

PROPOSED 20.2.50 NMAC

TITLE 20 ENVIRONMENTAL PROTECTION
CHAPTER 2 AIR QUALITY (STATEWIDE)
PART 50 OIL AND GAS SECTOR – OZONE PRECURSOR POLLUTANTS

20.2.50.1 ISSUING AGENCY: Environmental Improvement Board.
[20.2.50.1 NMAC – N, XX/XX/2021]

20.2.50.2 SCOPE: This Part applies to sources located within areas of the state under the board's jurisdiction that, as of the effective date of this ~~Part~~ rule or anytime thereafter, have are causing or contributing to ambient ozone concentrations that exceed ninety-five percent of the national ambient air quality standard for ozone, as measured by a design value calculated and based on data from one or more department monitors. ~~Once a source becomes subject to this rule, the requirements of the rule are irrevocably effective unless the source obtains a federally enforceable air permit limiting the potential to emit to below such applicability thresholds established in this Part. As of the effective date, sources located in the following counties of the state are subject to this Part: Dona Ana, Eddy, Lea, Sandoval, San Juan, and Valencia.~~

A. If, at any time after the effective date, any area in the state is determined by the department to have exceeded ninety-five percent of the national ambient air quality standard for ozone, as measured by a design value calculated and based on data from one or more department monitors, the department shall revise this rule to incorporate such areas consistent with Sections 74-1-9 and 74-2-6 NMSA. The notice of proposed rulemaking shall be published no less than one hundred and eighty (180) days before the sources in the affected area will become subject to this Part and shall include the monitoring, testing, or inspection data, and all other technical information, that demonstrate that the area or areas the subject of to the proposed rulemaking exceed ninety-five percent of the national ambient air quality standard for ozone.

(1) The proposed rule revision shall include, in addition to the requirements of 20.1.1.301.B, NMAC:

(a) a list of the areas that the board proposes to become subject to this Part, and the date upon which the sources in the relevant area (or areas) will become subject to this Part; and

(b) proposed implementation dates, consistent with the time provided in the phased implementation schedules provided for in each Section of this Part, for sources within the area or areas the subject(s) of to the proposed rulemaking to come into compliance with each Section of this Part.

B. Once a source becomes subject to this rule based upon potential to emit, any the requirements of the rule based upon potential to emit are irrevocably effective unless the source obtains a federally enforceable, or legally and practically enforceable limit on the potential to emit to below such applicability thresholds established in this Part, or the relevant section contains a threshold below which the requirements no longer apply.

[20.2.50.2 NMAC – N, XX/XX/2021]

20.2.50.3 STATUTORY AUTHORITY: Environmental Improvement Act, Section 74-1-1 to 74-1-16 NMSA 1978, including specifically Paragraph (4) and (7) of Subsection A of Section 74-1-8 NMSA 1978, and Air Quality Control Act, Sections 74-2-1 to 74-2-22 NMSA 1978, including specifically Subsections A, B, C, D, F, and G of Section 74-2-5 NMSA 1978 (as amended through 2021).
[20.2.50.3 NMAC - N, XX/XX/2021]

20.2.50.4 DURATION: Permanent.
[20.2.50.4 NMAC - N, XX/XX/2021]

20.2.50.5 EFFECTIVE DATE: Month XX, ~~2021~~ 2022, except where a later date is specified in another Section.
[20.2.50.5 NMAC - N, XX/XX/2021]

20.2.50.6 OBJECTIVE: The objective of this Part is to establish emission standards for volatile organic compounds (VOC) and oxides of nitrogen (NOx) for oil and gas production, processing, and natural gas transmission sources. [20.2.50.6 NMAC - N, XX/XX/2021]

20.2.50.7 DEFINITIONS: In addition to the terms defined in 20.2.2 NMAC - Definitions, as used in this Part, the following definitions apply.

A. “Approved instrument monitoring method” means an optical gas imaging, United States environmental protection agency (U.S. EPA) reference method 21 (RM21) (40 CFR 60, Appendix B), or other instrument-based monitoring method or program approved by the department in advance and in accordance with 20.2.50 NMAC.

B. “Auto-igniter” means a device that automatically attempts to relight the pilot flame of in the combustion chamber of a control device in order to combust VOC emissions, or a device that will automatically attempt to combust the VOC emission stream.

C. “Bleed rate” means the rate in standard cubic feet per hour at which natural gas is continuously or intermittently vented from a pneumatic controller.

D. “Calendar year” means a year beginning January 1 and ending December 31.

E. “Centrifugal compressor” means a machine used for raising the pressure of natural gas by drawing in low-pressure natural gas and discharging significantly higher-pressure natural gas by means of a mechanical rotating vane or impeller. Screw, sliding vane, and liquid ring compressor is not a centrifugal compressor.

F. “Closed vent system” means a system that is designed, operated, and maintained to route the VOC emissions from a source or process to a process stream or control device with minimal no loss of VOC emissions to the atmosphere.

G. “Commencement of operation” means for an oil and natural gas wellhead, the date any permanent production equipment is in use and product is consistently flowing to a sales lines, gathering line or storage vessel from the first producing well at the stationary source, but no later than the end of well completion operation.

H. “Component” means a pump seal, flange, pressure relief device (including thief hatch or other opening on a storage vessel), connector or valve that contains or contacts a process stream with hydrocarbons, except for components where process streams consist solely of glycol, amine, produced water or methanol.

I. “Connector” means flanged, screwed, or other joined fittings used to connect pipe line segments, tubing, pipe components (such as elbows, reducers, “T’s” or valves) to each other; or a pipe line to a piece of equipment; or an instrument to a pipe, tube or piece of equipment. A common connector is a flange. Joined fittings welded completely around the circumference of the interface are not considered connectors for the purpose of this Part.

1 J. “Construction” means fabrication, erection, ~~or installation or relocation~~ of a stationary source, ~~including~~ but
2 ~~does not include limited to relocation, replacement in-kind, temporary installations, and or~~ portable stationary sources.

18 K. ~~DELETED~~“Custody transfer” means the transfer of oil or natural gas after processing or treatment in the
19 producing operation, or from a storage vessel or automatic transfer facility or other processing or treatment equipment
20 including product loading racks, to a pipeline or any other form of transportation.

25 L. “Control device” means air pollution control equipment or emission reduction technologies that thermally
26 combust, chemically convert, or otherwise destroy or recover air contaminants. Examples of control devices include but are not
27 limited to open flares, enclosed combustion devices (ECDs), thermal oxidizers (TOs), vapor recovery ~~control~~ units (VRCUs),
28 fuel cells, condensers, ~~air fuel ratio controllers (AFRs)~~, catalytic converters (oxidative, selective, and non-selective), or other
29 ~~equipment for the sole purpose of emission reduction equipment~~. A control device may also include any other air pollution
30 control equipment or emission reduction technologies approved by the department ~~in an operating permit, to comply with~~
31 ~~emission standards in this Part.~~

53 M. “Department” means the New Mexico environment department.

54 N. “Downtime” means the period of time when equipment is ~~inoperable not in operation, or when a well is~~
55 ~~producing, and the control device is not in operation.~~

O. “Enclosed combustion device” means a combustion device where ~~waste gaseous gas fuel~~ is combusted in an enclosed chamber solely for purpose of destruction. This may include, but is not limited to an enclosed flare or combustor, ~~reboiler, and heater~~.

P. “Existing” means constructed or reconstructed before the effective date of this Part and has not since been modified or reconstructed.

Q. “Gathering and boosting ~~stationsite~~” means a permanent combination of equipment located downstream of a well production facility that collects or moves ~~natural gas, crude oil, condensate~~ natural gas prior to the inlet of a natural gas processing plant or prior to a natural gas transmission pipeline or transmission compressor station if no gas processing is performed; or collects, moves, or stabilizes crude oil or condensate prior to an oil transmission pipeline or other form of transportation, ~~or produced water between a wellhead site and a midstream oil and natural gas collection or distribution facility, such as a storage vessel battery or compressor station, or into or out of storage~~

R. “Glycol dehydrator” means a device in which a liquid glycol absorbent, including ethylene glycol, diethylene glycol, or triethylene glycol, directly contacts a natural gas stream and absorbs water.

S. “Hydrocarbon liquid” means any naturally occurring, unrefined petroleum liquid and can include oil, condensate, and intermediate hydrocarbons. Hydrocarbon liquid does not include produced water.

T. “Liquid unloading” means the removal of accumulated liquid from the wellbore that reduces or stops natural gas production.

U. “Liquid transfer” means ~~the loading and~~ unloading of a hydrocarbon liquid ~~or produced water~~ between a storage vessel and tanker truck or tanker rail car for transport.

V. **“Local distribution company custody transfer station”** means a metering station where the local distribution (LDC) company receives a natural gas supply from an upstream supplier, which may be an interstate transmission pipeline or a local natural gas producer, for delivery to customers through the LDC's intrastate transmission or distribution lines.

W. **“~~Natural gas~~ Transmission compressor station”** means any permanent installation of one or more compressors that move designed to compress pipeline quality natural gas at increased pressure from production fields, well pressure to gathering system pressure before the inlet of a or natural gas processing plants, or to move compressed natural gas through a transmission pipeline for ultimate delivery to the local distribution company custody transfer station, into underground storage, or other industrial end users.

X. **“Natural gas-fired heater”** means an enclosed device using a controlled flame and with a primary purpose to transfer heat directly to a process material or to a heat transfer material for use in a process.

Y. **“Natural gas processing plant”** means the processing equipment engaged in the extraction of natural gas liquid from natural gas or fractionation of mixed natural gas liquid to a natural gas product, or both. A Joule-Thompson valve, a dew point depression valve, or an isolated or standalone Joule-Thompson skid is not a natural gas processing plant.

Z. **“New”** means constructed or reconstructed on or after the effective date of this Part.

AA. **“Non-Emitting Controller”** means a device that monitors a process parameter such as liquid level, pressure or temperature and sends a signal to a control valve in order to control the process parameter and does not emit natural gas to the atmosphere. Examples of non-emitting controllers include but are not limited to: instrument air or inert gas pneumatic controllers, electric controllers, mechanical controllers and Routed Pneumatic Controllers.

BB. **“Operator”** means the person or persons responsible for the overall operation of a stationary source.

BBCC. **“Optical gas imaging (OGI)”** means an imaging technology that utilizes a high-sensitivity infrared camera designed for and capable of detecting hydrocarbons.

CCDD. **“Owner”** means the person or persons who owns a stationary source or part of a stationary source.

DDDE. **“Permanent pit or pond”** means a pit or pond used for collection, retention, or storage of produced water or brine and is installed for longer than one year.

EEFF. **“Pneumatic controller”** means a device that monitors a process parameter such as liquid level, pressure, or temperature and uses pressurized gas (which may be released to the atmosphere during normal operation) to send a signal to a control valve in order to control the process parameter. Controllers that do not utilize pressurized gas are not pneumatic controllers, an instrument that is actuated using pressurized gas and used to control or monitor process parameters such as liquid level, gas level, pressure, valve position, liquid flow, gas flow, and temperature.

i. “High-Bleed Pneumatic Controller” means a continuous bleed pneumatic controller that is designed to have a continuous bleed rate that emits in excess of 6 standard cubic feet per hour (scfh) of natural gas to the atmosphere.

ii. “Low-Bleed Pneumatic controller” means a continuous bleed pneumatic controller that is designed to have a continuous bleed rate that emits less than or equal to 6 scfh of natural gas to the atmosphere.

iii. “Intermittent pneumatic controller” means a pneumatic controller that is not designed to have a

continuous bleed rate, but is designed to only release ~~natural~~ gas above de minimis amounts to the atmosphere as part of the actuation cycle.

iv. “Routed Pneumatic Controller” means a pneumatic controller of any type that releases natural gas to a process, sales line or to a combustion device instead of directly to the atmosphere.

FFGG. “Pneumatic diaphragm pump” means a positive displacement pump powered by pressurized ~~natural~~ gas that uses the reciprocating action of flexible diaphragms in conjunction with check valves to pump a fluid. A pump in which a fluid is displaced by a piston driven by a diaphragm is not considered a diaphragm pump. A lean glycol circulation pump that relies on energy exchange with the rich glycol from the contactor is not considered a diaphragm pump.

GGHH. “Potential to emit (PTE)” means the maximum capacity of a stationary source to emit an air ~~contaminant~~ pollutant under its physical and operational design. ~~The~~ Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and ~~a~~ restrictions on the 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 is federally enforceable or legally and practically enforceable in an operating permit, authorization, or other requirement established under a federal, state, local or tribal authority. The PTE for nitrogen dioxide shall be based on total oxides of nitrogen.

HHII. “Produced water” means a ~~fluid-liquid~~ that is an incidental byproduct from ~~drilling for or well completion~~ and the production of oil and gas.

HJJ. “Produced water management unit” means a recycling facility or a permanent pit or permanent pond that is a natural topographical depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to accumulate produced water and has a design storage capacity equal to or greater than 50,000 barrels.

JJK. “**Qualified Professional Engineer**” means an individual who is licensed by a state as a professional engineer to practice one or more disciplines of engineering and who is qualified by education, technical knowledge, and experience to make the specific technical certifications required under this Part.

KKL. “**Reciprocating compressor**” means a piece of equipment that increases the pressure of process gas by positive displacement, employing linear movement of a piston rod.

LLM. “**Reconstruction**” means a modification that results in the replacement of the components or addition of integrally related equipment to an existing source, to such an extent that the fixed capital cost of the new components or equipment exceeds fifty percent of the fixed capital cost that would be required to construct a comparable entirely new facility.

MM. “**Recycling facility**” means a stationary or portable facility used exclusively for the treatment, reuse, or recycling of produced water and does not include oilfield equipment ~~such as separators, heater-treaters, and scrubbers~~ in which produced water may be used.

NN. “**Responsible official**” means one of the following:

(1) for a corporation: president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of the corporation if the representative is responsible for the overall operation of the ~~source~~ subject unit and either (a) the facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), or (b) the delegation of authority to such representative is approved in advance by the department.

(2) for a partnership or sole proprietorship: a general partner or the proprietor, respectively.

OO. —“**Small business facility**” means, for the purposes of this Part, a source that is independently owned or operated by a company that is not a subsidiary or a division of another business, that employs no more than 10 employees at any time during the calendar year, and that has a gross annual revenue of less than \$250,000. Employees include part-time, temporary, or limited service workers.

OO. “**Stabilized**” when used to refer to stored condensate, means that the condensate has reached substantial equilibrium with the atmosphere and that any emissions that occur are those commonly referred to within the industry as “working and breathing losses”

PP. “**Startup**” means the setting into operation of air pollution control equipment or process equipment.

QQ. “**Stationary Source**” or “**source**” means any building, structure, equipment, facility, installation (including temporary installations), operation, process, or portable stationary source that emits or may emit any air contaminant. Portable stationary source means a source that can be relocated to another operating site with limited dismantling and reassembly.

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1 **RR. “Storage vessel”** means a single tank or other vessel that is designed to contain an accumulation of
2 hydrocarbon liquid or produced water and is constructed primarily of non-earthen material including wood, concrete, steel,
3 fiberglass, or plastic, which provide structural support, or a process vessel such as a surge control vessel, bottom receiver, or
4 knockout vessel. A well completion vessel that receives recovered liquid from a well after commencement of operation for a
5 period that exceeds 60 days is considered a storage vessel. A storage vessel does not include a vessel that is skid-mounted or
6 permanently attached to a mobile source and located at the site for less than 180 consecutive days, such as a truck or railcar, or a
7 pressure vessel designed to operate in excess of 204.9 kilopascals (29.724 psi) without emissions to the atmosphere. A storage
8 vessel does not include a storage vessel located at a saltwater disposal facility unless the storage vessel is associated with a
9 produced water management unit.

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16 **SS. “Tank battery”** means a storage vessel or group of storage vessels that receive or store crude oil,
17 condensate, or produced water from a well or wells for storage prior to shipment. This does not include storage vessels at
18 saltwater disposal facilities unless associated with produced water management units.
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28 **TT. “Vapor Recovery Control Unit”** means a system composed of a scrubber, a compressor and a switch. Its
29 main purpose is to recover vapors. The switch detects pressure variations and turns the compressor on and off. The vapors are
30 drawn through a scrubber, where entrained liquids are captured and returned to the liquid pipeline system or to a storage vessel,
31 and the vapor recovered is compressed into a sales pipeline or other process. To determine if this device is a vapor recovery
32 unit (process) or a vapor recovery control unit (control) the operator must answer the following three questions:

33 (1). Is the primary purpose of the equipment to control air pollution?

34 (2). Where the equipment is recovering product, how do the cost savings from the product recovery compare
35 to the cost of the equipment?

36 (3). Would the equipment be installed if no air quality regulations are in place?

37 If the primary purpose is to control air pollution then the device is a vapor recovery control unit. Such device’s classification as
38 a control or process unit in a final permit is binding upon both the Department and the operator.
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48 **UUS. “Well workover”** means the repair or stimulation of an existing production well for the purpose of restoring,
49 prolonging, or enhancing the production of hydrocarbons.

50 **UVV. “Wellhead-site Well Production Facility”** means the equipment directly associated with one or more oil
51 wells or natural gas wells upstream of the natural gas processing plant. A wellhead site-production facility may include
52 equipment used for extraction, collection, routing, storage (e.g., tank battery), separation, treating, dehydration, artificial lift,
53 combustion, compression, pumping, metering, monitoring, and product piping.
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20.2.50.8 SEVERABILITY: If any provision of this Part, or the application of this provision to any person or circumstance is held invalid, the remainder of this Part, or the application of this provision to any person or circumstance other than those as to which it is held invalid, shall not be affected thereby.

[20.2.50.8 NMAC - N, XX/XX/2021]

20.2.50.9 CONSTRUCTION: This Part shall be liberally construed to carry out its purpose.

[20.2.50.9 NMAC - N, XX/XX/2021]

20.2.50.10 SAVINGS CLAUSE: Repeal or supersession of prior versions of this Part shall not affect administrative or judicial action initiated under those prior versions.

[20.2.50.10 NMAC - N, XX/XX/2021]

20.2.50.11 COMPLIANCE WITH OTHER REGULATIONS: Compliance with this Part does not relieve a person from the responsibility to comply with other applicable federal, state, or local laws, rules or regulations, including more stringent controls.

[20.2.50.11 NMAC - N, XX/XX/2021]

20.2.50.12 DOCUMENTS: Documents incorporated and cited in this Part may be viewed at the New Mexico environment department, air quality bureau.

[20.2.50.12 NMAC - N, XX/XX/2021]

[The Air Quality Bureau is located at 525 Camino de los Marquez, Suite 1, Santa Fe, New Mexico 87505.]

20.2.23.13-20.2.23.110 [RESERVED]

20.2.50.111 APPLICABILITY:

A. This Part applies to certain crude oil and natural gas production, and processing equipment ~~and associated with~~ operations that extract, collect, separate, dehydrate, store, process, transport, transmit, or handle hydrocarbon liquids or produced water in the areas specified in 20.2.50.2 NMAC and are located at well production facility wellhead sites, tank batteries, gathering and boosting sites, natural gas processing plants, and transmission compressor stations, up to the point of the local distribution company custody transfer station. Part 50 applies only in areas of the State specified in 20.2.50.2 NMAC

B. In determining if any source unit is subject to this Part, ~~including a small business facility as defined in this Part~~, the owner or operator shall calculate the Potential to Emit (PTE) of such unit source as necessary. ~~and shall have the PTE calculation certified by a qualified professional engineer.~~ The calculation shall be kept on file for a minimum of five years and shall be provided to the department upon request.

C. ~~An owner or operator of a small business facility as defined in this Part shall comply with the requirements of this Part as specified in 20.2.50.125 NMAC.~~

D. Oil refineries and oil transmission pipelines are not subject to this Part.

[20.2.50.111 NMAC - N, XX/XX/2021]

20.2.50.112 GENERAL PROVISIONS:

A. General requirements:

(1) Units Sources subject to emissions standards and requirements under this Part shall be operated and

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maintained consistent with manufacturer specifications, ~~and~~ good engineering operational and maintenance practices, which terms, when used in this Part, mean the original equipment manufacturer (or successor) emissions-related design specifications, maintenance practices and schedules or an alternative set of specifications, maintenance practices and schedules. The owner or operator shall keep manufacturer specifications and maintenance practices on file and make them available upon request by the department. For sources constructed prior to 1980 for which no manufacturer specifications and maintenance practices are available, the owner or operator shall develop and follow a maintenance schedule sufficient to operate and maintain such units in good working order approved by qualified maintenance personnel based upon engineering principles and field experience. The owner or operator shall keep such manufacturer specifications, or alternative specifications, maintenance schedules whichever are being followed, on file and make them available to the department upon request. The terms of this 20.2.50.112.A(1) NMAC apply any time reference to manufacturer specifications occurs in this Part.

(2) ~~Units Sources~~, including associated air pollution control equipment and monitoring equipment, subject to emission standards or requirements under this Part shall at all times, including periods of startup, shutdown, and malfunction, be operated and maintained in a manner consistent with safety and good air pollution control practices for ~~to~~ minimizing emissions of air contaminants, including VOC and NOx. During a period of startup, shutdown, or malfunction, this general duty to minimize emissions requires that the owner or operator reduce emissions from the affected unit to the greatest extent which is consistent with safety and good air pollution control practices. The general duty to minimize emissions does not require the owner or operator to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. The terms of this 20.2.50.112.A(2) apply any time reference to minimizing emissions occurs in this Part.

(3) Within two years of the effective date of this Part, owners and operators of a ~~source unit~~ requiring an ~~Equipment Monitoring~~ monitoring, testing, or inspection Tag (EMT) will develop and implement database system(s) capable of storing information for each unit in a manner consistent with this section. ~~shall physically tag each unit with an EMT, the format of which shall be either RFID, QR, or bar code such that, when scanned it provides a unique identifier of the source. This unique identifier shall act as an index to the source's record of the data required by this Part. The owner or operator shall maintain information regarding each unit requiring equipment monitoring, testing, or inspection in a database system(s), including The EMT shall be maintained by the owner or operator, and data in the EMT shall provide at a minimum, the following information:~~

- (a) unique unit identification number;
- (b) location (latitude and longitude) of the source at which the unit is located;
- (c) type of ~~source unit~~ (e.g., tank, ~~VRLVRCU~~, dehydrator, pneumatic controller, etc.);
- (d) for each source, the VOC (and NOx, if applicable) PTE in lbs./hr. and tpy;
- (e) ~~for a control device, the controlled VOC and NOx PTE in lbs./hr. and tpy; (cf) if available, make, model, and serial number; and~~

(f) a link to the manufacturer's maintenance schedule or repair recommendations or company-specific operational and maintenance practices.

(4) The database system(s) EMT shall be ~~installed and~~ maintained by the owner or operator of the facility.

~~(5) The EMT shall be of a format scannable by an owner or operator's authorized required by this Part.~~

(5) The owner or operator shall manage the source's unit's record of data in a the database system(s) and the database system(s) must be that is able to generate a Compliance Database Report (CDR). The CDR is an electronic report generated by the owner or operator's database system(s) and submitted to the department upon request. ~~The format of the CDR shall be determined by the department.~~

~~(76)~~ The CDR is a report distinct from the owner or operator's ~~database~~ database system(s). The department does not require access to the owner or operator's database system(s), only the CDR.

~~(87)~~ ~~If read by the owner or operator's authorized representative must be able to access and input data in the , the EMT shall access the owner or operator's database~~ database system(s) record for that unit source. That access is not required to be at any time from any location.

~~(98)~~ The owner or operator shall ~~contemporaneously~~ track each ~~compliance event monitoring, testing, and inspection events~~ for each ~~source unit~~ subject to the EMT requirements of this Part, and shall comply with the following:

(a) data gathered during each monitoring, testing, or inspection ~~or testing~~ event shall be ~~contemporaneously~~ uploaded into the ~~database~~ database system(s) as soon as practicable, but no later than three business days ~~of after each compliance event monitoring, testing, or inspection event or when final reports are received.~~

(b) data required by this Part shall be maintained in the ~~database~~ database system(s) for at least five years.

~~(109)~~ Upon demonstration of good cause, ~~t~~he department may request that an owner or operator retain a third party at their own expense to verify any data or information collected, reported, or recorded pursuant to this Part, and make recommendations to correct or improve the collection of data or information. The owner or operator shall submit a report of the verification and any recommendations made by the third party to the department by a date specified and implement the recommendations in the manner approved by the department. The owner or operator may request a hearing on whether good cause was demonstrated or whether the recommendations approved by the department must be implemented.

B. Monitoring, testing, or inspection requirements:

(1) Units ~~Source's~~ subject to emission standards and monitoring, testing or inspection ~~(e.g. inspection, testing, parametric monitoring)~~ requirements under this Part shall be inspected monthly to ensure proper maintenance and operation, unless a different schedule is specified in the Section applicable to that source unit type. If the equipment is shut down at the time of required periodic testing, monitoring, or inspection, the owner or operator shall not be required to restart the unit for the sole purpose of performing the testing, monitoring, or inspection, but shall note the shut down in the records kept

for that equipment for that ~~monitoring~~ monitoring, testing, or inspection event.

(2) ~~An owner or operator may submit for the department's review and approval an equally effective, enforceable, and equivalent alternative monitoring strategy.~~ An owner or operator may submit for the department's review and approval an enforceable and equivalent alternative monitoring, testing, or inspection strategy. Such requests shall be made on an application form provided by the department. The department shall issue a letter approving or denying the requested alternative ~~monitoring~~ monitoring, testing, or inspection strategy. An owner or operator shall comply with the default ~~monitoring~~ monitoring, testing, or inspection requirements required under the applicable Section and shall not operate under an alternative ~~monitoring~~ monitoring, testing, or inspection strategy until it has been approved by the department.

(3) ~~Each~~ For each monitoring, testing or inspection event (e.g. testing, inspection, parametric monitoring) owners, operators, or their authorized representatives shall ~~be initiated by an initial scanning of the EMT, the results of which shall then be directly uploaded into the database or temporarily into the handheld or other device. Upon completion of the monitoring event, a final scanning of the EMT shall terminate the monitoring event. At a minimum, the uploaded data shall include~~ record the information required by the applicable sections of this Part:

- (a) ~~date and time of the testing, monitoring, or inspection event;~~
- (b) ~~name of the personnel conducting the testing, monitoring, or inspection;~~
- (c) ~~identification number and type of unit;~~
- (d) ~~a description of any maintenance or repair activity conducted; and~~
- (e) ~~results of testing, monitoring, or inspection as required under this Part.~~

C. Recordkeeping requirements:

(1) ~~Within three business days of a monitoring~~ monitoring, testing, or inspection event ~~or within three business days of when final reports of monitoring, testing or inspection results are received, an electronic record shall be made of the~~ monitoring monitoring, testing, or inspection event and shall include ~~the following data~~ the information required by the applicable sections of this Part.:

- (a) ~~date and time of the testing, monitoring, or inspection event;~~
- (b) ~~name of the personnel conducting the testing, monitoring, or inspection;~~
- (c) ~~identification number and type of unit;~~
- (d) ~~a description of any maintenance or repair activity conducted; and~~
- (e) ~~results of any testing, monitoring, or inspections required under this Part.~~

(2) The owner or operator shall keep an electronic record required by this Part for five years. ~~The department may treat loss of data or failure to maintain a record, including failure to transfer a record upon sale or transfer of ownership or operating authority, as a failure to collect the data.~~

(3) ~~Before the transfer of ownership of equipment subject to this Part, the current owner or operator shall conduct and document a full compliance evaluation of such equipment. The documentation shall include a certification by a responsible official as to whether the equipment is in compliance with the requirements of this Part. The compliance determination shall be conducted no earlier than three months before the transfer of ownership. The owner or operator shall keep the full compliance evaluation and certification by the responsible official for five years.~~

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18 **D. Reporting requirements:** Within ~~24 hours~~three business days of a request by the department, the owner or
19 Operator shall for each unit subject to the request, provide the requested information ~~either by~~ electronically submitting a CDR
20 to the department's Secure Extranet Portal (SEP), or by other means and formats specified by the department in its request. If
21 the department requests CDR from multiple facilities, additional time shall be given as appropriate.
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27 [20.2.50.112 NMAC - N, XX/XX/2021]
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29 **20.2.50.113 ENGINES AND TURBINES:**

30 **A. Applicability:** Portable and stationary natural gas-fired spark ignition engines, compression ignition engines,
31 and natural gas-fired combustion turbines located at ~~wellhead sites~~well production facility, tank batteries, gathering and
32 boosting sites, natural gas processing plants, and transmission compressor stations, with a site-rated horsepower greater than the
33 horsepower ratings of Table 1, 2, and 3 of 20.2.50.113 NMAC are subject to the requirements of 20.2.50.113 NMAC. Non-
34 road engines as defined in 40 C.F.R. 1068.30 are not subject to 20.2.50.113 NMAC.
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54 **B. Emission standards:**

55 (1) The owner or operator of a portable or stationary natural gas-fired spark-ignition engine,
56 compression ignition engine, or natural gas-fired combustion turbine shall ensure compliance with the emission standards by the
57 dates specified in Subsection B of 20.2.50.113 NMAC or engines that are subject may comply with the requirements through
58 an alternative Compliance Plan of 20.2.50.113 B.10.

(2) The owner or operator of an existing natural gas-fired spark-ignition engine shall complete an inventory of all existing engines subject to this Part 50 by January 1, 2023, and shall prepare a schedule to ensure that each existing engine does not exceed the emission standards in table 1 of Paragraph (2) of Subsection B of 20.2.50.113 NMAC except as approved through an alternative Compliance Plan per 20.2.50.113 B.10. as follows:

(a) by January 1, 2025, the owner or operator shall ensure at least thirty percent of the company's existing engines meet the emission standards.

(b) by January 1, 2027, the owner or operator shall ensure at least an additional thirty-five percent of the company's existing engines meets the emission standards.

(c) by January 1, 2029, the owner or operator shall ensure that the remaining thirty-five percent of the company's existing engines meets the emission standards.

(d) in lieu of meeting the emission standards for an existing natural gas-fired spark ignition engine, an owner or operator may reduce the annual hours of operation of an engine such that the annual PTE for NOx and VOC emissions are reduced to achieve an equivalent allowable ton per year emission as set forth in Table 1 of Paragraph (2) of Subsection B of 20.2.50.113 NMAC or by at least ninety-five percent per year.

(e) Owners or operators of an existing natural gas-fired spark-ignition engine are not required to comply with the emissions standards specified in table 1 of Subsection B of 20.2.30.113 NMAC if the owner or operator demonstrates that the emissions standard is technically impractical or economically unreasonable. Installation and maintenance costs and the best information available for determining technically practicable retrofit technology and control efficiency shall be considered. Owners or operators that seek to rely on this exemption must submit a justification for the technical impracticality or economic unreasonableness to the department for approval no less than ninety (90) days prior to the applicable compliance date set forth in the schedule in Paragraph (2) of Subsection B of 20.2.50.113 NMAC. If the department does not respond to the justification within forty-five (45) days after submission of the justification, the justification will be deemed approved.

(f) Any of the effective dates for the emissions standards set forth in Paragraph (2) of Subsection B of 20.2.50.113 NMAC may be extended at the Department's discretion for good cause shown.

Table 1 - EMISSION STANDARDS FOR NATURAL GAS-FIRED SPARK-IGNITION ENGINES
CONSTRUCTED OR; RECONSTRUCTED, ~~OR INSTALLED~~ BEFORE THE EFFECTIVE DATE OF 20.2.50
NMAC.

Engine Type	Rated bhp	NO _x	CO	NMNEHC (as propane)
Lean-burn	>1,000	0.50 g/bhp-hr	47 ppmvd @ 15% O ₂ or 93% reduction	0.70 g/bhp-hr
Rich-burn	>1,000	0.50 g/bhp-hr	0.60 g/bhp-hr	0.70 g/bhp-hr

Maximum Engine BHP	Emission Standards (g/bhp-hr)		
	NO _x	CO	VOC
4 Stroke All-Lean Burn engines >1000 bhp (4-stroke)	2.0	2.0	0.7
2-Stroke Lean Burns* >1000 bhp	3.0	2.0	0.7
All Rich Burn engines > 1000 bhp	0.5	0.6	0.7

(3) The owner or operator of a new natural gas-fired spark ignition engine shall ensure the engine does not exceed the emission standards in table 2 of Paragraph (3) of Subsection B of 20.2.50.113 NMAC upon startup.

Table 2 - EMISSION STANDARDS FOR NATURAL GAS-FIRED SPARK-IGNITION ENGINES
CONSTRUCTED OR; RECONSTRUCTED, OR ~~INSTALLED~~ AFTER THE EFFECTIVE DATE OF 20.2.50
NMAC.

Engine Type	Rated bhp	NO _x	NMNEHC (as propane)
<u>4-Stroke- Lean-burn</u>	<u>>500 – <1,000</u>	<u>0.50 g/bhp-hr</u>	<u>0.70 g/bhp-hr</u>
<u>4-Stroke- Lean-burn</u>	<u>≥1,000</u>	<u>0.30 g/bhp-hr- uncontrolled-or 0.05 g/bhp-hr-with NO_x control- post- combustion</u>	<u>0.70 g/bhp-hr</u>
<u>4-Stroke- Rich-burn</u>	<u>>500</u>	<u>0.50 g/bhp-hr</u>	<u>0.70 g/bhp-hr</u>

Engine Type	Engine (bhp)	Emissions (g/bhp-hr)		
		NO _x	CO	VOC
<u>4-Stroke Lean Burn engines</u>	<u>>1000 bhp and < 2370</u>	<u>0.7</u>	<u>2.0</u>	<u>0.7</u>
<u>4-Stroke Rich Burn engines</u>	<u>>1000 bhp and < 2370</u>	<u>0.5</u>	<u>2.0</u>	<u>0.7</u>
<u>All engines</u>	<u>≥2370 bhp</u>	<u>0.3</u>	<u>2.0</u>	<u>0.7</u>

(4) The owner or operator of a natural gas-fired spark ignition engine with NO_x emission control technology that uses ammonia or urea as a reagent shall ensure that the exhaust ammonia slip is limited to 10 ppmvd or less, corrected to fifteen percent oxygen.

(5) The owner or operator of a compression ignition engine shall ensure compliance with the following emission standards:

(a) a new portable or stationary compression ignition engine with a maximum design power output equal to or greater than 500 horsepower that is not subject to the emission standards under Subparagraph (b) of Paragraph (5) of Subsection B of 20.2.50.113 NMAC shall limit NO_x emissions to not more than nine g/bhp-hr upon startup.

(b) a stationary compression ignition engine that is subject to and complying with Subpart III

of 40 CFR Part 60, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, is not subject to the requirements of Subparagraph (a) of Paragraph (5) of Subsection B of 20.2.50.113 NMAC.

(6) The owner or operator of a portable or stationary compression ignition engine with NO_x emission control technology that uses ammonia or urea as a reagent shall ensure that the exhaust ammonia slip is limited to 10 ppmvd or less, corrected to fifteen percent oxygen.

(7) The owner or operator of a stationary natural gas-fired combustion turbine with a maximum design rating equal to or greater than 1,000 bhp shall comply with the applicable emission standards for an existing, new, or reconstructed turbine listed in table 3 of Paragraph (7) of Subsection B of 20.2.50.113 NMAC.

(a) The owner or operator of an existing stationary natural gas-fired combustion turbine shall complete an inventory of all existing turbines subject to this Part 50 by July 1, 2022, and shall prepare a schedule to ensure that each subject existing turbine does not exceed the emission standards in table 3 of Paragraph (7) of Subsection B of 20.2.50.113 NMAC except as approved through an alternative Compliance Plan per 20.2.50.113 B.9 as follows:

(i) by January 1, 2024⁵, the owner or operator shall ensure at least thirty percent of the company's existing turbines meet the emission standards.

(ii) by January 1, 2027⁶, the owner or operator shall ensure at least an additional thirty-five percent of the company's existing turbines meets the emission standards.

(iii) by January 1, 2029⁸, the owner or operator shall ensure that the remaining thirty-five percent of the company's existing turbines meets the emission standards.

(iv) in lieu of meeting the emission standards for an existing stationary natural gas-fired combustion turbine, an owner or operator may reduce the annual hours of operation of a turbine such that the annual PTE for NO_x and VOC emissions are reduced to achieve an equivalent ton per year emission reduction as set forth in table 3 of Paragraph (7) of Subsection B of 20.2.50.113 NMAC or by at least ninety-five percent per year.

(v) Owners or operators of an existing natural gas-fired combustion turbine are not required to comply with the emissions standards specified in table 3 of Subsection B of 20.2.50.113 NMAC if the owner or operator demonstrates that the emissions standard is technically impractical or economically unreasonable. Installation and maintenance costs and the best information available for determining technically practicable retrofit technology and control efficiency shall be considered. Owners or operators that seek to rely on this exemption must submit a justification for the technical impracticality or economic unreasonableness to the department for approval no less than ninety (90) days prior to the applicable compliance date set forth in the schedule in Paragraph (7)(a) of Subsection B of 20.2.50.113 NMAC. If the department does not respond to the justification within forty-five (45) days after submission of the justification, the justification will be deemed approved.

(vi) Any of the effective dates for the emissions standards set forth in Paragraph (7) of Subsection B of 20.2.50.113 NMAC may be extended at the Department's discretion for good cause shown.

Table 3 - EMISSION STANDARDS FOR STATIONARY COMBUSTION TURBINES

For each applicable natural gas-fired combustion turbine constructed or reconstructed and installed before the effective date of 20.2.50 NMAC, the owner or operator shall ensure the turbine does not exceed the following emission standards no later than the schedule set forth in Paragraph (7)(a) of Subsection B of 20.2.50.113 NMAC two years from the effective date of this Part:			
Turbine Rating (bhp)	NO _x (ppmvd @15% O ₂)	CO (ppmvd @15% O ₂)	NMNEHC (as propane, ppmvd @15% O ₂)
≥1,400 and <5,000	50	50	9

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≥5,000 and <15,000	50	50	9
≥15,000	50	50 or 93% reduction	5 or 50% reduction

For each natural gas-fired combustion turbine constructed or reconstructed ~~and installed~~ on or after the effective date of 20.2.50 NMAC, the owner or operator shall ensure the turbine does not exceed the following emission standards upon startup:

Turbine Rating (bhp)	NO _x (ppmvd @15% O ₂)	CO (ppmvd @ 15% O ₂)	NMNEHC (as propane, ppmvd @15% O ₂)
≥41,000 and <5,000	25	25	9
≥5,000 and <15,900	15	10	9
≥15,900	9.0 Uncontrolled or 2.0 with NO _x Control post-combustion	10 Uncontrolled or 1.8 with Control	5

(8) The owner or operator of a stationary natural gas-fired combustion turbine with NO_x emission control technology that uses ammonia or urea as a reagent shall ensure that the exhaust ammonia slip is limited to 10 ppmvd or less, corrected to fifteen percent oxygen.

~~((9) The owner or operator of an engine or turbine shall install an EMT on the engine or turbine in accordance with 20.2.50.112 NMAC.~~

10(9) The owner or operator of an emergency use engine as defined by 40 C.F.R. §§ 60.4211, 60.4243, or 63.6675 that is operated less than 100 hours per year is not subject to the emissions standards in this Part but shall be equipped with a non-resettable hour meter to monitor and record any hours of operation.

(10) An owner or operator may elect to comply with the standards established in 20.2.50.113.B through development and implementation of an Alternative Compliance Plan approved by the Department instead of achieving the standards established in 20.2.50.113.B for each engine or turbine. The Alternative Compliance Plan must include the list of engines or turbines subject to the standards included in the plan and must include a demonstration that the total allowable regulated emissions under the Alternative Compliance Plan do not exceed the total allowable regulated emissions allowed under the emissions standards of this Part and that the owner or operator will achieve emissions under the Alternative Compliance Plan consistent with the schedules set forth in this Part. The department must approve an Alternative Compliance Plan that meets this condition unless the Division identifies that the total allowable emissions allowed under the Alternative Compliance Plan do not meet or are not less than the total allowable emissions under the emissions standards of this Part.

(11) A short term replacement engine may be substituted for any engine regulated under 20.2.50.113 consistent with any applicable air quality permit containing allowances for short term replacement engines, including, but not limited to, New Source Review and General Construction Permits issued under 20.2.72 NMAC. A short term engine replacement is not considered a "new" engine for purposes of 20.2.50 NMAC, unless the engine it replaces is a "new" engine within the meaning of 20.2.50 NMAC. The reinstallation of the existing engine after removal of the short replacement engine is not considered a "new" engine under 20.2.50.113 unless the engine was "new" prior to the temporary replacement.

C. Monitoring, testing, and inspection requirements:

(1) Maintenance and repair for a spark-ignition engine, compression-ignition engine, and stationary combustion turbine shall be consistent with manufacturer specifications as stated in 20.2.50.112 NMAC. Maintenance consistent with an applicable NSPS or NESHAP standard shall be deemed compliance with 20.2.50.113.C(1). meet the minimum manufacturer recommended maintenance schedule. The following maintenance, adjustment, replacement, or repair events for engines and turbines shall be documented as they occur:

- (a) routine maintenance that takes a unit out of service for more than two hours during any 24-hour period; and
- (b) unscheduled repairs that require a unit to be taken out of service for more than two hours during any 24-hour period.

(2) Catalytic converters (oxidative, selective and non-selective) and AFR controllers shall be maintained according to manufacturer specifications as stated in 20.2.50.112 NMAC or supplier recommended maintenance schedules.

including replacement of oxygen sensors as necessary for oxygen-based controllers. During periods of catalytic converter or AFR controller maintenance, the owner or operator shall shut down the engine or turbine until the catalytic converter or AFR controller can be replaced with a functionally equivalent spare to allow the engine or turbine to return to operation.

(3) For equipment operated for 500 hours per year or more, compliance with the emission standards in Subsection B of 20.2.50.113 NMAC shall be demonstrated ~~performing an initial emissions test, followed by annual tests, for NO_x, CO, and non-methane non-ethane hydrocarbons (NMNEHC) using a portable 27 analyzer or U.S. EPA reference method, within 180 days of the effective date applicable to the unit as defined by Subsection B (2) and (7) or, if installed more than 180 days after the effective date, within 60 days after achieving the maximum production rate at which the unit will be operated, but not later than 180 days after initial startup of such unit. Compliance with the applicable emission standards shall be demonstrated by performing an initial emissions test for NO_x and VOCs, as defined in 40 CFR 51.100(s) using U.S. EPA Reference Methods or ASTM D6348. Periodic monitoring demonstrating compliance with the allowable emission limits shall be conducted annually and may be demonstrated utilizing a portable analyzer or EPA Reference Methods. For units with g/hp-hr emission standards, the engine load shall be calculated using the following equations or other alternative methods:~~

$$\text{Load (Hp)} = \frac{\text{Fuel consumption (scf/hr)} \times \text{Measured fuel heating value (LHV btu/scf)}}{\text{Manufacturer's rated BSFC (btu/bhp-hr) at 100\% load or best efficiency}}$$

$$\text{Load (Hp)} = \frac{\text{Fuel consumption (gal/hr)} \times \text{Measured fuel heating value (LHV btu/gal)}}{\text{Manufacturer's rated BSFC (btu/bhp-hr) at 100\% load or best efficiency}}$$

Where: LVH = lower heating value, btu/scf, or btu/gal, as appropriate; and
BSFC = brake specific fuel consumption

If the manufacturer's rated BSFC is not available, an operator may use an alternative load calculation methodology based on available data.

(a) emissions testing events shall be conducted within 10 percent of 100 percent peak (or the highest achievable) load, at ninety percent or greater of the unit's capacity. If the ninety percent capacity cannot be achieved, the monitoring and testing shall be conducted at the maximum achievable capacity or load under prevailing operating conditions. The load and the parameters used to calculate it shall be recorded to document operating conditions at the time of testing and shall be included with the test report.

(b) emissions testing utilizing a portable analyzer shall be conducted in accordance with the requirements of the current version of ASTM D6522. If a portable analyzer has met a previously approved department criterion, the analyzer may be operated in accordance with that criterion until it is replaced.

(c) the default time period for a test run shall be at least 20 minutes.

(d) an emissions test shall consist of three separate runs, with the arithmetic mean of the results from the three runs used to determine compliance with the applicable emission standard.

(e) during emissions tests, pollutant and diluent concentration shall be monitored and recorded. Fuel flow rate shall be monitored and recorded if stack gas flow rate is determined utilizing U.S. EPA reference method 19. This information shall be included with the periodic test report.

(f) stack gas flow rate shall be calculated in accordance with U.S. EPA reference method 19 utilizing fuel flow rate (scf) determined by a dedicated fuel flow meter and fuel heating value (Btu/scf). The owner or operator shall provide a contemporaneous fuel gas analysis (preferably on the day of the test, but no earlier than three months before the test date) and a recent fuel flow meter calibration certificate (within the most recent quarter) with the final test report. Alternatively, stack gas flow rate may be determined by using U.S. EPA reference methods 1 through 4 or through the use of manufacturer provided fuel consumption rates.

(g) upon request by the department, an owner or operator shall submit a notification and protocol for an initial or annual emissions test.

(h) emissions testing shall be conducted at least once per calendar year. Emission testing required by Subparts GG, IIII, JJJJ, or KKKK of 40 CFR 60, or Subpart ZZZZ of 40 CFR 63, may be used to satisfy the emissions testing requirements if it meets the requirements of 20.2.50.113 NMAC and is completed at least once per calendar year.

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(4) The owner or operator of equipment operated less than 500 hours per year shall monitor the hours of operation using a non-resettable hour meter and shall test the unit at least once per 8760 hours of operation in accordance with the emissions testing requirements in Paragraph (3) of Subsection C of 20.2.50.113 NMAC.

(5) An owner or operator of an emergency use engine as defined by 40 C.F.R. §§ 60.4211, 60.4243, or 63.6675 operated for less than 100 hours per year shall monitor the hours of operation by a non-resettable hour meter.

(6) An owner or operator limiting the annual operating hours of an engine to meet the requirements of Paragraph (2) or Paragraph (7) of Subsection B of 20.2.50.113 NMAC shall monitor the hours of operation by a non-resettable hour meter.

~~(7) — Prior to monitoring, testing, inspection, or maintenance of an engine or turbine, the owner or operator shall scan the EMT, and the monitoring data entry shall be made in accordance with the requirements of 20.2.50.112 NMAC.~~

D. Recordkeeping requirements:

(1) The owner or operator of a spark ignition engine, compression ignition engine, or stationary combustion turbine shall maintain a record in accordance with 20.2.50.112 NMAC for the engine or turbine. The record shall include:

(a) the make, model, serial number, ~~and EMT~~ for the engine or turbine;

(b) a copy of the maintenance and repair schedule for the engine, turbine, or control device as recommended by the manufacturer or as developed consistent with good operational and maintenance practices~~manufacturer-recommended maintenance and repair schedule;~~

(c) all inspection, maintenance, or repair activity on the engine, turbine, and control device, including:

(i) the date and time of an inspection, maintenance or repair;

(ii) the date a subsequent analysis was performed (if applicable);

(iii) the name of the ~~personnel~~person(s) conducting the inspection, maintenance or repair;

(iv) — a description of the physical condition of the equipment as found during the inspection;

~~(v)~~ a description of maintenance or repair activity conducted; and

~~(vi)~~ the results of the inspection and any required corrective actions.

(2) The owner or operator of a spark ignition engine, compression ignition engine, or stationary combustion turbine shall maintain records of initial and annual emissions testing for the engine or turbine for a period of 5 years. The records shall include:

(a) the make, model, ~~and~~ serial number, ~~and EMT~~ for the tested engine or turbine;

(b) the date and time of sampling or measurements;

(c) the date analyses were performed;

(d) the name of the ~~personnel~~person(s) and the qualified entity that performed the analyses;

(e) the analytical or test methods used;

(f) the results of analyses or tests;

(g) for equipment operated less than 500 hours per year, the total annual hours of operation as recorded by the non-resettable hour meter; and

(h) operating conditions at the time of sampling or measurement.

(3) The owner or operator of an emergency use engine as defined by 40 C.F.R. §§ 60.4211, 60.4243, or 63.6675 operated less than 100 hours per year shall record the total annual hours of operation as recorded by the non-resettable hour meter.

(4) The owner or operator limiting the annual operating hours of an engine to meet the requirements of Paragraph (2) or Paragraph (7) of Subsection B of 20.2.50.113 NMAC shall record the hours of operation by a non-resettable hour meter. The owner or operator shall calculate and record the annual NOx and VOC emission calculation, based on the engine's actual hours of operation, to demonstrate that an equivalent allowable ton per year emission as set forth in Table 1 of Paragraph (2) of Subsection B of 20.2.50.113 NMAC or the ninety-five percent emission reduction requirement is met.

(5) An owner or operator claiming an exemption under Paragraph 2(e) or Paragraph (7)(a)(v) of Subsection B of 20.2.50.113 must maintain records for each engine or turbine, as applicable, demonstrating that the exemption applies.

(6) An owner operator that received an extension of the effective dates for an emissions standards set forth in Paragraph (2) or Paragraph (7) of Subsection B of 20.2.50.113 NMAC must maintain records of the extension for good cause shown.

E. Reporting requirements: The owner or operator shall comply with the reporting requirements in 20.2.50.112 NMAC.
[20.2.50.113 NM-C - N, XX/XX/2021]

20.2.50.114 COMPRESSOR SEALS:

Reference Valor Memo - Engines and Turbines.

A. Applicability:

(1) Centrifugal compressors using wet seals and located at tank batteries, gathering and boosting sites, natural gas processing plants, or transmission compressor stations are subject to the requirements of 20.2.50.114 NMAC. Centrifugal compressors located at wellhead-siteswell production facilities and their associated tank batteries are not subject to the requirements of 20.2.50.114 NMAC.

(2) Reciprocating compressors located at tank batteries, gathering and boosting sites, natural gas processing plants, or transmission compressor stations are subject to the requirements of 20.2.50.114 NMAC. Reciprocating compressors located at wellhead-siteswell production facilities and their associated tank batteries are not subject to the requirements of 20.2.50.114 NMAC.

B. Emission standards:

(1) The owner or operator of an existing centrifugal compressor shall control VOC emissions from a centrifugal compressor wet seal fluid degassing system by at least ninety-five percent within two years of the effective date of this Part. Emissions shall be captured and routed via a closed vent system to a control device, recovery system, fuel cell, or a process stream.

(2) The owner or operator of an existing reciprocating compressor shall, either:

(a) replace the reciprocating compressor rod packing after every 26,000 hours of compressor operation or every 36 months, whichever is reached later. The owner or operator shall begin counting the hours of compressor operation toward the first replacement of the rod packing upon the effective date of this Part; or

(b) beginning no later than two years from the effective date of this Part, collect emissions from the rod packing under negative pressure and route them via a closed vent system to a control device, recovery system, fuel cell, or a process stream.

(3) The owner or operator of a new centrifugal compressor with wet seals shall control VOC emissions from the centrifugal compressor wet seal fluid degassing system by at least ninety-eight percent upon startup. Emissions shall be captured and routed via a closed vent system to a control device, recovery system, fuel cell, or process stream.

(4) The owner or operator of a new reciprocating compressor shall, upon startup, either:

(a) replace the reciprocating compressor rod packing after every 26,000 hours of compressor operation, or every 36 months, whichever is reached later; or

(b) collect emissions from the rod packing under negative pressure and route them via a closed vent system to a control device, a recovery system, fuel cell or a process stream.

~~(5) The owner or operator of a centrifugal or reciprocating compressor shall install an EMT on the compressor in accordance with 20.2.50.112 NMAC.~~

~~(56)~~ The owner or operator complying with the emission standards in Subsection B of 20.2.50.114 NMAC through use of a control device shall comply with the control device requirements in 20.2.50.115 NMAC.

C. Monitoring, testing, and inspection requirements:

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(1) The owner or operator of a centrifugal compressor complying with Paragraph (1) or (3) of Subsection B of 20.2.50.114 NMAC shall maintain a closed vent system encompassing the wet seal fluid degassing system that complies with the ~~monitoring~~ monitoring, testing, or inspection requirements in 20.2.50.115 NMAC.

(2) The owner or operator of a reciprocating compressor complying with Subparagraph (a) of Paragraph (2) or Subparagraph (a) of Paragraph (4) of Subsection B of 20.2.50.114 NMAC shall continuously monitor the hours of operation with a non-resettable hour meter and track the number of hours since initial startup or since the previous reciprocating compressor rod packing replacement.

(3) The owner or operator of a reciprocating compressor complying with Subparagraph (b) of Paragraph (2) or Subparagraph (b) of Paragraph (4) of Subsection B of 20.2.50.114 NMAC shall monitor the rod packing emissions collection system semiannually to ensure that it operates as designed ~~under negative pressure~~ and routes emissions through a closed vent system to a control device, recovery system, fuel cell, or process stream.

(4) The owner or operator of a centrifugal or reciprocating compressor complying with the requirements in Subsection B of 20.2.50.114 NMAC through use of a closed vent system or control device shall comply with the ~~monitoring~~ monitoring, testing, or inspection requirements in 20.2.50.115 NMAC.

(5) The owner or operator of a centrifugal or reciprocating compressor shall comply with the ~~monitoring~~ monitoring, testing, or inspection requirements in 20.2.50.112 NMAC.

D. Recordkeeping requirements:

(1) The owner or operator of a centrifugal compressor using a wet seal fluid degassing system shall maintain a record of the following:

(a) the location of the centrifugal compressor;

(b) the date of construction or reconstruction ~~or modification~~ of the centrifugal compressor;

(c) the ~~monitoring~~ monitoring, testing, or inspection required in Subsection C of 20.2.50.114 NMAC, including the time and date of the ~~monitoring~~ monitoring, testing, or inspection, the ~~personnel~~ person(s) conducting the ~~monitoring, testing, or inspection~~, a description of any problem observed during the ~~monitoring, testing, or inspection~~, and a description of any corrective action taken; and

(d) the type, make, model, and identification number or equivalent identifier of a control device used to comply with the control requirements in Subsection B of 20.2.50.114 NMAC.

(2) The owner or operator of a reciprocating compressor shall maintain a record of the following:

(a) the location of the reciprocating compressor;

(b) the date of construction ~~or reconstruction~~ ~~or modification~~ of the reciprocating compressor; and

(c) the ~~monitoring~~ monitoring, testing, or inspection required in Subsection C of 20.2.50.114 NMAC, including:

(i) the number of hours of operation since the effective date, initial startup after the effective date, or the last rod packing replacement, as applicable;

(ii) data showing effectiveness of the records of pressure in the rod packing emissions collection system, as applicable, and

(iii) the time and date of the monitoring, testing or inspection, the ~~personnel~~ person(s) conducting the monitoring, testing or inspection, ~~a notation of which checks required in Subsection C of 20.2.50.114 NMAC were completed~~, a description of any problems observed during the monitoring, testing or inspection, and a description and date of corrective actions taken.

(3) The owner or operator of a centrifugal or reciprocating compressor complying with the requirements in Subsection B of 20.2.50.114 NMAC through use of a control device or closed vent system shall comply with the recordkeeping requirements in 20.2.50.115 NMAC.

(4) The owner or operator of a centrifugal or reciprocating compressor shall comply with the recordkeeping requirements in 20.2.50.112 NMAC.

E. Reporting requirements: The owner or operator of a centrifugal or reciprocating compressor shall comply with the reporting requirements in 20.2.50.112 NMAC.
[20.2.50.114 NM-C - N, XX/XX/2021]

20.2.50.115 CONTROL DEVICES AND CLOSED VENT SYSTEMS:

A. Applicability: These requirements apply to control devices and closed vent systems as defined in 20.2.50.7 NMAC and used to comply with the emission standards and emission reduction requirements in this Part.

B. General requirements:

(1) Control devices used to demonstrate compliance with this Part shall be installed, operated, and maintained consistent with manufacturer specifications; or installed, operated, and maintained in accordance with ,and good engineering-operating and maintenance practices.

(2) Control devices shall be adequately designed and sized to achieve the control efficiency rates required by this Part and to handle the reasonably expected range of inlet VOC or NOx concentrations or volumes, fluctuations in emissions of VOC or NOx.

(3) ~~The owner or operator of a control device used to comply with the emission standards in this Part shall install an EMT on the control device in accordance with 20.2.50.112 NMAC.~~

(43) The owner or operator shall inspect visually, or consistent with federally approved inspection methods, control devices used to comply with this Part at least monthly to identify defects, leaks, and releases, ensure proper maintenance and operation. Prior to an inspection or monitoring event, the owner or operator shall scan the EMT and the required monitoring data shall be electronically captured in accordance with this Part.

(45) The owner or operator shall ensure that a control device used to comply with emission standards in this Part operates as a closed vent system that captures and routes VOC emissions to the control device, ~~and that unburnt gas is not directly vented to the atmosphere.~~

(65) The owner or operator of a permanent closed vent system for a centrifugal compressor wet seal fluid degassing system, reciprocating compressor, pneumatic ~~controller or~~ pump, or storage vessel using a control device or routing emissions to a process shall:

(a) ensure the control device or process is of sufficient design and capacity to accommodate the reasonably expected range of all emissions from the affected sources;

(b) conduct an assessment to confirm that the closed vent system is of sufficient design and capacity to ensure that all emissions from the affected equipment are routed to the control device or process; and

(c) have the ~~closed vent system assessment~~ certified by a qualified professional engineer or an in-house ~~engineer-employee~~ with expertise regarding the design and operation of ~~the~~ closed vent systems in accordance with Paragraphs (c)(i) and (ii) of this Section.

(i) The assessment of the closed vent system shall be prepared under the direction or supervision of a qualified professional engineer or ~~an the~~ in-house ~~engineer-employee~~ who signs the certification in Paragraph (c)(ii) of this Section.

(ii) the owner or operator shall provide the following certification, signed and dated by a qualified professional engineer or an in-house ~~engineer-employee~~: "I certify that the closed vent system ~~design and capacity~~ assessment was prepared under my direction or supervision. I further certify that the closed vent system ~~design and capacity~~ assessment was conducted, and this report was prepared pursuant to the requirements of this Part. Based on my professional knowledge and experience, and inquiry of personnel involved in the assessment, the certification submitted herein is true, accurate, and complete."

(76) The owner or operator shall keep manufacturer specifications for all control devices installed after the effective date on file. The information shall include the manufacturer name, make, and model and relevant capacity and efficiency data.

(a) ~~manufacturer name, make, and model;~~

(b) ~~maximum heating value for an open flare, ECD, or TO;~~

(c) ~~maximum rated capacity for an open flare, ECD/TO, or VRU;~~

(d) ~~gas flow range for an open flare, ECD, or TO; and~~

(e) ~~designed destruction or vapor recovery efficiency.~~

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47 **C. Requirements for open flares:**

48 (1) Emission standards:

49 (a) The flare shall be properly sized and designed to ensure proper combustion efficiency to
50 combust the gas sent to the flare ~~and combustion shall be maintained for the duration of time that gas is sent to the flare.~~ The
51 owner or operator shall not send gas to the flare outside the bounds of the design capacity in excess of the manufacturer
52 maximum rated capacity.

53
54 (b) the owner or operator shall equip each new ~~and existing~~ flare (except those flares required
55 to meet the requirements of Paragraph (CD) of this Subsection) with a continuous pilot flame or an operational auto-igniter, ~~or~~
56 require manual ignition, and shall comply with the following:

57 (i) a flare with a continuous pilot flame or an auto-igniter shall be equipped with a
58 system to ensure the flare is operated with a flame present at all times when gas is being sent to the flare.

~~(ii) — the owner or operator of a flare with manual ignition shall inspect and ensure a flame is present upon initiating a flaring event.~~

(iii) a new flare controlling a continuous gas stream shall be equipped with a continuous pilot flame or auto-igniter upon startup.

~~(iv) — (c) the owner or operator shall equip each existing flare (except those flares required to meet the requirements of paragraph (D) of this Subsection) with an automatic ignitor, continuous pilot, or technology that alerts the operator that the flare may have malfunctioned no later than two years after the effective date. an existing flare controlling a continuous gas stream constructed before the effective date of this Part shall be equipped with a continuous pilot no later than one year after the effective date of this Part.~~

(ed) an existing flare located at a site with an annual average daily production of equal to or less than ~~10 barrels of oil per day or an average daily production of 60,000 standard cubic feet of natural gas~~ shall be equipped with an auto-ignitor or continuous pilot; ~~or technology (e.g. alarm) that alerts the owner or operator of a flare malfunction,~~ if replaced ~~or reconstructed~~ after the effective date of this Part.

(de) the owner or operator shall operate a flare with no visible emissions, except for periods not to exceed a total of 30 seconds during any 15 consecutive minutes. The flare shall be designed so that an observer can, by means of visual observation from the outside of the flare or by other means such as a continuous monitoring device, determine whether it is operating properly. The observation may be terminated if visible emissions are identified and recorded or action is taken to address visible emissions.

(ef) the owner or operator shall initially attempt to repair the flare within three business days of any thermocouple or other flame detection device alarm activation.

(2) **Monitoring, testing, and inspection requirements:**

(a) the owner or operator of a new permanent flare with a continuous pilot or auto igniter shall continuously monitor the presence of a pilot flame, or presence of flame during flaring if using an auto igniter, using a thermocouple equipped with a continuous recorder and alarm to detect the presence of a flame. An alternative equivalent technology alerting the owner or operator of failure of ignition of the gas stream may be used in lieu of a continuous recorder and alarm, if approved by the department;

~~(b) — the owner or operator of a manually ignited flare shall monitor the presence of a flame using continuous visual observation during a flaring event;~~

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(be) the owner or operator shall, ~~at least quarterly, and~~ upon observing visible emissions ~~for a period of time 30 seconds,~~ perform a U.S. EPA method 22 observation while the flare pilot or auto igniter flame is present to certify compliance with visible emission requirements. The observation period shall be a minimum of 15 consecutive minutes. The observation may be terminated if visible emissions are identified and recorded or action is taken to address visible emissions to address the visible emissions.

~~(d) — prior to an inspection or monitoring event, the EMT on the flare shall be scanned and the required monitoring data shall be electronically captured during the event in accordance with the monitoring requirements of 20.2.50.112 NMAC; and~~

(ce) the owner or operator shall monitor the technology that alerts the owner or operator of a flare malfunction and any instances of technology or alarm activation.

(3) Recordkeeping requirements: The owner or operator of an open flare shall keep a record of the following, as applicable:

(a) any instance of thermocouple or other flame detection device alarm activation, including the date and cause of alarm activation, action taken to bring the flare into a normal operating condition, the name of the personnel-person(s) conducting the inspection, and any maintenance activity performed;

(b) the results of any U.S. EPA method 22 observations;

~~(c) — the monitoring of the presence of a flame on a manual flare during a flaring event as required under Subparagraph (b) of Paragraph (2) of Subsection C of 20.2.50.115 NMAC;~~

(d) the results of the most recent gas analysis (sampled or modeled) for the gas being flared, including VOC content and heating value, if any; and

e) any instance of technology or alarm activation of a malfunctioning flare, including the date and cause of the activation, the action taken to bring the flare into normal operating condition, ~~date of repair, name of the personnel conducting the inspection, and any maintenance activities performed.~~

(4) Reporting requirements: The owner or operator shall comply with the reporting requirements in 20.2.50.112 NMAC.

D. Requirements for enclosed combustion devices (ECD) and thermal oxidizers (TO):

(1) Emission standards:

(a) the ECD/TO shall be properly sized and designed to ensure proper combustion efficiency to combust the gas sent to the ECD/TO. The owner or operator shall not send gas to the ECD/TO in excess of the manufacturer maximum rated capacity.

(b) the owner or operator shall equip each new ECD/TO with a continuous pilot flame or an auto-igniter. New ECD/TO with a continuous pilot flame shall be equipped with a system to ensure the ECD/TO is operated with a flame present at all times when gas is being sent to ECD/TO. Existing ECD/TO shall be equipped with a continuous pilot flame or an auto-igniter no later than two years after the effective date, ne year after the effective date. New ECD/TO shall be equipped with a continuous pilot flame or an auto-igniter upon startup.

~~(c) — ECD/TO with a continuous pilot flame or an auto-igniter shall be equipped with a system to ensure that the ECD/TO is operated with a flame present at all times when gas is sent to the ECD/TO. Combustion shall be~~

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~~maintained for the duration of time that gas is sent to the ECD/TO.~~

(d) the owner or operator shall operate an ECD/TO with no visible emissions, except for periods not to exceed a total of 30 seconds during any 15 consecutive minutes. The ECD/TO shall be designed so that an observer can, by means of visual observation from the outside of the ECD/TO or by other means such as a continuous monitoring device, determine whether it is operating properly. ~~The observation may be terminated if visible emissions are identified and recorded or action is taken to address visible emissions.~~

(2) **Monitoring, testing, and inspection requirements:**

(a) the owner or operator of a new permanent ECD/TO with a continuous pilot shall continuously ~~or an auto igniter~~ monitor the presence of a pilot flame ~~or of a flame during combustion if using an auto-igniter~~, using a thermocouple equipped with a continuous recorder and alarm to detect the presence of a flame. An alternative equivalent technology alerting the owner or operator of failure of ignition of the gas stream may be used in lieu of a continuous recorder and alarm, if approved by the department.

(b) the owner or operator shall, ~~at least quarterly, and~~ upon observing visible emissions for a period of time exceeding 30 seconds, perform a U.S. EPA method 22 observation while the ECD/TO pilot flame or auto igniter flame is present to certify compliance with the visible emission requirements. The period of observation shall be a minimum of 15 consecutive minutes. ~~The observation may be terminated to if visible emissions are identified and recorded or action is taken address visible emissions.~~

(c) ~~— prior to an inspection or monitoring event, the EMT on the unit shall be scanned and the required monitoring data shall be electronically captured during the monitoring event in accordance with the monitoring requirements of 20.2.50.112 NMAC.~~

(3) Recordkeeping requirements: The owner or operator of an ECD/TO shall keep records of the following, as applicable:

(a) any instance of a thermocouple or other flame detection device # alarm activation, including the date and cause of the activation, any action taken to bring the ECD/TO into normal operating condition, the name of the ~~personnel~~ person(s) conducting the inspection, and any maintenance activities performed;

(b) the result of ~~the any~~ U.S. EPA method 22 observation; and

(c) the results of the most recent gas analysis (sampled or modeled) for the gas being combusted, including VOC content and heating value, if any.

(4) Reporting requirements: The owner or operator shall comply with the reporting requirements in 20.2.50.112 NMAC.

E. **Requirements for vapor recovery capture units (VRCU):**

(1) **Emission standards:**

(a) the owner or operator shall operate the VRCU as a closed vent system that captures and routes ~~all~~ VOC emissions directly back to the process or to a sales pipeline and does not vent to the atmosphere.

(b) the owner or operator shall control VOC emissions during startup, shutdown, maintenance, or other ~~VRU~~ VRCU downtime with a backup control device (e.g. flare, ECD, TO) or redundant ~~VRCU~~ VRU. during the period of VRCU downtime unless otherwise approved in state permit. Alternatively, the owner or operator may shut down and isolate the source being controlled by the VRCU.

(2) **Monitoring, testing, and inspection Requirements**

(a) the owner or operator shall comply with the standards for equipment leaks in 20.2.50.116 NMAC, or, alternatively, shall implement a program that meets the requirements of Subpart OOOOa of 40 CFR 60.

~~(b) — prior to a VRU inspection or monitoring event, the EMT on the unit shall be scanned and the required monitoring data shall be electronically captured during the monitoring event in accordance with the monitoring~~

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requirements of 20.2.50.112 NMAC.

(3) ~~Recordkeeping requirements: For a VRU inspection or monitoring event, the owner or operator shall record the result of the event in accordance with 20.2.50.112 NMAC, including the name of the personnel conducting the inspection, and any maintenance or repair activities.~~ The owner or operator shall record the type of redundant control device used during VRU downtime or alternatively keep records of the equipment shut down and isolated as well as the time period over which it was shut down or records regarding compliance with the state permit.

(4) Reporting requirements: The owner or operator shall comply with the reporting requirements in 20.2.50.112 NMAC.

F. **Recordkeeping requirements:** The owner or operator of a control device or closed vent system shall maintain a record of the following:

- (1) the certification of the closed vent system where applicable and as required by this Part; and
- (2) the information required in Paragraph (7) of Subsection B of 20.2.50.115 NMAC.

G. **Reporting requirements:** The owner or operator shall comply with the reporting requirements in 20.2.50.112 NMAC.
[20.2.50.115 NM-C - N, XX/XX/2021]

20.2.50.116 EQUIPMENT LEAKS AND FUGITIVE EMISSIONS:

A. **Applicability:** ~~Wellhead sites~~ Well production facilities, tank batteries, gathering and boosting sites, gas processing plants, transmission compressor stations, and associated piping and components are subject to the requirements of 20.2.50.116 NMAC. Equipment leak and fugitive emissions monitoring required by New Source Performance Standards, including but not limited to Subpart OOOO and Subpart OOOOa, 40 C.F.R. Part 60, as may be revised, may be used to satisfy the requirements of this 20.2.50.116 NMAC. A component is subject to the requirements if it is a gas vapor or light liquid component that contacts process fluid that is at least 10% VOC by weight. Components in water and/or air service are exempt from the requirements of 20.2.50.116 NMAC. Well production facilities and gathering and boosting sites producing or handling exclusively coal bed methane are not subject to the requirements of 20.2.50.116. The requirements of this Part may be considered in the facility's PTE and in determining the monitoring frequency requirements of this Section.

B. **Emission standards:** The owner or operator of oil and gas production and processing equipment located at wellhead sites, tank batteries, gathering and boosting sites, gas processing plants, or transmission compressor stations shall demonstrate compliance with this Part by performing the monitoring, recordkeeping, and reporting requirements specified in 20.2.50.116 NMAC.

C. **Default Monitoring, inspection or testing requirements:** Owners and operators shall comply with the following monitoring requirements: ~~and the monitoring requirements in 20.2.50.112 NMAC:~~

(1) The owner or operator of a well production facility or tank battery facility with an annual ~~average daily production of greater than 10 barrels of oil per day or an~~ average daily production or average daily throughput of greater than 60,000 standard cubic feet per day of natural gas shall, at least weekly, conduct audio, visual, and olfactory (AVO) inspections of thief hatches, closed vent systems, pumps, compressors, pressure relief devices, open-ended valves or lines, valves, flanges, connectors, piping, and associated equipment to identify defects and leaking components as follows:

(a) conduct an external visual inspection for defects which may include: cracks, holes, or gaps in piping or covers; loose connections; liquid leaks; broken or missing caps; broken, cracked or otherwise damaged seals or gaskets; broken or missing hatches; or broken or open access covers or other closure or bypass devices;

(b) conduct an audio inspection for pressure leaks and liquid leaks;

(c) conduct an olfactory inspection for unusual or strong odors;

(d) any positive detection during the AVO inspection shall be ~~be considered a leak; and~~

~~(e) a leak discovered by an AVO inspection shall be tagged with a visible tag repaired in accordance with Subsection E if not repaired at the time of discovery, and reported to management or their designee within three calendar days.~~

(2) The owner or operator of a well production facility or tank battery facility with an annual average daily production of equal to or less than 10 barrels of oil per day or an average daily production or average daily throughput of equal to or less than 60,000 standard cubic feet per day of natural gas shall, at least monthly, conduct an audio, visual, and olfactory (AVO) inspection of thief hatches, closed vent systems, pumps, compressors, pressure relief devices, open-ended valves or lines, valves, flanges, connectors, piping, and associated equipment to identify a defect and leaking component as specified in Subparagraphs (a) through (e) of Paragraph (1) of Subsection (C) of 20.2.50.116 NMAC.

(3) The owner or operator of the following facilities shall conduct an inspection using U.S.EPA method 21 or optical gas imaging (OGI) of thief hatches, closed vent systems, pumps, compressors, pressure relief devices, open-ended valves or lines, valves, flanges, connectors, piping, and associated equipment to identify leaking components at a frequency determined according to the following schedules:

(a) for wellhead sites ~~well production facilities~~ or tank battery facilities:

(i) annually at facilities with a PTE less than 10 ~~two~~ tpy VOC;

(ii) semi-annually at facilities with a PTE equal to or greater than two ~~10~~ tpy and less than five ~~25~~ tpy VOC; and

(iii) quarterly at facilities with a PTE equal to or greater than five ~~25~~ tpy

(b) for gathering and boosting sites, gas processing plants, and transmission compressor stations

(i) quarterly ~~semi-annually~~ at facilities with a PTE less than 25 tpy VOC; and

(ii) monthly ~~quarterly~~ at facilities with a PTE equal to or greater than 25 tpy VOC

(4) Inspections using U.S. EPA method 21 shall meet the following requirements:

(a) the instrument shall be calibrated before each day of its use by the procedures specified in U.S. EPA method 21 and by the instrument manufacturer;

~~(b) the instrument shall be calibrated with zero air (less than 10 ppm of hydrocarbon in air), and a mixture of methane or n-hexane and air at a concentration near, but not more than, 10,000 ppm methane or n-hexane; and~~

~~(c) a leak is detected if the instrument records a measurement of 500 ppm or greater of hydrocarbon and the measurement is not associated with normal equipment operation, such as pneumatic device actuation and crank case ventilation.~~

(5) Inspections using OGI shall meet the following requirements:

(a) the instrument shall comply with the specifications, daily instrument checks, and leak survey requirements set forth in Subparagraphs (1) through (3) of Paragraph (i) of 40 CFR 60.18;

(b) a leak is detected if the emission images recorded by the OGI instrument are not associated with normal equipment operation, such as pneumatic device actuation or crank case ventilation.

(6) Leaks discovered pursuant to the leak detection methods of Paragraphs (3), (4) and (5) of Subsection C of 20.2.50.116 NMAC are not subject to enforcement by the department unless the owner or operator fails to perform the required repairs in accordance with Subsection E of 20.2.50.116 NMAC or keep required records in accordance with Subsection F of 20.2.50.116 NMAC.

~~(6) Components that are difficult, unsafe, or inaccessible to monitor, as determined by the following conditions, are not required to be inspected until it becomes feasible to do so:~~

~~(a) difficult to monitor components are those that require elevating the monitoring personnel more than two meters above a supported surface. or that cannot be reached via a wheeled scissor lift or hydraulic type scaffold that allows access to components up to seven and six tenths meters (25 feet) above the ground;~~

(b) unsafe to monitor components are those that cannot be monitored without exposing monitoring personnel to an immediate danger as a consequence of completing the monitoring; and

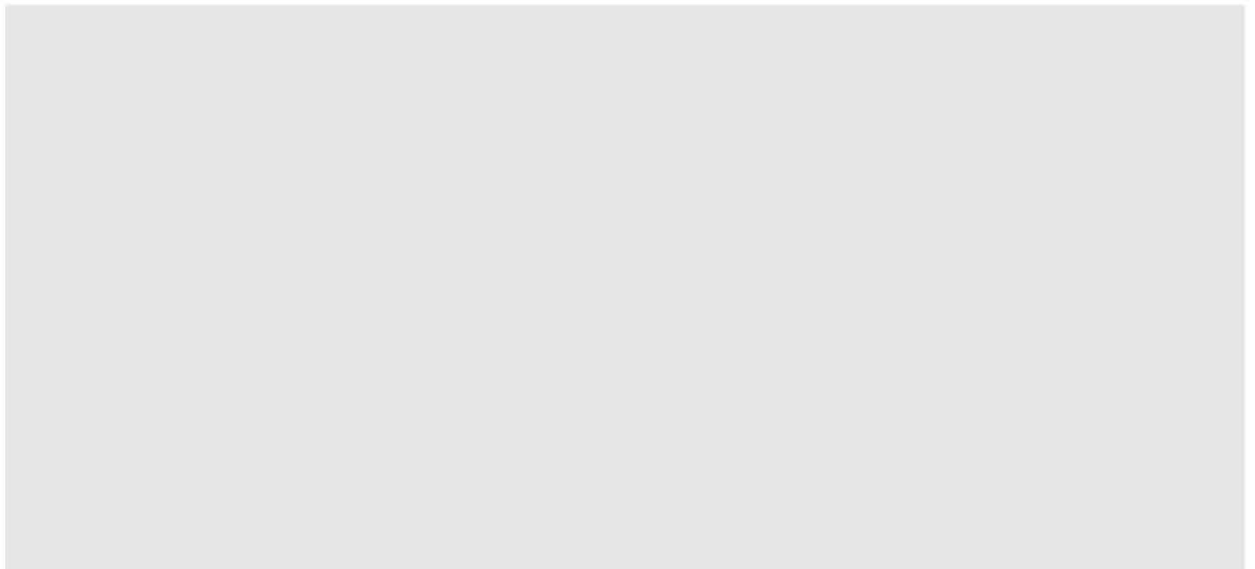
(c) inaccessible to monitor components are those that are buried, insulated, or obstructed by equipment or piping that prevents access to the components by monitoring personnel.

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D. Alternative equipment leak monitoring plans: As an equivalent means of compliance with Subsection C of 20.2.50.116 NMAC, an owner or operator may comply with the equipment leak requirements through an alternative monitoring plan as follows:

(1) An owner or operator may comply with an individual alternative monitoring plan, subject to the following requirements:

(a) the proposed alternative monitoring plan shall be submitted to and approved by the department prior to conducting monitoring under that plan.

(b) the department may terminate an approved alternative monitoring plan if the department finds that the owner or operator failed to comply with a provision of the plan and failed to correct and disclose the violation to the department within 15 calendar days of ~~identifying-verifying~~ the violation.

(c) upon department denial or termination of an approved alternative monitoring plan, the owner or operator shall comply with the default monitoring requirements under Subsection C of 20.2.50.116 NMAC within 15 days.

(2) An owner or operator may comply with a pre-approved monitoring plan maintained by the department, subject to the following requirements:

(a) the owner or operator shall notify the department of the intent to conduct monitoring under a pre-approved monitoring plan, and identify which pre-approved plan will be used, at least 15 days prior to conducting ~~the~~ first monitoring under that plan.

(b) the department may terminate the use of a pre-approved monitoring plan by the owner or operator if the department finds that the owner or operator failed to comply with the provision of the plan and failed to correct and disclose the violation to the department within 15 calendar days of identifying the violation.

(c) upon department denial or termination of an approved alternative monitoring plan, the owner or operator shall comply with the default monitoring requirements under of Subsection C of 20.2.50.116.C NMAC within 15 days.

E. Repair requirements: For a leak detected pursuant to monitoring conducted under 20.2.50.116 NMAC:

(1) the owner or operator shall place a visible tag on the leaking component ~~not otherwise repaired at~~ the time of discovery until the component has been repaired;

(2) leaks shall be repaired within ~~15-30~~ days of discovery, ~~except for leaks detected using OGI,~~
~~which shall be repaired within seven days of discovery;~~

(3) the equipment must be ~~re-monitored~~ verified no later than 15 days after ~~discovery-repair~~ of the leak to demonstrate that it has been repaired; ~~and~~

(4) if the leak cannot be repaired within ~~15-30~~ days of discovery, ~~or within seven days for a leak~~
~~detected using OGI,~~ without a process unit shutdown, the leak may be designated "Repair delayed," and must be repaired before the end of the next planned process unit shutdown; ~~and~~

(5) ~~if the leak cannot be repaired within 30 days of discovery due to shortage of parts or personnel,~~ the leak may be designated "Repair delayed," and must be repaired within 15 days of resolution of such shortage.

F. Recordkeeping requirements:

(1) The owner or operator shall keep a record of the following for all AVO, RM21, OGI, or alternative equipment leak monitoring inspection conducted as required under 20.2.50.116 NMAC, and shall provide the record to the department upon request:

- (a) facility location;
- (b) date of inspection;
- (c) monitoring method (e.g. AVO, RM 21, OGI, alternative method approved by the department);
- (d) name of the ~~personnel~~ person(s) performing the inspection;
- (e) a description of any leak requiring repair or a note that no leak was found; and
- (f) whether a visible ~~flag-tag~~ was placed on the leak or not;

(2) The owner or operator shall keep the following record for any leak that is detected:

- (a) the date the leak is detected;
- (b) the date of attempt to repair;
- (c) for a leak with a designation of "repair delayed" the following shall be recorded:
 - (i) reason for delay if a leak is not repaired within the required number of days after discovery;
 - (ii) ~~signature of the authorized representative name of person(s)~~ who determined that the repair could not be implemented without a process unit shutdown ~~or parts and/or personnel shortages~~;
 - (d) date of successful leak repair;
 - (e) date the leak was monitored after repair and the results of the monitoring; and
 - (f) a description of the component that is designated as difficult, unsafe, or inaccessible to monitor, an explanation stating why the component was so designated, and the schedule for repairing and monitoring the component.

(3) For a leak detected using OGI, the owner or operator shall keep records of the specifications, the daily instrument check, and the leak survey requirements specified at 40 CFR 60.18(i)(1)-(3).

(4) The owner or operator shall comply with the recordkeeping requirements in 20.2.50.112 NMAC.

G. Reporting requirements:

(1) The owner or operator shall certify the use of an alternative equipment leak monitoring plan under Subsection D of 20.2.50.116 NMAC to the department annually, if used.

(2) The owner or operator shall comply with the reporting requirements in 20.2.50.112 NMAC.

[20.2.50.116 NMAC - N, XX/XX/2021]

20.2.50.117 NATURAL GAS WELL LIQUID UNLOADING:

A. Applicability: ~~Manual liquid unloading operations including down-hole well maintenance events resulting in the venting of natural gas~~ at natural gas wells are subject to the requirements of 20.2.50.117 NMAC. ~~Manual liquid unloading operations that do not result in the venting of any natural gas are not subject to this part. Within two years of the effective date of this Part, owners and operators of a Natural gas well subject to this Part, must comply with the standards set forth in Paragraph (3) of Subsection B of 20.2.50.117 NMAC.~~

B. Emission standards:

(1) The owner or operator of a natural gas well shall use best management practices during the life of the well to avoid the need for ~~venting of natural gas associated with manual~~ liquid unloading.

(2) The owner or operator of a natural gas well shall use the following best management practices

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within two years of the effective date of this Part during venting associated with manual liquid unloading to minimize emissions, consistent with well site conditions and good engineering operating practices:

- (a) reduce wellhead pressure before blowdown/venting to atmosphere;
- (b) monitor manual venting associated with manual liquid unloading in close proximity to the well or via remote telemetry; and
- (c) close well-head vents to the atmosphere and return the well to normal production operation as soon as practicable.

(3) The owner or operator of a natural gas well shall employ methodologies to use one of the following methods to reduce emissions during venting associated with a liquid unloading event. These methodologies may include, but are not limited to:

- (a) ~~(a)~~ installation and use of a plunger lift
- (a)(b) use of an automated controls system;
- (b)(c) installation and use of an artificial lift engine; or
- (ed) installation and use of a control device.

(4) ~~The owner or operator of a natural gas well shall install an EMT on the natural gas well in accordance with 20.2.50.112 NMAC.~~

C. Monitoring, inspection or testing requirements:

(1) The owner or operator shall monitor the following parameters during venting associated with manual liquid unloading:

- (a) wellhead pressure;
- (b) ~~flow rate of the vented natural gas (to the extent feasible); and~~
- (c) duration of venting to the storage vessel tank battery or atmosphere.

(2) The owner or operator shall calculate the volume and mass of VOC emitted/vented during a venting event associated with a manual liquid unloading event.

(3) ~~A liquid unloading event shall include the scanning of the EMT and monitoring data entry in accordance with the requirements of 20.2.50.112 NMAC.~~

(4) (3) The owner or operator shall comply with the monitoring requirements in 20.2.50.112 NMAC.

D. Recordkeeping requirements:

(1) The owner or operator shall keep the following records for manual liquid unloading:

- (a) identification number and location of the well;
- (b) date the liquid unloading was performed;
- (c) wellhead pressure;
- (d) flow rate of the vented natural gas (to the extent feasible). If not feasible, the owner or operator shall use the maximum potential flow rate in the emission calculation);
- (e) duration of venting to the storage vessel tank battery or atmosphere;
- (f) a description of the management practice used to minimize venting and release of VOC emissions before and during the manual liquid unloading;
- (g) the type of control device or control technique used to control VOC emissions during a venting associated with the a manual liquid unloading event; and
- (h) a calculation of the VOC emissions vented during a venting associated with a manual liquid unloading event based on the duration, calculated volume, and mass of VOC composition of the produced gas.

(2) The owner or operator shall comply with the recordkeeping requirements in 20.2.50.112 NMAC.

E. Reporting requirements: The owner or operator shall comply with the reporting requirements in 20.2.50.112 NMAC.

[20.2.50.117 NMAC - N, XX/XX/2021]

20.2.50.118 GLYCOL DEHYDRATORS:

A. Applicability: Glycol dehydrators with a PTE equal to or greater than two tpy of VOC and having an actual annual average flowrate of natural gas to the glycol dehydration units of greater than 3 MMscfd ~~and located at wellhead-sites~~ well production facilities, tank batteries, gathering and boosting sites, natural gas processing plants, and transmission compressor stations are subject to the requirements of 20.2.50.118 NMAC.

B. Emission standards:

(1) Existing glycol dehydrators with a PTE equal to or greater than two tpy of VOC shall achieve a minimum combined capture and control efficiency of ninety-five percent of VOC emissions from the still vent and flash tank where present, no later than two years after the effective date.

If a combustion control device is used, the combustion control device shall have a minimum design combustion efficiency of ninety-eight percent.

(2) New glycol dehydrators with a PTE equal to or greater than two tpy of VOC shall achieve a minimum combined capture and control efficiency of ninety-five percent of VOC emissions from the still vent and flash tank where present, upon startup.

If a combustion control device is used, the combustion control device shall have a minimum design combustion efficiency of ninety-eight percent.

(3) The owner or operator of a glycol dehydrator shall comply with the following requirements:

(a) still vent and flash tank emissions shall be routed at all times to the reboiler firebox, condenser, combustion control device, fuel cell, to a process point that either recycles or recompresses the emissions or uses the emissions as fuel, or to a VRU or VRCU that reinjects the VOC emissions back into the process stream or natural gas gathering pipeline;

(b) if a VRCU is used, it shall consist of a closed loop system of seals, ducts and a compressor that reinjects the ~~vapor~~natural gas into the process or the natural gas pipeline. The VRCU shall be operational at least ninety-five percent of the time the facility is in operation, resulting in a minimum combined capture and control efficiency of ninety-five percent, which shall supersede any inconsistent requirements in 20.2.50.115 NMAC. The VRCU shall be installed, operated, and maintained according to the manufacturer's specifications;

(c) still vent and flash tank emissions shall not be vented directly to the atmosphere during normal operation; and

(d) ~~the owner or operator of a glycol dehydrator shall install an EMT on the glycol dehydrator in accordance with 20.2.50.112 NMAC.~~

(4) an owner or operator complying with the requirements in Subsection B of 20.2.50.118 NMAC through use of a control device shall comply with the requirements in 20.2.50.115 NMAC.

(5) The requirements of Subsection B of 20.2.50.118 NMAC cease to apply when the ~~uncontrolled~~ actual annual VOC emissions from a new or existing glycol dehydrator are less than two tpy VOC.

C. Monitoring, inspection or testing requirements:

(1) The owner or operator of a glycol dehydrator shall conduct an annual extended gas analysis on the dehydrator inlet gas and calculate the uncontrolled and controlled VOC emissions in tpy. A representative gas analysis may be utilized for this calculation.

(2) The owner or operator of a glycol dehydrator shall inspect the glycol dehydrator, including the reboiler and regenerator, and the control device or process the emissions are being routed, semi- annually to ensure it is operating as initially designed and in accordance with the manufacturer recommended operation and maintenance schedule.

(3) An owner or operator complying with the requirements in Subsection B of 20.2.50.118 NMAC through the use of a control device shall comply with the monitoring, inspection or testing requirements in 20.2.50.115 NMAC.

(4) Owners and operators shall comply with the monitoring, inspection or testing requirements in 20.2.50.112 NMAC.

PROPOSED 20.2.50 NMAC**D. Recordkeeping requirements:**

(1) The owner or operator of a glycol dehydrator shall maintain a record of the following:

- (a) dehydrator location and identification number;
- (b) glycol circulation rate, monthly natural gas throughput, and the date of the most recent throughput measurement;
- (c) data and methodology used to estimate the PTE of VOC (must be a department approved calculation methodology);
- (d) amount of controlled and uncontrolled VOC emissions in tpy;
- (e) type, make, model, and identification number of the control device or process the emissions are being routed;
- (f) date and results of any equipment inspection, including maintenance or repair activities required to bring the glycol dehydrator into compliance; and
- (g) a copy of the glycol dehydrator manufacturer operation and maintenance recommendations, when available and applicable.

(2) An owner or operator complying with the requirements in Paragraph (1) or (2) of Subsection B of 20.2.50.118 NMAC through use of a control device as defined in this Part shall comply with the recordkeeping requirements in 20.2.50.115 NMAC.

(3) The owner or operator shall comply with the recordkeeping requirements in 20.2.50.112 NMAC.

E. Reporting requirements: The owner or operator shall comply with the reporting requirements in 20.2.50.112 NMAC.

[20.2.50.118 NMAC - N, XX/XX/2021]

20.2.50.119 HEATERS:

A. Applicability: Natural gas-fired heaters with a rated heat input equal to or greater than 10 MMBtu/hour including heater treaters, heated flash separators, evaporator units, fractionation column heaters, and glycol

dehydrator reboilers in use at ~~wellhead-sites~~ well production facilities, tank batteries, gathering and boosting sites, natural gas processing plants, and transmission compressor stations are subject to the requirements of 20.2.50.119 NMAC.

B. Emission standards:

(1) Natural gas-fired heaters shall comply with the emission limits in table 1 of 20.2.50.119 NMAC.

Table 1 - EMISSION STANDARDS FOR NO_x AND CO

Date of Construction:	NO _x (ppmvd @ 3% O ₂)	CO (ppmvd @ 3% O ₂)
Constructed or reconstructed before the effective date of 20.2.50 NMAC	30	300
Constructed or reconstructed on or after the effective date of 20.2.50 NMAC	30	130

(2) Existing natural gas-fired heaters shall comply with the requirements of 20.2.50.119 NMAC no later than ~~one-three~~ years after the effective date of this Part.

(3) New natural gas-fired heaters shall comply with the requirements of 20.2.50.119 NMAC upon startup.

C. Monitoring, inspection and testing requirements:

(1) The owner or operator shall:

(a) conduct emission testing for NO_x and CO within 180 days of the compliance date specified in Paragraph (2) or (3) of Subsection B of 20.2.50.119 NMAC and at least every two years thereafter.

(b) inspect, maintain, and repair the heater in accordance with the manufacturer specifications at least once every two years following the applicable compliance date specified in 20.2.50.119 NMAC. The inspection, maintenance, and repair shall include the following:

(i) inspecting the burner and cleaning or replacing components of the burner as necessary;

(ii) inspecting the flame pattern and adjusting the burner as necessary to optimize the flame pattern consistent with the manufacturer specifications, if available and good engineering-operational practices;

(iii) inspecting the AFR controller and ensuring it is calibrated and functioning properly, if such as system is installed on the heater;

(iv) optimizing total emissions of CO consistent with the NO_x requirement, manufacturer specifications, if available, and good combustion engineering-operational practices; and

(v) measuring the concentrations in the effluent stream of CO in ppmvd and O₂ in volume percent before and after adjustments are made in accordance with Subparagraph (c) of Paragraph (2) of Subsection C of 20.2.50.119 NMAC.

(2) The owner or operator shall comply with the following periodic testing requirements:

(a) conduct three test runs of at least 20-minutes duration at highest achievable load within ten percent of one-hundred percent peak, or the highest achievable, load;

(b) determine NO_x and CO emissions and O₂ concentrations in the exhaust with a portable analyzer used and maintained in accordance with the manufacturer specifications and following the procedures specified in the current version of ASTM D6522;

(c) if the measured NO_x or CO emissions concentrations are exceeding the emissions limits of table 1 of 20.2.50.119 NMAC, the owner or operator shall repeat the inspection and tune-up in Subparagraph (b) of Paragraph (1) of Subsection C of 20.2.50.119 NMAC within 30 days of the periodic testing; and

(d) if at any time the heater is operated in excess of the highest achievable load in a prior test plus ten percent, the owner or operator shall perform the testing specified in Subparagraph (a) of Paragraph (2) of Subsection C of 20.2.50.119 NMAC within 60 days from the anomalous operation.

(3) When conducting periodic testing of a heater, the owner or operator shall follow the procedures in Paragraph (2) of Subsection C of 20.2.50.119 NMAC. An owner or operator may deviate from those procedures by submitting a written request to use an alternative procedure to the department at least 60 days before performing the periodic testing. In the alternative procedure request, the owner or operator must demonstrate the alternative procedure's equivalence to the standard procedure. The owner or operator must receive written approval from the department prior to conducting the periodic testing using an alternative procedure.

~~(4) Prior to a monitoring, inspection, maintenance, or repair event, the owner or operator shall scan the EMT and the required monitoring data shall be captured in accordance with this Part.~~

D. Recordkeeping requirements: The owner or operator shall maintain a record of the following:

(1) location of the heater;

(2) summary of the complete test report and the results of periodic testing; and

(3) inspections, testing, maintenance, and repairs, which shall include at a minimum:

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- (a) the date the inspection, testing, maintenance, or repair was conducted;
(b) name of the person(s) ~~personnel~~ conducting the inspection, testing, maintenance, or repair;
(c) concentrations in the effluent stream of CO in ppmv and O2 in volume percent; and
(d) the results of the inspections and any the corrective action taken.

E. Reporting requirements: The owner or operator shall comply with the reporting requirements in

20.2.50.112 NMAC.

[20.2.50.119 NMAC - N, XX/XX/2021]

20.2.50.120 HYDROCARBON LIQUID TRANSFERS:

A. Applicability: Hydrocarbon liquid transfers located at wellhead sites ~~well production facilities~~, tank batteries, gathering and boosting sites, natural gas processing plants, or transmission compressor stations except as noted below in this section are subject to the requirements of 20.2.50.120 NMAC beginning three one-year(s) from the effective date of this Part. Tank batteries, gathering and boosting sites, natural gas processing plants or transmission compressor stations, any of which are connected to oil sales pipelines that are routinely used for hydrocarbon liquid transfer, are not subject to the requirements of 20.2.50.120. Tank batteries, gathering and boosting sites, natural gas processing plants or transmission compressor stations that load out hydrocarbon liquids to trucks fewer than thirteen (13) times in a calendar year are not subject to 20.50.2.120.

B. Emission standards:

(1) The owner or operator of a hydrocarbon liquid transfer operation shall use vapor balance or a control device designed to control VOC emissions by at least ninety-~~eight-five~~ percent when transferring hydrocarbon liquid from a

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storage vessel to a ~~tanker truck or tanker rail car for transport~~ transfer vessel, or when transferring liquid from a transfer vessel to a storage vessel.

(2) ~~An owner or operator~~ The personnel conducting the hydrocarbon liquid transfer operation using vapor balance ~~during a liquid transfer operation~~ shall:

(a) transfer the vapor displaced from the ~~tanker truck or rail car vessel~~ being loaded back to the storage vessel being emptied via a pipe or hose connected before the start of the transfer operation. ~~If multiple storage vessels are vapor manifolded together in a tank battery, then the vapor may be routed back to any storage vessel in the tank battery;~~

(b) ensure that the transfer does not begin until the vapor collection and return system is properly connected;

(c) ~~ensure that~~ inspect connector pipes, hoses, couplers, valves, and pressure relief devices ~~for~~ leaks;

~~are maintained in a leak-free condition;~~

(d) check the hydrocarbon liquid and vapor line connections for proper connections before commencing the transfer operation; and

(e) operate transfer equipment at a pressure that is less than the pressure relief valve setting of the receiving transport vehicle or storage vessel.

~~(3) Bottom loading or submerged filling shall be used for the liquid transfer.~~

(4) Connector pipes and couplers shall be ~~inspected for leaks~~ maintained in a leak-free condition.

(5) Connections of hoses and pipes used during hydrocarbon liquid transfer operations shall be supported on drip trays that collect any leaks, and the materials collected shall be returned to the process or disposed of in a manner compliant with state law.

(6) Liquid leaks that occur shall be cleaned and disposed of in a manner that ~~prevents~~ minimizes emissions to the atmosphere, and the material collected shall be returned to the process or disposed of in a manner compliant with state law.

(7) An owner or operator complying with Paragraph (1) of Subsection B of 20.2.50.120 NMAC through use of a control device shall comply with the control device requirements in 20.2.50.115 NMAC.

C. Monitoring requirements:

(1) The owner or operator or their designated representative shall visually inspect the hydrocarbon liquid transfer equipment monthly at staffed locations or semiannually for unstaffed locations during a transfer operation to ensure that hydrocarbon liquid transfer lines, hoses, couplings, valves, and pipes are not dripping or leaking. Leaking components shall be repaired to prevent dripping or leaking before the next transfer operation or proper measures must be implemented to mitigate leaks until the necessary repairs can be completed.

(2) The owner or operator of a liquid transfer operation controlled by a control device must follow manufacturer recommended operation and maintenance procedures for the device.

(3) Tanker trucks and tanker rail cars used in liquid transfer service shall be tested annually for vapor tightness in accordance with the following test methods and vapor tightness standards:

(a) method 27 of appendix A of 40 CFR Part 60. Conduct the test using a time period (t) for the pressure and vacuum tests of five minutes. The initial pressure (P_i) for the pressure test shall be 460 mm H₂O (18 inches H₂O), gauge. The initial vacuum (V_i) for the vacuum test shall be 150 mm H₂O (six inches H₂O) gauge. The maximum allowable pressure and vacuum changes (Δp , Δv) are shown in table 1 of 20.2.50.120 NMAC.

Table 1 – ALLOWABLE CARGO TANK TEST PRESSURE OR VACUUM CHANGE

Cargo tank or compartment capacity, liters (gallons)	Allowable vacuum change (Δv) in five minutes, mm H ₂ O (inches H ₂ O)	Allowable pressure change (Δp) in five minutes, mm H ₂ O (inches H ₂ O)
< 3,785 (< 1,000)	64 (2.5)	102 (4.0)
3,785 < 5,678 (1,000 < 1,500)	51 (2.0)	89 (3.5)
5,678 < 9,464 (1,500 < 2,500)	38 (1.5)	76 (3.0)
> 9,464 (> 2,500)	25 (1.0)	64 (2.5)

(b) pressure test the tanker truck or tanker railcar tank's internal vapor valve as

(i) after completing the tests under Subparagraph (a) of Paragraph (3) of Subsection C of 20.2.50.120 NMAC, use the procedures in method 27 to re-pressurize the tank to 460 mm H₂O (18 inches H₂O) gauge. Close the tank's internal vapor valve, thereby isolating the vapor return line and manifold from the tank.

(ii) relieve the pressure in the vapor return line to atmospheric pressure; then reseal the line. After five minutes, record the gauge pressure in the vapor return line and manifold. The maximum allowable five-minute pressure increase is 130 mm H₂O (five inches H₂O).

(34) Owners and operators complying with Paragraph (1) of Subsection B of 20.2.50.120 NMAC through use of a control device shall comply with the monitoring requirements in 20.2.50.115 NMAC.

(45) Owners and operators shall comply with the monitoring requirements in 20.2.50.112 NMAC.

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D. Recordkeeping requirements:

~~(1) The owner or operator shall maintain a record of the location of the storage vessel and if using a control device, the type, make, and model of the control device;~~

~~(2) The owner or operator shall maintain a record of the inspections and testing required for equipment they own and operate in Subsection C of 20.2.50.120 NMAC and shall include the following:~~

- ~~(a) the time and date of the inspection and testing;~~
- ~~(b) the name of the personnel-person(s) conducting the inspection and testing;~~
- ~~(c) a description of any problem observed during the inspection and testing; and~~
- ~~(d) the results of the inspection and testing and a description of any repair or corrective action~~

taken.

~~(3) The owner or operator shall maintain a record for each site of the annual total hydrocarbon liquid transferred and annual total VOC emissions. Each calendar year, the owner or operator shall create a company-wide record summarizing the annual total hydrocarbon liquid transferred and the annual total~~

~~(4) The owner or operator shall comply with the recordkeeping requirements in 20.2.50.112 NMAC.~~

E. Reporting requirements: The owner or operator shall comply with the reporting requirements in

20.2.50.112 NMAC.

[20.2.50.120 NMAC - N, XX/XX/2021]

20.2.50.121 PIG LAUNCHING AND RECEIVING:

A. Applicability: Individual pipeline pig launching and/or receivers ing operations with a PTE greater than or equal to one tpy VOC located within or outside of the property boundary of wellhead sites well production facilities, tank batteries, gathering and boosting sites, natural gas processing plants, and transmission compressor stations are

subject to the requirements of 20.2.50.121 NMAC.

B. Emission standards:

(1) Owners and operators of affected pipeline pig launching and/or receiving operations with a PTE equal to or greater than one ton of VOC shall route emissions to process or to a device designed to achieve a 95% destruction efficiency for capture and reduce VOC emissions from pigging operations by at least ninety-eight percent, within 3 years of beginning on the effective date of this Part. Where it is infeasible to route to process, this requirement shall not require a control device that requires supplemental fuel to achieve destruction.

(2) The owner or operator conducting an affected the pig launching and/or receiving operation shall:

(a) employ best management practices to minimize the liquid present in the pig receiver chamber and to minimizeprevent emissions from the pig receiver chamber to the atmosphere after receiving the pig in the receiving chamber and before opening the receiving chamber to the atmosphere;

(b) employ a method to preventminimize emissions, such as installing a liquid ramp or drain, routing a high-pressure chamber to a low-pressure line or vessel, using a ball valve type chamber, or using multiple pig chambers;

(c) recover and dispose of receiver liquid in a manner that preventsminimizes emissions to the atmosphere to the extent practicable; and

(d) ensure that the material collected is returned to the process or disposed of in a manner compliant with state law.

(3) The emission standards in Paragraphs (1) and (2) of Subsection B of 20.2.50.121 NMAC cease to apply to a pipeline pig launching and receiving operation an individual pipeline pig launcher and/or receiver if the uncontrolled actual annual VOC emissions of the operation-launcher or receiver are less than one ton per year of VOC.

(4) An owner or operator complying with Paragraph (2) of Subsection B of 20.2.50.121 NMAC through use of a non-portable control device shall comply with the control device requirements in 20.2.50.115 NMAC. An owner or operator complying through use of a portable control device shall install the device consistent with manufacturer's specifications and is not subject to the requirements of 20.2.50.115 NMAC.

C. Monitoring, testing and inspection requirements:

(1) ~~The owner or operator of pig launching and receiving operations shall monitor the type and volume of liquid cleared.~~

(2) The owner or operator of an affected pig launching and receiving operations-site shall inspect the equipment for a leak using either AVO, RM 21, or OGI on either:

(a) a monthly basis if pigging operations at a site occur on a monthly basis or more frequently;
or

(b) prior to the commencement and immediately before the commencement and immediately after the conclusion of the pig launching or receiving operation, if less frequent.

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(2) The monitoring procedures shall be performed using the methodologies outlined in accordance with the requirements in Paragraphs (2) through (4) of Subsection (C) of 20.2.50.116 NMAC as applicable, and at the frequency outlined in Paragraph (1) of Subsection (C) of 20.2.50.121. The monitoring shall be performed when the pig trap is under pressure and according to the requirements in 20.2.50.116 NMAC.

(3) An owner or operator complying with Paragraph (1) of Subsection B of 20.2.50.121 NMAC through use of a non-portable control device shall comply with the monitoring requirements in 20.2.50.115 NMAC. A portable control device shall be installed consistent with manufacturer's specifications and is not subject to the requirements of 20.2.50.115 NMAC.

(4) The owner or operator shall comply with the monitoring requirements in 20.2.50.112 NMAC.

D. Recordkeeping requirements:

(1) The owner or operator of an affected pig launching and receiving operations site shall maintain a record of the following:

- (a) the pigging operation, including the location and date and time of the pigging operation and the type and volume of liquid cleared;
- (b) the data and methodology used to estimate the actual emissions to the atmosphere and used to estimate the PTE; and
- (c) the type of control device and its location, make, and model.

(2) The owner or operator shall comply with the recordkeeping requirements in 20.2.50.112 NMAC.

E. Reporting requirements: The owner or operator shall comply with the reporting requirements in 20.2.50.112 NMAC.
[20.2.50.121 NMAC - N, XX/XX/2021]

20.2.50.122 PNEUMATIC CONTROLLERS AND PUMPS:

A. Applicability: Natural gas-driven pneumatic controllers and diaphragm pumps permanently located at wellhead sites well production facilities, tank batteries, gathering and boosting sites and, natural gas processing plants, and transmission compressor stations are stations are subject to the requirements of 20.2.50.122 NMAC, except for pumps that operate less than 90 days per calendar year.

B. Emission standards:

(1) A new well production facility, tank battery, gathering and boosting site, and natural gas processing plant natural gas-driven pneumatic controller or pump shall comply with the requirements of 20.2.50.122 NMAC upon startup.

(2) New well production facilities, tank batteries, gathering and boosting sites, and natural gas processing plants shall have Non-Emitting Controllers installed except as allowed in Paragraph (5) of Subsection B of 20.2.50.122 NMAC. An existing natural gas-driven pneumatic pump shall comply with the requirements of 20.2.50.122 NMAC within three years of the effective date of this Part.

(3) Well production facilities and their associated tank batteries, An existing natural gas-driven

pneumatic controller in existence on the effective date of Part 50 ("pre-effective date") shall comply with the requirements of 20.2.50.122 NMAC according to the following schedules set forth in Tables 1 and 2 below:

Table 1 – WELLHEAD SITES WELL PRODUCTION FACILITIES AND ASSOCIATED TANK BATTERIES, GATHERING AND BOOSTING FACILITIES

Total Historic Percentage of Non-Emitting Facility Percent Production Controllers	Total Required Percentage of Non-Emitting Facility Percent Production Controllers by January 1, 2024	Total Required Percentage of Non-Emitting Facility Percent Production Controllers by January 1, 2027	Total Required Percentage of Non-Emitting Facility Percent Production Controllers by January 1, 2030
> 75 %	80%	85%	90%
> 60-75 %	80%	85%	90%
> 40-60 %	65%	70%	80%
> 20-40 %	45%	70%	80%
0-20 %	25%	65%	80%

(a) For purposes of this section, a "Non-Emitting Facility" means a facility with only Non-Emitting Controller except as allowed under Paragraph (5) or (7) of Subsection B of 20.2.50.122 NMAC.

(b) Except as provided in 20.2.50.122.B.(3)(c) or (d), owners or operators of pre-effective date well production facilities and associated tank batteries shall by January 1, 2023:

(i) Determine the Historic Facility Production for each pre-effective date well production facility by summing the total liquids productions (summing total barrels of oil and water produced through the well production facility) for the calendar year 2020. For a well production facility that does not have a full calendar year of data, then the owner or operator may use 2021 data or an estimate of the anticipated yearly production for the facility based on industry accepted calculation methodologies.

(ii) Calculate the Total Historic Production for the owner or operator by summing the Historic Facility Production for all pre-effective date well production facilities.

(iii) Calculate the Facility Percent Production for each existing facility by dividing the Historic Facility Production by the Total Historic Production.

(iv) Determine the Total Historic Non-Emitting Facility Percent Production by summing the Facility Percent Production for each Non-Emitting Facility as defined in Subparagraph (5)(a) of Subsection B of 20.2.50.122 NMAC. The Total Historic Non-Emitting Facility Percent Production determines an owner or operator's January 1, 2024, January 1, 2027 and January 1, 2030 Total Required Non-Emitting Facility Percent Production as set forth in Table 1, except as provided in subparagraphs (c) or (d) of this Paragraph (3).

(v) Owners and operators must demonstrate compliance with Table 1's January 1, 2024, January 1, 2027 and January 1, 2030 Total Required Non-Emitting Facility Percent Production through any combination of retrofitting pre-effective date well production facilities (and associated tank batteries) to use non-emitting controllers or plugging and abandoning an such well production facility and emptying and decommissioning an associated tank battery. A tank battery that is decommissioned and moved to another location is a new facility for purposes of 20.2.50.122.B.(1) and (2) NMAC.

(c) In lieu of the demonstration required by 20.2.50.122.B.(3)(b) NMAC, an owner or operator may demonstrate that its total oil and natural gas production subject to Part 50 averages fifteen barrels of oil equivalent (using a 6 mcf to 1 barrel oil equivalent for natural gas) or less per well per day annual average. To calculate total oil and natural gas production subject to Part 50, an owner or operator must sum all affected oil and natural gas production in calendar year 2020 in barrels of oil equivalent, divide by 365, and divide by the number of affected wells producing hydrocarbons that the owner or operator operated in 2020.

(d) If an owner or operator meets at least seventy-five percent Total Non-Emitting Facility Percent Production by January 1, 2025, table 1 of Paragraph (3) of Subsection B of 20.2.50.122 NMAC does not apply and the owner or operator shall maintain the Total Non-Emitting Facility Percent Production at seventy-five percent or greater thereafter.

(e) High Bleed Controllers shall be retrofitted or replaced no later than January 1, 2024 unless allowed under Paragraph (5) of Subsection B of 20.2.50.122 NMAC.

(4) Pneumatic controllers at gathering and boosting sites and natural gas processing plants existing as of the effective date ("pre-effective date") shall meet the required percentage of non-emitting controllers according to the schedule outlined in Table 2 below:

Table 2 – NATURAL GAS COMPRESSOR STATIONS GATHERING AND BOOSTING SITES AND GAS

PROCESSING PLANTS

Total Historic Percentage of Non-Emitting Controllers	Total Required Percentage of Non-Emitting Controllers by January 1, 2024	Total Required Percentage of Non-Emitting Controllers by January 1, 2027	Total Required Percentage of Non-Emitting Controllers by January 1, 2030
> 75 %	80%	95%	98%
> 60-75 %	80%	95%	98%
> 40-60 %	65%	95%	98%
> 20-40 %	50%	95%	98%
0-20 %	35%	95%	98%

(4) Standards for natural gas-driven pneumatic controllers:

(a) new pneumatic controllers shall have an emission rate of zero.

(b) existing pneumatic controllers with access to commercial line electrical power shall have an emission rate of zero.

(c) existing pneumatic controllers at existing facilities Pre-effective date gathering and boosting sites and natural gas processing plants shall phase out natural gas driven pneumatic controller to meet the required percentage of non-emitting controllers within the deadlines in tables 1 and 2 of Paragraph (43) of Subsection B of 20.2.50.122 NMAC, and shall comply with the following, except as provided in Paragraph (5) of Subsection B of 20.2.50.122 NMAC:

(i) by January 1, 2023, the owner or operator shall determine the total controller count for all controllers at all of the owner or operator's affected facilities pre-effective date gathering and boosting stations and natural gas processing plants subject to Part 50 that commenced construction before the effective date of this Part. The total controller count must include all emitting natural gas-driven pneumatic controllers and all non-emitting pneumatic controllers of any type (e.g. mechanical, electric, instrument air-driven, natural gas-driven routed to a combustion device, etc), except that natural gas-driven pneumatic controllers necessary for a safety or process purpose that cannot otherwise be met without emitting natural gas allowed under Paragraph (5) of Subsection B of 20.2.50.122 NMAC shall not be included in the total controller count.

(ii) determine which controllers in the total controller count are non-emitting and sum the total number of non-emitting controllers and designate those as total historic non-emitting controllers.

(iii) determine the total historic non-emitting percent of controllers by dividing the total historic non-emitting controller count by the total controller count and multiplying by 100.

(iv) based on the percent calculated in (iii) above, the owner or operator shall determine which provisions of tables 1 and 2 of Paragraph (43) of Subsection B of 20.2.50.122 NMAC applies and the retrofit replacement schedule the owner or operator must meet.

(v) if an owner or operator meets at least seventy-five percent total non-emitting controllers by January 1, 2025, the owner or operator has satisfied the requirements of tables 1 and 2 of Paragraph (43) of Subsection B of 20.2.50.122 NMAC do not apply

(vi) if after January 1, 2027, an owner or operator's remaining pneumatic controllers are not cost-effective to retrofit, the owner or operator shall submit a cost analysis of retrofitting those remaining units to the department. The department shall review the cost analysis and determine whether those units qualify for a waiver from meeting additional retrofit requirements.

(b) High Bleed Controllers shall be retrofitted or replaced no later than January 1, 2024 unless allowed under Paragraph (5) of Subsection B of 20.2.50.122 NMAC.

(5d) a natural gas-driven pneumatic controller with a continuous bleed rate greater than six standard cubic feet per hour is permitted when the owner or operator has demonstrated that a higher bleed rate is required based on functional needs, including response time, safety, and positive actuation. An owner or operator that seeks to install an emitting natural gas-driven pneumatic controller at a new facility maintain operation of an emitting pneumatic controller must prepare and document the justification for the safety or process purposes prior to the installation of a new emitting controller or the retrofit of an existing controller. The justification shall be certified by a qualified in-house or professional engineer. Pneumatic controllers that emit natural gas to the atmosphere meeting any of the following conditions are not subject to the requirements of Paragraphs (2), (3) or (4) of Subsection B and are not required to be retrofit to count the facility or controller as non-emitting for compliance with Tables 1 and 2 of Subsection B of 20.2.50.122 NMAC.

(a) A natural gas pneumatic controller at a new well production facility, tank battery, gathering and boosting site, or natural gas processing plant or a pre-effective date well production facility and its associated tank batteries classified as a Non-Emitting Facility with a bleed rate greater than six standard cubic feet per 10 hour is permitted when the owner or operator has demonstrated that a higher bleed rate is required based on functional needs, including response time, safety, and positive actuation. An owner or operator that seeks to maintain operation of an emitting pneumatic controller at a new or Non-Emitting Facility must prepare and document the justification for the safety or process purposes

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1 prior to the installation of a new emitting controller or the retrofit of an existing controller. The justification shall be certified
2 by qualified maintenance or engineering staff ~~a qualified professional engineer~~.

3 (b) Pneumatic controllers that emit natural gas located on temporary or portable equipment that
4 is used for well abandonment activities or used prior to or through the end of flowback.

5 (c) Pneumatic controllers that emit natural gas located on temporary or portable equipment that
6 is on-site and in-use for 90 days or less.

7 (d) Pneumatic controllers in an automated control system installed to comply with Paragraph (3)(b) of
8 Subsection B of 20.2.50.117 NMAC.

9 ~~(65)~~ Standards for natural gas-driven pneumatic diaphragm pumps.

10 (a) new pneumatic diaphragm pumps located at a natural gas processing plants shall have a
11 designed natural gas emission rate of zero.

12 (b) new pneumatic diaphragm pumps located at a wellhead-siteswell production facilities, tank
13 batteries, gathering and boosting sites, or transmission compressor stations with access to commercial line electrical power
14 shall have a natural gas emission rate of zero.

15 (c) existing pneumatic diaphragm pumps located at a natural gas processing plants shall have a
16 designed natural gas emission rate of zero within 3 years of the effective date of this rule.

17 (d) existing pneumatic diaphragm pumps located at a well production facilities, storage vessels,
18 gathering and boosting sites, or transmission compressor stations with access to commercial line electrical power shall have a
19 natural gas emission rate of zero within 3 years of the effective date of this rule.

20 ~~(ee)~~ ~~owners and operators of Existing pneumatic diaphragm pumps located at wellhead-siteswell~~
21 ~~production facilities, tank batteries, or gathering and boosting sites, or transmission compressor stations~~ without access to
22 commercial line electrical power shall reduce VOC emissions from the natural gas-driven pneumatic diaphragm pumps by
23 ninety-five percent if it is technically feasible to route emissions to an existing control device, fuel cell, or process. If there is a
24 control device available onsite but it is unable to achieve a ninety-five percent emission reduction, and it is not technically
25 feasible to route the pneumatic pump emissions to a fuel cell or process, the owner or operator shall route the pneumatic pump
26 emissions to the control device. The rerouting or control device installation must be accomplished within three years.

27 (7) If after January 1, 2027, an owner or operator's remaining natural gas pneumatic controllers, or if
28 two years after the effective date, an owners or operator's existing natural gas pneumatic diaphragm pumps at a site without
29 commercial line power, are not cost-effective to retrofit, the owner or operator shall submit a cost analysis of retrofitting those
30 remaining units to the department. The department shall review the cost analysis and determine whether those units qualify for
31 a waiver from meeting additional retrofit requirements.

32 ~~(6) The owner or operator of a pneumatic controller or pump shall install an EMT on the controller or~~
33 ~~pump in accordance with 20.2.50.112 NMAC.~~

C. Monitoring, testing, or inspection requirements:

(1) Pneumatic controllers or diaphragm pumps ~~not using natural gas or other hydrocarbon gas as motive force with a natural gas bleed rate equal to zero~~ are not subject to the monitoring requirements in Subsection C of 20.2.5.122 NMAC.

(2) The owner or operator of a facility with one or more natural gas-driven pneumatic controllers subject to the deadlines set forth in ~~tables~~ Tables 1 and 2 of Paragraph (3) of Subsection B of 20.2.50.122 NMAC shall monitor the compliance status of each subject pneumatic controller at each facility.

(3) The owner or operator of a natural gas-driven pneumatic controller ~~with a bleed rate greater than zero~~ shall, on a monthly basis, ~~sean the controller and~~ conduct an AVO or OGI inspection, and ~~shall also inspect the pneumatic controller, perform necessary maintenance and maintain on the~~ natural gas-driven pneumatic controller according to manufacturer specifications to ensure that the VOC emissions are minimized.

(4) For any natural gas-driven pneumatic controller remaining in operation after January 1, 2030, the owner or operator shall maintain an inventory containing the following: ~~The EMT shall be linked to a database that contains the following:~~

- (a) natural gas-driven pneumatic controller identification number;
- (b) type of controller (continuous or intermittent);
- (c) if continuous, design continuous bleed rate in standard cubic feet per hour;
- (d) if intermittent, bleed volume per intermittent bleed in standard cubic feet; ~~and~~
- (e) ~~design annual bleed in standard cubic feet per year.~~

(5) The owner or operator of a natural gas-driven pneumatic ~~diaphragm~~ pump ~~with bleed rate greater than zero~~ shall, on a monthly basis, ~~sean the pump and~~ conduct an AVO or OGI inspection and ~~shall also inspect the pneumatic pump and perform necessary maintenance, and maintain on~~ the pneumatic pump ~~according to manufacturer specifications to ensure that the VOC emissions are minimized.~~

(6) The owner or operator shall monitor the oil and gas and liquid production through each well production facility and any associated tank batteries in calendar year 2020, or of the method used to calculate production if a full year of data are not available for calendar year 2020 as set forth in Paragraph (3)(b) of Subsection B of 20.2.50.112 NMAC.

(7) ~~(6)~~ The owner or operator shall comply with the monitoring requirements in 20.2.50.112 NMAC.

D. Recordkeeping requirements:

(1) ~~Non-emitting Pneumatic~~ controllers and pumps ~~with a natural gas bleed rate equal to zero~~ are not subject to the recordkeeping requirements in Subsection D of 20.2.5.122 NMAC.

(2) The owner or operator shall maintain a record of each pre-effective date well production facility and associated tank battery, its calendar year 2020 total liquids production, the calendar year 2020 total oil and gas production at all existing well production facilities subject to Part 50, whether the well production facility and associated tank battery was a Non-Emitting Facility in 2020 and its status in the current calendar year, and the 2020 liquid throughput for each well production facility and associated tank battery. An owner an operator complying with Table 1 of Paragraph (3) of Subsection B shall, beginning in calendar year 2022 each year through calendar year 2031, calculate its Non-Emitting Facility Percent Production as set forth in Paragraph (3)(b) of Subsection B except substituting the reporting year's Non-Emitting Facilities multiplied by the 2020 Facility Percent Production in the numerator and dividing by the owner or operator's 2020 Total Historic Production in the denominator.

(3) The owner or operator of existing well production facilities complying with the limitation on daily average per well production set forth in Paragraph (3)(c) of Subsection B shall keep its calculation of its daily average production as required under Paragraph (3)© of Subsection B of 20.2.50.122 NMAC.

(4) The owner or operator shall maintain a record for each pre-effective date gathering and boosting site and natural gas plant of the total controller count for all controllers at all of the owner's or operator's affected facilities that commenced operation before the effective date of this Part. The total controller count must include of all emitting and Non-Emitting pneumatic C controllers. An owner an operator complying with Table 2 of Paragraph (3) of Subsection B shall,

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beginning in calendar year 2022 each year through calendar year 2031, calculate its Percentage of Non-Emitting Controllers as set forth in Paragraph (4) of Subsection B except substituting the calendar year's count of Non-Emitting Controllers in the numerator and retaining the 2020 count of total controllers in the denominator.

(53) The owner or operator shall maintain a record of the total count of natural gas-driven pneumatic controllers allowed under Paragraphs (5) or (7) of Subsection B of 20.2.50.122 necessary for a safety or process purpose that cannot otherwise be met without emitting VOC.

(64) The owner or operator of a natural gas-driven pneumatic controller subject to the requirements in tables Tables 1 and 2 of Paragraphs (3) and (4) of shall generate a schedule for meeting the compliance deadlines for each pneumatic controller. The owner or operator shall keep a record of the compliance status of each subject controller set forth therein.

(75) The owner or operator shall maintain an electronic record for each natural gas pneumatic controller with a natural gas bleed rate greater than zero. The record shall include the following:

- (a) pneumatic controller identification number;
- (b) inspection dates;
- (c) name of the personnel person(s) conducting the inspection;
- (d) AVO or OGI inspection result;
- (e) AVO or OGI level discrepancy in continuous or intermittent bleed rate;
- (f) maintenance date and maintenance activity; and
- (g) a record of the justification and certification required in Subparagraph (d) of Paragraph (4)

of Subsection B of 20.2.50.122 NMAC.

(86) The owner or operator of a natural gas-driven pneumatic controller with a design bleed rate greater than six standard cubic feet per hour allowed under Paragraphs (5) or (7) of subsection B of 20.2.50.122 shall maintain a record in the EMT database of the pneumatic controller documenting why a bleed rate greater than six scf/hr is necessary the justification, as required in Subsection B of 20.2.50.122 NMAC.

(97) The owner or operator shall maintain a record in the EMT database for a natural gas-driven pneumatic diaphragm pump with an emission rate greater than zero and the associated pump number at the facility. The record shall include:

(a) for a natural gas-driven pneumatic diaphragm pump in operation less than 90 days per calendar year, a record for each day of operation during the calendar year.

(b) a record of any control device designed to achieve at least a ninety-five percent emission reduction, including an evaluation or manufacturer specifications indicating the percentage reduction the control device is designed to achieve.

(c) records of the engineering assessment and certification by a qualified in-house employee or professional engineer that routing pneumatic pump emissions to a control device, fuel cell, or process is technically infeasible.

(108) The owner or operator shall comply with the recordkeeping requirements in 20.2.50.112 NMAC.

(11) The owner or operator of a pre-effective date facility subject to Table 1 or Table 2 of Subsection B of 20.2.50.122 NMAC must retain records of its calculations until two years after compliance with the January 1, 2030 requirement in Table 1 or Table 2, as applicable, is achieved and reported to the department.

E. Reporting requirements:

(1) An owner or operator with pre-effective date well production facilities and associated tank batteries complying with Subparagraph (b) or (d) of Paragraph (3) of Subsection B shall submit a Well Production Facility/Tank Battery Pneumatic Controller Compliance Plan on a Department-approved form by January 1, 2023 including:

(a) For each pre-effective date well production facility and associated tank battery, the Historic Facility Production, Facility Percent Production, both calculated in accordance with Paragraph (3) of Subsection B, whether the facility is a Non-Emitting Facility, and the API number for each well production facility.

(b) The Total Historic Production, Total Historic Non-Emitting Facility Percent Production, both calculated in accordance with Paragraph (3) of Subsection B, and the schedule of Total Required Non-Emitting Facility

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Percent Production applicable to the owner and operator pursuant to Table 1 of Paragraph (3) of Subsection B of 20.2.50.122 NMAC.

(c) The planned schedule developed under Paragraph (5) of Subsection D of 20.2.50.122 NMAC.

(2) An owner or operator with pre-effective date well production facilities and associated tank batteries complying with Subparagraph (c) of Paragraph (3) of Subsection B shall submit a Low Production Well Declaration on a Department approved form by January 1, 2023 including:

(a) A statement of the 2020 hydrocarbon production for each existing well production facility by API number, in barrels of oil equivalent.

(b) A summation of the 2020 total hydrocarbon production in barrels of oil equivalent from all existing well production facilities subject to Part 50, with this sum divided by 365 and showing that the 2020 annual average production was less than 15 barrels of oil equivalent.

(3) An owner or operator with pre-effective date gathering and boosting sites or natural gas processing plants shall submit a Gathering and Boosting Site/Natural Gas Processing Plant Pneumatic Controller Compliance Plan on a Department-approved form by January 1, 2024 including:

(a) For each pre-effective date gathering and boosting site or natural gas processing plant, the total count of controllers at that site or plant, including the count of pneumatic controllers, non-emitting controllers, and controllers allowed under Paragraph (5) of Subsection B.

(b) For all pre-effective date gathering and boosting sites or natural gas processing plants subject to Part 50 operated or owned, the total count of controllers, including the count of pneumatic controllers, non-emitting controller, and controllers allowed under Paragraph (5) of Subsection B, and the schedule of Total Historic Non-Emitting Controller Percentage applicable to the owner and operator pursuant to Table 2 of Paragraph (4) of Subsection B of 20.2.50.122 NMAC.

(c) The planned schedule developed under Paragraph (5) of Subsection D of 20.2.50.122 NMAC.

(4) Each year beginning on July 1, 2023 and continuing until compliance with Table 1 of Subsection B is achieved, an owner and operator with pre-effective date well production facilities and associated tank batteries subject to Table 1 of Subsection B shall submit an Annual Well Production Facility/Tank Battery Pneumatic Compliance Report for the prior calendar year on a department approved form. The report shall:

(a) Identify the owner and operator and the year for which the report is submitted.

(b) Identify the number of well production facilities (including associated tank batteries) that were retrofitted to become Non-Emitting Facilities, well production facilities and associated tank batteries that were plugged and abandoned and the tank battery decommissioned, including the month of plugging and/or decommissioning.

(c) A calculation of the Non-Emitting Facility Percent Production calculated for the prior calendar year using the procedures in Paragraph (2) of Subsection D of 20.2.50.122 NMAC and a comparison to the currently applicable standard in Table 1.

(d) A revised Well Production Facility/Tank Battery Pneumatic Controller Compliance Plan as set forth in Paragraph (5) of Subsection D if the Total Required Non-Emitting Facility Percent Production required by Table 1 has not been met.

(5) Each year beginning on July 1, 2023 and continuing until compliance with Table 2 of Subsection B is achieved, an owner and operator of pre-effective date gathering and boosting sites or natural gas production plants subject to Table 2 of Subsection B shall submit an Annual Gathering and Boosting Site/Natural Gas Production Plant Pneumatic Compliance Report for the prior calendar year on a department approved form. The report shall include:

(a) Identify the owner and operator and the year for which the report is submitted.

(b) Identify the number of natural gas driven pneumatic controllers that were retrofitted to non-emitting controllers, or that were decommissioned, including the month of plugging or decommissioning.

(c) A calculation of the Percent Non-Emitting Controllers calculated for the prior calendar year using the procedures in Paragraph (3) of Subsection D of 20.2.50.122 NMAC and a comparison to the currently applicable standard in Table 2.

(d) A revised Gathering and Boosting Site/Natural Gas Processing Plant Pneumatic Compliance Plan as set forth in Paragraph (5) of Subsection D if the Total Required Percent Non-Emitting Controllers required by Table 2 has not been met.

(e) The owner or operator shall comply with the reporting requirements in 20.2.50.112 NMAC.
[20.2.50.122 NMAC - N, XX/XX/2021]

20.2.50.123 STORAGE VESSELS

A. Applicability: Existing single storage vessel and existing multiple storage vessel tank batteries where individual tank uncontrolled PTE is equal to or greater than six tpy of VOC, and new single storage vessel and new multiple storage vessel tank batteries where individual tank uncontrolled PTE is equal to or greater than two tpy of VOC, located at. Storage vessel(s) with an uncontrolled PTE equal to or greater than two tpy of VOC and located at wellhead-sitestank batteries located at well production facilities, tank batteries, gathering and boosting sites, natural gas processing plants, or transmission compressor stations are subject to the requirements of 20.2.50.123 NMAC. In determining the individual tank uncontrolled PTE, owners or operators will use generally accepted methods for estimating emissions. Where multiple storage vessels are manifolded together with piping such that all vapors are shared between the headspace of the storage vessels and are routed to a common outlet or end point, owners or operators may determine individual storage vessel emissions by averaging the emissions across the total number of storage vessels in the tank battery. The requirements of 20.2.50.123 NMAC do not apply to storage vessels subject to the requirements for storage vessels in 40 CFR part 60, subpart Kb, OOOO, and OOOOa, and 40 CFR part 63, subparts G, CC, HH, or WW.

B. Emission standards:

(1) An existing storage vessel with a PTE equal to or greater than ~~two-six tpy and less than 10 tpy~~ of VOC shall have a combined capture and control of VOC emissions of at least ninety-five percent no later than three years after the effective date of this Part.

~~(2) An existing storage vessel with a PTE equal to or greater than 10 tpy of VOC shall have a combined capture and control of VOC emissions of at least ninety-eight percent no later than one year after the effective date of this Part.~~

(3) A new storage vessel with a PTE equal to or greater than two tpy ~~and less than 10 tpy~~ of VOC shall have a combined capture and control of VOC emissions of at least ninety-five percent upon startup.

~~(4) A new storage vessel with a PTE equal to or greater than 10 tpy of VOC shall have a combined capture and control of VOC emissions of at least ninety-eith percent upon startup.~~

(5) The emission standards in Subsection B of 20.2.50.123 NMAC cease to apply to a storage vessel if the uncontrolled actual annual VOC emissions decrease to less than two tpy ~~for new tanks and four tpy for existing tanks.~~

(6) If a control device is not installed by the date specified in Paragraphs (1) through (4) of Subsection B of 20.2.50.123 NMAC, an owner or operator may comply with Subsection B of 20.2.50.123 NMAC by shutting in or reducing production from the well supplying the storage vessel by the applicable date such that the uncontrolled annual emissions are less than two tpy for new tanks and four tpy for existing tanks, and not resuming or increasing production from the well until the control device is installed and operational or the Department has approved an extension of the deadline.

(7) The owner or operator of a new or existing storage vessel with a thief hatch ~~shall install a control device that allows the shall ensure that the~~ thief hatch ~~is capable of te-opening~~ sufficiently to relieve overpressure in the vessel and to automatically close once the vessel overpressure is relieved. Owners and operators may also install other pressure relief devices to ensure that overpressure can be adequately relieved. Any pressure relief device installed must automatically close once the vessel overpressure is relieved. The thief hatch shall be equipped with a manual lock- open safety device to ensure positive hatch opening during times of human ingress. The lock-open safety device shall only be engaged when an owner or operator are present and during an active ingress activity.

~~(8) The owner or operator of a new or existing storage vessel shall install an EMT on the storage vessel in accordance with 20.2.50.112 NMAC.~~

(9) An owner or operator complying with Paragraphs (1) through (4) of Subsection B of 20.2.50.123

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NMAC through use of a control device shall comply with the control device operational requirements in 15 20.2.50.115 NMAC.

C. Monitoring requirements: The owner or operator of a storage vessel shall:

(1) ~~monitor~~ on a monthly basis, calculate or estimate the total monthly liquid throughput (in barrels) and record the upstream separator pressure (in psig) if the storage vessel is directly downstream of a separator. When a storage vessel is unloaded less frequently than monthly, the throughput and separator pressure monitoring shall be conducted before the storage vessel is unloaded;

(2) ~~conduct an AVO inspection on a weekly basis. If the storage vessel is unloaded less frequently than weekly, the AVO inspection shall be conducted before the storage vessel is unloaded;~~

(3) ~~inspect the vessel monthly to ensure compliance with the requirements of 20.2.50.123 NMAC. The inspection shall include a check to ensure the vessel does not have a leak;~~

(4) ~~scan the EMT and enter the required monitoring data in accordance with the requirements 25 of 20.2.50.112 NMAC;~~

(2) comply with the monitoring requirements in 20.2.50.115 NMAC if using a control device to comply with the requirements in Paragraphs (1) through (4) of Subsection B of 20.2.50.123 NMAC; and

(3) comply with the monitoring requirements in 20.2.50.112 NMAC.

D. Recordkeeping requirements:

(1) The owner or operator shall, on a monthly basis, maintain a record in accordance with 20.2.50.112 NMAC for a storage vessel. The record shall include:

(a) the vessel location and identification number;

(b) calculated or estimated monthly liquid throughput; and the most recent date of measurement;

(c) the average monthly upstream separator pressure, where applicable;

(d) the data and methodology used to calculate the actual emissions of PTE of VOC (the Calculation methodology shall be department approved;

(e) the controlled and uncontrolled VOC emissions (tpy); and

(f) the type, make, model, and identification number of any control device.

(2) A record of liquid throughput in shall be ~~verified-estimated~~ by liquid level measurements, a dated delivery receipt from the purchaser of the hydrocarbon liquid, the metered volume of hydrocarbon liquid sent downstream, or other proof of transfer.

(3) A record of the inspection required in Subsection C of 20.2.50.123 NMAC shall include:

(a) the time and date of the inspection;

(b) the ~~personnel~~ person(s) conducting the inspection;

(c) ~~a notation that the required leak check was completed;~~

(d) a description of any problem observed during the inspection; and

(e) a description and date of any corrective action taken.

(4) An owner or operator complying with the requirements in Paragraphs (1) through (4) of Subsection B of 20.2.50.123 NMAC through use of a control device shall comply with the recordkeeping requirements in 20.2.50.115 NMAC.

(5) The owner or operator shall comply with the recordkeeping requirements in 20.2.50.112 NMAC.

E. Reporting requirements:

- (1) An owner or operator complying with the requirements in Paragraphs (1) through (4) of Subsection B of 20.2.50.123 NMAC through use of a control device shall comply with the reporting requirements in 20.2.50.15 NMAC.
- (2) The owner or operator shall comply with the reporting requirements in 20.2.50.112 NMAC. [20.2.50.123 NMAC - N, XX/XX/2021]

20.2.50.124 WELL WORKOVERS

A. Applicability: Workovers performed at oil and natural gas wells are subject to the requirements of 20.2.50.124 NMAC as of the effective date of this Part.

B. Emission standards: The owner or operator of an oil or natural gas well shall use the following best management practices during a workover to minimize emissions, consistent with the well site condition and good engineering-operational practices:

- (1) reduce wellhead pressure before blowdown to minimize the volume of natural gas vented;
- (2) monitor manual venting at the well until the venting is complete; and
- (3) route natural gas to the sales line, if possible.

C. Monitoring, testing or inspection requirements:

- (1) The owner or operator shall monitor the following parameters during a workover:
- (a) wellhead pressure;
 - (b) flow rate of the vented natural gas (to the extent feasible); and
 - (c) duration of venting to the atmosphere.
- (2) The owner or operator shall calculate the estimated volume and mass of VOC vented during a workover.
- (3) The owner or operator shall comply with the monitoring requirements in 20.2.50.112 NMAC.

D. Recordkeeping requirements:

- (1) The owner or operator shall keep the following record for a workover:
- (a) identification number and location of the well;
 - (b) date the workover was performed;
 - (c) wellhead pressure;
 - (d) flow rate of the vented natural gas to the extent feasible, and if measurement of the flow rate is not feasible, the owner or operator shall use the maximum potential flow rate in the emission calculation;
 - (e) duration of venting to the atmosphere;
 - (f) description of the management practices used to minimize release of VOC before and during the workover; and
 - (g) calculation of the estimated VOC emissions vented during the workover based on the duration, volume, and mass-gas composition of VOC.
- (2) The owner or operator shall comply with the recordkeeping requirements in 20.2.50.112 NMAC.

E. Reporting requirements

- (1) The owner or operator shall comply with the reporting requirements in 20.2.50.112 NMAC.
- (2) If it is not feasible to prevent VOC emissions from being emitted to the atmosphere from a workover

event, the owner or operator shall notify by certified mail all residents located within one-quarter mile of the well of the planned workover at least three calendar days before the workover event.

(3) Notification exception for emergency routine downhole maintenance operations to restore production lost due to upsets or equipment malfunction, allowing the owner or operator to notify all residents located within one-quarter mile of the well of the planned workover at least 24 hours before the workover event.

[20.2.50.124 NMAC - N, XX/XX/2021]

20.2.50.125 — SMALL BUSINESS FACILITIES

A. — Applicability: Small business facilities as defined in this Part are subject to the requirements of 20.2.50.125 NMAC.

B. — General requirements:

(1) — The owner or operator shall ensure that all equipment is operated and maintained consistent with manufacturer specifications, and good engineering and maintenance practices. The owner or operator shall keep manufacturer specifications and maintenance practices on file and make them available to the department upon request.

(2) — The owner or operator shall calculate the VOC and NOx emissions from the facility on an annual basis. The calculation shall be based on the actual production or processing rates of the facility.

(3) — The owner or operator shall maintain a database of company-wide VOC and NOx emission calculations for all subject facilities and associated equipment and shall update the database annually.

(4) — The owner or operator shall comply with Paragraph (10) of Subsection A of 20.2.50.112 NMAC if requested by the department.

C. — Monitoring requirements: The owner or operator shall comply with the requirements in Subsections C or D of 20.2.50.116 NMAC.

D. — Repair requirements: The owner or operator shall comply with the requirements of Subsection E of 20.2.50.116 NMAC.

E. — Recordkeeping requirements: The owner or operator shall maintain the following electronic records for each facility:

(1) — annual certification that the small business facility meets the definition in this Part;

(2) — calculated VOC and NOx emissions from each facility and the company-wide VOC and NOx emissions for all subject facilities;

(3) — records as required under Subsection F of 20.2.50.116 NMAC.

F. — Reporting requirements: The owner or operator shall submit to the department an initial small business certification within sixty days of the effective date of this Part, and by March 1 each calendar year thereafter. The certification shall be made on a form provided by the department. The owner or operator shall comply with the reporting requirements in 20.2.50.112 NMAC.

G. — Failure to comply with 20.2.50.125 NMAC: Notwithstanding the provisions of Section 20.2.50.125 NMAC, a source that meets the definition of a small business facility can be required to comply with the other Sections of 20.2.50 NMAC if the Secretary finds based on credible evidence that the source (1) presents an imminent and substantial endangerment to the public health or welfare or to the environment; (2) is not being operated or maintained in a manner that minimizes emissions of air contaminants; or (3) has violated any other requirement of 20.2.50.125 NMAC.

[20.2.50.125 NMAC - N, XX/XX/2021]

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20.2.50.126 PRODUCED WATER MANAGEMENT UNITS

A. Applicability: Produced water management units as defined in this Part are subject to 20.2.50.126 NMAC and shall comply with these requirements no later than 180 days after the effective date of this Part.

B. Emission standards:

(1) The owner or operator shall use best management and good engineering-operational practices to minimize emissions of VOC from produced water management units.

(2) The owner or operator shall calculate uncontrolled PTE for each produced water management unit. If the PTE exceeds the threshold specified in 20.2.73.200 the owner or operator shall submit a Notice of Intent to NMED for approval. If the PTE exceeds thresholds established in 20.2.72.200 control file an appropriate permit application VOC-emissions from for each produced water management unit. Existing produced water management units with uncontrolled PTE that exceeds the thresholds in 20.2.73.200 or 20.2.72.200 may continue to operate until the application is approved or denied by the Department, to less than two tons per year.

C. Monitoring, inspection or testing requirements: The owner or operator shall:

(1) calculate the monthly rolling 12-month total of VOC emissions in tons from each unit with first month of emission calculation beginning within 180 days after the effective date of this Part;

(2) monthly, monitor the best management and engineering-operational practices implemented to reduce emissions at each unit to ensure their effectiveness; and

(3) comply with the monitoring requirements in 20.2.50.112 NMAC.

D. Recordkeeping requirements:

(1) The owner or operator shall maintain the following electronic records for each produced water management unit:

(a) name or identification of the unit and UTM coordinates of the unit and county;

(b) a description of the best management and engineering-operational practices used to minimize release of VOC at the produced water management unit; and

(c) a record of the monthly rolling 12-month total VOC emissions from each produced water management unit.

(2) The owner or operator shall comply with the recordkeeping requirements in 20.2.50.112 NMAC.

E. Reporting requirements: The owner or operator shall comply with the reporting requirements in 20.2.50.112 NMAC.

[20.2.50.126 NMAC - N, XX/XX/2021]

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20.2.50.127 PROHIBITED ACTIVITY AND CREDIBLE INFORMATION PRESUMPTION

A. Failure to comply with the emissions standards, monitoring, testing, inspection, recordkeeping, reporting or other requirements of this Part within the timeframes specified shall constitute a violation of this Part subject to enforcement action under Section 74-2-12 NMSA 1978.

B. If credible evidence information obtained by the department demonstrates an alleged violation indicates that a source is not in compliance ~~withof~~ the provisions of this Part, the source shall have an opportunity to provide ~~be presumed to be in violation of this Part unless and until the owner or operator provides credible evidence or information demonstrating otherwise.~~

C. If ~~credible~~ information is provided to the department by a member of the public ~~indicates indicating~~ that a source ~~mayis~~ not be in compliance with the provisions of this Part, the Department may initiate enforcement action under Section 74-2-12 NMSA 1978 only if the Department determines the information is of sufficient value and credibility and demonstrates that a violation occurred. In evaluating whether the information is of sufficient value and credibility of information provided by a member of the public and determining the use of such information as evidence in an enforcement action, the Department shall consider the following criteria:

(1) the member of the public providing the information must be willing to submit a sworn affidavit attesting to the facts that constitute the alleged violation and authenticating any writings, recordings, or photographs provided by the individual;

(2) the individual providing the information must be willing to make themselves available to the Department and alleged violator regarding the alleged violation, including as necessary to testify in any enforcement proceedings regarding the alleged violations;

(3) if the Department relies on any physical or sampling data submitted by an individual to prove one or more elements of an enforcement case, such data must have been collected or gathered in accordance with relevant agency protocols and the individual must be willing to submit a sworn affidavit demonstrating that it followed relevant agency protocols when collecting the data; and the Department must ensure that the physical or sampling data was collected through an accepted and verifiable methodology.

(4) the Department will not use in an enforcement action information gathered by an individual illegally, including pursuant to trespass.

~~the source shall be presumed to be in violation of this~~

~~Part unless and until the owner or operator provides credible evidence or information demonstrating otherwise.~~

—[20.2.50.127 NMAC - N, XX/XX/2021]

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HISTORY OF 20.2.50 NMAC: [RESERVED]