does not require operating permits

## Permit Threshold

| Regulated NSR Pollutant          | Non Attainment Area (TPY) | Attainment Area (TPY) |
|----------------------------------|---------------------------|-----------------------|
| Carbon monoxide (CO)             | 5                         | 10                    |
| Oxides of nitrogen (NOx)         | 5                         | 10                    |
| Sulfur dioxide (SO2)             | 5                         | 10                    |
| Volatile Organic Compounds (VOC) | 2                         | 5                     |
| Particulate Matter (PM)          | 5                         | 10                    |
| Particulate Matter 10 (PM10)     | 1                         | 5                     |
| Particulate Matter 2.5 (PM 2.5)  | 0.6                       | 3                     |

\* A source that has the potential to emit above the minor source threshold must obtain a permit prior to commencing construction.

# Navajo Nation MSPR- General Permits

Covers emission units that are **similar in nature**

## Existing Sources

- ▶ covers the operational content

## New Sources

- ▶ will have both the operating conditions and the preconstruction content

## Requesting Coverage

- ▶ submit a request for coverage under the general permit. The Director will have 90 days to make a final determination on the request.

### Gasoline Dispensing Facilities



### Oil & Natural Gas Sectors



# Navajo Nation MSPR

## Site Specific Permit



## Registration Program

- ▶ sources that are not major sources, not minor sources, and are not exempt must register (new & existing)
  - ▶ report to NNEPA 30 days prior to relocation
  - ▶ report a change of owner/operator within 90 days after
  - ▶ report of closure within 90 days after the cessation of all operation

# Navajo Nation MSPR- Fees & Projected Revenue

▶ **Registration** only: \$100 per registered source

▶ **General Permit:**

- ▶ Request for coverage: \$100
- ▶ \$1,000 annual fee (each source)

▶ **Site Specific permit**

- ▶ Application fee based on source's PTE at \$100/ton with a limit of up to \$2,500

| Minor Source Program Projected Revenue |                            |                          |
|----------------------------------------|----------------------------|--------------------------|
| General Permits                        | Application Fee (\$100x21) | Annual Fee (\$1,000x100) |
| GDF (100)                              | \$2,100.00                 | \$100,000.00             |
|                                        | \$100x7                    | \$1,000x164              |
| O&G (164)                              | \$700.00                   | \$164,000.00             |
| Site-Specific                          | Application Fee (2,500x9)  | Annual Fee (\$605.60x9)  |
| others (9)                             | \$22,500.00                | \$5,450.40               |
|                                        |                            |                          |
| <b>Total</b>                           | <b>\$25,300.00</b>         | <b>\$269,450.40</b>      |

\*Does not include sources subject to registration only

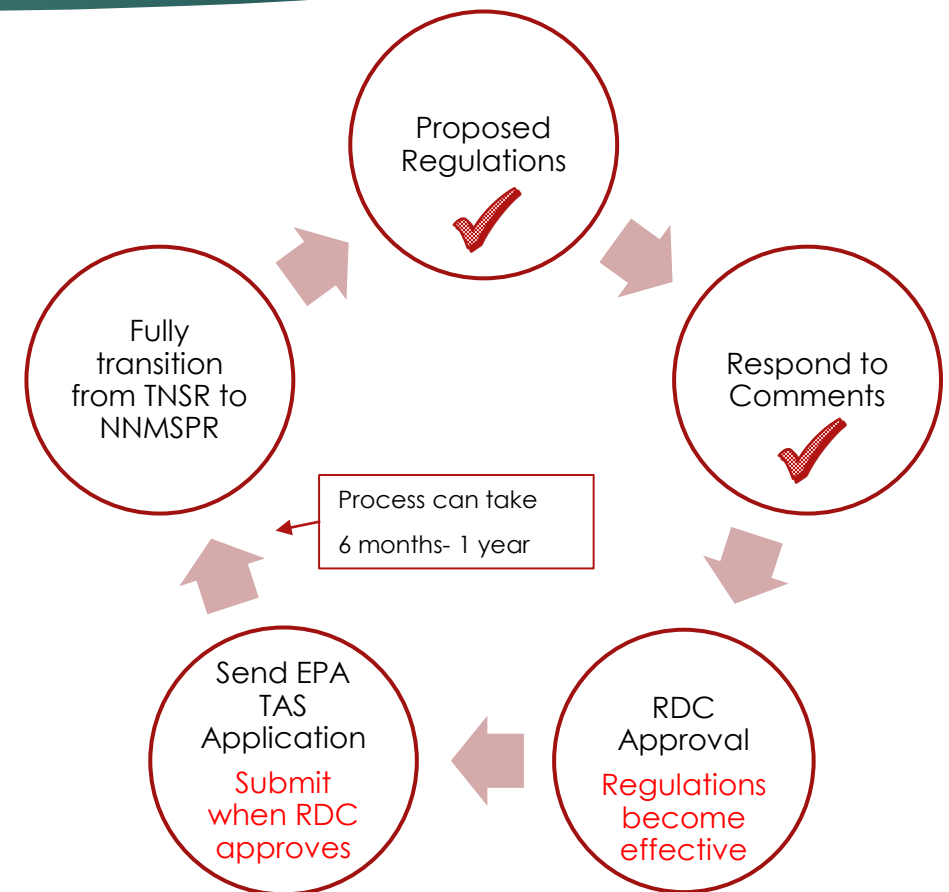
\*Multiple well heads and GDF's can request coverage under one Company. For example, Navajo Petroleum owns 7 gas stations. All 7 fall under one application.

\*Application fee for site-specific permits we assumed the highest value of 25 tpy (100x25= 2,500).

\*annual fee for site specific depends on Actual Emissions emitted for that year. That can range from 10-99 tpy. In this case, we assumed the threshold of 10 tpy (60.56x10= \$605.60) multiplied by 9 sources.

# Next Steps.....

- ▶ NNEPA AQCP/OPP responded to comments received during public comment period that ended April 5, 2021
- ▶ Obtain approval by the Navajo Nation Resources and Development Committee
- ▶ Submit a Treatment as a State application to U.S. EPA to obtain approval for the Navajo Nation Minor Source Regulations
- ▶ Transition from the Tribal Minor New Source Review to Navajo Nation Minor Source Program



# Contacts

Glenna Lee

Program Manager

[glennalee@navajo-nsn.gov](mailto:glennalee@navajo-nsn.gov)

928-729-4247

Justina George

Sr. Environmental Specialist

[j.george@navajo-nsn.gov](mailto:j.george@navajo-nsn.gov)

928-729-4094

Natasha Yazzie

Sr. Environmental Specialist

[nyazzie1@navajo-nsn.gov](mailto:nyazzie1@navajo-nsn.gov)

928-729-4248

Suresh Chaudhary

Environmental Engineer

[schaudhary@navajo-nsn.gov](mailto:schaudhary@navajo-nsn.gov)

928-729-4249