STATE OF NEW MEXICO
BEFORE THE SECRETARY OF ENVIRONMENT

NEW MEXICO ENVIRONMENT DEPARTMENT
ENVIRONMENTAL PROTECTION DIVISION,

Complainant,

v. **No. AQB NOR-38342-2401**

NORTHWIND MIDSTREAM PARTNERS, LLC

Respondent.

SETTLEMENT AGREEMENT AND STIPULATED FINAL COMPLIANCE ORDER

This Settlement Agreement and Stipulated Final Compliance Order ("Final Order") is entered into between the Environmental Protection Division ("Division") of the New Mexico Environment Department ("Department" or "NMED") and Respondent, Northwind Midstream Partners, LLC, ("Northwind") (collectively, the "Parties") to resolve alleged statutory, regulatory, and permit violations by Northwind. The Department alleges violations of the New Mexico Air Quality Control Act ("AQCA"), NMSA 1978, Sections 74-2-1 to -17; the Air Quality Control Regulations ("Regulations") at Title 20, Chapter 2 New Mexico Administrative Code NMAC (“NMAC”), and Air Quality Permits ("Permits") as identified below.

I. BACKGROUND

A. PARTIES

1. The Division and the Air Quality Bureau (“Bureau”) are organizational units of the Department and have been delegated the authority by the Secretary of the Department to issue

compliance orders under the AQCA. NMSA 1978, §§ 9-7A-6, 9-7A-7, 9-7A-8, 74-2-12, and 74-2-12(A) (2006). Pursuant to the NMED Delegation Order of November 26, 2024, the Cabinet Secretary has delegated authority to issue compliance orders to the Compliance and Enforcement Division Director and Air Quality Bureau Chief.

2. The Air Quality Bureau Chief has concurred with this enforcement action.

3. Northwind is a limited liability company doing business in New Mexico at the Titan Treater Plant No.1 ("Facility"). Northwind owns and operates the Facility, located in Lea County, New Mexico 7.8 miles southwest of Jal, NM 88252 at latitude 32.025581 and longitude -103.276567. At all times relevant to this Final Order, Northwind owned and operated the Facility.

B. HISTORY

4. During the relevant times, the Facility was authorized to operate under NSR Permit 7747-M4, issued March 22, 2020, and NSR Permit 7747-M5, issued July 3, 2024. **[NMED Attachments 1 & 2]**.

5. On August 29, 2024, legal counsel for Northwind contacted NMED's Office of General Counsel by email to notify the department that the company had begun construction on a site improvement before receiving the appropriate permit **[Attachment 3]**. Northwind requested a meeting, and one was held on September 5, 2024.

6. On September 10, 2024, Northwind submitted a request for an Enforcement Discretion (ED) allowing them to complete the construction of the site modification before receiving the proper permit. On September 11, 2024, NMED granted Northwind the ED **[Attachment 4]**.

7. On September 12, 2024, Northwind's general counsel contacted NMED by email

to certify when construction on the site modification began **[Attachment 5]**.

8. On September 27, 2024, NMED issued a Post-Inspection Notification to Northwind for the alleged violation **[Attachment 6]**.

9. On November 22, 2024, the Department issued a Notice of Violation ("NOV") NOR-38342-2401, alleging that beginning construction on the site improvement before obtaining the permit was in violation of 20.2.72.200.E NMAC **[NMED Attachment 7].**

10. On December 11, 2024, Northwind responded to the NOV answering the questions included with the NOV and offered no information refuting the alleged violation **[Attachment 8]**.

11. On January 14, 2025, NMED made a Settlement Offer for the alleged violations including a civil penalty of $260,000.00 and administrative compliance costs of $6,608.00 **[Attachment 9]**. Since Northwind obtained an ED, NMED requires no further corrective action.

12. On January 29, 2025, Northwind sent an email accepting the Department's offer without any changes **[Attachment 10]**.

C. ALLEGED VIOLATION

13. **Failure to obtain a permit prior to commencing construction of a site modification, pursuant to 20.2.72.200.E NMAC.** According to an email sent by Northwind's general counsel on September 12, 2024 **[Attachment 5]**, the company began working on the addition of a new triethylene glycol dehydrator at the Facility on April 9, 2024. This site modification was part of a proposed new permit (NSR Permit 7747-M6) that had not yet been issued.

14. On September 11, 2024, NMED granted Northwind the ED **[Attachment 4]** that allows them to continue working on the project before obtaining the permit.

15. NMED will penalize Northwind for the period between beginning construction on the site modification, April 9, 2024, and the date of receiving the ED, September 11, 2024.

II. COMPROMISE AND SETTLEMENT

A. GENERAL

16. Following good faith settlement negotiations to resolve this matter without further costly litigation, the Parties agree to a complete settlement of all the violations alleged in the NOV and have consented to the terms of this Final Order. Northwind does not admit any of the violations alleged in the NOV.

17. The Parties admit jurisdiction and consent to the relief specified herein.

B. CIVIL PENALTY

18. In compromise and settlement of the violations alleged in the NOV, and upon consideration of the seriousness of the alleged violations and Northwind's good faith efforts to comply, the Parties agree that Northwind shall pay a civil penalty of $260,000.00 in a cash payment to the State of New Mexico within 30 calendar days after the effective date of this Final Order as set forth below.

19. Payment shall be made to the "State of New Mexico General Fund" by certified or corporate check, or by wire transfer ("ACH deposit"). On the date that delivery of funds is initiated, Northwind shall notify the Air Quality Bureau Enforcement Manager by email at ENV-AQB.Settlement.Notifications@state.nm.us and notify an Enforcement Specialist at charles.butler@env.nm.gov.

Certified or corporate checks must be sent to the following:

New Mexico Environment Department
Air Quality Bureau
c/o Compliance and Enforcement Manager
525 Camino de los Marquez, Suite I
Santa Fe, New Mexico 87505

ACH deposits shall be made to Wells Fargo Bank as follows:

Wells Fargo Bank, N.A.
100 W. Washington Street, Floor20
Phoenix, AZ 85003

Routing Transit Number: 121000248
Deposit Account Number: 4123107799
Descriptor: NMED-AQB-C&E

20. If Northwind fails to make timely and complete payment of the civil penalty as indicated above, and unless the Parties agree to extend the time for payment of the civil penalty, Northwind shall pay a stipulated penalty of $2,000.00 per day for each day a payment is not timely or complete.

C. ADMINISTRATIVE COMPLIANCE COSTS

21. Northwind shall make a payment in the amount of $6,608.00 for administrative compliance costs incurred to date that are associated with this matter.

22. Payment shall be made to the "NMED-Air Quality Bureau" by certified or corporate check, or by wire transfer ("ACH deposit"). This payment shall be separate from civil penalty payment and follow the same instructions as given in paragraph 19.

23. If Northwind fails to make timely and complete payment of the administrative compliance costs as indicated above, and unless the Parties agree to extend the time for payment of administrative compliance costs, Northwind shall pay a stipulated penalty of $1,982.40 per day

for each thereafter until the administrative costs are paid.

D. STIPULATED PENALTY

24. Within 30 days following receipt of a written demand by the Department, Northwind shall make payment of any stipulated penalty that is due and payable under this Final Order. Northwind shall make a cash payment of any stipulated penalty in the same manner as the civil penalty payment, as instructed above. Northwind shall not contest or dispute in any way the amount of the stipulated penalty stated above in the event that the Department brings an action against Northwind to recover stipulated penalties as specified above.

III. OTHER TERMS AND CONDITIONS

A. COMPLIANCE WITH OTHER LAWS AND REGULATIONS

25. Nothing in this Final Order shall relieve Northwind of its obligation to comply with all applicable federal, state, and local laws and regulations.

B. RESERVATION OF RIGHTS AND DEFENSES

26. This Final Order shall not be construed to prohibit or limit the Department in any way from requiring Northwind to comply with any applicable state or federal requirement not resolved herein. This Final Order shall not be construed to prohibit or limit the Department in any way from seeking any relief authorized by the AQCA for violation of any state or federal requirement applicable to Northwind not resolved herein. This Final Order shall not be construed to prohibit or limit Northwind in any way from raising any defense to a Department action seeking such relief.

C. MUTUAL RELEASE

27. The Parties mutually release each other from all claims that each Party raised or could have raised against the other regarding the facts and violations alleged in the NOV. Such release applies only to civil liability.

D. WAIVER OF STATE LIABILITY

28. Northwind shall assume all costs and liabilities incurred in performing all obligations under this Final Order. The Department, on its own behalf and on behalf of the State of New Mexico, does not assume any liability for Northwind's performance of any obligation under this Final Order.

E. EFFECTIVE DATE AND TERMINATION DATES

29. This Final Order and any modifications thereto shall be effective when the Final Order or modification has been executed by both Parties.

30. Except as otherwise provided in this paragraph, the terms of this Final Order shall terminate when Northwind has fulfilled the requirements of this Final Order. The reservations of rights and defenses and the mutual release stated above shall survive the execution and performance of this Final Order and shall remain in full force and effect as an agreement between the Parties.

F. INTEGRATION

31. This Final Order merges all prior written and oral communications between the Parties concerning the subject matter of this Final Order, contains the entire agreement between the Parties, and shall not be modified without the express written agreement of the Parties.

G. BINDING EFFECT

32. This Final Order shall be binding on the Parties and their officers, directors, employees, agents, subsidiaries, successors, assigns, trustees, or receivers.

H. AUTHORITY OFSIGNATORIES

33. The persons executing this Final Order on behalf of Northwind and the Department, respectively, represent that they have the authority to execute this Final Order on behalf of Northwind and the Department.

I. SIGNATURE AND COUNTERPARTS

34. This Final Order is intended to be executed on separate pages. Faxed, emailed, electronic, or digital signatures shall constitute original signatures binding on the signing party.

35. This Final Order may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same agreement.

NEW MEXICO ENVIRONMENT DEPARTMENT

DocuSigned by:
By: Cindy Hollenberg 8C5B75B327A8482... **Date:** 3/12/2025
Cindy Hollenberg, Air Quality Bureau Chief

DocuSigned by:
By: Kelly Villanueva 1174DC37006D44C... **Date:** 3/10/2025
Kelly Villanueva (Certifying Legal Sufficiency)

NORTHWIND MIDSTREAM PARTNERS, LLC

Signed by:
By: Connor Long 8B7D9EA27E00444... **Date:** 3/11/2025
Connor Long, Senior Vice President

Signed by:
By: Connor Long 8B7D9EA27E60444... **Date:** 3/11/2025
Connor Long (Certifying Legal Sufficiency)

STIPULATED FINAL COMPLIANCE ORDER

This Settlement Agreement and Stipulated Final Compliance Order, agreed to by the Division and Northwind Midstream Partners, LLC, is hereby incorporated herein and APPROVED AS A FINAL COMPLIANCE ORDER issued pursuant to NMSA 1978, §74-2-12.

DocuSigned by:
Cindy Hollenberg
8C5B75B327A8482...

Date: 3/12/2025

Cindy Hollenberg, Chief
Air Quality Bureau
NEW MEXICO ENVIRONMENT DEPARTMENT

New Mexico
ENVIRONMENT DEPARTMENT

525 Camino de los Marquez, Suite 1
Santa Fe, NM 87505
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MICHELLE LUJAN GRISHAM
GOVERNOR

HOWIE C. MORALES
LT. GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

JENNIFER J. PRUETT
DEPUTY SECRETARY

AIR QUALITY BUREAU
NEW SOURCE REVIEW PERMIT
Issued under 20.2.72 NMAC

NSR Permit No:	7747-M4
Facility Name:	Ameredev South Facility
Permittee Name:	Salt Creek Midstream, LLC
Mailing Address:	20329 State Highway 249 4th Floor Houston, TX 77070
TEMPO/IDEA ID No:	38342 - PRN20190003
AIRS No:	35-025-1395
Permitting Action:	Significant Permit Revision
Source Classification:	Synthetic Minor > 80
Facility Location:	662,750 m E by 3,544,570 m N, Zone 13; Datum WGS84
County:	Lea County
Air Quality Bureau Contact	Joseph Mashburn
Main AQB Phone No.	(505) 476-4300

GB Kuehn

Liz Bisbey-Kuehn
Bureau Chief
Air Quality Bureau

3/22/20

Date

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PART A FACILITY SPECIFIC REQUIREMENTS

A100 Introduction

A. This permit, NSR 7747-M4, supersedes all portions of Air Quality Permit GCP-Oil & Gas 7747-M3, issued November 14, 2019, except portions requiring compliance tests. Compliance test conditions from previous permits, if not completed, are still in effect, in addition to compliance test requirements contained in this permit.

A101 Permit Duration (expiration)

A. The term of this permit is permanent unless withdrawn or cancelled by the Department.

A102 Facility: Description

A. The facility receives natural gas from pipelines and treats the gas to remove water and acid gas (CO_2 and H_2S). The treated gas is compressed and sent off-site via pipeline.

B. This facility is located approximately 7.8 miles southwest of Jal, New Mexico in Lea County.

C. This modification is a 20.2.72.219.D.(1)(a) NMAC significant revision of the facility's GCP-Oil & Gas permit 7747-M3. Modifications include: adding one compressor engine, four temporary generator engines, one thermal oxidizer, one acid gas injection (AGI) well with two electric compressors, and additional piping fugitives. When the AGI system is in operation, the existing H_2S scavenger system and associated flare F-Temp will cease operation and will be taken out of service.

D. Tables 102.A and Table 102.B show the total potential emission rates (PER) from this facility for information only. This is not an enforceable condition and excludes emissions from Minor NSR exempt activities per 20.2.72.202 NMAC.

Table 102.A: Total Potential Emission Rate (PER) from Entire Facility

Pollutant	Emissions (tons per year)
Nitrogen Oxides (NOx)	96.1
Carbon Monoxide (CO)	92.8
Volatile Organic Compounds (VOC) [1]	68.9
Sulfur Dioxide (SO_2)	59.0
Particulate Matter 10 microns or less (PM_{10})	5.6
Particulate Matter 2.5 microns or less ($PM_{2.5}$)	5.6
Hydrogen Sulfide (H_2S)	0.6

1. VOC total includes emissions from Fugitives, SSM and Malfunctions.

Table 102.B: Total Potential Emissions Rate (PER) for *Hazardous Air Pollutants (HAPs) that exceed 1.0 ton per year

Pollutant	Emissions (tons per year)
Acetaldehyde	3.3
Benzene	3.1
Formaldehyde	8.5
Total HAPs**	23.5

* HAP emissions are already included in the VOC emission total.

** The total HAP emissions may not agree with the sum of individual HAPs because only individual HAPs greater than 1.0 tons per year are listed here.

A103 Facility: Applicable Regulations

A. The permittee shall comply with all applicable sections of the requirements listed in Table 103.A.

Table 103.A: Applicable Requirements

Applicable Requirements	Federally Enforceable	Unit No.
20.2.1 NMAC General Provisions	X	Entire Facility
20.2.3 NMAC Ambient Air Quality Standards	X	Entire Facility
20.2.7 NMAC Excess Emissions	X	Entire Facility
20.2.61 NMAC Smoke and Visible Emissions	X	ENG-1, ENG-2, ENG-3, ENG-4, GEN-1, GEN-2, GEN-3, GEN-4, GEN-5, AR-1, GR-1, TO-1, F-7005, F-400
20.2.72 NMAC Construction Permit	X	Entire Facility
20.2.73 NMAC Notice of Intent and Emissions Inventory Requirements	X	Entire Facility
20.2.75 NMAC Construction Permit Fees	X	Entire Facility
20.2.77 NMAC New Source Performance Standards	X	Units subject to 40 CFR 60
20.2.82 NMAC Maximum Achievable Control Technology Standards for Source Categories of HAPs	X	Units subject to 40 CFR 63
40 CFR 50 National Ambient Air Quality Standards	X	Entire Facility
40 CFR 60, Subpart A, General Provisions	X	See units below subject to 40 CFR 60
40 CFR 60, Subpart JJJJ	X	ENG-1, ENG-2, ENG-3, ENG-4, GEN-1, GEN-2, GEN-3, GEN-4, GEN-5

Table 103.A: Applicable Requirements

Applicable Requirements	Federally Enforceable	Unit No.
40 CFR 60, Subpart OOOOa	X	Compressors w/ ENG-1, ENG-2, ENG-3, ENG-4; AGI-COMP1, AGI-COMP2; FUG-1, FUG-2
40 CFR 63, Subpart A, General Provisions	X	See units below subject to 40 CFR 63
40 CFR 63, Subpart HH	X	DHY-1
40 CFR 63, Subpart ZZZZ	X	ENG-1, ENG-2, ENG-3, ENG-4, GEN-1, GEN-2, GEN-3, GEN-4, GEN-5

A104 Facility: Regulated Sources

A. Table 104.A lists the emission units authorized for this facility. Emission units identified as exempt activities (as defined in 20.2.72.202 NMAC) and/or equipment not regulated pursuant to the Act are not included.

Table 104.A: Regulated Sources List

Unit No.	Source Description	Make	Model	Serial No.	Construction Date	Manufacture Date	Capacity
ENG-1	4SLB w/ Reciprocating compressor	Caterpillar	G3516B	TBD	11/1/18	>7/1/10	1380 hp
ENG-2	4SLB w/ Reciprocating compressor	Caterpillar	G3516B	TBD	11/1/18	>7/1/10	1380 hp
ENG-3	4SLB w/ Reciprocating compressor	Caterpillar	G3616	TBD	TBD	TBD	5000 hp
ENG-4	4SLB w/ Reciprocating compressor	Caterpillar	3608 A4	TBD	11/1/18	>7/1/10	2500 hp
GEN-1	4SLB	Caterpillar	G3516C	TBD	11/1/18	>7/1/10	1978 hp
GEN-2	4SLB	Caterpillar	G3516C	TBD	TBD	>7/1/10	1978 hp
GEN-3	4SLB	Caterpillar	G3516C	TBD	TBD	>7/1/10	1978 hp
GEN-4	4SLB	Caterpillar	G3516C	TBD	TBD	>7/1/10	1978 hp
GEN-5	4SLB	Caterpillar	G3516C	TBD	TBD	>7/1/10	1978 hp

Table 104.A: Regulated Sources List

Unit No.	Source Description	Make	Model	Serial No.	Construction Date	Manufacture Date	Capacity
AGI-COMP1	AGI electric compressor	TBD	TBD	TBD	TBD	TBD	TBD
AGI-COMP2	AGI electric compressor	TBD	TBD	TBD	TBD	TBD	TBD
DHY-1	Glycol Dehy Still Vent/Flash Tank	TBD	TBD	TBD	11/1/18	11/1/18	44 MM SCFD
GR-1	Glycol Dehy Reboiler Burner	TBD	TBD	TBD	11/1/18	11/1/18	0.75 MM BTU/h
T-800	Slop Oil Tank	TBD	TBD	TBD	3/1/19	3/1/19	500 bbl / 720,500 gal/y
T-801	Slop Oil Tank	TBD	TBD	TBD	3/1/19	3/1/19	500 bbl / 720,500 gal/y
AM-1	Amine sweetening unit	TBD	TBD	TBD	11/1/18	11/1/18	44 MM SCF/d
AR-1	Amine Reboiler	TBD	TBD	TBD	11/1/18	11/1/18	36 MM BTU/h
F-7005	Process Flare	TBD	TBD	TBD	3/1/19	3/1/19	125 Mscf/hr 32 MMscf/yr
F-400	Tank Flare	TBD	TBD	TBD	3/1/19	3/1/19	0.05 Mscf/hr 0.41 MMscf/yr
FUG-1	Piping Fugitives	N/A	N/A	N/A	N/A	N/A	N/A
FUG-2	Piping Fugitives	N/A	N/A	N/A	N/A	N/A	N/A
TO-1	Thermal Oxidizer	TBD	TBD	TBD	TBD	TBD	4 MMSCFD
OILLOAD-1	Loading Rack	NA	NA	NA	11/1/18	11/1/18	94 bbl/d
TO-1 SSM	SSM	N/A	N/A	N/A	N/A	N/A	N/A
F-7005 SSM	SSM	N/A	N/A	N/A	N/A	N/A	N/A
Malfunction	Malfunction emissions	N/A	N/A	N/A	N/A	N/A	N/A

1. All TBD (to be determined) units and like-kind engine replacements must be evaluated for applicability to NSPS and MACT requirements.

A105 Facility: Control Equipment

A. Table 105 lists all the pollution control equipment required for this facility. Each emission point is identified by the same number that was assigned to it in the permit application.

Table 105: Control Equipment List:

Control Equipment Unit No.	Control Description	Pollutant being controlled	Control for Unit Number(s)[1]
OxCat-1	Oxidation Catalyst	CO, VOC, HAP	ENG-1, ENG-2
OxCat-2	Oxidation Catalyst	CO, VOC, HAP	ENG-4
OxCat-3	Oxidation Catalyst	CO, VOC, HAP	ENG-3
F-400	Tank Flare	VOC, HAP	T-800, T-801
TO-1	Thermal Oxidizer	VOC, HAP, H_2S	AGI SSM events; compressor load balancing (AGI-COMP1, AGI-COMP2
F-7005	Process Flare	VOC, HAP	Intermediate Flash Vessel; AM-1 and DHY-1 flash gas; inlet gas during process upsets
GR-1	Glycol Reboiler	VOC, HAP, H_2S	DHY-1
AR-1	Amine Reboiler	VOC, HAP, H_2S	AM-1
AGI	AGI System w/compressors	H_2S	AM-1, Acid gas from amine unit

1. Control for unit number refers to a unit number from the Regulated Equipment List

A106 Facility: Allowable Emissions

A. The following Section lists the emission units and their allowable emission limits. (40 CFR 50, 40 CFR 60, Subparts A, JJJJ, and OOOOa; 40 CFR 63, Subparts A, HH, and ZZZZ; 20.2.72.210.A and B.1 NMAC).

Table 106.A: Allowable Emissions

Unit No.	NO_x[1] pph	NO_x[1] tpy	CO pph	CO tpy	VOC pph	VOC tpy	SO_2 pph	SO_2 tpy	H_2S pph	H_2S tpy
ENG-1	1.5	6.7	0.4	1.9	0.5	2.3	0.01	0.03	-[3]	-
ENG-2	1.5	6.7	0.4	1.9	0.5	2.3	0.01	0.03	-	-
ENG-3	5.5	24.1	1.8	7.7	0.9	3.9	0.02	0.09	-	-
ENG-4	2.8	12.1	0.7	2.9	1.1	4.6	0.01	0.05	-	-
GEN-1	3.9	17.3	8.1	35.6	2.0	8.8	<[4]	<	-	-

Unit No.	NO_x[1] pph	NO_x[1] tpy	CO pph	CO tpy	VOC pph	VOC tpy	SO_2 pph	SO_2 tpy	H_2S pph	H_2S tpy
GEN-2[2]	3.9	10.6	8.1	22.0	2.0	5.4	<	<	-	-
GEN-3[2]										
GEN-4[2]										
GEN-5[2]										
DHY-1	-	-	-	-	0.3		-	-	0.00001	0.00005
GR-1	0.07	0.3	0.06	0.3	0.004	0.02	0.001	0.002	-	-
T-800	-	-	-	-	0.03	0.1	-	-	0.002	0.007
T-801	-	-	-	-	0.03	0.1	-	-	0.002	0.007
AM-1	-	-	-	-	1.8	8.0	-	-	-	-
AR-1	3.5	15.5	3.0	13.0	0.2	0.9	<	<	-	-
F-7005	0.05	0.2	0.1				0.001	0.002	0.00001	0.00002
F-400	0.01	0.06	0.04	0.2	0.07	0.3	0.001	0.003	0.001	0.005
FUG-1	-	-	-	-	0.3	1.4	-	-	<	<
FUG-2	-	-	-	-	0.2	0.9	-	-	<	<
TO-1	1.1	2.4	0.6	1.4	-	-	116.3	0.2	0.06	0.0001
OIL LOAD-1	-	-	-	-	37.3	2.8	-	-	-	-

1 Nitrogen dioxide emissions include all oxides of nitrogen expressed as NO_2

2 The pph limit applies individually to these four (4) temporary generators (GEN-2 through GEN-5). The tpy limit equals the total Annual Emissions Cap for the (4) temporary generators *combined* (represented as GEN-CAP in the application). Combined total hours of operation for the (4) temporary generators are limited to 5,400 hours/yr. The temporary generators provide power to the AGI system compressors until the site can be connected to the electrical grid, which is expected within six (6) months of start of operation

3 "-" indicates the application represented emissions of this pollutant are not expected.

4 "<" indicates that the application represented the uncontrolled mass emission rates are less than 1.0 pph or 1.0 tpy for this emissions unit and this air pollutant. The Department determined that allowable mass emission limits were not required for this unit and this pollutant.

5 To report excess emissions for sources with no pound per hour and/or ton per year emission limits, see condition B110F.

A107 Facility: Allowable Startup, Shutdown, & Maintenance (SSM) and Malfunction Emissions

A. The maximum allowable SSM and Malfunction emission limits for this facility are listed in Table 107.A and were relied upon by the Department to determine compliance with applicable regulations.

Table 107.A: Allowable SSM and Malfunction Units, Activities, and Emission Limits

Unit No.	Description	NO_x[1] pph	NO_x[1] tpy	CO pph	CO tpy	VOC pph	VOC tpy	SO_2 pph	SO_2 tpy	H_2S pph	H_2S tpy
TO-1 SSM	AGI SSM events controlled by Thermal Oxidizer	4.0	0.01	2.3	0.003	-[3]	-[3]	5814.8	8.7	3.1	0.01
F-7005 SSM	Various SSM gas streams controlled by Process Flare	16.7	0.2	44.7	5.4	125.6	15.1	414.2	49.7	4.5	0.5
Malf	Malfunction	-	-	-	-	-	10.0	-	-	-	-

1. Nitrogen dioxide emissions include all oxides of nitrogen expressed as NO2
2. "-" indicates the application represented emissions are not expected for this pollutant.
3. The acid gas stream to TO-1 should have low amounts of VOC to incinerate, so the emissions coming out of the TO should be almost non-existent for remaining VOC. The TO-1 is represented at 99.0% efficiency.
4. To report excess emissions for sources with no pound per hour and/or ton per year emission limits, see condition B110F.

B. The authorization of emission limits for startup, shutdown, maintenance, and malfunction does not supersede the requirements to minimize emissions according to General Conditions B101.F and B107.A.

C. TO-1 SSM Emissions (AGI SSM events controlled by Thermal Oxidizer, Unit TO-1)

Requirement: Compliance with routine or predictable startup, shutdown, and maintenance (SSM) emission limits in Table 107.A for Unit TO-1 SSM shall be demonstrated by operating the Thermal Oxidizer (TO-1) in accordance with the requirements of Condition A210.A, A210.B, A210.C, A210.D, and A210.E of this permit and completing monitoring and recordkeeping as specified below.

Emissions Due to Preventable Events

Emissions that are due entirely or in part to poor maintenance, careless operation, or any other preventable equipment breakdown shall not be included under SSM emissions limits. These emissions shall be reported as excess emissions in accordance with 20.2.7.110 NMAC.

Monitoring: The permittee shall monitor the parameters of the permitted routine and predictable startups, shutdowns, and scheduled maintenance events required to maintain the recordkeeping requirements below.

Recordkeeping:

(1) The permittee shall maintain records of all calculations and parameters used to determine emission rates in spreadsheet format and in accordance with Condition B109.

Annual: To demonstrate compliance with the permitted tpy emission limits, each month, the permittee shall calculate the monthly total NO_x, CO, SO_2, & H_2S emissions in tpy. During the first 12 months the permittee shall calculate the cumulative total tpy emissions and after the first 12 months, shall calculate the monthly rolling 12-month total tpy emissions.

Hourly: To demonstrate compliance with the permitted pph emission limits, for each hour of thermal oxidation, the permittee shall calculate the total pph NO_x, CO, SO_2, & H_2S emissions using the most recent gas analysis at the time of the event.

(2) Emissions shall be calculated on an event by event basis.

(3) The volume of gas controlled by the Thermal Oxidizer, and a description of the event shall be recorded for each event.

Reporting: The permittee shall report in accordance with Section B110.

D. F-7005 SSM Emissions (SSM gas streams controlled by Process Flare, Unit F-7005)

Requirement: Compliance with routine or predictable startup, shutdown, and maintenance (SSM) emission limits in Table 107.A for Unit F-7005 SSM shall be demonstrated by operating the flare (F-7005) in accordance with the requirements of Condition A206.A, A206.B, and A206.C of this permit and completing monitoring and recordkeeping as specified below.

Emissions Due to Preventable Events

Emissions that are due entirely or in part to poor maintenance, careless operation, or any other preventable equipment breakdown shall not be included under SSM emissions limits. These emissions shall be reported as excess emissions in accordance with 20.2.7.110 NMAC.

Monitoring: The permittee shall monitor the permitted routine and predictable startups, shutdowns, and scheduled maintenance events.

Recordkeeping:

(1) The permittee shall maintain records of all calculations and parameters used to determine emission rates in spreadsheet format and in accordance with Condition B109.

Annual: To demonstrate compliance with the permitted annual tpy emission limits, each month the permittee shall calculate the total monthly tpy NO_x, CO, VOC, SO_2, & H_2S emissions. During the first 12 months the permittee shall calculate the cumulative total tpy emissions and after the first 12 months, shall calculate the monthly rolling 12-month total tpy emissions using the most recent gas analysis at the time of the event.

Hourly: To demonstrate compliance with the permitted pph emission limits, the permittee shall calculate the total pph NO_x, CO, VOC, SO_2, & H_2S emissions for each hour of flaring.

(2) Emissions shall be calculated on an event by event basis.

(3) The volume of gas flared, and a description of the event shall be recorded for each event.

Reporting: The permittee shall report in accordance with Section B110.

E. SSM Flaring Emissions (Units TO-1 SSM and F-7005 SSM)

Requirement: To demonstrate compliance with the pph and tpy emission limits in Table 107.A, the permittee shall perform, calculate, and summarize the monitoring and recordkeeping requirements below.

Monitoring: A gas flowmeter(s) and flow totalizer(s) equipped with a chart recorder or data logger (electronic storage) shall be installed in each flare and each thermal oxidizer line to measure and record the total standard cubic feet (scf) of gas sent to each flare and thermal oxidizer during each hour and for each month to include any pilot, purge, and/or assist gas. Alternatively, flowmeters shall measure pilot fuel gas usage with a flowmeter/totalizer recording hourly and monthly gas usage based on the manufacturer's gas flow specification for each pilot.

The permittee shall measure, the total sulfur content, the VOC content, and the heating value (Btu/scf) of the inlet gas. The heating value shall be calculated using the combined gas stream, including pilot and assist gas, accounting for the differences in heat value between each gas stream component. The total sulfur content, VOC content, and heating value (Btu/scf) of the natural gas sent to each flare and thermal oxidizer shall be measured at least once annually with a gas analysis that measures the total sulfur content.

The flow meter(s), totalizer(s), and if used, the inline monitor shall be operated, calibrated, and maintained as specified by the manufacturer or equivalent and as necessary to ensure correct and accurate readings.

Recordkeeping: The following records shall be kept:

- annual inlet gas analyses,
- hourly and monthly flowmeter and flow totalizer measurements of gas sent to each flare and thermal oxidizer,
- if manufacturer's specifications are used to determine pilot fuel gas flow, the manufacturer's specifications used and the emissions calculations used to determine the pilot fuel flow rate.

Each month, the permittee shall record and summarize in a table format the following:

- percent VOC content
- gas heating value (Btu/scf)
- the maximum hourly gas flow rate (scf/hr) that occurred during the month
- the hourly gas flow rate (scf/hr) for any hours that exceeded any pph emission limit during the month
- monthly, the total month's scf of gas sent to each flare and each thermal oxidizer

- during the first 12-months of monitoring, the cumulative total of gas sent to each flare and each thermal oxidizer (scf/yr)
- after the first 12-months of monitoring, the monthly rolling 12-month total of gas sent to each flare and thermal oxidizer (scf/yr)

Each month, the permittee shall record all routine or predictable startups, shutdowns, and scheduled maintenance events and shall also meet the recordkeeping requirements in General Condition B109 of this permit, except the requirement to record the start and end times of SSM events shall not apply to the venting of known quantities of VOC.

Records of flowmeter, totalizer, and inline monitor certifications, calibrations, breakdowns, reasons for the breakdown, and corrective actions taken shall be maintained.

Each month, to demonstrate compliance with the emission limits, the permittee shall calculate and summarize the maximum pph emission rate, any pph emission rate exceeding the permitted limits, and the ton per year emission rates of NOx, CO, VOC, and SO_2, the following information:

- the total sulfur content, VOC content, and the gas heating value (MMBtu/scf) from the most recent inlet gas analyses
- the emission factors used to calculate NOx and CO
- the maximum hourly gas flow rate (scf/hr)
- the hourly gas flow rate (scf/hr) for any hours that exceeded any pph emission limit during the month
- during the first 12 months of monitoring, the cumulative total of gas sent to each flare and each thermal oxidizer
- after the first 12-months of monitoring, the monthly rolling 12-month total of gas sent to each flare and each thermal oxidizer (scf/yr)

Reporting: The permittee shall report according to Condition B110.

F. Malfunction Emissions (for venting of VOC)

Requirement: The permittee shall perform a facility inlet gas analysis once every year based on a calendar year and complete the following recordkeeping to demonstrate compliance with malfunction (Malfunction) emission limits in Table 107.A.

Monitoring: The permittee shall monitor all malfunction events that result in VOC emissions including identification of the equipment or activity that is the source of the malfunction emissions.

Recordkeeping:

(1) Each month, to demonstrate compliance, records shall be kept of the monthly total VOC emissions due to malfunction events. Monthly, during the first 12 months, records shall be kept of the monthly cumulative total VOC emissions due to malfunction events, and, after the first 12 months, the monthly rolling 12-month total VOC emissions due to malfunction events.

(2) Records shall be kept of the inlet gas analysis, the percent VOC of the gas based on the most recent gas analysis, the total volume of gas vented (in MMscf) used to calculate the VOC

emissions, and whether the emissions resulting from the event will be used toward the permitted malfunction emission limit or whether the event is reported as excess emissions of the pound per hour limits in Table 106.A (or the pound per hour limits in condition B110F, if applicable), under 20.2.7 NMAC.

(3) The permittee shall record the demonstrated compliance in accordance with Condition B109, except the requirement in B109.C to record the start and end times of malfunction events shall not apply to the venting of known quantities of VOC.

Reporting: The permittee shall report in accordance with Section B110.

A108 Facility: Allowable Operations

A. This facility is authorized for continuous operation. Monitoring, recordkeeping, and reporting are not required to demonstrate compliance with continuous hours of operation.

A109 Facility: Reporting Schedules

A. The permittee shall report according to the Specific Conditions and General Conditions of this permit.

A110 Facility: Fuel and Fuel Sulfur Requirements

A. Fuel and Fuel Sulfur Requirements

Requirement: All combustion emission units shall combust only natural gas containing no more than 0.5 grains of total sulfur per 100 dry standard cubic feet.

Monitoring: No monitoring is required. Compliance is demonstrated through records.

Recordkeeping:

(1) The permittee shall demonstrate compliance with the natural gas limit on total sulfur content by maintaining records of a current, valid purchase contract, tariff sheet or transportation contract for the gaseous or liquid fuel, or fuel gas analysis, specifying the allowable limit or less.

(2) If fuel gas analysis is used, the analysis shall not be older than one year.

(3) Alternatively, compliance shall be demonstrated by keeping a receipt or invoice from a commercial fuel supplier, with each fuel delivery, which shall include the delivery date, the fuel type delivered, the amount of fuel delivered, and the maximum sulfur content of the fuel.

Reporting: The permittee shall report in accordance with Section B110.

A111 Facility: 20.2.61 NMAC Opacity

A. 20.2.61 NMAC Opacity Limit (Units ENG-1, ENG-2, ENG-3, ENG-4, GEN-1, GEN-2, GEN-3, GEN-4, GEN-5, AR-1, GR-1, TO-1, F-7005, F-400)

Requirement: Visible emissions from all stationary combustion emission stacks shall not equal or exceed an opacity of 20 percent in accordance with the requirements at 20.2.61.109 NMAC.

Monitoring:

(1) Use of natural gas fuel constitutes compliance with 20.2.61 NMAC unless opacity equals or exceeds 20% averaged over a 10-minute period. When any visible emissions are observed during operation other than during startup mode, opacity shall be measured over a 10-minute period, in accordance with the procedures at 40 CFR 60, Appendix A, Reference Method 9 (EPA Method 9) as required by 20.2.61.114 NMAC, or the operator will be allowed to shut down the equipment to perform maintenance/repair to eliminate the visible emissions. Following completion of equipment maintenance/repair, the operator shall conduct visible emission observations following startup in accordance with the following procedures:

(a) Visible emissions observations shall be conducted over a 10-minute period during operation after completion of startup mode in accordance with the procedures at 40 CFR 60, Appendix A, Reference Method 22 (EPA Method 22). If no visible emissions are observed, no further action is required.

(b) If any visible emissions are observed during completion of the EPA Method 22 observation, subsequent opacity observations shall be conducted over a 10-minute period, in accordance with the procedures at EPA Method 9 as required by 20.2.61.114 NMAC.

For the purposes of this condition, *Startup mode* is defined as the startup period that is described in the facility's startup plan.

Recordkeeping:

(1) If any visible emissions observations were conducted, the permittee shall keep records in accordance with the requirements of Section B109 and as follows:

(a) For any visible emissions observations conducted in accordance with EPA Method 22, record the information on the form referenced in EPA Method 22, Section 11.2.

(b) For any opacity observations conducted in accordance with the requirements of EPA Method 9, record the information on the form referenced in EPA Method 9, Sections 2.2 and 2.4.

Reporting: The permittee shall report in accordance with Section B110.

A112 Facility: Haul Roads – Not Required

A113 Facility: Initial Location Requirements – Not Required

A114 Facility: Relocation Requirements

A. This facility may not be relocated.

A115 Alternative Operating Scenario

A. The permittee shall operate this facility in such manner that all applicable requirements and the requirements of 20.2.72 NMAC are met regardless of what scenario the facility is operating under.

B. AGI System – Compressor Load Balancing (Unit AGI, AGI-COMP1, AGI-COMP2)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by: (1) When compressor load balancing is necessary, during compressor swaps, the residual acid gas vapors trapped in the line between the compressors (AGI-COMP1, AGI-COMP2) shall be vented and combusted in a thermal oxidizer (TO-1). (2) Emissions from the amine still overhead vents shall be routed at all times to the acid gas injection well (AGI) system and controlled with the AGI system except for a) authorized emissions in Section A107, when off gases may be routed to TO-1 during routine or predictable startup, shutdown, and/or maintenance or b) authorized emissions in A115 Alternative Operating Scenario. (3) Thermal Oxidizer emissions shall not exceed permitted emission rates (TO-1) in Table 106.A and Table 107.a, under any scenario. (4) At no time shall amine unit emissions from the still vent or the AGI system be vented directly to the atmosphere.
Monitoring: All AGI system components (including the AGI well, AGI-COMP1, AGI-COMP2, and AGI system pipelines) shall be inspected semi-annually for proper function and operation and to ensure they are operating in accordance with the manufacturer's specifications.
Recordkeeping: (1) Record, chronologically, the name of the person conducting the inspection, the results of all equipment inspections, and any maintenance or repairs needed for the AGI system to be compliant. (2) Maintain a copy of the manufacturer's maintenance recommendations.
Reporting: The permittee shall report in accordance with the requirements of Section B110.

EQUIPMENT SPECIFIC REQUIREMENTS

OIL AND GAS INDUSTRY

A200 Oil and Gas Industry

A. This section has common equipment related to most Oil and Gas Operations.

A201 Engines

A. Maintenance and Repair Monitoring (Units GEN-1, GEN-2, GEN-3, GEN-4, GEN-5)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by properly maintaining and repairing the units.
Monitoring: Maintenance and repair shall meet the minimum manufacturer's or permittee's recommended maintenance schedule. Activities that involve maintenance, adjustment, replacement, or repair of functional components with the potential to affect the operation of an emission unit shall be documented as they occur for the following events: (1) Routine maintenance that takes a unit out of service for more than two hours during any twenty-four-hour period. (2) Unscheduled repairs that require a unit to be taken out of service for more than two hours in any twenty-four-hour period.
Recordkeeping: The permittee shall maintain records in accordance with Section B109, including records of maintenance and repairs activities and a copy of the manufacturer's or permittee's recommended maintenance schedule.
Reporting: The permittee shall report in accordance with Section B110.

B. Periodic Emissions Testing (Units ENG-1, ENG-2, ENG-3, ENG-4; GEN-1, GEN-2, GEN-3, GEN-4, GEN-5)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by completing periodic emission tests during the monitoring period.
Monitoring: The permittee shall test using a portable analyzer or EPA Reference Methods subject to the requirements and limitations of Section B108, General Monitoring Requirements. Emission testing is required for NOx and CO and shall be carried out as described below. Test results that demonstrate compliance with the CO emission limits shall also be considered to demonstrate compliance with the VOC emission limits. For units with g/hp-hr emission limits, in addition to the requirements stated in Section B108, the engine load shall be calculated by using the following equation:

Load(Hp) = Fuel consumption (scfh) x Measured fuel heating value (LHV btu/scf) / Manufacturer's rated BSFC (btu/bhp-hr) at 100% load or best efficiency

(1) The testing shall be conducted as follows:
(a) Testing frequency shall be once per quarter for ENG-1, ENG-2, ENG-3, ENG-4.
Testing frequency shall be once per year for GEN-1, GEN-2, GEN-3, GEN-4, GEN-5.

(b) The monitoring period is defined as a calendar quarter, for ENG-1, ENG-2, ENG-3, ENG-4.
The monitoring period is defined as a calendar year, for GEN-1, GEN-2, GEN-3, GEN-4, GEN-5.

(2) The first test shall occur within the first monitoring period occurring after permit issuance.
(3) All subsequent monitoring shall occur in each succeeding monitoring period. No two monitoring events shall occur closer together in time than 25% of a monitoring period.

(4) The permittee shall follow the General Testing Procedures of Section B111.

(5) Performance testing required by 40 CFR 60, Subpart JJJJ or 40 CFR 63, Subpart ZZZZ may be used to satisfy these periodic testing requirements if they meet the requirements of this condition and are completed during the specified monitoring period.

Recordkeeping: The permittee shall maintain records in accordance with Section B109, B110, and B111.

Reporting: The permittee shall report in accordance with Section B109, B110, and B111.

C. Initial Compliance Test (Units ENG-1, ENG-2, ENG-3, ENG-4; GEN-1, GEN-2, GEN-3, GEN-4, GEN-5)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by performing an initial compliance test.

Monitoring: The permittee shall perform an initial compliance test in accordance with the General Testing Requirements of Section B111. Emission testing is required for NOx and CO. Test results that demonstrate compliance with the CO emission limits shall also be considered to demonstrate compliance with the VOC emission limits.
The monitoring exemptions of Section B108 do not apply to this requirement.

For units with g/hp-hr emission limits, the engine load shall be calculated by using the following equation:
Load(Hp) = Fuel consumption (scfh) x Measured fuel heating value (LHV btu/scf) / Manufacturer's rated BSFC (btu/bhp-hr) at 100% load or best efficiency

Recordkeeping: The permittee shall maintain records in accordance with the applicable Sections in B109, B110, and B111.

Reporting: The permittee shall report in accordance with the applicable Sections in B109, B110, and B111.

D. Catalytic Converter Operation (Units ENG-1, ENG-2, ENG-3, ENG-4)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by equipping and operating oxidation catalytic converters to control CO, VOC, and HAP emissions. Engines equipped with oxidation catalysts are not required to operate with an AFR. The permittee shall maintain the units according to manufacturer's or supplier's recommended maintenance, including replacement of oxygen sensor as necessary for oxygen-based controllers.
Monitoring: Each unit shall be operated with the catalytic converter, which includes catalyst maintenance periods. During periods of catalyst maintenance, the permittee shall either (1) shut down the engine; or (2) replace the catalyst with a functionally equivalent spare to allow the engine to remain in operation.
Recordkeeping: The permittee shall maintain records in accordance with Section B109.
Reporting: The permittee shall report in accordance with Section B110.

E. 40 CFR 60, Subpart JJJJ (Units ENG-1, ENG-2, ENG-3, ENG-4; GEN-1, GEN-2, GEN-3, GEN-4, GEN-5)

Requirement: The units will be subject to 40 CFR 60, Subparts A and JJJJ if the units are constructed (ordered) and manufactured after the applicability dates in 40 CFR 60.4230 and the permittee shall comply with the notification requirements in Subpart A and the specific requirements of Subpart JJJJ.
Monitoring: The permittee shall comply with all applicable monitoring requirements in 40 CFR 60, Subpart A and Subpart JJJJ, including but not limited to 60.4243.
Recordkeeping: The permittee shall comply with all applicable recordkeeping requirements in 40 CFR 60, Subpart A and Subpart JJJJ, including but not limited to 60.4245.
Reporting: The permittee shall comply with all applicable reporting requirements in 40 CFR 60, Subpart A and Subpart JJJJ, including but not limited to 60.4245.

F. 40 CFR 63, Subpart ZZZZ (Units ENG-1, ENG-2, ENG-3, ENG-4; GEN-1, GEN-2, GEN-3, GEN-4, GEN-5)

Requirement: The units will be subject to 40 CFR 63, Subparts A and ZZZZ if they meet the applicability criteria in 40 CFR 63.6590. The permittee shall comply with any applicable notification requirements in Subpart A and any specific requirements of Subpart ZZZZ.
Monitoring: The permittee shall comply with all applicable monitoring requirements of 40 CFR 63, Subpart A and Subpart ZZZZ.
Recordkeeping: The permittee shall comply with all applicable recordkeeping requirements of 40 CFR 63, Subpart A and Subpart ZZZZ, including but not limited to 63.6655 and 63.10.
Reporting: The permittee shall comply with all applicable reporting requirements of 40 CFR 63, Subpart A and ZZZZ, including but not limited to 63.6645, 63.6650, 63.9, and 63.10.

G. Hours of Operation (Units GEN-2, GEN-3, GEN-4, GEN-5)

Requirement: Compliance with the allowable emission limits in Table 106.A, shall be demonstrated by limiting the combined total hours of operation for Units GEN-2, GEN-3, GEN-4, and GEN-5 to 5,400 hours of operation. 1. Units Gen2, Gen3, Gen4, and Gen5 shall each be equipped with a non-resettable, recordable hour meter to measure and record the daily hours of operation. 2. These hours of operation were specified in the permit application and are the basis for the Department's analysis.
Monitoring: The permittee shall monitor the dates and hours of operation for the units.
Recordkeeping: The permittee shall record the hours of operation daily, shall calculate and record the rolling 12-month total hours of operation, and shall meet the recordkeeping requirements in Section B109.
Reporting: The permittee shall report in accordance with Section B110.

H. 40 CFR 60, Subpart OOOOa – (Reciprocating Compressors associated with Units ENG-1, ENG-2, ENG-3, ENG-4)

Requirement: The permittee shall comply with 40 CFR 60, Subparts A and OOOOa if a source is constructed, modified, or reconstructed after the applicability date in 40 CFR 60.5365a; and the permittee shall comply with the notification requirements in Subpart A and the specific requirements of Subpart OOOOa, including standards in 60.5400.
Monitoring: The permittee shall comply with all applicable monitoring requirements in 40 CFR 60, Subpart A and Subpart OOOOa, including but not limited to 60.5410a and 60.5415a(c).
Recordkeeping: The permittee shall comply with all applicable recordkeeping requirements in 40 CFR 60, Subpart A and Subpart OOOOa, including but not limited to 60.5415a(c) and 60.5420a.
Reporting: The permittee shall comply with all applicable reporting requirements in 40 CFR 60, Subpart A and Subpart OOOOa, including but not limited to 60.5420a, and in Section B110.

A202 Glycol Dehydrators

A. Extended Gas Analysis and GRI-GLYCalc calculation (Unit DHY-1)

Requirement: Compliance with the allowable VOC emission limits in Table 106.A shall be demonstrated by conducting an annual extended gas analysis on the dehydrators inlet gas and by calculating emissions using GRI-GLYCalc.
Monitoring: The permittee shall conduct an annual GRI-GlyCalc analysis using the most recent extended gas analysis and verify the input data. The permittee may use a method of calculating dehydrator emissions other than the most current version of GRI-GlyCalc if approved by the Department. Changes in the calculated emissions due solely to a change in the calculation methodology shall not be deemed an exceedance of an emission limit.
Recordkeeping: The permittee shall identify in a summary table all parameters that were used as inputs in the GRI-GLYcalc model. The permittee shall keep a record of the results, noting the

VOC and HAP emission rates for the dehydrator obtained from estimates using GRI-GLYcalc.
Reporting: The permittee shall report in accordance with Section B110.

B. Glycol pump circulation rate (Unit DHY-1)

Requirement: Compliance with the allowable VOC emission limit in Table 106.A shall be demonstrated by monitoring the glycol pump circulation rate for the units and shall not exceed 90 gallons per hour (1.5 gallons per minute).
Monitoring: The permittee shall monitor the circulation rate quarterly based on a calendar quarter (January 1st through March 31st, April 1 through June 30th, July 1st through September 30th, and October 1st through December 31st). Monitoring shall include a calibration visual or audible inspection of pump rate setting.
Recordkeeping: The permittee shall maintain records that include a description of the monitoring and are in accordance with Section B109.
Reporting: The permittee shall report in accordance with Section B110.

C. Control Device Inspection (Units DHY-1, GR-1)

Requirement: Compliance with the allowable VOC emission limits in Table 106.A shall be demonstrated by: (1) The still vent emissions (Unit: DHY-1) shall be routed at all times to the associated condenser. (2) The flash tank vent shall be routed at all times to a process point that allows the off-gas to be recycled and recompressed, and not vented to the atmosphere. (3) All the non-condensed hydrocarbon vapors from the condenser associated with the DHY-1 shall be routed directly to the firebox of the reboiler and/or glowplug (Unit GR-1) or to flare and destroyed. (4) The condenser associated with (Unit: DHY-1), the reboiler (Unit: GR-1), and the glowplug shall be operational at all times the facility is in operation and shall be installed, operated, and maintained according to manufacturers' specifications.
Monitoring: The permittee shall inspect the glycol dehydrator and the control equipment semi-annually to ensure it is operating as initially designed. The permittee shall also inspect that the reboiler is operating as initially designed.
Recordkeeping: The permittee shall record the inspection and the results of all equipment and control device inspections chronologically, noting any maintenance or repairs needed to bring the dehydrator into compliance. The permittee shall maintain a copy of the manufacturer's maintenance recommendations.
Reporting: The permittee shall report in accordance with Section B110.

D. 40 CFR 63, Subpart HH (Unit DHY-1)

Requirement: The unit is subject to 40 CFR 63, Subpart HH and the permittee shall comply with all applicable requirements.
Monitoring: The permittee shall monitor as required by 40 CFR 63.772(b)(2) to demonstrate the facility is

exempt from general standards.

Recordkeeping:
The permittee shall generate and maintain the records as required by 40 CFR 63.774(d)(1)(ii) to demonstrate compliance with the general standard exemptions found in 40 CFR 63.764(e).

Reporting: The permittee shall meet all applicable reporting in 40 CFR 63, Subparts A and HH and in Section B110.

A203 Tanks

A. Crude Oil Tank Throughput (Units T-800 and T-801)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by limiting the monthly rolling 12-month total oil throughput to the facility to 1,441,000 gallons per year (34,310 barrels/year).

Monitoring: The permittee shall monitor the monthly total throughput once per month.

Recordkeeping: The permittee shall record:

(1) the monthly total throughput of liquids to the facility and,

(2) each month the permittee shall use these values to calculate and record:

(a) during the first 12 months of monitoring, the cumulative total liquid throughput and after the first 12 months of monitoring, the monthly rolling 12-month total liquid throughput.

Tank breathing, working, and flashing emissions were calculated using EPA Tanks 4.0.9d. Emission rates computed using the same parameters, but with a different Department approved algorithm that exceed these values will not be deemed non-compliance with this requirement.

Records shall be maintained in accordance with Section B109.

Reporting: The permittee shall report in accordance with Section B110.

B. Flare (Unit F-400): Control Device for Oil Tanks (Units T-800 and T-801)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by:

(1) The permittee shall install, operate, and maintain the flare (Unit F-400) according to the manufacturer's specifications.

(2) The permittee shall ensure that all emissions from the Oil Tanks (Units T-800 and T-801) are at all times routed to a flare (Unit F-400). The permittee shall ensure the Oil Tanks (Units T-800 and T-801) emissions do not vent to the atmosphere. During flare (Unit F-400) downtime, all Units T-800 and T-801 emissions shall be reported as excess emissions under 20.2.7 NMAC.

(3) In the event that a leak or defect is detected, the permittee shall repair the leak or defect as soon as practicable, not to exceed thirty days, and in a manner than minimized emissions to the atmosphere.

Monitoring: The permittee shall monitor the following:

(1) The date, start time, and end time of any downtime and/or maintenance of a flare (Unit F-400).

(2) Monthly, inspect the Oil Tanks (Units T-800 and T-801) for proper routing to a flare (Unit F-400) and inspect the Oil Tanks (Units T-800 and T-801) and the flare (Unit F-400) for defects. Defects include, but are not limited to, visible cracks, holes, or gaps: broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps or other closure devices.
Recordkeeping: (1) The permittee shall record the name of the person conducting the inspection and the results of all monthly equipment inspections, contemporaneously noting any maintenance or repairs needed to bring the Oil Tanks (Units T-800 and T-801) and/or flare (Unit F-400) into compliance with permit conditions. (2) The permittee shall record the date, start time, and end time of any downtime and/or maintenance of a flare (Unit F-400).
Reporting: The permittee shall report in accordance with Section B110.

C. Truck Loading – Crude Oil Loadout (Unit OILLOAD-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by limiting the total annual crude oil loadout volume to 1,441,000 gallons per year (34,310 barrels/year).
Monitoring: The permittee shall monitor the crude oil truck loadout volume on a monthly basis.
Recordkeeping: Each month, the permittee shall record the monthly crude oil truck loadout volume. Each month during the first 12 months of monitoring the permittee shall record the cumulative crude oil loadout volume and after the first 12 months of monitoring, the permittee shall calculate and record the monthly rolling 12-month total loadout volume. Records shall also be maintained in accordance with Section B109.
Reporting: The permittee shall report in accordance with Section B110.

A204 Heaters/Boilers – Not Required

A205 Turbines – Not Required

A206 Flares

A. Flare Flame & Visible Emissions (20.2.61 NMAC) (Units F-7005 and F-400)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by the flare(s) being equipped with a system to ensure that it is operated with a flame present at all times and operated with no visible emissions. The flare is subject to the 20% opacity standards in 20.2.61 NMAC and complying with the no visible emissions requirements demonstrates compliance with 20.2.61 NMAC opacity limit.
Monitoring: **(1) Flare Pilot Flame:** The permittee shall continuously monitor the presence of a flare pilot flame using a thermocouple or any equivalent device approved by the Department and shall be equipped with a continuous recorder and alarm or equivalent, to detect the

presence of a flame.

(2) Visible Emissions: Annually, the permittee shall conduct a visible emissions observation in accordance with the requirements at 40 CFR 60, Appendix A, Reference Method 22 to certify compliance with the no visible emission requirement on the process flare. The observation period is 2 consecutive hours where visible emissions are not to exceed a total of 5 minutes during any 2 consecutive hours.

At least once per year during a blow down event, the permittee shall conduct a visible emissions observation in accordance with the requirements at 40 CFR 60, Appendix A, Reference Method 22 to certify compliance with the no visible emission requirements. Each Method 22 test shall occur for the duration of the blow down event or for 30 minutes, whichever is less. Visible emissions shall not occur for more than 5 minutes during any consecutive 30-minute period. For blowdown events that occur for less than 30 minutes, visible emissions shall not occur for more the 15% during the duration of the blow down event.

Alternatively, if the flare is located at an unmanned site, used only for emergencies, and where there are no scheduled blowdown-maintenance events to observe flare combustion, the permittee shall at a minimum conduct the visible emissions observation in accordance with the requirements of EPA Method 22 on the pilot flame.

Recordkeeping:

(1) Flare Pilot Flame: The permittee shall record all instances of alarm activation, including the date and cause of alarm activation, actions taken to bring the flare into normal operating conditions, and maintenance activities.

(2) **Visible Emissions:** For any visible emissions observations conducted in accordance with EPA Method 22, the permittee shall record the information on the form referenced in EPA Method 22, Section 11.2.

For any visible emissions observations conducted in accordance with EPA Method 22, record the information on the form referenced in EPA Method 22, Section 11.2. If the visible emissions observation was conducted only on the pilot flame, the record shall also include the reasons that the test could not be conducted during a blowdown event.

Reporting: The permittee shall report in accordance with Section B110.

B. Flare Operating Requirement (Units F-7005 and F-400)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by installing, operating, and maintaining the flare in accordance with the manufacturer's specifications.

Monitoring: The permittee shall inspect the flare monthly to ensure they are operating in accordance with the manufacturer's specifications.

Recordkeeping:

(1) Chronologically record: the name of the person conducting the inspection, the results of all equipment inspections, and any maintenance or repairs needed for the flare(s) to be compliant.

(2) Maintain a copy of the manufacturer's maintenance recommendations.

Reporting: The permittee shall report in accordance with the requirements of Section B110.

C. Flare Gas Flow Monitoring and Gas Analysis (Units F-7005 and F-400)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by completing the monitoring, recordkeeping, and reporting required by this condition and Condition A206.D. All flow meters and inline monitors shall meet the minimum data capture and quality assurance requirements of Condition B108.H.

Monitoring:

(1) **Gas Flow Monitoring:**

(a) One or more gas flowmeters equipped with a chart recorder or data logger (electronic storage) shall be installed to continuously monitor the flow (scf) of gas sent to the flare.

(b) Pilot, purge, and assist gas, if applicable, shall be monitored using a gas flowmeter

(a) or determined using manufacturer's specifications or engineering estimates.

(2) **Gas Analysis:**

(a) Once per calendar year, the permittee shall perform a gas analysis, including measurement of the H2S content, total sulfur content, VOC content, and heating value (BTU/scf) of gas sent to the flare for combustion. Gas analyses shall be separated by a minimum of six (6) months.

(b) Alternatively, for H2S only, in lieu of an annual analysis, H2S may be measured quarterly using a stain tube(s) of the appropriate size range or with an inline chemical composition analyzer.

(3) **Calibration:**

(a) Flow meters and inline monitors shall be operated, calibrated, and maintained as specified by Condition B108.H and, if applicable, the site-specific operations and maintenance plan.

Recordkeeping: The following records shall be maintained in accordance with Condition B109.

(1) **Gas Flow:**

(a) Records of continuous flowmeter measurements and the hourly flow rate in scf/hr calculated by averaging a minimum of four (4) equally spaced readings for each hour.

(b) Manufacturer's specifications or engineering estimates used for pilot, purge, and assist (if applicable) gas flow rates.

(2) **Gas Analysis:** All sample documentation received from the laboratory or testing service company, including H2S content, the total sulfur content, the VOC content, and the heating value (BTU/scf), analysis method utilized, and sample chain of custody. If stain tubes are used for measuring H2S content, records of the results, including size range of stain tubes used, the date of the test, and the name of the person conducting the test.

(3) **Calibration:** Records of all flowmeter and inline monitor certifications, calibrations, data capture calculations and documentation as specified by Condition B108.H, as well as any

breakdowns, reasons for the breakdown, and corrective actions. The permittee shall also maintain a copy of the manufacturer specifications for operation and calibration or the site-specific operations and maintenance plan for flowmeters and inline monitors.

Reporting: The permittee shall report in accordance with Section B110.

D. Flare Parametric Monitoring (Units F-7005 and F-400)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by ensuring the flare operates in accordance with the requirements specified in recordkeeping below.

Monitoring: The permittee shall monitor the flare in accordance with Conditions A.206.A - D.

Recordkeeping:

(1) The permittee shall use the information recorded in Condition A.206.C to calculate the flow rate to determine if the facility meets the velocity requirements of this Condition.

(2) The maximum tip velocity of the flare, (Vmax), shall be determined annually, and records kept demonstrating that the actual flare tip velocity does not exceed the allowable Vmax.

The maximum permitted velocity (i.e., the greater of either calculated Vmax, 60 ft/sec or 400 ft/sec, based on method (a), (b), or (c) below) shall be recorded as feet/second and the corresponding total flow rate to the flare in MMscf/hour shall be used to compare to the actual volumetric flow rate (at STP) to demonstrate compliance with the maximum velocity permitted.

Compliance shall be determined utilizing either method (a), (b), or (c) below:

(a) Actual tip velocity less than 60 feet per second (ft/sec) for gases having a lower heating value less than 1000 Btu/ft3 will be in compliance with this requirement.

(b) Actual tip velocity less than 400 ft/sec for gases having a lower heating value greater than 1000 Btu/ft3 will be in compliance with this requirement.

(c) Actual tip velocity less than the calculated maximum velocity (Vmax) using the following equations will be in compliance with this requirement. The calculated Vmax shall be based on the weighted mean heating value of the inlet gas plus supplemental fuel gas.

Vmax of the flare shall be calculated annually and determined using the following equation:

$$\text{Log10 (Vmax)}=(\text{HT} + 28.8)/31.7$$

Vmax=Maximum permitted velocity, M/sec

28.8=Constant

31.7=Constant

HT=The net heating value is determined using the following equation:

$$H_T = K\left[\sum_{i=1}^{n} C_i H_i\right]$$

where:

HT=Net heating value of the sample, MJ/scm; where the net enthalpy per mole of off-gas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C;

$$K = \text{Constant}, 1.740 \times 10^{-7} \left(\frac{1}{ppm}\right)\left(\frac{g\ mole}{scm}\right)\left(\frac{MJ}{kcal}\right)$$

where the standard temperature for $\left(\frac{g\ mole}{scm}\right)$ is 20°C;

Ci=Concentration of sample component "i" in ppm on a wet basis, as measured for organics by Reference Method 18 and measured for hydrogen and carbon monoxide by ASTM D1946-77 or 90 (Reapproved 1994); and

Hi=Net heat of combustion of sample component i, kcal/g mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 or 88 or D4809-95

The maximum permitted velocity, Vmax, for air-assisted flares shall be determined by the following equation:

$$V_{max}=8.706 + 0.7084 (HT)$$

Vmax=Maximum permitted velocity, m/sec

8.706=Constant

0.7084=Constant

HT=The net heating value as determined above.

3) The permittee shall maintain records in accordance with Section B109

Reporting: The permittee shall report in accordance with Section B110.

A207 Sulfur Recovery Unit – Not Required

A208 Amine Unit and Acid Gas Injection Well System

A. Operating and Control Requirements (Unit AM-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by: (1) All amine unit equipment components (including the amine contactor, flash tank(s), amine tanks, amine pumping system, and amine still) shall be inspected semi-annually for proper function and operation. (2) Flash tank emissions shall be recovered and sent to the inlet stream or to the flare at all times. (3) Emissions from the amine still overhead vents shall be routed at all times to the acid gas injection well (AGI) system and controlled with the AGI system except for a) authorized emissions in Section A107, when off gases may be routed to TO-1 during routine or predictable startup, shutdown, and/or maintenance or b) authorized emissions in A115 Alternative Operating Scenario. (4) At no time shall amine unit emissions from the still vent or flash tank be vented directly to the atmosphere.
Monitoring: The permittee shall inspect the thermal oxidizer (TO-1) monthly to ensure it is operating in accordance with the manufacturer's specifications.
Recordkeeping: (1) Chronologically record: the name of the person conducting the inspection, the results of all equipment inspections, and any maintenance or repairs needed for the thermal oxidizer to be compliant. (2) Maintain a copy of the manufacturer's maintenance recommendations.
Reporting: The permittee shall report in accordance with the requirements of Section B110.

B. Limit on Total Amine Overhead Flow (Unit AM-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by ensuring sufficient control of the amine unit overheads by the Acid Gas Injection well (AGI) system, the permittee shall limit sour gas processing to no more than 44 MMscf/d based on an inlet gas flow of 44 MMscf/d. This requirement is based on the maximum inlet capacity per AGI.
Monitoring: The permittee shall monitor the maximum daily volumetric flow rates of off gases from the Amine Unit in scf/d or MMscf/d. The flow meter and totalizer shall be operated, calibrated, and maintained as specified by the manufacturer or equivalent and as necessary to ensure correct and accurate readings.

Recordkeeping: The permittee shall keep records of the daily volumetric flow rates of amine unit off gases and of the flow meter calibrations.
Reporting: The permittee shall report in accordance with Section B110.

C. Acid Gas Injection Well Operation (Units AM-1 and AGI)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by for Amine unit (AM-1) by meeting the following Acid Gas Injection well (AGI) system requirements.

(1) The permittee shall operate at least one Class II acid gas injection well (AGI) that holds a valid permit from the New Mexico Oil and Conservation Division (NMOCD).
(2) At all times, the Amine unit off gases shall be routed to and controlled with the AGI except for a) authorized emissions in Section A107, when off gases are routed to TO-1 during routine or predictable startup, shutdown, and/or maintenance or b) authorized emissions in A115 Alternative Operating Scenario.

(3) Total volumetric flow of acid gases exiting the Amine Unit shall at all times be equal to the sum of acid gas volumetric flows being injected, and/or routed to the thermal oxidizer (TO-1):

Amine Unit exit flow = total injection flow rate + TO-1 inlet flow

(4) Flow from the AGI well head to the thermal oxidizer (TO-1) is not permitted.
(5) If at any time the NMOCD requests a radio-tracer study of the permittee's AGI well, the permittee shall notify the Department of such request made by NMOCD.

Monitoring:
(1) The permittee shall monitor the AGI compressor(s) discharge pressure, the AGI well head pressure, the volume and duration of any flow from the AGI well head to the thermal oxidizer (TO-1), and shall monitor when any AGI well goes offline, the duration of time the well is offline, and when an offline well comes back online.

(2) The permittee shall continuously monitor with a flowmeter the flow of acid gases:
(a) from the Amine Unit,
(b) injected into the AGI, and
(c) sent to the acid gas thermal oxidizer (TO-1).

(3) The flow meter and totalizer shall be operated, calibrated, and maintained as specified by the manufacturer or equivalent and as necessary to ensure correct and accurate readings.

Recordkeeping: The permittee shall maintain these records: (1) Date and time a well goes offline (2) Duration of time a well is offline (3) Date and time a well comes back online (4) Volumetric flow of amine off-gases from the Amine Unit, into the AGI, and to the thermal oxidizer (TO-1) (5) Records of the flow meter calibrations (6) Records of the wellhead and discharge differential pressure, and the volume duration of any flow from the AGI well head to the thermal oxidizer (TO-1)
Reporting: (1) The permittee shall report to the Permit Programs Manager the wellhead and discharge pressures (psig) within 30 days of initial startup of each acid gas injection well. (2) The permittee shall report to the Department when NMOCD requests a radio-tracer study of the permittee's AGI well. (3) The permittee shall report in accordance with Condition B110.

A209 Fugitives

A. 40 CFR 60, Subpart OOOOa – (FUG-1, FUG-2, AGI-COMP1, and AGI-COMP2)

Requirement: The permittee shall comply with 40 CFR 60, Subparts A and OOOOa if a source is constructed, modified, or reconstructed after the applicability date in 40 CFR 60.5365a; and the permittee shall comply with the notification requirements in Subpart A and the specific requirements of Subpart OOOOa, including standards in 60.5398a and 60.5400a.
Monitoring: The permittee shall comply with all applicable monitoring requirements in 40 CFR 60, Subpart A and Subpart OOOOa, including but not limited to 60.5410a and 60.5415a(c).
Recordkeeping: The permittee shall comply with all applicable recordkeeping requirements in 40 CFR 60, Subpart A and Subpart OOOOa, including but not limited to 60.5415a(c) and 60.5420a.
Reporting: The permittee shall comply with all applicable reporting requirements in 40 CFR 60, Subpart A and Subpart OOOOa, including but not limited to 60.5420a, and in Section B110.

A210 Thermal Oxidizer

A. Visible Emissions (20.2.61 NMAC) (Unit TO-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by operating the thermal oxidizer with no visible emissions. The thermal oxidizer is subject to the 20% opacity standards in 20.2.61 NMAC and complying with the no visible emissions requirements demonstrates compliance with 20.2.61 NMAC opacity limit.
Monitoring: Annually, and at any time that visible emissions are observed, the permittee shall conduct a visible emissions observation in accordance with the requirements at 40 CFR 60, Appendix A, Reference Method 22 to certify compliance with the no visible emission requirement. The observation period is at least 2 consecutive hours where visible emissions are not to exceed a total of 5 minutes during any 2 consecutive hours.

Recordkeeping: For any visible emissions observations conducted in accordance with EPA Method 22, the permittee shall record the information on the form referenced in EPA Method 22, Section 11.2.

Reporting: The permittee shall report in accordance with Section B110.

B. Thermal Oxidizer Inspection and Control Efficiency (Unit TO-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by conducting semi-annual operational inspections of the thermal oxidizer to ensure it is operating in accordance with manufacturer's specifications, conducting excess air checks, maintaining a temperature that achieves the design destruction efficiency of 99.9% for VOCs and H_2S, and monitoring unit downtime and malfunction.

Monitoring:

(1) The permittee shall retain the manufacturer's TO-1 specifications and prepare an inspection protocol within 6 months of permit issuance. At a minimum, the protocol shall include methods for inspecting compliance with vendor operating and maintenance guidelines, accepted good industry practices, and operation within the full rate and normal design conditions as defined in the Design Summary and the minimum combustion temperature.

(2) Semi-annually, the permittee shall inspect TO-1 in accordance with the inspection protocol and in accordance with the manufacturer's recommendations.

(3) The permittee shall monitor the minimum combustion temperature continuously, such that the thermal oxidizer achieves the required destruction efficiency and record the temperature once per hour.

Recordkeeping: The permittee shall maintain records including records of all inspections including the name of the person conducting the inspection, the date and any findings or corrective actions required. In addition, the permittee shall maintain records of the date and time of each temperature reading, detail any deficiencies in operation identified, and record any corrective actions taken to restore the control device to operation. The manufacturers recommended maintenance or site-specific maintenance plan, as well as the inspection protocol shall be maintained onsite and submitted to the Department upon request.

Records shall also be maintained in accordance with Section B109.

Reporting: The permittee shall report in accordance with Section B110.

C. Thermal Oxidizer Gas Flow Monitoring and Gas Analysis (Unit TO-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by completing the monitoring, recordkeeping, and reporting required by this condition and condition A210.D. All flow meters and inline monitors shall meet the minimum data capture and quality assurance requirements of Condition B108.H.

Monitoring:

(1) **Gas Flow Monitoring:**

(a) One or more gas flowmeters equipped with a chart recorder or data logger (electronic storage) shall be installed to continuously monitor the flow (scf) of gas sent to the thermal oxidizer in accordance with the requirements of condition B108.H.

(b) Pilot and purge gas shall be monitored using a gas flowmeter under (a) or determined using manufacturer's specifications or engineering estimates.

(2) **Gas Analysis:** Annually, the permittee shall perform a gas analysis including measurement of the H_2S content, total sulfur content, VOC content, and heating value (BTU/scf) of the combined gas stream sent to the thermal oxidizer for combustion. Gas analyses shall be separated by a minimum of 6 months. Alternatively, H_2S shall be measured quarterly using a stain tube(s) of the appropriate size range or with an inline H_2S monitor that meets the requirements of condition B108.H.

(3) **Calibration:** Flow meters and inline monitors shall be operated, calibrated, and maintained as specified by Condition B108.H and, if applicable, the site-specific operations and maintenance plan.

Recordkeeping: The following records shall be maintained in accordance with Condition B109.

(1) **Gas Flow Monitoring:**

(a) Records of continuous flowmeter measurements and the hourly flow rate in scf/hr calculated by averaging *a minimum* of 4 equally spaced readings for each hour shall be maintained.

(b) Manufacturer's specifications or engineering estimates used for pilot, purge, and assist (if applicable) gas flow rates shall be maintained.

(2) **Gas Analysis:** All sample documentation received from the laboratory including H_2S content, the total sulfur content, the VOC content, and the heating value (BTU/scf), analysis method utilized, and sample chain of custody. If stain tubes are used for measuring H_2S content, records of the results including size range of stain tubes used, the date of the test, and the name of the person conducting the test shall be maintained.

(3) **Calibration:** Records of all flowmeter and inline monitor certifications, calibrations, data capture calculations and documentation as specified by Condition B108.H, as well as any breakdowns, reasons for the breakdown, and corrective actions. The permittee shall also maintain a copy of the manufacturer specifications for operation and calibration or the site-specific operations and maintenance plan for flow meters and inline monitors.

Reporting: The permittee shall report in accordance with Condition B110.

D. Thermal Oxidizer Emissions Calculation (Unit TO-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by operating the thermal oxidizer in accordance with the requirements, monitoring, and recordkeeping of Condition A210.C and completing emissions calculations as specified in this condition.

Monitoring: As monitored values from other conditions in this permit shall be used in these calculations, no additional monitoring is required. Compliance is demonstrated through recordkeeping.

Recordkeeping: The permittee shall maintain records of all calculations and parameters used to determine emission rates in spreadsheet format and in accordance with Condition B109.

(1) Hourly Emissions Calculations: The permittee shall calculate the pounds per hour (pph) NOx, CO, VOC, SO_2, and H_2S emission rates using these parameters:

(a) the calculated average hourly flow rate of all gas combusted by the flare including pilot, purge, and assist gas, if applicable, (Condition A210.C(1));

(b) gas analysis including H_2S content, total sulfur content, VOC content, and heating value (BTU/scf) of the gas (Condition A210.C(2));

(c) the TNRCC RG-109 (high Btu; other) emission factors for NOx and AP-42 Tables 13.5-1 and 13.5-2emission factors for NOx and CO emission rates; and

(d) VOC and H_2S emission rates calculated using a destruction efficiency of 99% based on the manufacturers guarantee.

(2) Annual Emissions Calculations: The permittee shall calculate the total ton per year (tpy) emission rates as a monthly rolling 12-month total, using the totaled pph emission rates for each hour of the month:

(a) During the first 12 months of this condition taking effect, the permittee shall record the cumulative total tons of NOx, CO, VOC, SO_2, and H_2S emissions.

(b) After the first 12 months of this condition taking affect, the permittee shall record the monthly rolling 12-month total tpy NOx, CO, VOC, SO_2, and H_2S emissions.

Reporting: The permittee shall report in accordance with Section B110.

E. Process Control Thermal Oxidizer Periodic Emissions Testing (Unit TO-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by completing periodic emission tests for NOx and CO and calculating the destruction efficiency for VOCs and H2S of the thermal oxidizer during the monitoring period.

Monitoring:

NOx and CO: The permittee shall complete an initial compliance test for NOx and CO using

a portable analyzer or EPA Reference Method Test subject to the requirements and limitations of Section B108, General Monitoring Requirements. The initial compliance test shall take place within 180 days of permit issuance.

VOC and H_2S Destruction Efficiency: The permittee shall test using EPA Reference Method 25a or Method 18 subject to the requirements and limitations of Section B108, General Monitoring Requirements. Emission testing is required for un-speciated VOCs pre-control and post-TO (stack). Periodic emissions testing shall be carried out as described below.

Test results for pre-control and post-control VOCs shall be used to calculate the destruction efficiency of the thermal oxidizer at the operating combustion temperature. Compliant destruction efficiency is defined as a percentage equal to or greater than 99.9%. Compliance with the destruction efficiency of 99% for VOCs shall also demonstrate compliance for H_2S.

(1) The testing shall be conducted as follows:
- (a) The first test shall take place within 180 days of permit issuance and thereafter;
- (b) Testing frequency shall be once per year.
- (c) The monitoring period is defined as a calendar year.

(2) All subsequent monitoring shall occur in each succeeding monitoring period. No two monitoring events shall occur closer together in time than 25% of a monitoring period.

(3) The permittee shall follow the General Testing Procedures of Section B111.

Recordkeeping: The permittee shall maintain records in accordance with Section B109, B110, and B111.

Reporting: The permittee shall report in accordance with Section B109, B110, and B111.

PART B GENERAL CONDITIONS (Attached)

PART C MISCELLANEOUS: Supporting On-Line Documents; Definitions; Acronyms (Attached)

AIR QUALITY BUREAU
NEW SOURCE REVIEW PERMIT
Issued under 20.2.72 NMAC

GENERAL CONDITIONS AND MISCELLANEOUS

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PART B GENERAL CONDITIONS

B100 Introduction

A. The Department has reviewed the permit application for the proposed construction/modification/revision and has determined that the provisions of the Act and ambient air quality standards will be met. Conditions have been imposed in this permit to assure continued compliance. 20.2.72.210.D NMAC, states that any term or condition imposed by the Department on a permit is enforceable to the same extent as a regulation of the Environmental Improvement Board.

B101 Legal

A. The contents of a permit application specifically identified by the Department shall become the terms and conditions of the permit or permit revision. Unless modified by conditions of this permit, the permittee shall construct or modify and operate the Facility in accordance with all representations of the application and supplemental submittals that the Department relied upon to determine compliance with applicable regulations and ambient air quality standards. If the Department relied on air quality modeling to issue this permit, any change in the parameters used for this modeling shall be submitted to the Department for review. Upon the Department's request, the permittee shall submit additional modeling for review by the Department. Results of that review may require a permit modification. (20.2.72.210.A NMAC)

B. Any future physical changes, changes in the method of operation or changes in restricted area may constitute a modification as defined by 20.2.72 NMAC, Construction Permits. Unless the source or activity is exempt under 20.2.72.202 NMAC, no modification shall begin prior to issuance of a permit. (20.2.72 NMAC Sections 200.A.2 and E, and 210.B.4)

C. Changes in plans, specifications, and other representations stated in the application documents shall not be made if they cause a change in the method of control of emissions or in the character of emissions, will increase the discharge of emissions or affect modeling results. Any such proposed changes shall be submitted as a revision or modification. (20.2.72 NMAC Sections 200.A.2 and E, and 210.B.4)

D. The permittee shall establish and maintain the property's Restricted Area as identified in plot plan submitted with the application. (20.2.72 NMAC Sections 200.A.2 and E, and 210.B.4)

E. Applications for permit revisions and modifications shall be submitted to:

Program Manager, Permits Section
New Mexico Environment Department

Air Quality Bureau
525 Camino de los Marquez, Suite 1
Santa Fe, NM 87505

F. The owner or operator of a source having an excess emission shall, to the extent practicable, operate the source, including associated air pollution control equipment, in a manner consistent with good air pollutant control practices for minimizing emissions. (20.2.7.109 NMAC). The establishment of allowable malfunction emission limits does not supersede this requirement.

B102 Authority

A. This permit is issued pursuant to the Air Quality Control Act (Act) and regulations adopted pursuant to the Act including Title 20, Chapter 2, Part 72 of the New Mexico Administrative Code (NMAC), (20.2.72 NMAC), Construction Permits and is enforceable pursuant to the Act and the air quality control regulations applicable to this source.

B. The Department is the Administrator for 40 CFR Parts 60, 61, and 63 pursuant to the delegation and exceptions of Section 10 of 20.2.77 NMAC (NSPS), 20.2.78 NMAC (NESHAP), and 20.2.82 NMAC (MACT).

B103 Annual Fee

A. The Department will assess an annual fee for this Facility. The regulation 20.2.75 NMAC set the fee amount at $1,500 through 2004 and requires it to be adjusted annually for the Consumer Price Index on January 1. The current fee amount is available by contacting the Department or can be found on the Department's website. The AQB will invoice the permittee for the annual fee amount at the beginning of each calendar year. This fee does not apply to sources which are assessed an annual fee in accordance with 20.2.71 NMAC. For sources that satisfy the definition of "small business" in 20.2.75.7.F NMAC, this annual fee will be divided by two. (20.2.75.11 NMAC)

B. All fees shall be remitted in the form of a corporate check, certified check, or money order made payable to the "NM Environment Department, AQB" mailed to the address shown on the invoice and shall be accompanied by the remittance slip attached to the invoice.

B104 Appeal Procedures

A. Any person who participated in a permitting action before the Department and who is adversely affected by such permitting action, may file a petition for hearing before the Environmental Improvement Board. The petition shall be made in writing to the

Environmental Improvement Board within thirty (30) days from the date notice is given of the Department's action and shall specify the portions of the permitting action to which the petitioner objects, certify that a copy of the petition has been mailed or hand-delivered and attach a copy of the permitting action for which review is sought. Unless a timely request for hearing is made, the decision of the Department shall be final. The petition shall be copied simultaneously to the Department upon receipt of the appeal notice. If the petitioner is not the applicant or permittee, the petitioner shall mail or hand-deliver a copy of the petition to the applicant or permittee. The Department shall certify the administrative record to the board. Petitions for a hearing shall be sent to: (20.2.72.207.F NMAC)

For Mailing:
Administrator, New Mexico Environmental Improvement Board
P.O. Box 5469
Santa Fe, NM 87502-5469

For Hand Delivery:
Administrator, New Mexico Environmental Improvement Board
1190 St. Francis Drive, Harold Runnels Bldg.
Santa Fe, New Mexico 87505

B105 Submittal of Reports and Certifications

A. Stack Test Protocols and Stack Test Reports shall be submitted electronically to Stacktest.AQB@state.nm.us or as directed by the Department.

B. Excess Emission Reports shall be submitted as directed by the Department. (20.2.7.110 NMAC)

C. Routine reports shall be submitted to the mailing address below, or as directed by the Department:

Manager, Compliance and Enforcement Section
New Mexico Environment Department
Air Quality Bureau
525 Camino de los Marquez, Suite 1
Santa Fe, NM 87505

B106 NSPS and/or MACT Startup, Shutdown, and Malfunction Operations

A. If a facility is subject to a NSPS standard in 40 CFR 60, each owner or operator that installs and operates a continuous monitoring device required by a NSPS regulation shall comply with the excess emissions reporting requirements in accordance with 40 CFR 60.7(c), unless specifically exempted in the applicable subpart.

B. If a facility is subject to a NSPS standard in 40 CFR 60, then in accordance with 40 CFR 60.8(c), emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction shall not be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.

C. If a facility is subject to a MACT standard in 40 CFR 63, then the facility is subject to the requirement for a Startup, Shutdown and Malfunction Plan (SSM) under 40 CFR 63.6(e)(3), unless specifically exempted in the applicable subpart.

B107 Startup, Shutdown, and Maintenance Operations

A. The establishment of permitted startup, shutdown, and maintenance (SSM) emission limits does not supersede the requirements of 20.2.7.14.A NMAC. Except for operations or equipment subject to Condition B106, the permittee shall establish and implement a plan to minimize emissions during routine or predictable start up, shut down, and scheduled maintenance (SSM work practice plan) and shall operate in accordance with the procedures set forth in the plan. (SSM work practice plan) (20.2.7.14.A NMAC)

B108 General Monitoring Requirements

A. These requirements do not supersede or relax requirements of federal regulations.

B. The following monitoring requirements shall be used to determine compliance with applicable requirements and emission limits. Any sampling, whether by portable analyzer or EPA reference method, that measures an emission rate over the applicable averaging period greater than an emission limit in this permit constitutes noncompliance with this permit. The Department may require, at its discretion, additional tests pursuant to EPA Reference Methods at any time, including when sampling by portable analyzer measures an emission rate greater than an emission limit in this permit; but such requirement shall not be construed as a determination that the sampling by portable analyzer does not establish noncompliance with this permit and shall not stay enforcement of such noncompliance based on the sampling by portable analyzer.

C. If the emission unit is shutdown at the time when periodic monitoring is due to be completed, the permittee is not required to restart the unit for the sole purpose of conducting the monitoring. Using electronic or written mail, the permittee shall notify the Department's Compliance and Enforcement Section of a delay in emission tests prior to the deadline for completing the tests. Upon recommencing operation, the permittee shall submit pre-test notification(s) to the Department's Compliance and Enforcement Section and shall complete the monitoring.

D. The requirement for monitoring during any monitoring period is based on the percentage of time that the unit has operated. However, to invoke the monitoring period exemption at B108.D(2), hours of operation shall be monitored and recorded.

(1) If the emission unit has operated for more than 25% of a monitoring period, then the permittee shall conduct monitoring during that period.

(2) If the emission unit has operated for 25% or less of a monitoring period then the monitoring is not required. After two successive periods without monitoring, the permittee shall conduct monitoring during the next period regardless of the time operated during that period, except that for any monitoring period in which a unit has operated for less than 10% of the monitoring period, the period will not be considered as one of the two successive periods.

(3) If invoking the monitoring **period** exemption in B108.D(2), the actual operating time of a unit shall not exceed the monitoring period required by this permit before the required monitoring is performed. For example, if the monitoring period is annual, the operating hours of the unit shall not exceed 8760 hours before monitoring is conducted. Regardless of the time that a unit actually operates, a minimum of one of each type of monitoring activity shall be conducted during any five-year period.

E. For all periodic monitoring events, except when a federal or state regulation is more stringent, three test runs shall be conducted at 90% or greater of the unit's capacity as stated in this permit, or in the permit application if not in the permit, and at additional loads when requested by the Department. If the 90% capacity cannot be achieved, the monitoring will be conducted at the maximum achievable load under prevailing operating conditions except when a federal or state regulation requires more restrictive test conditions. The load and the parameters used to calculate it shall be recorded to document operating conditions and shall be included with the monitoring report.

F. When requested by the Department, the permittee shall provide schedules of testing and monitoring activities. Compliance tests from previous NSR and Title V permits may be re-imposed if it is deemed necessary by the Department to determine whether the source is in compliance with applicable regulations or permit conditions.

G. If monitoring is new or is in addition to monitoring imposed by an existing applicable requirement, it shall become effective 120 days after the date of permit issuance. For emission units that have not commenced operation, the associated new or additional monitoring shall not apply until 120 days after the units commence operation. All pre-existing monitoring requirements incorporated in this permit shall continue to apply from the date of permit issuance.

H. Unless otherwise indicated by Specific Conditions or regulatory requirements, all instrumentation used to measure parameters including but not limited to flow, temperature, pressure and chemical composition, or used to continuously monitor

emission rates and/or other process operating parameters, shall be subject to the following requirements:

(1) The owner or operator shall install, calibrate, operate and maintain monitoring instrumentation (monitor) according to the manufacturer's procedures and specifications and the following requirements.

(a) The monitor shall be located in a position that provides a representative measurement of the parameter that is being monitored.

(b) At a minimum, the monitor shall complete one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(c) At a minimum, the monitor shall be spanned to measure the normal range +/- 5% of the parameter that is being monitored.

(d) At least semi-annually, perform a visual inspection of all components of the monitor for physical and operational integrity and all electrical connections for oxidation and galvanic corrosion.

(e) Recalibrate the monitor in accordance with the manufacturer's procedures and specifications at the frequency specified by the manufacturer, or every two years, whichever is less.

(2) Except for malfunctions, associated repairs, and required quality assurance or control activities (including calibration checks and required zero and span adjustments), the permittee shall operate and maintain all monitoring equipment at all times that the emissions unit or the associated process is operating.

(3) The monitor shall measure data for a minimum of 90 percent of the time that the emissions unit or the associated process is in operation, based on a calendar monthly average.

(4) The owner or operator shall maintain records in accordance with Section B109 to demonstrate compliance with the requirements in B108H (1)-(3) above, as applicable.

B109 General Recordkeeping Requirements

A. The permittee shall maintain records to assure and verify compliance with the terms and conditions of this permit and any other applicable requirements that become effective after permit issuance. The minimum information to be included in these records is as follows:

(1) Records required for testing and sampling:

(a) equipment identification (include make, model and serial number for all tested equipment and emission controls)

(b) date(s) and time(s) of sampling or measurements

(c) date(s) analyses were performed

(d) the qualified entity that performed the analyses

(e) analytical or test methods used

(f) results of analyses or tests

(g) operating conditions existing at the time of sampling or measurement

(2) Records required for equipment inspections and/or maintenance required by this permit:

(a) equipment identification number (including make, model and serial number)

(b) date(s) and time(s) of inspection, maintenance, and/or repair

(c) date(s) any subsequent analyses were performed (if applicable)

(d) name of the person or qualified entity conducting the inspection, maintenance, and/or repair

(e) copy of the equipment manufacturer's or the owner or operator's maintenance or repair recommendations (if required to demonstrate compliance with a permit condition)

(f) description of maintenance or repair activities conducted

(g) all results of any required parameter readings

(h) a description of the physical condition of the equipment as found during any required inspection

(i) results of required equipment inspections including a description of any condition which required adjustment to bring the equipment back into compliance and a description of the required adjustments

B. Except as provided in the Specific Conditions, records shall be maintained on-site or at the permittee's local business office for a minimum of two (2) years from the time of recording and shall be made available to Department personnel upon request. Sources subject to 20.2.70 NMAC "Operating Permits" shall maintain records on-site for a minimum of five (5) years from the time of recording.

C. Unless otherwise indicated by Specific Conditions, the permittee shall keep the following records for malfunction emissions and routine or predictable emissions during startup, shutdown, and scheduled maintenance (SSM):

(1) The owner or operator of a source subject to a permit shall establish and implement a plan to minimize emissions during routine or predictable startup, shutdown, and scheduled maintenance through work practice standards and good air pollution control practices. This requirement shall not apply to any affected facility defined in and subject to an emissions standard and an equivalent plan under 40 CFR Part 60 (NSPS), 40 CFR Part 63 (MACT), or an equivalent plan under 20.2.72 NMAC - Construction Permits, 20.2.70 NMAC - Operating Permits, 20.2.74 NMAC -

Permits - Prevention of Significant Deterioration (PSD), or 20.2.79 NMAC - Permits - Nonattainment Areas. The permittee shall keep records of all sources subject to the plan to minimize emissions during routine or predictable SSM and shall record if the source is subject to an alternative plan and therefore, not subject to the plan requirements under 20.2.7.14.A NMAC.

(2) If the facility has allowable SSM emission limits in this permit, the permittee shall record all SSM events, including the date, the start time, the end time, a description of the event, and a description of the cause of the event. This record also shall include a copy of the manufacturer's, or equivalent, documentation showing that any maintenance qualified as scheduled. Scheduled maintenance is an activity that occurs at an established frequency pursuant to a written protocol published by the manufacturer or other reliable source. The authorization of allowable SSM emissions does not supersede any applicable federal or state standard. The most stringent requirement applies.

(3) If the facility has allowable malfunction emission limits in this permit, the permittee shall record all malfunction events to be applied against these limits. The permittee shall also include the date, the start time, the end time, and a description of the event. **Malfunction means** any sudden and unavoidable failure of air pollution control equipment or process equipment beyond the control of the owner or operator, including malfunction during startup or shutdown. A failure that is caused entirely or in part by poor maintenance, careless operation, or any other preventable equipment breakdown shall not be considered a malfunction. (20.2.7.7.E NMAC) The authorization of allowable malfunction emissions does not supersede any applicable federal or state standard. The most stringent requirement applies. This authorization only allows the permittee to avoid submitting reports under 20.2.7 NMAC for total annual emissions that are below the authorized malfunction emission limit.

(4) The owner or operator of a source shall meet the operational plan defining the measures to be taken to mitigate source emissions during malfunction, startup or shutdown. (20.2.72.203.A(5) NMAC)

B110 General Reporting Requirements

(20.2.72 NMAC Sections 210 and 212)

A. Records and reports shall be maintained on-site or at the permittee's local business office unless specifically required to be submitted to the Department or EPA by another condition of this permit or by a state or federal regulation. Records for unmanned sites may be kept at the nearest business office.

B. The permittee shall notify the Department's Compliance Reporting Section using the current Submittal Form posted to NMED's Air Quality web site under Compliance and Enforcement/Submittal Forms in writing of, or provide the Department with (20.2.72.212.A and B):

(1) the anticipated date of initial startup of each new or modified source not less than thirty (30) days prior to the date. Notification may occur prior to issuance of the permit, but actual startup shall not occur earlier than the permit issuance date;

(2) after receiving authority to construct, the equipment serial number as provided by the manufacturer or permanently affixed if shop-built and the actual date of initial startup of each new or modified source within fifteen (15) days after the startup date; and

(3) the date when each new or modified emission source reaches the maximum production rate at which it will operate within fifteen (15) days after that date.

C. The permittee shall notify the Department's Permitting Program Manager, in writing of, or provide the Department with (20.2.72.212.C and D):

(1) any change of operators or any equipment substitutions within fifteen (15) days of such change;

(2) any necessary update or correction no more than sixty (60) days after the operator knows or should have known of the condition necessitating the update or correction of the permit.

D. Results of emission tests and monitoring for each pollutant (except opacity) shall be reported in pounds per hour (unless otherwise specified) and tons per year. Opacity shall be reported in percent. The number of significant figures corresponding to the full accuracy inherent in the testing instrument or Method test used to obtain the data shall be used to calculate and report test results in accordance with 20.2.1.116.B and C NMAC. Upon request by the Department, CEMS and other tabular data shall be submitted in editable, MS Excel format.

E. The permittee shall submit reports of excess emissions in accordance with 20.2.7.110.A NMAC.

F. Allowable Emission Limits for Excess Emissions Reporting for Flares and Other Regulated Sources with No Pound per Hour (pph) and/or Ton per Year (tpy) Emission Limits.

(1) When a flare has no allowable pph and/or tpy emission limits in Sections A106 and/or A107, the authorized allowable emissions include only the combustion of pilot and/or purge gas. Compliance is demonstrated by limiting the gas stream to the flare to only pilot and/or purge gas.

(2) For excess emissions reporting as required by 20.2.7 NMAC, the allowable emission limits are 1.0 pph and 1.0 tpy for each regulated air pollutant (except for H2S) emitted by that source as follows:

(a) For flares, when there are no allowable emission limits in Sections A106 and/or A107.

(b) For regulated sources with emission limits in Sections A106 or A107 represented by the less than sign ("<").

(c) For regulated sources that normally would not emit any regulated air pollutants, including but not limited to vents, pressure relief devices, connectors, etc.

(3) For excess emissions reporting as required by 20.2.7 NMAC for H2S, the allowable limits are 0.1 pph and 0.44 tpy for each applicable scenario addressed in paragraph (2) above.

B111 General Testing Requirements

Unless otherwise indicated by Specific Conditions or regulatory requirements, the permittee shall conduct testing in accordance with the requirements in Sections B111A, B, C, D and E, as applicable.

A. Initial Compliance Tests

The permittee shall conduct initial compliance tests in accordance with the following requirements:

(1) Initial compliance test requirements from previous permits (if any) are still in effect, unless the tests have been satisfactorily completed. Compliance tests may be re-imposed if it is deemed necessary by the Department to determine whether the source is in compliance with applicable regulations or permit conditions. (20.2.72 NMAC Sections 210.C and 213)

(2) Initial compliance tests shall be conducted within sixty (60) days after the unit(s) achieve the maximum normal production rate. If the maximum normal production rate does not occur within one hundred twenty (120) days of source startup, then the tests must be conducted no later than one hundred eighty (180) days after initial startup of the source.

(3) The default time period for each test run shall be **at least** 60 minutes and each performance test shall consist of three separate runs using the applicable test method. For the purpose of determining compliance with an applicable emission limit, the arithmetic mean of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Department approval, be determined using the arithmetic mean of the results of the two other runs.

(4) Testing of emissions shall be conducted with the emissions unit operating at 90 to 100 percent of the maximum operating rate allowed by the permit. If it is not possible to test at that rate, the source may test at a lower operating rate

(5) Testing performed at less than 90 percent of permitted capacity will limit emission unit operation to 110 percent of the tested capacity until a new test is conducted.

(6) If conditions change such that unit operation above 110 percent of tested capacity is possible, the source must submit a protocol to the Department within 30 days of such change to conduct a new emissions test.

B. EPA Reference Method Tests

The test methods in Section B111.B(1) shall be used for all initial compliance tests and all Relative Accuracy Test Audits (RATAs), and shall be used if a permittee chooses to use EPA test methods for periodic monitoring. Test methods that are not listed in Section B111.B(1) may be used in accordance with the requirements at Section B111.B(2).

(1) All compliance tests required by this permit shall be conducted in accordance with the requirements of CFR Title 40, Part 60, Subpart A, General Provisions, and the following EPA Reference Methods as specified by CFR Title 40, Part 60, Appendix A:

(a) Methods 1 through 4 for stack gas flowrate

(b) Method 5 for particulate matter (PM)

(c) Method 6C SO_2

(d) Method 7E for NO_X (test results shall be expressed as nitrogen dioxide (NO_2) using a molecular weight of 46 lb/lb-mol in all calculations (each ppm of NO/NO_2 is equivalent to 1.194 x 10-7 lb/SCF)

(e) Method 9 for visual determination of opacity

(f) Method 10 for CO

(g) Method 19 for particulate, sulfur dioxide and nitrogen oxides emission rates. In addition, Method 19 may be used in lieu of Methods 1-4 for stack gas flowrate. The permittee shall provide a contemporaneous fuel gas analysis (preferably on the day of the test, but no earlier than three months prior to the test date) and a recent fuel flow meter calibration certificate (within the most recent quarter) with the final test report.

(h) Method 7E or 20 for Turbines per §60.335 or §60.4400

(i) Method 22 for visual determination of fugitive emissions from material sources and smoke emissions from flares

(j) Method 25A for VOC reduction efficiency

(k) Method 29 for Metals

(l) Method 30B for Mercury from Coal-Fired Combustion Sources Using Carbon Sorbent Traps

(m) Method 201A for filterable PM_{10} and $PM_{2.5}$

(n) Method 202 for condensable PM

(o) Method 320 for organic Hazardous Air Pollutants (HAPs)

(2) Permittees may propose test method(s) that are not listed in Section B111.B(1). These methods may be used if prior approval is received from the Department.

C. Periodic Monitoring and Portable Analyzer Requirements for the Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters

Periodic emissions tests (periodic monitoring) shall be conducted in accordance with the following requirements:

(1) Periodic emissions tests may be conducted in accordance with EPA Reference Methods or by utilizing a portable analyzer. Periodic monitoring utilizing a portable analyzer shall be conducted in accordance with the requirements of the current version of ASTM D 6522. However, if a facility has met a previously approved Department criterion for portable analyzers, the analyzer may be operated in accordance with that criterion until it is replaced.

(2) The default time period for each test run shall be **at least** 20 minutes.

Each performance test shall consist of three separate runs. The arithmetic mean of results of the three runs shall be used to determine compliance with the applicable emission limit.

(3) Testing of emissions shall be conducted in accordance with the requirements at Section B108.E.

(4) 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 Reference Method 19. This information shall be included with the test report furnished to the Department.

(5) Stack gas flow rate shall be calculated in accordance with Reference Method 19 utilizing fuel flow rate (scf) determined by a dedicated fuel flow meter and fuel heating value (Btu/scf). The permittee shall provide a contemporaneous fuel gas analysis (preferably on the day of the test, but no earlier than three months prior to 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 EPA Reference Methods 1-4.

(6) The permittee shall submit a notification and protocol for periodic emissions tests upon the request of the Department.

D. Initial Compliance Test and RATA Procedures

Permittees required to conduct initial compliance tests and/or RATAs shall comply with the following requirements:

(1) The permittee shall submit a notification and test protocol to the Department's Program Manager, Compliance and Enforcement Section, at least thirty (30) days before the test date and allow a representative of the Department to be present at the test. Proposals to use test method(s) that are not listed in Section B111.B(1) (if applicable) shall be included in this notification.

(2) Contents of test notifications, protocols and test reports shall conform to the format specified by the Department's Universal Test Notification, Protocol and Report Form and Instructions. Current forms and instructions are posted to NMED's Air Quality web site under Compliance and Enforcement Testing.

(3) The permittee shall provide (a) sampling ports adequate for the test methods applicable to the facility, (b) safe sampling platforms, (c) safe access to sampling platforms and (d) utilities for sampling and testing equipment.

(4) Where necessary to prevent cyclonic flow in the stack, flow straighteners shall be installed

E. General Compliance Test Procedures

The following requirements shall apply to all initial compliance and periodic emissions tests and all RATAs:

(1) Equipment shall be tested in the "as found" condition. Equipment may not be adjusted or tuned prior to any test for the purpose of lowering emissions, and then returned to previous settings or operating conditions after the test is complete.

(2) The stack shall be of sufficient height and diameter and the sample ports shall be located so that a representative test of the emissions can be performed in accordance with the requirements of EPA Reference Method 1 or the current version of ASTM D 6522, as applicable.

(3) Test reports shall be submitted to the Department no later than 30 days after completion of the test.

B112 Compliance

A. The Department shall be given the right to enter the facility at all reasonable times to verify the terms and conditions of this permit. Required records shall be organized by date and subject matter and shall at all times be readily available for inspection. The permittee, upon verbal or written request from an authorized representative of the Department who appears at the facility, shall immediately produce for inspection or copying any records required to be maintained at the facility. Upon written request at other times, the permittee shall deliver to the Department paper or electronic copies of any and all required records maintained on site or at an off-site location. Requested records shall be copied and delivered at the permittee's expense within three business days from receipt of request unless the Department allows additional time. Required records may include records required by permit and other information necessary to

demonstrate compliance with terms and conditions of this permit. (NMSA 1978, Section 74-2-13)

B. A copy of the most recent permit(s) issued by the Department shall be kept at the permitted facility or (for unmanned sites) at the nearest company office and shall be made available to Department personnel for inspection upon request. (20.2.72.210.B.4 NMAC)

C. Emissions limits associated with the energy input of a Unit, i.e. lb/MMBtu, shall apply at all times unless stated otherwise in a Specific Condition of this permit. The averaging time for each emissions limit, including those based on energy input of a Unit (i.e. lb/MMBtu) is one (1) hour unless stated otherwise in a Specific Condition of this permit or in the applicable requirement that establishes the limit.

B113 Permit Cancellation and Revocation

A. The Department may revoke this permit if the applicant or permittee has knowingly and willfully misrepresented a material fact in the application for the permit. Revocation will be made in writing, and an administrative appeal may be taken to the Secretary of the Department within thirty (30) days. Appeals will be handled in accordance with the Department's Rules Governing Appeals From Compliance Orders.

B. The Department shall automatically cancel any permit for any source which ceases operation for five (5) years or more, or permanently. Reactivation of any source after the five (5) year period shall require a new permit. (20.2.72 NMAC)

C. The Department may cancel a permit if the construction or modification is not commenced within two (2) years from the date of issuance or if, during the construction or modification, work is suspended for a total of one (1) year. (20.2.72 NMAC)

B114 Notification to Subsequent Owners

A. The permit and conditions apply in the event of any change in control or ownership of the Facility. No permit modification is required in such case. However, in the event of any such change in control or ownership, the permittee shall notify the succeeding owner of the permit and conditions and shall notify the Department’s Program Manager, Permits Section of the change in ownership within fifteen (15) days of that change. (20.2.72.212.C NMAC)

B. Any new owner or operator shall notify the Department’s Program Manager, Permits Section, within thirty (30) days of assuming ownership, of the new owner’s or operator’s name and address. (20.2.73.200.E.3 NMAC)

B115 Asbestos Demolition

A. Before any asbestos demolition or renovation work, the permittee shall determine whether 40 CFR 61 Subpart M, National Emissions Standards for Asbestos applies. If required, the permittee shall notify the Department's Program Manager, Compliance and Enforcement Section using forms furnished by the Department.

B116 Short Term Engine Replacement

A. The following Alternative Operating Scenario (AOS) addresses engine breakdown or periodic maintenance and repair, which requires the use of a short term replacement engine. The following requirements do not apply to engines that are exempt per 20.2.72.202.B(3) NMAC. Changes to exempt engines must be reported in accordance with 20.2.72.202.B NMAC. A short term replacement engine may be substituted for any engine allowed by this permit for no more than 120 days in any rolling twelve month period per permitted engine. The compliance demonstrations required as part of this AOS are in addition to any other compliance demonstrations required by this permit.

(1) The permittee may temporarily replace an existing engine that is subject to the emission limits set forth in this permit with another engine regardless of manufacturer, model, and horsepower without modifying this permit. The permittee shall submit written notification to the Department within 15 days of the date of engine substitution according to condition B110.C(1).

(a) The potential emission rates of the replacement engine shall be determined using the replacement engine's manufacturer specifications and shall comply with the existing engine's permitted emission limits.

(b) The direction of the exhaust stack for the replacement engine shall be either vertical or the same direction as for the existing engine. The replacement engine's stack height and flow parameters shall be at least as effective in the dispersion of air pollutants as the modeled stack height and flow parameters for the existing permitted engine. The following equation may be used to show that the replacement engine disperses pollutants as well as the existing engine. The value calculated for the replacement engine on the right side of the equation shall be equal to or greater than the value for the existing engine on the left side of the equation. The permitting page of the Air Quality Bureau website contains a spreadsheet that performs this calculation.

EXISTING ENGINE REPLACMENT ENGINE

$$\frac{[(g) \times (h1)] + [(v1)^2/2] + [(c) \times (T1)]}{q1} <= \frac{[(g) \times (h2)] + [(v2)^2/2] + [(c) \times (T2)]}{q2}$$

Where
g = gravitational constant = 32.2 ft/sec^2
h1 = existing stack height, feet
v1 = exhaust velocity, existing engine, feet per second
c = specific heat of exhaust, 0.28 BTU/lb-degree F
T1 = absolute temperature of exhaust, existing engine = degree F + 460
q1 = permitted allowable emission rate, existing engine, lbs/hour
h2 = replacement stack height, feet
v2 = exhaust velocity, replacement engine, feet per second
T2 = absolute temperature of exhaust, replacement engine = degree F + 460
q2 = manufacturer's potential emission rate, replacement engine, lbs/hour

The permittee shall keep records showing that the replacement engine is at least as effective in the dispersion of air pollutants as the existing engine.

(c) Test measurement of NOx and CO emissions from the temporary replacement engine shall be performed in accordance with Section B111 with the exception of Condition B111A(2) and B111B for EPA Reference Methods Tests or Section B111C for portable analyzer test measurements. Compliance test(s) shall be conducted within fifteen (15) days after the unit begins operation, and records of the results shall be kept according to section B109.B. This test shall be performed even if the engine is removed prior to 15 days on site.

i. These compliance tests are not required for an engine certified under 40CFR60, subparts IIII, or JJJJ, or 40CFR63, subpart ZZZZ if the permittee demonstrates that one of these requirements causes such engine to comply with all emission limits of this permit. The permittee shall submit this demonstration to the Department within 48 hours of placing the new unit into operation. This submittal shall include documentation that the engine is certified, that the engine is within its useful life, as defined and specified in the applicable requirement, and shall include calculations showing that the applicable emissions standards result in compliance with the permit limits.

ii. These compliance tests are not required if a test was conducted by portable analyzer or by EPA Method test (including any required by 40CFR60, subparts IIII and JJJJ and 40CFR63, subpart ZZZZ) within the last 12 months. These previous tests are valid only if conducted at the same or lower elevation as the existing engine location prior to commencing operation as a temporary replacement. A copy of the test results shall be kept according to section B109.B.

(d) Compliance tests for NOx and CO shall be conducted if requested by the Department in writing to determine whether the replacement engine is in compliance with applicable regulations or permit conditions.

(e) Upon determining that emissions data developed according to B116.A.1(c) fail to indicate compliance with either the NOx or CO emission limits, the permittee shall notify the Department within 48 hours. Also within that time, the permittee shall implement one of the following corrective actions:

i. The engine shall be adjusted to reduce NOx and CO emissions and tested per B116.A.1(c) to demonstrate compliance with permit limits.

ii. The engine shall discontinue operation or be replaced with a different unit.

(2) Short term replacement engines, whether of the same manufacturer, model, and horsepower, or of a different manufacturer, model, or horsepower, are subject to all federal and state applicable requirements, regardless of whether they are set forth in this permit (including monitoring and recordkeeping), and shall be subject to any shield afforded by this permit.

(3) The permittee shall maintain a contemporaneous record documenting the unit number, manufacturer, model number, horsepower, emission factors, emission test results, and serial number of any existing engine that is replaced, and the replacement engine. Additionally, the record shall document the replacement duration in days, and the beginning and end dates of the short term engine replacement.

(4) The permittee shall maintain records of a regulatory applicability determination for each replacement engine (including 40CFR60, subparts IIII and JJJJ and 40CFR63, subpart ZZZZ) and shall comply with all associated regulatory requirements.

B. Additional requirements for replacement of engines at sources that are major as defined in regulation 20.2.74 NMAC, Permits – Prevention of Significant Deterioration, section 7.AG. For sources that are major under PSD, the total cumulative operating hours of the replacement engine shall be limited using the following procedure:

(1) Daily, the actual emissions from the replacement engine(s) of each pollutant regulated by this permit for the existing engine shall be calculated and recorded.

(2) The sum of the total actual emissions since the commencement of operation of the replacement engine(s) shall not equal or exceed the significant emission rates in Table 2 of 20.2.74 NMAC, section 502 for the time that the replacement engine is located at the facility.

C. All records required by this section shall be kept according to section B109.

PART C MISCELLANEOUS

C100 Supporting On-Line Documents

A. Copies of the following documents can be downloaded from NMED's web site under Compliance and Enforcement or requested from the Bureau.

(1) Excess Emission Form (for reporting deviations and emergencies)

(2) Universal Stack Test Notification, Protocol and Report Form and Instructions

C101 Definitions

A. **"Daylight"** is defined as the time period between sunrise and sunset, as defined by the Astronomical Applications Department of the U.S. Naval Observatory. (Data for one day or a table of sunrise/sunset for an entire year can be obtained at http://aa.usno.navy.mil/. Alternatively, these times can be obtained from a Farmer's Almanac or from http://www.almanac.com/rise/).

B. **"Decommission"** and **"Decommissioning"** applies to units left on site (not removed) and is defined as the complete disconnecting of equipment, emission sources or activities from the process by disconnecting all connections necessary for operation (i.e. piping, electrical, controls, ductwork, etc.).

C. **"Exempt Sources"** and **"Exempt Activities"** is defined as those sources or activities that are exempted in accordance with 20.2.72.202 NMAC. Note; exemptions are only valid for most 20.2.72 NMAC permitting actions.

D. **"Fugitive Emission"** means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

E. **"Insignificant Activities"** means those activities which have been listed by the department and approved by the administrator as insignificant on the basis of size, emissions or production rate. Note; insignificant activities are only valid for 20.2.70 NMAC permitting actions.

F. **"Malfunction"** for the requirements under 20.2.7 NMAC, means any sudden and unavoidable failure of air pollution control equipment or process equipment beyond the control of the owner or operator, including malfunction during startup or shutdown. A failure that is caused entirely or in part by poor maintenance, careless operation, or any other preventable equipment breakdown shall not be considered a malfunction. (20.2.7.7.E NMAC)

G. **"Natural Gas"** is defined as a naturally occurring fluid mixture of hydrocarbons that contains 20.0 grains or less of total sulfur per 100 standard cubic feet (SCF) and is either composed of at least 70% methane by volume or has a gross calorific value of between 950 and 1100 Btu per standard cubic foot. (40 CFR 60.631)

H. **"Natural Gas Liquids"** means the hydrocarbons, such as ethane, propane, butane, and pentane, that are extracted from field gas. (40 CFR 60.631)

I. **"National Ambient air Quality Standards"** means, unless otherwise modified, the primary (health-related) and secondary (welfare-based) federal ambient air quality standards promulgated by the US EPA pursuant to Section 109 of the Federal Act.

J. **"Night"** is the time period between sunset and sunrise, as defined by the Astronomical Applications Department of the U.S. Naval Observatory. (Data for one day or a table of sunrise/sunset for an entire year can be obtained at http://aa.usno.navy.mil/. Alternatively, these times can be obtained from a Farmer's Almanac or from http://www.almanac.com/rise/).

K. **"Night Operation** or **Operation at Night"** is operating a source of emissions at night.

L. **"NO2"** or "Nitrogen dioxide" means the chemical compound containing one atom of nitrogen and two atoms of oxygen, for the purposes of ambient determinations. The term **"nitrogen dioxide,"** for the purposes of stack emissions monitoring, shall include nitrogen dioxide (the chemical compound containing one atom of nitrogen and two atoms of oxygen), nitric oxide (the chemical compound containing one atom of nitrogen and one atom of oxygen), and other oxides of nitrogen which may test as nitrogen dioxide and is sometimes referred to as NOx or NO_2. (20.2.2 NMAC)

M. "**NOx**" see NO_2

N. "**Paved Road**" is a road with a permanent solid surface that can be swept essentially free of dust or other material to reduce air re-entrainment of particulate matter. To the extent these surfaces remain solid and contiguous they qualify as paved roads: concrete, asphalt, chip seal, recycled asphalt and other surfaces approved by the Department in writing.

O. **"Potential Emission Rate"** means the emission rate of a source at its maximum capacity to emit a regulated air contaminant under its physical and operational design, provided any physical or operational limitation on the capacity of the source to emit a regulated air contaminant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its physical and operational design only if the limitation or the effect it would have on emissions is enforceable by the department pursuant to the Air Quality Control Act or the federal Act.

P. "**Restricted Area**" is an area to which public entry is effectively precluded. Effective barriers include continuous fencing, continuous walls, or other continuous barriers approved by the Department, such as rugged physical terrain with a steep grade that would require special equipment to traverse. If a large property is completely enclosed by fencing, a restricted area within the property may be identified with signage only. Public roads cannot be part of a Restricted Area.

Q. **"Shutdown"** for requirements under 20.2.72 NMAC, means the cessation of operation of any air pollution control equipment, process equipment or process for any purpose, except routine phasing out of batch process units.

R. **"SSM"** for requirements under 20.2.7 NMAC, means routine or predictable startup, shutdown, or scheduled maintenance.

(1) **"Shutdown"** for requirements under 20.2.7 NMAC, means the cessation of operation of any air pollution control equipment or process equipment.

(2) **"Startup"** for requirements under 20.2.7 NMAC, means the setting into operation of any air pollution control equipment or process equipment.

S. **"Startup"** for requirements under 20.2.72 NMAC, means the setting into operation of any air pollution control equipment, process equipment or process for any purpose, except routine phasing in of batch process units.

C102 Acronyms

2SLB ..... 2-stroke lean burn
4SLB ..... 4-stroke lean burn
4SRB ..... 4-stroke rich burn
acfm ..... actual cubic feet per minute
AFR ..... air fuel ratio
AP-42 ..... EPA Air Pollutant Emission Factors
AQB ..... Air Quality Bureau
AQCR ..... Air Quality Control Region
ASTM ..... American Society for Testing and Materials
Btu ..... British thermal unit
CAA ..... Clean Air Act of 1970 and 1990 Amendments
CEM ..... continuous emissions monitoring
cfh ..... cubic feet per hour
cfm ..... cubic feet per minute
CFR ..... Code of Federal Regulation
CI ..... compression ignition
CO ..... carbon monoxides
COMS ..... continuous opacity monitoring system
EIB ..... Environmental Improvement Board
EPA ..... United States Environmental Protection Agency
gr/100 cf ..... grains per one hundred cubic feet
gr/dscf ..... grains per dry standard cubic foot
GRI ..... Gas Research Institute
HAP ..... hazardous air pollutant
hp ..... horsepower
H_2S ..... hydrogen sulfide
IC ..... internal combustion
KW/hr ..... kilowatts per hour

lb/hr ..... pounds per hour
lb/MMBtu ..... pounds per million British thermal unit
MACT ..... Maximum Achievable Control Technology
MMcf/hr ..... million cubic feet per hour
MMscf ..... million standard cubic feet
N/A ..... not applicable
NAAQS ..... National Ambient Air Quality Standards
NESHAP ..... National Emission Standards for Hazardous Air Pollutants
NG ..... natural gas
NGL ..... natural gas liquids
NMAAQS ..... New Mexico Ambient Air Quality Standards
NMAC ..... New Mexico Administrative Code
NMED ..... New Mexico Environment Department
NMSA ..... New Mexico Statues Annotated
NOx ..... nitrogen oxides
NSCR ..... non-selective catalytic reduction
NSPS ..... New Source Performance Standard
NSR ..... New Source Review
PEM ..... parametric emissions monitoring
PM ..... particulate matter (equivalent to TSP, total suspended particulate)
PM_{10} ..... particulate matter 10 microns and less in diameter
$PM_{2.5}$ ..... particulate matter 2.5 microns and less in diameter
pph ..... pounds per hour
ppmv ..... parts per million by volume
PSD ..... Prevention of Significant Deterioration
RATA ..... Relative Accuracy Test Assessment
RICE ..... reciprocating internal combustion engine
rpm ..... revolutions per minute
scfm ..... standard cubic feet per minute
SI ..... spark ignition
SO_2 ..... sulfur dioxide
SSM ..... Startup Shutdown Maintenance (see SSM definition)
TAP ..... Toxic Air Pollutant
TBD ..... to be determined
THC ..... total hydrocarbons
TSP ..... Total Suspended Particulates
tpy ..... tons per year
ULSD ..... ultra low sulfur diesel
USEPA ..... United States Environmental Protection Agency
UTM ..... Universal Transverse Mercator Coordinate system
UTMH ..... Universal Transverse Mercator Horizontal
UTMV ..... Universal Transverse Mercator Vertical
VHAP ..... volatile hazardous air pollutant
VOC ..... volatile organic compounds

AIR QUALITY BUREAU
NEW SOURCE REVIEW PERMIT
Issued under 20.2.72 NMAC

Certified Mail No:
Return Receipt Requested

NSR Permit No:	7747-M5
Facility Name:	Titan Treater Plant No 1
Facility Owner/Operator:	Northwind Midstream Partners LLC
Mailing Address:	825 Town and Country Lane, Suite 700 Houston, TX 77024
TEMPO/IDEA ID No:	38342 - PRN20240001
AIRS No:	35 025-1395
Permitting Action:	Significant Permit Revision
Source Classification:	Minor
Facility Location:	662,750 m E by 3,544,570 m N, Zone 13; Datum: WGS84
County:	Lea County
Air Quality Bureau Contact	Miranda Baldwin
Main AQB Phone No.	(505) 476-4300

Melinda Owens Digitally signed by Melinda Owens Date: 2024.07.03 12:49:38 -06'00'

Melinda Owens, acting for
Liz Bisbey-Kuehn
Bureau Chief
Air Quality Bureau

Date

Template version:02/20/2024

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PART A FACILITY SPECIFIC REQUIREMENTS

A100 Introduction

A. This permit, NSR 7747-M5, supersedes all portions of Air Quality Permit 7747-M4, issued 03/22/2020, except portions requiring compliance tests. Compliance test conditions from previous permits, if not completed, are still in effect, in addition to compliance test requirements contained in this permit.

A101 Permit Duration (expiration)

A. The term of this permit is permanent unless withdrawn or cancelled by the Department.

A102 Facility: Description

A. The facility receives natural gas from pipelines and treats the gas to remove water and acid gas (CO2 and H2S). The treated gas is compressed and sent off-site via pipeline.

B. This facility is located approximately 7.8 miles southwest of Jal, New Mexico in Lea County.

C. This modification is a significant revision to the current NSR permit pursuant 20.2.72.203.A. NMAC, consisting of addition of one Caterpillar G3516 Compressor Engine (ENG-2); replacement of the current 4 MMSCFD thermal oxidizer with a Zeeco 42 MMBtu/hr thermal oxidizer (Unit TO-1), modification of the amine treating unit (Unit AM-1) from 44 MMscf/d to 45 MMscf/d; modification of the process flare from 32 MMscf/yr to 56 MMscf/yr (Unit F-7005 and F-7005 SSM); and removal of five Caterpillar G3516 C generator engines (Units GEN-1 to GEN-5). This permit revision incorporates Administrative Revisions 7747M4R1, R2, R3, and Technical Revision 7747M4R4. The description of this modification is for informational purposes only and is not enforceable.

D. Tables 102.A and Table 102.B show the total potential emission rates (PER) from this facility for information only. This is not an enforceable condition and excludes emissions from Minor NSR exempt activities per 20.2.72.202 NMAC.

Table 102.A: Total Potential Emission Rate (PER) from Entire Facility

Pollutant	Emissions (tons per year)
Nitrogen Oxides (NOx)	61.5
Carbon Monoxide (CO)	64.5
Volatile Organic Compounds (VOC) [1]	42.8
Sulfur Dioxide (SO_2)	29.4

Table 102.A: Total Potential Emission Rate (PER) from Entire Facility

Pollutant	Emissions (tons per year)
Particulate Matter (PM)	2.7
Particulate Matter 10 microns or less (PM_{10})	5.4
Particulate Matter 2.5 microns or less ($PM_{2.5}$)	5.4
Greenhouse Gas (GHG) as CO_2e	77,135.9

1. VOC total includes emissions from Fugitives and SSM.
2. PM is a regulated new source review pollutant per 20.2.74 NMAC Prevention of Significant Deterioration. No ambient air quality standards apply to PM.

Table 102.B: Total Potential Emissions Rate (PER) for *Hazardous Air Pollutants (HAPs) that exceed 1.0 ton per year

Pollutant	Emissions (tons per year)
Acetaldehyde	1.9
Benzene	3.3
Formaldehyde	4.8
Total HAPs**	17.2

* HAP emissions are already included in the VOC emission total.

** The total HAP emissions may not agree with the sum of individual HAPs because only individual HAPs greater than 1.0 tons per year are listed here.

A103 Facility: Applicable Regulations

A. The permittee shall comply with all applicable sections of the requirements listed in Table 103.A.

Table 103.A: Applicable Requirements

Applicable Requirements	Federally Enforceable	Unit No.
20.2.1 NMAC General Provisions	X	Entire Facility
20.2.7 NMAC Excess Emissions	X (Except for Sections 6(b); 110(b)(15); 111; 112; 113; 115; and 116 that are State Enforceable Only)	Entire Facility
20.2.50 NMAC	State Only	ENG-2, ENG-3, ENG-5, Compressor seals, FUG-1, FUG-2, & AR-1
20.2.61 NMAC Smoke and Visible Emissions	X	ENG-2, ENG-3, ENG-5, AR-1, GR-1, TO-1, F-7005, & F-400

Table 103.A: Applicable Requirements

Applicable Requirements	Federally Enforceable	Unit No.
20.2.72 NMAC Construction Permit	X	Entire Facility
20.2.73 NMAC Notice of Intent and Emissions Inventory Requirements	X	Entire Facility
20.2.75 NMAC Construction Permit Fees	X	Entire Facility
20.2.77 NMAC New Source Performance Standards	X	Units subject to 40 CFR 60
20.2.82 NMAC Maximum Achievable Control Technology Standards for Source Categories of HAPs	X	Units subject to 40 CFR 63
40 CFR 60, Subpart A, General Provisions	X	See units below subject to 40 CFR 60
40 CFR 60, Subpart JJJJ	X	ENG-2, ENG-3, & ENG-5
40 CFR 60, Subpart OOOOa	X	Reciprocating compressors for ENG-2, ENG-3 & ENG-5, AGI-COMP1, AGI-COMP2 FUG-1, FUG-2
40 CFR 63, Subpart A, General Provisions	X	See units below subject to 40 CFR 63
40 CFR 63, Subpart HH	X	DHY-1
40 CFR 63, Subpart ZZZZ	X	ENG-2, ENG-3, & ENG-5

A104 Facility: Regulated Sources

A. Table 104.A lists the emission units authorized for this facility. Emission units identified as exempt activities (as defined in 20.2.72.202 NMAC) and/or equipment not regulated pursuant to the Act are not included.

Table 104.A: Regulated Sources List

Unit No.	Source Description	Make	Model	Serial No.	Construction/ Reconstruction Date	Manufacture Date	Manufacturer Rated Capacity /Permitted Capacity
ENG-2	4SLB	Caterpillar	G3516	4EK04915-REF-JEF	TBD	12/16/2010	1380 hp
ENG-3	4SLB	Caterpillar	G3616	TBD	3/21/2019	7/12/2018	5000 hp
ENG-5	4SLB	Caterpillar	G3616A4	TBD	3/21/2019	7/12/2018	5000 hp
DHY-1	Glycol Dehydrator	TBD	TBD	TBD	11/1/2018	11/1/2018	44 MMscf/d
GR-1	Glycol Reboiler	TBD	TBD	TBD	11/1/2018	11/1/2018	0.75 MMBtu/hr
T-800	Slop Oil Tank 1	TBD	TBD	TBD	3/1/2019	3/1/2019	500 BBL
T-801	Slop Oil Tank 2	TBD	TBD	TBD	3/1/2019	3/1/2019	500 BBL
OIL LOAD-1	Slop Oil Load	N/A	N/A	N/A	11/1/2018	11/1/2018	94 BBL/d
AM-1	Amine Unit	TBD	TBD	TBD	11/1/2018	11/1/2018	45 MMscf/d
AR-1	Amine Reboiler	TBD	TBD	TBD	11/1/2018	11/1/2018	36 MMBtu/hr

Table 104.A: Regulated Sources List

Unit No.	Source Description	Make	Model	Serial No.	Construction/ Reconstruction Date	Manufacture Date	Manufacturer Rated Capacity /Permitted Capacity
AGI-COMP1	AGI Compressors	TBD	TBD	TBD	TBD	TBD	TBD
AGI-COMP2	AGI Compressors	TBD	TBD	TBD	TBD	TBD	TBD
F-7005	Process Flare	TBD	TBD	TBD	3/1/2019	3/1/2019	56 MMscf/yr
F-400	Tank Flare	TBD	TBD	TBD	3/1/2019	3/1/2019	0.41 MMscf/yr
FUG-1	Piping Fugitives	N/A	N/A	N/A	N/A	N/A	N/A
TO-1	Thermal Oxidizer	Zeeco	Zephyr-7_5-40	TBD	TBD	TBD	42 MMbtu/hr
FUG-2	Piping Fugitives	N/A	N/A	N/A	N/A	N/A	N/A
Compressors	Compressors for ENG-2, ENG-3, and ENG-5	N/A	N/A	N/A	N/A	N/A	N/A

1. All TBD (to be determined) units and like-kind engine replacements must be evaluated for applicability to NSPS and MACT requirements.

A105 Facility: Control Equipment

A. Table 105.A lists all the pollution control equipment required for this facility. Each emission point is identified by the same number that was assigned to it in the permit application.

Table 105.A: Control Equipment List:

Control Equipment Unit No.	Control Description	Pollutant being controlled	Control for Unit Number(s)[1]
OxCat-2	Oxidation Catalyst	CO, HCHO	ENG-2
OxCat-3	Oxidation Catalyst	CO, VOC, HAP	ENG-3
OxCat/SCR-5	Oxidation Catalyst/Selective Catalytic Reduction	NOx, CO, VOC, HCHO	ENG-5
F-400	Tank Flare	VOC, HAP	T-800, T-801
TO-1	Thermal Oxidizer	VOC, HAP, H2S	AM-1 (regenerator still vent during AGI downtime), AGI compressor blowdowns, and closed drain/packing emissions
F-7005	Process Flare	VOC, HAP	Intermediate flash vessel and

Table 105.A: Control Equipment List:

Control Equipment Unit No.	Control Description	Pollutant being controlled	Control for Unit Number(s)[1]
			various SSM gas streams including DHY-1
GR-1	Glycol Reboiler	VOC, HAP, H2S	DHY-1
AGI	Acid gas injection (underground)	H2S	AM-1 – Regen Still Vent

1. Control for unit number refers to a unit number from the Regulated Equipment List

A106 Facility: Allowable Emissions

A. The following Section lists the emission units and their allowable emission limits. (40 CFR 60, Subparts A, JJJJ, and OOOOb; 40 CFR 63, Subparts A, HH, and ZZZZ; 20.2.72.210.A and B.1 NMAC).

Table 106.A: Allowable Emissions

Unit No.	NOx[1]		CO		VOC		SOx		PM_{10}		$PM_{2.5}$	
	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr
ENG-2	1.5	6.7	1.8	7.9	1.8	7.7	<	<	<	<	<	<
ENG-3	5.5	24.1	1.8	7.7	<	3.9	<	<	<	1.6	<	1.6
ENG-5	<	2.4	1.5	6.7	1.3	5.8	<	<	<	1.5	<	1.5
DHY-1	-	-	-	-	<	1.1	-	-	-	-	-	-
GR-1	<	<	<	<	<	<	<	<	<	<	<	<
T-800	-	-	<	-	<	<	-	-	-	-	-	-
T-801	-	-	-	-	<	<	-	-	-	-	-	-
AM-1	-	-	-	-	1.8	8.0	-	-	-	-	-	-
AR-1	3.5	15.5	3.0	13.0	<	<	<	<	<	1.2	<	1.2
F-7005	0.5	2.4	4.6	20.3	2.2	9.8	1.7	7.4	-	-	-	-
F-400	0.01	0.06	0.04	0.2	0.07	0.3	0.001	0.003	-	-	-	-
TO-1	4.5	10.1	3.8	8.5	.001	.002	10.0	21.5	0.3	0.8	0.3	0.8
OILLOAD-1	-	-	-	-	37.3	2.8	-	-	-	-	-	-

1 Nitrogen dioxide emissions include all oxides of nitrogen expressed as NO_2

2 "-" indicates the application represented emissions of this pollutant are not expected.

3 "<" indicates that the application represented the uncontrolled mass emission rates are less than 1.0 pph or 1.0 tpy for this emissions unit and this air pollutant.

4 To report excess emissions for sources with no pound per hour and/or ton per year emission limits, see condition B110.F.

B. Engines and turbines subject to emission standards shown in Table 106.C shall comply with these emission standards in accordance with the dates specified in 20.2.50.113.B NMAC.

Table 106.C - EMISSION STANDARDS FOR EXISTING NATURAL GAS-FIRED SPARK IGNITION ENGINES (Unit ENG-2, ENG-3 & ENG-5)

Engine Type	Rated bhp	NO_x	CO	NMNEHC (as propane)
4-Stroke Lean Burn	≥1,775 bhp	0.5 g/bhp-hr	0.60 g/bhp-hr	0.70 g/bhp-hr

C. Heaters subject to emission standards shown in Table 106.D shall comply with these emission standards in accordance with the dates specified in 20.2.50.119.B NMAC.

Table 106.D - EMISSION STANDARDS FOR HEATERS 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	400
Constructed or reconstructed on or after the effective date of 20.2.50 NMAC	30	400

A107 Facility: Allowable Startup, Shutdown, & Maintenance (SSM)

A. The maximum allowable SSM emission limits for this facility are listed in Table 107.A and were relied upon by the Department to determine compliance with applicable regulations.

Table 107.A: Allowable SSM Units, Activities, and Emission Limits

Unit No.	Description	NO_x[1] pph	NO_x[1] tpy	CO pph	CO tpy	VOC pph	VOC tpy	SO_2 pph	SO_2 tpy	H_2S pph	H_2S tpy
F-7005 SSM	Various SSM gas streams controlled by Process Flare	0.5	0.09	3.9	0.8	1.8	0.4	7.2	1.4	0.08	0.02

1. Nitrogen dioxide emissions include all oxides of nitrogen expressed as NO2
2. To report excess emissions for sources with no pound per hour and/or ton per year emission limits, see condition B110.F.

B. The authorization of emission limits for startup, shutdown, and maintenance, does not supersede the requirements to minimize emissions according to General Conditions B101.F and B107.A.

C. SSM Flaring Emissions (Unit F-7005 SSM)

Requirement: Compliance with routine or predictable startup, shutdown, and maintenance (SSM) emission limits in Table 107.A shall be demonstrated by operating the flare in accordance with the requirements of Condition A206.A, A206.B, and A206.C of this permit and completing monitoring and recordkeeping as specified below.

Emissions Due to Preventable Events
Emissions that are due entirely or in part to poor maintenance, careless operation, or any other preventable equipment breakdown shall not be included under SSM emissions limits. These emissions shall be reported as excess emissions in accordance with 20.2.7.110 NMAC.

Monitoring: The permittee shall monitor the date, time, cause and duration of routine or predictable startup, shutdown, and scheduled maintenance events.

A gas flowmeter(s) and flow totalizer(s) equipped with a chart recorder or data logger (electronic storage) shall be installed in each flare and/or each thermal oxidizer line to measure and record the total standard cubic feet (scf) of gas sent to each flare and/or thermal oxidizer during each hour and for each month to include any pilot, purge, and/or assist gas. Alternatively, flowmeters shall measure pilot fuel gas usage with a flowmeter/totalizer recording hourly and monthly gas usage based on the manufacturer's gas flow specification for each pilot.

Recordkeeping: The permittee shall maintain records of all calculations and parameters used to determine emission rates in spreadsheet format and in accordance with Condition B109.

(1) Hourly Emissions Calculations: The permittee shall calculate the pph NOx, CO, VOC, SO_2, and H_2S emission rates for each hour of each SSM event using these parameters:

(a) the calculated average hourly flow rate of all gas combusted by the flare, including pilot, purge, and assist gas, if applicable, from Condition A206.C;

(b) H_2S content, total sulfur content, VOC content, and heating value (BTU/scf) of the gas from Condition A206.C;

(c) the emission factors represented in the permit application and approved by the Department, for NOx and CO emission rates; and

(d) VOC and H_2S emission rates calculated using the destruction efficiency represented in the permit application and approved by the Department.

(2) Annual Emissions Calculations: The permittee shall calculate the total tpy SSM emission rates as a monthly rolling 12-month total, using the pph emission rates for each hour of the month as follows:

(a) During the first 12 months of this condition taking effect, the permittee shall record the monthly total tons of NOx, CO, VOC, SO_2, and H_2S emissions.

(b) After the first 12 months of this condition taking affect, the permittee shall record the monthly rolling 12-month total tpy NOx, CO, VOC, SO_2, and H_2S emissions.

(3) SSM Events: The permittee shall retain monitoring records, including the date, time, and duration of each SSM event, as well as a description of the event including maintenance performed.
Reporting: The permittee shall report in accordance with Condition B110.

A108 Facility: Allowable Operations

A. This facility is authorized for continuous operation. Monitoring, recordkeeping, and reporting are not required to demonstrate compliance with continuous hours of operation.

A109 Facility: Reporting Schedules

A. The permittee shall report according to the Specific Conditions and General Conditions of this permit.

A110 Facility: Fuel and Fuel Sulfur Requirements

A. Fuel and Fuel Sulfur Requirements (Units ENG-2, ENG-3, ENG-5, AR-1, GR-1)

Requirement: All combustion emission units shall combust only natural gas containing no more than 1.0 grains of total sulfur per 100 dry standard cubic feet.
Monitoring: No monitoring is required. Compliance is demonstrated through records.
Recordkeeping: (1) The permittee shall demonstrate compliance with the natural gas or fuel oil limit on total sulfur content by maintaining records of a current, valid purchase contract, tariff sheet or transportation contract for the gaseous or liquid fuel, or fuel gas analysis, specifying the allowable limit or less. (2) If fuel gas analysis is used, the analysis shall not be older than, one year. (3) Alternatively, compliance shall be demonstrated by keeping a receipt or invoice from a commercial fuel supplier, with each fuel delivery, which shall include the delivery date, the fuel type delivered, the amount of fuel delivered, and the maximum sulfur content of the fuel.
Reporting: The permittee shall report in accordance with Section B110.

A111 Facility: 20.2.61 NMAC Opacity

A. 20.2.61 NMAC Opacity Limit (Units ENG-2, ENG-3, ENG-5, AR-1, GR-1, TO-1, F-7005, F-400**)**

Requirement: Visible emissions from all stationary combustion emission stacks shall not equal or exceed an opacity of 20 percent in accordance with the requirements at 20.2.61.109 NMAC.
Monitoring: (1) Use of natural gas fuel constitutes compliance with 20.2.61 NMAC unless opacity equals or exceeds 20% averaged over a 10-minute period. When any visible emissions are observed during operation other than during startup mode, opacity shall be measured over a 10-minute period, in accordance with the procedures at 40 CFR 60, Appendix A, Reference Method 9 (EPA Method 9) as required by 20.2.61.114 NMAC, or the operator will be allowed to shut down the equipment to perform maintenance/repair to eliminate the visible emissions. Following completion of equipment maintenance/repair, the operator shall conduct visible emission observations following startup in accordance with the following procedures: (a) Visible emissions observations shall be conducted over a 10-minute period during operation after completion of startup mode in accordance with the procedures at 40 CFR 60, Appendix A, Reference Method 22 (EPA Method 22). If no visible emissions are observed, no further action is required. (b) If any visible emissions are observed during completion of the EPA Method 22 observation, subsequent opacity observations shall be conducted over a 10-minute period, in accordance with the procedures at EPA Method 9 as required by 20.2.61.114 NMAC. For the purposes of this condition, *Startup mode* is defined as the startup period that is described in the facility's startup plan.
Recordkeeping: (1) If any visible emissions observations were conducted, the permittee shall keep records in accordance with the requirements of Section B109 and as follows: (a) For any visible emissions observations conducted in accordance with EPA Method 22, record the information on the form referenced in EPA Method 22, Section 11.2. (b) For any opacity observations conducted in accordance with the requirements of EPA Method 9, record the information on the form referenced in EPA Method 9, Sections 2.2 and 2.4.
Reporting: The permittee shall report in accordance with Section B110.

A112 Facility: Haul Roads – Not Required

A113 Facility: Initial Location Requirements – Not Required

A114 Facility: Relocation Requirements

A. This facility may not be relocated.

A115 Alternative Operating Scenario

A. The permittee shall operate this facility in such manner that all applicable requirements and the requirements of 20.2.72 NMAC are met regardless of what scenario the facility is operating under.

B. AGI System – Compressor Load Balancing (Unit AGI, AGI-COMP1, AGI-COMP2)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by: (1) When compressor load balancing is necessary, during compressor swaps, the residual acid gas vapors trapped in the line between the compressors (AGI-COMP1, AGI-COMP2) shall be vented and combusted in a thermal oxidizer (TO-1). (2) Emissions from the amine still overhead vents shall be routed at all times to the acid gas injection well (AGI) system and controlled with the AGI system except for authorized emissions in A115 Alternative Operating Scenario. (3) Thermal Oxidizer emissions shall not exceed permitted emission rates (TO-1) in Table 106.A under any scenario. (4) At no time shall amine unit emissions from the still vent or the AGI system be vented directly to the atmosphere.
Monitoring: All AGI system components (including the AGI well, AGI-COMP1, AGI-COMP2, and AGI system pipelines) shall be inspected semi-annually for proper function and operation and to ensure they are operating in accordance with the manufacturer's specifications.
Recordkeeping: (1) Record, chronologically, the name of the person conducting the inspection, the results of all equipment inspections, and any maintenance or repairs needed for the AGI system to be compliant. (2) Maintain a copy of the manufacturer's maintenance recommendations.
Reporting: The permittee shall report in accordance with the requirements of Section B110.

EQUIPMENT SPECIFIC REQUIREMENTS

OIL AND GAS INDUSTRY

A200 Oil and Gas Industry

A. This section has common equipment related to most Oil and Gas Operations.

A201 Engines

A. Periodic Emissions Testing (Units ENG-2, ENG-3, & ENG-5)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by completing periodic emission tests during the monitoring period.

Monitoring: The permittee shall test using a portable analyzer or EPA Reference Methods subject to the requirements and limitations of Section B108, General Monitoring Requirements. Emission testing is required for NOx and CO and shall be carried out as described below.

Test results that demonstrate compliance with the CO emission limits shall also be considered to demonstrate compliance with the VOC emission limits.

For units with g/hp-hr emission limits, in addition to the requirements stated in Section B108, the engine load shall be calculated by using the following equation:

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

(1) The testing shall be conducted as follows:
   (a) Testing frequency shall be once per quarter for ENG-2, ENG-3, & ENG-5.
   (b) The monitoring period is defined as a calendar quarter for ENG-2, ENG-3, & ENG-5.

(2) The first test shall occur within the first monitoring period occurring after permit issuance.

(3) All subsequent monitoring shall occur in each succeeding monitoring period. No two monitoring events shall occur closer together in time than 25% of a monitoring period.

(4) The permittee shall follow the General Testing Procedures of Section B111.

(5) Performance testing required by 40 CFR 60, Subpart JJJJ or IIII or 40 CFR 63, Subpart ZZZZ may be used to satisfy these periodic testing requirements if they meet the requirements of this condition and are completed during the specified monitoring period.

Recordkeeping: The permittee shall maintain records in accordance with Section B109, B110, and B111.

Reporting: The permittee shall report in accordance with Section B109, B110, and B111.

B. Initial Compliance Test (Units ENG-2, ENG-3, & ENG-5)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by performing an initial compliance test.

Monitoring: The permittee shall perform an initial compliance test in accordance with the General Testing Requirements of Section B111. Emission testing is required for NOx and CO.

Test results that demonstrate compliance with the CO emission limits shall also be considered to demonstrate compliance with the VOC emission limits.

The monitoring exemptions of Section B108 do not apply to this requirement.
For units with g/hp-hr emission limits, the engine load shall be calculated by using the following equation:

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

Recordkeeping: The permittee shall maintain records in accordance with the applicable Sections in B109, B110, and B111.

Reporting: The permittee shall report in accordance with the applicable Sections in B109, B110, and B111.

C. Catalytic Converter Operation (Units ENG-2, ENG-3, and ENG-5)

Requirement:

(1) The units shall be equipped and operated with an oxidation catalytic converter to control CO, VOC, and HAP emissions. Engines equipped with oxidation catalysts are not required to operate with an AFR.

(2) ENG-5 shall be equipped and operated with a selective catalytic converter to control NOx, CO, and VOC emissions. These unit shall also be equipped with an AFR controlling device, or similar device that performs the same function of maintaining an appropriate air-fuel ratio.

The permittee shall maintain the units according to manufacturer's or supplier's recommended maintenance, including replacement of oxygen sensor as necessary for oxygen-based controllers.

Monitoring: The units shall be operated with the catalytic converter and/or selective catalytic converter (ENG-5), which includes catalyst maintenance periods. During periods of catalyst maintenance, the permittee shall either (1) shut down the engine(s); or (2) replace the catalyst with a functionally equivalent spare to allow the engine to remain in operation.

Recordkeeping: The permittee shall maintain records in accordance with Section B109.

Reporting: The permittee shall report in accordance with Section B110.

D. 40 CFR 60, Subpart JJJJ (Unit ENG-2, ENG-3, and ENG-5)

Requirement: The unit will be subject to 40 CFR 60, Subparts A and JJJJ if the unit is constructed (ordered) and manufactured after the applicability dates in 40 CFR 60.4230 and the permittee shall comply with the notification requirements in Subpart A and the specific requirements of Subpart JJJJ.
Monitoring: The permittee shall comply with all applicable monitoring requirements in 40 CFR 60, Subpart A and Subpart JJJJ, including but not limited to 60.4243.
Recordkeeping: The permittee shall comply with all applicable recordkeeping requirements in 40 CFR 60, Subpart A and Subpart JJJJ, including but not limited to 60.4245.
Reporting: The permittee shall comply with all applicable reporting requirements in 40 CFR 60, Subpart A and Subpart JJJJ, including but not limited to 60.4245.

E. 40 CFR 63, Subpart ZZZZ (Unit ENG-2, ENG-3, & ENG-5)

Requirement: The unit will be subject to 40 CFR 63, Subparts A and ZZZZ if they meet the applicability criteria in 40 CFR 63.6590. The permittee shall comply with any applicable notification requirements in Subpart A and any specific requirements of Subpart ZZZZ.
Monitoring: The permittee shall comply with all applicable monitoring requirements of 40 CFR 63, Subpart A and Subpart ZZZZ.
Recordkeeping: The permittee shall comply with all applicable recordkeeping requirements of 40 CFR 63, Subpart A and Subpart ZZZZ, including but not limited to 63.6655 and 63.10.
Reporting: The permittee shall comply with all applicable reporting requirements of 40 CFR 63, Subpart A and ZZZZ, including but not limited to 63.6645, 63.6650, 63.9, and 63.10.

F. 20.2.50 NMAC Spark Ignition Engines (Units ENG-2, ENG-3, and ENG-5)

Requirement: The units are subject to 20.2.50 NMAC and the permittee shall comply with all applicable requirements, including the general provisions of 20.2.50.112 and the emission standards in 20.2.50.114.B. The units shall comply with these emission standards in accordance with the dates specified in 20.2.50.114.B.
Monitoring: The permittee shall comply with the monitoring requirements of 20.2.50.112.B, of 20.2.50.114.C, and in accordance with section B108 of this permit.
Recordkeeping: The permittee shall comply with the recordkeeping requirements of 20.2.50.112.C, of 20.2.50.114.D, and in accordance with section B109 of this permit.
Reporting: The permittee shall comply with the applicable reporting requirements of 20.2.50.112.D, of 20.2.50.114.E, and in accordance with section B110 of this permit.

G. 20.2.50 NMAC Compressor Seals (Units ENG-2, ENG-3, and ENG-5)

Requirement: The units are subject to 20.2.50 NMAC and the permittee shall comply with all applicable requirements, including the general provisions of 20.2.50.112 and the emission standards in 20.2.50.114.B. The units shall comply with these emission standards in accordance

with the dates specified in 20.2.50.114.B.
Monitoring: The permittee shall comply with the monitoring requirements of 20.2.50.112.B, of 20.2.50.114.C, and in accordance with section B108 of this permit.
Recordkeeping: The permittee shall comply with the recordkeeping requirements of 20.2.50.112.C, of 20.2.50.114.D, and in accordance with section B109 of this permit.
Reporting: The permittee shall comply with the applicable reporting requirements of 20.2.50.112.D, of 20.2.50.114.E, and in accordance with section B110 of this permit.

A202 Glycol Dehydrators

A. Extended Gas Analysis and GRI-GLYCalc calculation (Unit DHY-1)

Requirement: Compliance with the allowable VOC emission limits in Table 106.A shall be demonstrated by conducting an annual extended gas analysis on the dehydrators inlet gas and by calculating emissions using GRI-GLYCalc.
Monitoring: The permittee shall conduct an annual GRI-GlyCalc analysis using the most recent extended gas analysis and verify the input data. The permittee may use a method of calculating dehydrator emissions other than the most current version of GRI-GlyCalc if approved by the Department. Changes in the calculated emissions due solely to a change in the calculation methodology shall not be deemed an exceedance of an emission limit.
Recordkeeping: The permittee shall identify in a summary table all parameters that were used as inputs in the GRI-GLYcalc model. The permittee shall keep a record of the results, noting the VOC and HAP emission rates for the dehydrator obtained from estimates using GRI-GLYcalc.
Reporting: The permittee shall report in accordance with Section B110.

B. Glycol pump circulation rate (Unit DHY-1)

Requirement: Compliance with the allowable VOC emission limit in Table 106.A shall be demonstrated by monitoring the glycol pump circulation rate for the units and shall not exceed 90 gallons per hour (1.5 gallons per minute).
Monitoring: The permittee shall monitor the circulation rate quarterly based on a calendar quarter (January 1st through March 31st, April 1 through June 30th, July 1st through September 30th, and October 1st through December 31st). Monitoring shall include a calibration visual or audible inspection of pump rate setting.
Recordkeeping: The permittee shall maintain records that include a description of the monitoring and are in accordance with Section B109.
Reporting: The permittee shall report in accordance with Section B110.

C. Control Device Inspection (Units DHY-1, GR-1)

Requirement: Compliance with the allowable VOC emission limits in Table 106.A shall be demonstrated by: (1) The still vent emissions (Unit: DHY-1) shall be routed at all times to the associated condenser.

(2) The flash tank vent shall be routed at all times to a process point that allows the off-gas to be recycled and recompressed, and not vented to the atmosphere. (3) All the non-condensed hydrocarbon vapors from the condenser associated with the DHY-1 shall be routed directly to the firebox of the reboiler and/or glowplug (Unit GR-1) or to flare and destroyed. (4) The condenser associated with (Unit: DHY-1), the reboiler (Unit: GR-1), and the glowplug shall be operational at all times the facility is in operation and shall be installed, operated, and maintained according to manufacturers' specifications.
Monitoring: The permittee shall inspect the glycol dehydrator and the control equipment semi-annually to ensure it is operating as initially designed. The permittee shall also inspect that the reboiler is operating as initially designed.
Recordkeeping: The permittee shall record the inspection and the results of all equipment and control device inspections chronologically, noting any maintenance or repairs needed to bring the dehydrator into compliance. The permittee shall maintain a copy of the manufacturer's maintenance recommendations.
Reporting: The permittee shall report in accordance with Section B110.

D. 40 CFR 63, Subpart HH (Unit DHY-1)

Requirement: The unit is subject to 40 CFR 63, Subpart HH and the permittee shall comply with all applicable requirements.
Monitoring: The permittee shall monitor as required by 40 CFR 63.772(b)(2) to demonstrate the facility is exempt from general standards.
Recordkeeping: The permittee shall generate and maintain the records as required by 40 CFR 63.774(d)(1)(ii) to demonstrate compliance with the general standard exemptions found in 40 CFR 63.764(e).
Reporting: The permittee shall meet all applicable reporting in 40 CFR 63, Subparts A and HH and in Section B110.

A203 Tanks

A. Crude Oil Tank Throughput (Units T-800 and T-801)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by limiting the monthly rolling 12-month total oil throughput to the facility to 1,441,000 gallons per year (34,310 barrels/year).
Monitoring: The permittee shall monitor the monthly total throughput once per month.
Recordkeeping: The permittee shall record: (1) the monthly total throughput of liquids to the facility and, (2) each month the permittee shall use these values to calculate and record: (a) during the first 12 months of monitoring, the cumulative total liquid throughput and after the first 12 months of monitoring, the monthly rolling 12-month total liquid throughput.

Tank breathing, working, and flashing emissions were calculated using EPA Tanks 4.0.9d. Emission rates computed using the same parameters, but with a different Department approved algorithm that exceed these values will not be deemed non-compliance with this requirement. Records shall be maintained in accordance with Section B109.
Reporting: The permittee shall report in accordance with Section B110.

B. Flare (Unit F-400): Control Device for Oil Tanks (Units T-800 and T-801)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by: (1) The permittee shall install, operate, and maintain the flare (Unit F-400) according to the manufacturer's specifications. (2) The permittee shall ensure that all emissions from the Oil Tanks (Units T-800 and T-801) are at all times routed to a flare (Unit F-400). The permittee shall ensure the Oil Tanks (Units T-800 and T-801) emissions do not vent to the atmosphere. During flare (Unit F-400) downtime, all Units T-800 and T-801 emissions shall be reported as excess emissions under 20.2.7 NMAC. (3) In the event that a leak or defect is detected, the permittee shall repair the leak or defect as soon as practicable, not to exceed thirty days, and in a manner than minimized emissions to the atmosphere.
Monitoring: The permittee shall monitor the following: (1) The date, start time, and end time of any downtime and/or maintenance of a flare (Unit F-400). (2) Monthly, inspect the Oil Tanks (Units T-800 and T-801) for proper routing to a flare (Unit F-400) and inspect the Oil Tanks (Units T-800 and T-801) and the flare (Unit F-400) for defects. Defects include, but are not limited to, visible cracks, holes, or gaps: broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps or other closure devices.
Recordkeeping: (1) The permittee shall record the name of the person conducting the inspection and the results of all monthly equipment inspections, contemporaneously noting any maintenance or repairs needed to bring the Oil Tanks (Units T-800 and T-801) and/or flare (Unit F-400) into compliance with permit conditions. (2) The permittee shall record the date, start time, and end time of any downtime and/or maintenance of a flare (Unit F-400).
Reporting: The permittee shall report in accordance with Section B110.

C. Truck Loading – Crude Oil Loadout (Unit OILLOAD-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by limiting the total annual crude oil loadout volume to 1,441,000 gallons per year (34,310 barrels/year).
Monitoring: The permittee shall monitor the crude oil truck loadout volume on a monthly basis.
Recordkeeping: Each month, the permittee shall record the monthly crude oil truck loadout

volume. Each month during the first 12 months of monitoring the permittee shall record the cumulative crude oil loadout volume and after the first 12 months of monitoring, the permittee shall calculate and record the monthly rolling 12-month total loadout volume.
Records shall also be maintained in accordance with Section B109.

Reporting: The permittee shall report in accordance with Section B110.

A204 Heaters/Boilers

A. Operational Inspections of Boilers and/or Heaters (Unit AR-1)

Requirement:

(1) Compliance with the allowable emission limits in Section A106 shall be demonstrated by performing annual inspections to ensure proper operation of the Unit.
(2) At a minimum, the operational inspections shall either meet:
  (a) those recommended by the manufacturer or
  (b) a facility's specific operational procedure. If the permittee is using a facility specific procedure, the permittee shall document the specific operational inspection procedure within 90 days of implementation and maintain it on site or at the permittee's nearest office.
(3) The permittee shall make changes or improvements to the inspection procedure based on experience with the unit and/or new information provided by the manufacturer. If using a facility specific procedure, the permittee shall document the change within 90 days and maintain the procedure document on site or at the permittee's nearest office.

Monitoring:

(2) Inspections shall be completed at least once per year or at the frequency recommended by the manufacturer.
(3) At a minimum, inspections shall include the following:
  (a) checking indicators to verify that the optimal amount of excess combustion air is introduced into the boiler combustion process such as a blue colored, steady flame;
  (b) inspections of the unit(s) components and housing for cracks or worn parts.

Recordkeeping:

(1) The permittee shall maintain records of operational inspections, including the indicators used to verify optimal excess combustion air, a description of the indicators, the unit component and housing inspections, and any adjustments needed to ensure optimal operation of the unit.
(2) The permittee shall also keep records of the manufacturer's recommended or the permittee's facility specific operational inspection procedure and shall keep records of the percent of excess combustion air required for optimal performance.
(3) The permittee shall maintain records in accordance with Section B109.

Reporting: The permittee shall report in accordance with Section B110.

B. 20.2.50 NMAC Natural Gas Fired Heaters (Unit AR-1)

Requirement: The uni, which is natural gas fired heaters greater than 20 MMBTU/hr, is/are subject to 20.2.50 NMAC and the permittee shall comply with all applicable requirements, including the general provisions of 20.2.50.112 and the emission standards in 20.2.50.119.B. The units shall comply with these emission standards in accordance with the dates specified in 20.2.50.119.B.
Monitoring: The permittee shall comply with the monitoring requirements of 20.2.50.112.B, of 20.2.50.119.C, and in accordance with section B108 of this permit.
Recordkeeping: The permittee shall comply with the recordkeeping requirements of 20.2.50.112.C, of 20.2.50.119.D, and in accordance with section B109 of this permit.
Reporting: The permittee shall comply with the applicable reporting requirements of 20.2.50.112.D, of 20.2.50.119.E, and in accordance with section B110 of this permit.

A205 Turbines – Not Required

A206 Flares

A. Flare Flame & Visible Emissions (20.2.61 NMAC) (Units F-7005 and F-400)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by the flare(s) being equipped with a system to ensure that it is operated with a flame present at all times and operated with no visible emissions. The flare is subject to the 20% opacity standards in 20.2.61 NMAC and complying with the no visible emissions requirements demonstrates compliance with 20.2.61 NMAC opacity limit.
Monitoring: **(1) Flare Pilot Flame:** The permittee shall continuously monitor the presence of a flare pilot flame using a thermocouple or any equivalent device approved by the Department and shall be equipped with a continuous recorder and alarm or equivalent, to detect the presence of a flame. **(2) Visible Emissions:** Annually, the permittee shall conduct a visible emissions observation in accordance with the requirements at 40 CFR 60, Appendix A, Reference Method 22 to certify compliance with the no visible emission requirement on the process flare. The observation period is 2 consecutive hours where visible emissions are not to exceed a total of 5 minutes during any 2 consecutive hours. At least once per year during a blow down event, the permittee shall conduct a visible emissions observation in accordance with the requirements at 40 CFR 60, Appendix A, Reference Method 22 to certify compliance with the no visible emission requirements. Each Method 22 test shall occur for the duration of the blow down event or for 30 minutes, whichever is less. Visible emissions shall not occur for more than 5 minutes during any consecutive 30-minute period. For blowdown events that occur for less than 30 minutes, visible emissions shall not occur for

more the 15% during the duration of the blow down event.

Alternatively, if the flare is located at an unmanned site, used only for emergencies, and where there are no scheduled blowdown-maintenance events to observe flare combustion, the permittee shall at a minimum conduct the visible emissions observation in accordance with the requirements of EPA Method 22 on the pilot flame.

Recordkeeping:

(1) Flare Pilot Flame: The permittee shall record all instances of alarm activation, including the date and cause of alarm activation, actions taken to bring the flare into normal operating conditions, and maintenance activities.

(2) **Visible Emissions:** For any visible emissions observations conducted in accordance with EPA Method 22, the permittee shall record the information on the form referenced in EPA Method 22, Section 11.2.

For any visible emissions observations conducted in accordance with EPA Method 22, record the information on the form referenced in EPA Method 22, Section 11.2. If the visible emissions observation was conducted only on the pilot flame, the record shall also include the reasons that the test could not be conducted during a blowdown event.

Reporting: The permittee shall report in accordance with Section B110.

B. Flare Operating Requirement (Units F-7005 and F-400)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by installing, operating, and maintaining the flare in accordance with the manufacturer's specifications.

Monitoring: The permittee shall inspect the flare monthly to ensure they are operating in accordance with the manufacturer's specifications.

Recordkeeping:

(1) Chronologically record: the name of the person conducting the inspection, the results of all equipment inspections, and any maintenance or repairs needed for the flare(s) to be compliant.

(2) Maintain a copy of the manufacturer's maintenance recommendations.

Reporting: The permittee shall report in accordance with the requirements of Section B110.

C. Flare Gas Flow Monitoring and Gas Analysis (Units F-7005 and F-400)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by completing the monitoring, recordkeeping, and reporting required by this condition and Condition A206.D. All flow meters and inline monitors shall meet the minimum data capture and quality assurance requirements of Condition B108.H.

Monitoring:

(1) **Gas Flow Monitoring:**

(a) One or more gas flowmeters equipped with a chart recorder or data logger (electronic storage) shall be installed to continuously monitor the flow (scf) of gas sent to the flare.

(b) Pilot, purge, and assist gas, if applicable, shall be monitored using a gas flowmeter

(a) or determined using manufacturer's specifications or engineering estimates.

(2) **Gas Analysis:**

(a) Once per calendar year, the permittee shall perform a gas analysis, including measurement of the H2S content, total sulfur content, VOC content, and heating value (BTU/scf) of gas sent to the flare for combustion. Gas analyses shall be separated by a minimum of six (6) months.

(b) Alternatively, for H2S only, in lieu of an annual analysis, H2S may be measured quarterly using a stain tube(s) of the appropriate size range or with an inline chemical composition analyzer.

(3) **Calibration:**

(a) Flow meters and inline monitors shall be operated, calibrated, and maintained as specified by Condition B108.H and, if applicable, the site-specific operations and maintenance plan.

Recordkeeping: The following records shall be maintained in accordance with Condition B109.

(1) **Gas Flow:**

(a) Records of continuous flowmeter measurements and the hourly flow rate in scf/hr calculated by averaging a minimum of four (4) equally spaced readings for each hour.

(b) Manufacturer's specifications or engineering estimates used for pilot, purge, and assist (if applicable) gas flow rates.

(2) **Gas Analysis:** All sample documentation received from the laboratory or testing service company, including H2S content, the total sulfur content, the VOC content, and the heating value (BTU/scf), analysis method utilized, and sample chain of custody. If stain tubes are used for measuring H2S content, records of the results, including size range of stain tubes used, the date of the test, and the name of the person conducting the test.

(3) **Calibration:** Records of all flowmeter and inline monitor certifications, calibrations, data capture calculations and documentation as specified by Condition B108.H, as well as any breakdowns, reasons for the breakdown, and corrective actions. The permittee shall also maintain a copy of the manufacturer specifications for operation and calibration or the site-specific operations and maintenance plan for flowmeters and inline monitors.

Reporting: The permittee shall report in accordance with Section B110.

D. Flare Parametric Monitoring (Units F-7005 and F-400)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by ensuring the flare operates in accordance with the requirements specified in recordkeeping below.

Monitoring: The permittee shall monitor the flare in accordance with Conditions A.206.A - D.

Recordkeeping:

(1) The permittee shall use the information recorded in Condition A.206.C to calculate the flow rate to determine if the facility meets the velocity requirements of this Condition.

(2) The maximum tip velocity of the flare, (Vmax), shall be determined annually, and records kept demonstrating that the actual flare tip velocity does not exceed the allowable Vmax.

The maximum permitted velocity (i.e., the greater of either calculated Vmax, 60 ft/sec or 400 ft/sec, based on method (a), (b), or (c) below) shall be recorded as feet/second and the corresponding total flow rate to the flare in MMscf/hour shall be used to compare to the actual volumetric flow rate (at STP) to demonstrate compliance with the maximum velocity permitted.

Compliance shall be determined utilizing either method (a), (b), or (c) below:

(a) Actual tip velocity less than 60 feet per second (ft/sec) for gases having a lower heating value less than 1000 Btu/ft3 will be in compliance with this requirement.

(b) Actual tip velocity less than 400 ft/sec for gases having a lower heating value greater than 1000 Btu/ft3 will be in compliance with this requirement.

(c) Actual tip velocity less than the calculated maximum velocity (Vmax) using the following equations will be in compliance with this requirement. The calculated Vmax shall be based on the weighted mean heating value of the inlet gas plus supplemental fuel gas.

Vmax of the flare shall be calculated annually and determined using the following equation:

$$\text{Log10 (Vmax)} = (HT + 28.8)/31.7$$

Vmax=Maximum permitted velocity, M/sec

28.8=Constant

31.7=Constant

HT=The net heating value is determined using the following equation:

$$H_T = K \left[\sum_{i=1}^{n} C_i H_i \right]$$

where:

HT=Net heating value of the sample, MJ/scm; where the net enthalpy per mole of off-gas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C;

$$K = \text{Constant}, \quad 1.740 \times 10^{-7} \quad \left(\frac{1}{ppm}\right) \left(\frac{g\ mole}{scm}\right) \left(\frac{MJ}{kcal}\right)$$

where the standard temperature for $\left(\frac{g\ mole}{scm}\right)$ is 20°C;

Ci=Concentration of sample component “i” in ppm on a wet basis, as measured for organics by Reference Method 18 and measured for hydrogen and carbon monoxide by ASTM D1946-77 or 90 (Reapproved 1994); and

Hi=Net heat of combustion of sample component i, kcal/g mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 or 88 or D4809-95

The maximum permitted velocity, Vmax, for air-assisted flares shall be determined by the following equation:

Vmax=8.706 + 0.7084 (HT)

Vmax=Maximum permitted velocity, m/sec

8.706=Constant

0.7084=Constant

HT=The net heating value as determined above.

3) The permittee shall maintain records in accordance with Section B109

Reporting: The permittee shall report in accordance with Section B110.

A207 Sulfur Recovery Unit – Not Required

A208 Amine Unit

A. Operating and Control Requirements (Unit AM-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by:
(1) All amine unit equipment components (including the amine contactor, flash tank(s), amine tanks, amine pumping system, and amine still) shall be inspected semi-annually for proper function and operation.
(2) Flash tank emissions shall be recovered and sent to the inlet stream or to the flare at all times.
(3) Emissions from the amine still overhead vents shall be routed at all times to the acid gas injection well (AGI) system and controlled with the AGI system except for authorized emissions in A115 Alternative Operating Scenario.

(4) At no time shall amine unit emissions from the still vent or flash tank be vented directly to the atmosphere.

Monitoring: The permittee shall inspect the thermal oxidizer (TO-1) monthly to ensure it is operating in accordance with the manufacturer's specifications.

Recordkeeping:

(1) Chronologically record: the name of the person conducting the inspection, the results of all equipment inspections, and any maintenance or repairs needed for the thermal oxidizer to be compliant.

(2) Maintain a copy of the manufacturer's maintenance recommendations.

Reporting: The permittee shall report in accordance with the requirements of Section B110.

B. Limit on Total Amine Overhead Flow (Unit AM-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by ensuring sufficient control of the amine unit overheads by the Acid Gas Injection well (AGI) system, the permittee shall limit sour gas processing to no more than 45 MMscf/d based on an inlet gas flow of 45 MMscf/d.

This requirement is based on the maximum inlet capacity per AGI.

Monitoring:
The permittee shall monitor the maximum daily volumetric flow rates of off gases from the Amine Unit in scf/d or MMscf/d.

The flow meter and totalizer shall be operated, calibrated, and maintained as specified by the manufacturer or equivalent and as necessary to ensure correct and accurate readings.

Recordkeeping: The permittee shall keep records of the daily volumetric flow rates of amine unit off gases and of the flow meter calibrations.

Reporting: The permittee shall report in accordance with Section B110.

C. Acid Gas Injection Well Operation (Units AM-1 and AGI)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated for Amine unit (AM-1) by meeting the following Acid Gas Injection well (AGI) system requirements.

(1) The permittee shall operate at least one Class II acid gas injection well (AGI) that holds a valid permit from the New Mexico Oil and Conservation Division (NMOCD).
(2) At all times, the Amine unit off gases shall be routed to and controlled with the AGI except for authorized emissions in A115 Alternative Operating Scenario.

(3) Total volumetric flow of acid gases exiting the Amine Unit shall at all times be equal to the sum of acid gas volumetric flows being injected, and/or routed to the thermal oxidizer (TO-1):

Amine Unit exit flow = total injection flow rate + TO-1 inlet flow

(4) Flow from the AGI well head to the thermal oxidizer (TO-1) is not permitted.
(5) If at any time the NMOCD requests a radio-tracer study of the permittee's AGI well, the permittee shall notify the Department of such request made by NMOCD.

Monitoring:
(1) The permittee shall monitor the AGI compressor(s) discharge pressure, the AGI well head pressure, the volume and duration of any flow from the AGI well head to the thermal oxidizer (TO-1), and shall monitor when any AGI well goes offline, the duration of time the well is offline, and when an offline well comes back online.

(2) The permittee shall continuously monitor with a flowmeter the flow of acid gases:

(a) from the Amine Unit, (b) injected into the AGI, and (c) sent to the acid gas thermal oxidizer (TO-1). (3) The flow meter and totalizer shall be operated, calibrated, and maintained as specified by the manufacturer or equivalent and as necessary to ensure correct and accurate readings.
Recordkeeping: The permittee shall maintain these records: (1) Date and time a well goes offline (2) Duration of time a well is offline (3) Date and time a well comes back online (4) Volumetric flow of amine off-gases from the Amine Unit, into the AGI, and to the thermal oxidizer (TO-1) (5) Records of the flow meter calibrations (6) Records of the wellhead and discharge differential pressure, and the volume duration of any flow from the AGI well head to the thermal oxidizer (TO-1)
Reporting: (1) The permittee shall report to the Permit Programs Manager the wellhead and discharge pressures (psig) within 30 days of initial startup of each acid gas injection well. (2) The permittee shall report to the Department when NMOCD requests a radio-tracer study of the permittee's AGI well. (3) The permittee shall report in accordance with Condition B110.

A209 Fugitives

A. 40 CFR 60, Subpart OOOOa – (Reciprocating Compressors associated with Units ENG-2, ENG-3, and ENG-5)

Requirement: The units will be subject to 40 CFR 60, Subparts A and OOOOa if the source is constructed, modified, or reconstructed after the applicability date in 40 CFR 60.5365a and meets the applicability criteria specified at §60.5365a(c). The permittee shall comply with the notification requirements in Subpart A and the specific requirements of Subpart OOOOa, including standards in §60.5385a.
Monitoring: The permittee shall comply with all applicable monitoring requirements in 40 CFR 60, Subpart A and Subpart OOOOa, including but not limited to §60.5410a, §60.5411a, §60.5415a, and §60.5416a.
Recordkeeping: The permittee shall comply with all applicable recordkeeping requirements in 40 CFR 60, Subpart A and Subpart OOOOa, including but not limited to §60.5420a.
Reporting: The permittee shall comply with all applicable reporting requirements in 40 CFR 60, Subpart A and Subpart OOOOa, including but not limited to §60.5420a, and in Section B110.

B. 40 CFR 60, Subpart OOOOa (FUG-1, FUG-2, AGI-COMP1, and AGI-COMP2)

Requirement: The permittee shall comply with 40 CFR 60, Subparts A and OOOOa if a source is constructed, modified, or reconstructed after the applicability date in 40 CFR 60.5365a; and the permittee shall comply with the notification requirements in Subpart A and the specific

requirements of Subpart OOOOa, including standards in 60.5398a and 60.5400a.
Monitoring: The permittee shall comply with all applicable monitoring requirements in 40 CFR 60, Subpart A and Subpart OOOOa, including but not limited to 60.5410a and 60.5415a(c).
Recordkeeping: The permittee shall comply with all applicable recordkeeping requirements in 40 CFR 60, Subpart A and Subpart OOOOa, including but not limited to 60.5415a(c) and 60.5420a.
Reporting: The permittee shall comply with all applicable reporting requirements in 40 CFR 60, Subpart A and Subpart OOOOa, including but not limited to 60.5420a, and in Section B110.

C. 20.2.50 NMAC Equipment Leaks and Fugitive Emissions (Units FUG-1 and FUG-2)

Requirement: The units are subject to 20.2.50 NMAC and the permittee shall comply with all applicable requirements, including the general provisions of 20.2.50.112, the requirements in 20.2.50.116.B [or the alternative monitoring plan approved under 20.2.50.116.D], as well as the repair requirements under 20.2.50.116.E.
Monitoring: The permittee shall comply with the monitoring requirements of 20.2.50.112.B, of 20.2.50.116.C [or the alternative monitoring plan approved under 20.2.50.116.D], and in accordance with section B108 of this permit.
Recordkeeping: The permittee shall comply with the recordkeeping requirements of 20.2.50.112.C, of 20.2.50.116.F, and in accordance with section B109 of this permit.
Reporting: The permittee shall comply with the applicable reporting requirements of 20.2.50.112.D, of 20.2.50.116.G, and in accordance with section B110 of this permit.

A210 Thermal Oxidizer

A. Visible Emissions (20.2.61 NMAC) (Unit TO-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by operating the thermal oxidizer with no visible emissions. The thermal oxidizer is subject to the 20% opacity standards in 20.2.61 NMAC and complying with the no visible emissions requirements demonstrates compliance with 20.2.61 NMAC opacity limit.
Monitoring: Annually, and at any time that visible emissions are observed, the permittee shall conduct a visible emissions observation in accordance with the requirements at 40 CFR 60, Appendix A, Reference Method 22 to certify compliance with the no visible emission requirement. The observation period is at least 2 consecutive hours where visible emissions are not to exceed a total of 5 minutes during any 2 consecutive hours.
Recordkeeping: For any visible emissions observations conducted in accordance with EPA Method 22, the permittee shall record the information on the form referenced in EPA Method 22, Section 11.2.
Reporting: The permittee shall report in accordance with Section B110.

B. Thermal Oxidizer Inspection and Control Efficiency (Unit TO-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by conducting semi-annual operational inspections of the thermal oxidizer to

ensure it is operating in accordance with manufacturer's specifications, conducting excess air checks, maintaining a temperature that achieves the design destruction efficiency of 99.0% for VOCs and H_2S, and monitoring unit downtime and malfunction.

Monitoring:

(1) The permittee shall retain the manufacturer's TO-1 specifications and prepare an inspection protocol within 6 months of permit issuance. At a minimum, the protocol shall include methods for inspecting compliance with vendor operating and maintenance guidelines, accepted good industry practices, and operation within the full rate and normal design conditions as defined in the Design Summary and the minimum combustion temperature.

(2) Semi-annually, the permittee shall inspect TO-1 in accordance with the inspection protocol and in accordance with the manufacturer's recommendations.

(3) The permittee shall monitor the minimum combustion temperature continuously, such that the thermal oxidizer achieves the required destruction efficiency and record the temperature once per hour.

Recordkeeping: The permittee shall maintain records including records of all inspections including the name of the person conducting the inspection, the date and any findings or corrective actions required. In addition, the permittee shall maintain records of the date and time of each temperature reading, detail any deficiencies in operation identified, and record any corrective actions taken to restore the control device to operation. The manufacturers recommended maintenance or site-specific maintenance plan, as well as the inspection protocol shall be maintained onsite and submitted to the Department upon request.

Records shall also be maintained in accordance with Section B109.

Reporting: The permittee shall report in accordance with Section B110.

C. Thermal Oxidizer Gas Flow Monitoring and Gas Analysis (Unit TO-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by completing the monitoring, recordkeeping, and reporting required by this condition and condition A210.D. All flow meters and inline monitors shall meet the minimum data capture and quality assurance requirements of Condition B108.H.

Monitoring:

(1) **Gas Flow Monitoring:**

(a) One or more gas flowmeters equipped with a chart recorder or data logger (electronic storage) shall be installed to continuously monitor the flow (scf) of gas sent to the thermal oxidizer in accordance with the requirements of condition B108.H.

(b) Pilot and purge gas shall be monitored using a gas flowmeter under (a) or determined using manufacturer's specifications or engineering estimates.

(2) **Gas Analysis:**

a) Annually, the permittee shall perform a gas analysis including measurement of the H_2S content, total sulfur content, VOC content, and heating value (BTU/scf) of the combined gas stream sent to the thermal oxidizer for combustion. Gas analyses shall be separated by a minimum of 6 months.

b) Alternatively, H_2S shall be measured quarterly using a stain tube(s) of the appropriate size range or with an inline H_2S monitor that meets the requirements of condition B108.H.

c) A third option is to utilize BR&E ProMax to calculate H2S, VOC and BTU content at the inlet to the TO. However, **option a) is the preferred methodology.**

(3) **Calibration:** Flow meters and inline monitors shall be operated, calibrated, and maintained as specified by Condition B108.H and, if applicable, the site-specific operations and maintenance plan.

Recordkeeping: The following records shall be maintained in accordance with Condition B109.

(1) **Gas Flow Monitoring:**

(a) Records of continuous flowmeter measurements and the hourly flow rate in scf/hr calculated by averaging *a minimum* of 4 equally spaced readings for each hour shall be maintained.

(b) Manufacturer's specifications or engineering estimates used for pilot, purge, and assist (if applicable) gas flow rates shall be maintained.

(2) **Gas Analysis:**

a) Annually, the permittee shall perform a gas analysis including measurement of the H2S content, total sulfur content, VOC content, and heating value (BTU/scf) of the combined gas stream sent to the thermal oxidizer for combustion. Gas analyses shall be separated by a minimum of 6 months.

b) Alternatively, H2S shall be measured quarterly using a stain tube(s) of the appropriate size range or with an inline H2S monitor that meets the requirements of condition B108.H.

c) A third option is to utilize BR&E ProMax to calculate H2S, VOC and BTU content at the inlet to the TO. **However, option a) is the preferred methodology.**

(3) **Calibration:** Records of all flowmeter and inline monitor certifications, calibrations, data capture calculations and documentation as specified by Condition B108.H, as well as any breakdowns, reasons for the breakdown, and corrective actions. The permittee shall also maintain a copy of the manufacturer specifications for operation and calibration or the site-specific operations and maintenance plan for flow meters and inline monitors.

Reporting: The permittee shall report in accordance with Condition B110.

D. Thermal Oxidizer Emissions Calculation (Unit TO-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by operating the thermal oxidizer in accordance with the requirements, monitoring, and recordkeeping of Condition A210.C and completing emissions calculations as specified in this condition.

Monitoring: As monitored values from other conditions in this permit shall be used in these calculations, no additional monitoring is required. Compliance is demonstrated through recordkeeping.

Recordkeeping: The permittee shall maintain records of all calculations and parameters used to determine emission rates in spreadsheet format and in accordance with Condition B109.

(1) Hourly Emissions Calculations: The permittee shall calculate the pounds per hour (pph) NOx, CO, VOC, SO_2, and H_2S emission rates using these parameters:

(a) the calculated average hourly flow rate of all gas combusted by the flare including pilot, purge, and assist gas, if applicable, (Condition A210.C(1));

(b) gas analysis including H_2S content, total sulfur content, VOC content, and heating value (BTU/scf) of the gas (Condition A210.C(2));

(c) the TNRCC RG-109 (high Btu; other) emission factors for NOx and AP-42 Tables 13.5-1 and 13.5-2emission factors for NOx and CO emission rates; and

(d) VOC and H_2S emission rates calculated using a destruction efficiency of 99% based on the manufacturers guarantee.

(2) Annual Emissions Calculations: The permittee shall calculate the total ton per year (tpy) emission rates as a monthly rolling 12-month total, using the totaled pph emission rates for each hour of the month:

(a) During the first 12 months of this condition taking effect, the permittee shall record the cumulative total tons of NOx, CO, VOC, SO_2, and H_2S emissions.

(b) After the first 12 months of this condition taking affect, the permittee shall record the monthly rolling 12-month total tpy NOx, CO, VOC, SO_2, and H_2S emissions.

Reporting: The permittee shall report in accordance with Section B110.

E. Process Control Thermal Oxidizer Periodic Emissions Testing (Unit TO-1)

Requirement: Compliance with the allowable emission limits in Table 106.A shall be demonstrated by completing periodic emission tests for NOx and CO and calculating the destruction efficiency for VOCs and H2S of the thermal oxidizer during the monitoring period.

Monitoring:

NOx and CO: The permittee shall complete an initial compliance test for NOx and CO using

a portable analyzer or EPA Reference Method Test subject to the requirements and limitations of Section B108, General Monitoring Requirements. The initial compliance test shall take place within 180 days of permit issuance. **VOC and H_2S Destruction Efficiency:** The permittee shall test using EPA Reference Method 25a or Method 18 subject to the requirements and limitations of Section B108, General Monitoring Requirements. Emission testing is required for un-speciated VOCs pre-control and post-TO (stack). Periodic emissions testing shall be carried out as described below. Test results for pre-control and post-control VOCs shall be used to calculate the destruction efficiency of the thermal oxidizer at the operating combustion temperature. Compliant destruction efficiency is defined as a percentage equal to or greater than 99.9%. Compliance with the destruction efficiency of 99% for VOCs shall also demonstrate compliance for H_2S. (1) The testing shall be conducted as follows: (a) The first test shall take place within 180 days of permit issuance and thereafter; (b) Testing frequency shall be once per year. (c) The monitoring period is defined as a calendar year. (2) All subsequent monitoring shall occur in each succeeding monitoring period. No two monitoring events shall occur closer together in time than 25% of a monitoring period. (3) The permittee shall follow the General Testing Procedures of Section B111.
Recordkeeping: The permittee shall maintain records in accordance with Section B109, B110, and B111.
Reporting: The permittee shall report in accordance with Section B109, B110, and B111.

F. Thermal Oxidizer Initial Compliance Test (TO-1)

Requirement: To demonstrate compliance with the allowable NOx, CO, and VOC emission limits in Table 106.A, the permittee shall be demonstrated by performing an initial compliance test.
Monitoring: The permittee shall perform an initial compliance test in accordance with the General Testing Requirements of Section B111. Emission testing is required for NOx, CO, and VOCs.
Recordkeeping: The permittee shall maintain records in accordance with the applicable Sections in B109, B110, and B111.
Reporting: The permittee shall report in accordance with the applicable Sections in B109, B110, and B111.

PART B GENERAL CONDITIONS (Attached)

PART C MISCELLANEOUS: Supporting On-Line Documents; Definitions; Acronyms (Attached)

AIR QUALITY BUREAU
NEW SOURCE REVIEW PERMIT
Issued under 20.2.72 NMAC

GENERAL CONDITIONS AND MISCELLANEOUS

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PART B GENERAL CONDITIONS

B100 Introduction

A. The Department has reviewed the permit application for the proposed construction/modification/revision and has determined that the provisions of the Act and ambient air quality standards will be met. Conditions have been imposed in this permit to assure continued compliance. 20.2.72.210.D NMAC, states that any term or condition imposed by the Department on a permit is enforceable to the same extent as a regulation of the Environmental Improvement Board.

B101 Legal

A. The contents of a permit application specifically identified by the Department shall become the terms and conditions of the permit or permit revision. Unless modified by conditions of this permit, the permittee shall construct or modify and operate the Facility in accordance with all representations of the application and supplemental submittals that the Department relied upon to determine compliance with applicable regulations and ambient air quality standards. If the Department relied on air quality modeling to issue this permit, any change in the parameters used for this modeling shall be submitted to the Department for review. Upon the Department's request, the permittee shall submit additional modeling for review by the Department. Results of that review may require a permit modification. (20.2.72.210.A NMAC)

B. Any future physical changes, changes in the method of operation or changes in restricted area may constitute a modification as defined by 20.2.72 NMAC, Construction Permits. Unless the source or activity is exempt under 20.2.72.202 NMAC, no modification shall begin prior to issuance of a permit. (20.2.72 NMAC Sections 200.A.2 and E, and 210.B.4)

C. Changes in plans, specifications, and other representations stated in the application documents shall not be made if they cause a change in the method of control of emissions or in the character of emissions, will increase the discharge of emissions or affect modeling results. Any such proposed changes shall be submitted as a revision or modification. (20.2.72 NMAC Sections 200.A.2 and E, and 210.B.4)

D. The permittee shall establish and maintain the property's Restricted Area as identified in plot plan submitted with the application. (20.2.72 NMAC Sections 200.A.2 and E, and 210.B.4)

E. Applications for permit revisions and modifications shall be submitted to:

Program Manager, Permits Section
New Mexico Environment Department

Air Quality Bureau
525 Camino de los Marquez, Suite 1
Santa Fe, NM 87505

F. The owner or operator of a source having an excess emission shall, to the extent practicable, operate the source, including associated air pollution control equipment, in a manner consistent with good air pollutant control practices for minimizing emissions. (20.2.7.109 NMAC). The establishment of allowable malfunction emission limits does not supersede this requirement.

B102 Authority

A. This permit is issued pursuant to the Air Quality Control Act (Act) and regulations adopted pursuant to the Act including Title 20, Chapter 2, Part 72 of the New Mexico Administrative Code (NMAC), (20.2.72 NMAC), Construction Permits and is enforceable pursuant to the Act and the air quality control regulations applicable to this source.

B. The Department is the Administrator for 40 CFR Parts 60, 61, and 63 pursuant to the delegation and exceptions of Section 10 of 20.2.77 NMAC (NSPS), 20.2.78 NMAC (NESHAP), and 20.2.82 NMAC (MACT).

B103 Annual Fee

A. The Department will assess an annual fee for this Facility. The regulation 20.2.75 NMAC set the fee amount at $1,500 through 2004 and requires it to be adjusted annually for the Consumer Price Index on January 1. The current fee amount is available by contacting the Department or can be found on the Department's website. The AQB will invoice the permittee for the annual fee amount at the beginning of each calendar year. This fee does not apply to sources which are assessed an annual fee in accordance with 20.2.71 NMAC. For sources that satisfy the definition of "small business" in 20.2.75.7.F NMAC, this annual fee will be divided by two. (20.2.75.11 NMAC)

B. All fees shall be remitted in the form of a corporate check, certified check, or money order made payable to the "NM Environment Department, AQB" mailed to the address shown on the invoice and shall be accompanied by the remittance slip attached to the invoice.

B104 Appeal Procedures

A. Any person who participated in a permitting action before the Department and who is adversely affected by such permitting action, may file a petition for hearing before the Environmental Improvement Board. The petition shall be made in writing to the

Environmental Improvement Board within thirty (30) days from the date notice is given of the Department's action and shall specify the portions of the permitting action to which the petitioner objects, certify that a copy of the petition has been mailed or hand-delivered and attach a copy of the permitting action for which review is sought. Unless a timely request for hearing is made, the decision of the Department shall be final. The petition shall be copied simultaneously to the Department upon receipt of the appeal notice. If the petitioner is not the applicant or permittee, the petitioner shall mail or hand-deliver a copy of the petition to the applicant or permittee. The Department shall certify the administrative record to the board. Petitions for a hearing shall be sent to: (20.2.72.207.F NMAC)

For Mailing:
Administrator, New Mexico Environmental Improvement Board
P.O. Box 5469
Santa Fe, NM 87502-5469

For Hand Delivery:
Administrator, New Mexico Environmental Improvement Board
1190 St. Francis Drive, Harold Runnels Bldg.
Santa Fe, New Mexico 87505

B105 Submittal of Reports and Certifications

A. Stack Test Protocols and Stack Test Reports shall be submitted electronically to the Air Quality Bureau Compliance Reporting (AQBCR) system or as directed by the Department.

B. Excess Emission Reports shall be submitted as directed by the Department. (20.2.7.110 NMAC)

C. Routine reports shall be submitted to the mailing address below, or as directed by the Department:

Manager, Compliance and Enforcement Section
New Mexico Environment Department
Air Quality Bureau
525 Camino de los Marquez, Suite 1
Santa Fe, NM 87505

B106 NSPS and/or MACT Startup, Shutdown, and Malfunction Operations

A. If a facility is subject to a NSPS standard in 40 CFR 60, each owner or operator that installs and operates a continuous monitoring device required by a NSPS regulation shall comply with the excess emissions reporting requirements in accordance with 40 CFR 60.7(c), unless specifically exempted in the applicable subpart.

B. If a facility is subject to a NSPS standard in 40 CFR 60, then in accordance with 40 CFR 60.8(c), emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction shall not be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.

C. If a facility is subject to a MACT standard in 40 CFR 63, then the facility is subject to the requirement for a Startup, Shutdown and Malfunction Plan (SSM) under 40 CFR 63.6(e)(3), unless specifically exempted in the applicable subpart.

B107 Startup, Shutdown, and Maintenance Operations

A. The establishment of permitted startup, shutdown, and maintenance (SSM) emission limits does not supersede the requirements of 20.2.7.14.A NMAC. Except for operations or equipment subject to Condition B106, the permittee shall establish and implement a plan to minimize emissions during routine or predictable start up, shut down, and scheduled maintenance (SSM work practice plan) and shall operate in accordance with the procedures set forth in the plan. (SSM work practice plan) (20.2.7.14.A NMAC)

B108 General Monitoring Requirements

A. These requirements do not supersede or relax requirements of federal regulations.

B. The following monitoring requirements shall be used to determine compliance with applicable requirements and emission limits. Any sampling, whether by portable analyzer or EPA reference method, that measures an emission rate over the applicable averaging period greater than an emission limit in this permit constitutes noncompliance with this permit. The Department may require, at its discretion, additional tests pursuant to EPA Reference Methods at any time, including when sampling by portable analyzer measures an emission rate greater than an emission limit in this permit; but such requirement shall not be construed as a determination that the sampling by portable analyzer does not establish noncompliance with this permit and shall not stay enforcement of such noncompliance based on the sampling by portable analyzer.

C. If the emission unit is shutdown at the time when periodic monitoring is due to be completed, the permittee is not required to restart the unit for the sole purpose of conducting the monitoring. Using electronic or written mail, the permittee shall notify the Department's Compliance and Enforcement Section of a delay in emission tests prior to the deadline for completing the tests. Upon recommencing operation, the permittee shall submit pre-test notification(s) to the Department's Compliance and Enforcement Section and shall complete the monitoring.

D. The requirement for monitoring during any monitoring period is based on the percentage of time that the unit has operated. However, to invoke the monitoring period exemption at B108.D(2), hours of operation shall be monitored and recorded.

(1) If the emission unit has operated for more than 25% of a monitoring period, then the permittee shall conduct monitoring during that period.

(2) If the emission unit has operated for 25% or less of a monitoring period then the monitoring is not required. After two successive periods without monitoring, the permittee shall conduct monitoring during the next period regardless of the time operated during that period, except that for any monitoring period in which a unit has operated for less than 10% of the monitoring period, the period will not be considered as one of the two successive periods.

(3) If invoking the monitoring **period** exemption in B108.D(2), the actual operating time of a unit shall not exceed the monitoring period required by this permit before the required monitoring is performed. For example, if the monitoring period is annual, the operating hours of the unit shall not exceed 8760 hours before monitoring is conducted. Regardless of the time that a unit actually operates, a minimum of one of each type of monitoring activity shall be conducted during any five-year period.

E. For all periodic monitoring events, except when a federal or state regulation is more stringent, three test runs shall be conducted at 90% or greater of the unit's capacity as stated in this permit, or in the permit application if not in the permit, and at additional loads when requested by the Department. If the 90% capacity cannot be achieved, the monitoring will be conducted at the maximum achievable load under prevailing operating conditions except when a federal or state regulation requires more restrictive test conditions. The load and the parameters used to calculate it shall be recorded to document operating conditions and shall be included with the monitoring report.

F. When requested by the Department, the permittee shall provide schedules of testing and monitoring activities. Compliance tests from previous NSR and Title V permits may be re-imposed if it is deemed necessary by the Department to determine whether the source is in compliance with applicable regulations or permit conditions.

G. If monitoring is new or is in addition to monitoring imposed by an existing applicable requirement, it shall become effective 120 days after the date of permit issuance. For emission units that have not commenced operation, the associated new or additional monitoring shall not apply until 120 days after the units commence operation. All pre-existing monitoring requirements incorporated in this permit shall continue to apply from the date of permit issuance.

H. Unless otherwise indicated by Specific Conditions or regulatory requirements, all instrumentation used for monitoring in accordance with applicable requirements including emission limits, to measure parameters including but not limited to flow, temperature, pressure and chemical composition, or used to continuously monitor

emission rates and/or other process operating parameters, shall be subject to the following requirements:

(1) The owner or operator shall install, calibrate, operate and maintain monitoring instrumentation (monitor) according to the manufacturer's procedures and specifications and the following requirements.

(a) The monitor shall be located in a position that provides a representative measurement of the parameter that is being monitored.

(b) At a minimum, the monitor shall complete one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(c) At a minimum, the monitor shall be spanned to measure the normal range +/- 5% of the parameter that is being monitored.

(d) At least semi-annually, perform a visual inspection of all components of the monitor for physical and operational integrity and all electrical connections for oxidation and galvanic corrosion.

(e) Recalibrate the monitor in accordance with the manufacturer's procedures and specifications at the frequency specified by the manufacturer, or every two years, whichever is less.

(2) Except for malfunctions, associated repairs, and required quality assurance or control activities (including calibration checks and required zero and span adjustments), the permittee shall operate and maintain all monitoring equipment at all times that the emissions unit or the associated process is operating.

(3) The monitor shall measure data for a minimum of 90 percent of the time that the emissions unit or the associated process is in operation, based on a calendar monthly average.

(4) The owner or operator shall maintain records in accordance with Section B109 to demonstrate compliance with the requirements in B108H (1)-(3) above, as applicable.

B109 General Recordkeeping Requirements

A. The permittee shall maintain records to assure and verify compliance with the terms and conditions of this permit and any other applicable requirements that become effective after permit issuance. The minimum information to be included in these records is as follows:

(1) Records required for testing and sampling:

(a) equipment identification (include make, model and serial number for all tested equipment and emission controls)

(b) date(s) and time(s) of sampling or measurements

(c) date(s) analyses were performed

(d) the qualified entity that performed the analyses

(e) analytical or test methods used

(f) results of analyses or tests

(g) operating conditions existing at the time of sampling or measurement

(2) Records required for equipment inspections and/or maintenance required by this permit:

(a) equipment identification number (including make, model and serial number)

(b) date(s) and time(s) of inspection, maintenance, and/or repair

(c) date(s) any subsequent analyses were performed (if applicable)

(d) name of the person or qualified entity conducting the inspection, maintenance, and/or repair

(e) copy of the equipment manufacturer's or the owner or operator's maintenance or repair recommendations (if required to demonstrate compliance with a permit condition)

(f) description of maintenance or repair activities conducted

(g) all results of any required parameter readings

(h) a description of the physical condition of the equipment as found during any required inspection

(i) results of required equipment inspections including a description of any condition which required adjustment to bring the equipment back into compliance and a description of the required adjustments

B. Except as provided in the Specific Conditions, records shall be maintained on-site or at the permittee's local business office for a minimum of two (2) years from the time of recording and shall be made available to Department personnel upon request. Sources subject to 20.2.70 NMAC "Operating Permits" shall maintain records on-site for a minimum of five (5) years from the time of recording.

C. Unless otherwise indicated by Specific Conditions, the permittee shall keep the following records for malfunction emissions and routine or predictable emissions during startup, shutdown, and scheduled maintenance (SSM):

(1) The owner or operator of a source subject to a permit shall establish and implement a plan to minimize emissions during routine or predictable startup, shutdown, and scheduled maintenance through work practice standards and good air pollution control practices. This requirement shall not apply to any affected facility defined in and subject to an emissions standard and an equivalent plan under 40 CFR Part 60 (NSPS), 40 CFR Part 63 (MACT), or an equivalent plan under 20.2.72 NMAC - Construction Permits, 20.2.70 NMAC - Operating Permits, 20.2.74 NMAC -

Permits - Prevention of Significant Deterioration (PSD), or 20.2.79 NMAC - Permits - Nonattainment Areas. The permittee shall keep records of all sources subject to the plan to minimize emissions during routine or predictable SSM and shall record if the source is subject to an alternative plan and therefore, not subject to the plan requirements under 20.2.7.14.A NMAC.

(2) If the facility has allowable SSM emission limits in this permit, the permittee shall record all SSM events, including the date, the start time, the end time, a description of the event, and a description of the cause of the event. This record also shall include a copy of the manufacturer's, or equivalent, documentation showing that any maintenance qualified as scheduled. Scheduled maintenance is an activity that occurs at an established frequency pursuant to a written protocol published by the manufacturer or other reliable source. The authorization of allowable SSM emissions does not supersede any applicable federal or state standard. The most stringent requirement applies.

(3) If the facility has allowable malfunction emission limits in this permit, the permittee shall record all malfunction events to be applied against these limits. The permittee shall also include the date, the start time, the end time, and a description of the event. **Malfunction means** any sudden and unavoidable failure of air pollution control equipment or process equipment beyond the control of the owner or operator, including malfunction during startup or shutdown. A failure that is caused entirely or in part by poor maintenance, careless operation, or any other preventable equipment breakdown shall not be considered a malfunction. (20.2.7.7.E NMAC) The authorization of allowable malfunction emissions does not supersede any applicable federal or state standard. The most stringent requirement applies. This authorization only allows the permittee to avoid submitting reports under 20.2.7 NMAC for total annual emissions that are below the authorized malfunction emission limit.

(4) The owner or operator of a source shall meet the operational plan defining the measures to be taken to mitigate source emissions during malfunction, startup or shutdown. (20.2.72.203.A(5) NMAC)

B110 General Reporting Requirements

(20.2.72 NMAC Sections 210 and 212)

A. Records and reports shall be maintained on-site or at the permittee's local business office unless specifically required to be submitted to the Department or EPA by another condition of this permit or by a state or federal regulation. Records for unmanned sites may be kept at the nearest business office.

B. The permittee shall notify the Department's Compliance Reporting Section using the current Submittal Form posted to NMED's Air Quality web site under Compliance and Enforcement/Submittal Forms in writing of, or provide the Department with (20.2.72.212.A and B):

(1) the anticipated date of initial startup of each new or modified source not less than thirty (30) days prior to the date. Notification may occur prior to issuance of the permit, but actual startup shall not occur earlier than the permit issuance date;

(2) after receiving authority to construct, the equipment serial number as provided by the manufacturer or permanently affixed if shop-built and the actual date of initial startup of each new or modified source within fifteen (15) days after the startup date; and

(3) the date when each new or modified emission source reaches the maximum production rate at which it will operate within fifteen (15) days after that date.

C. The permittee shall notify the Department's Permitting Program Manager, in writing of, or provide the Department with (20.2.72.212.C and D):

(1) any change of operators or any equipment substitutions within fifteen (15) days of such change;

(2) any necessary update or correction no more than sixty (60) days after the operator knows or should have known of the condition necessitating the update or correction of the permit.

D. Results of emission tests and monitoring for each pollutant (except opacity) shall be reported in pounds per hour (unless otherwise specified) and tons per year. Opacity shall be reported in percent. The number of significant figures corresponding to the full accuracy inherent in the testing instrument or Method test used to obtain the data shall be used to calculate and report test results in accordance with 20.2.1.116.B and C NMAC. Upon request by the Department, CEMS and other tabular data shall be submitted in editable, MS Excel format.

E. The permittee shall submit reports of excess emissions in accordance with 20.2.7.110.A NMAC.

F. Allowable Emission Limits for Excess Emissions Reporting for Flares and Other Regulated Sources with No Pound per Hour (pph) and/or Ton per Year (tpy) Emission Limits.

(1) When a flare has no allowable pph and/or tpy emission limits in Sections A106 and/or A107, the authorized allowable emissions include only the combustion of pilot and/or purge gas. Compliance is demonstrated by limiting the gas stream to the flare to only pilot and/or purge gas.

(2) For excess emissions reporting as required by 20.2.7 NMAC, the allowable emission limits are 1.0 pph and 1.0 tpy for each regulated air pollutant (except for H2S) emitted by that source as follows:

(a) For flares, when there are no allowable emission limits in Sections A106 and/or A107.

(b) For regulated sources with emission limits in Sections A106 or A107 represented by the less than sign ("<").

(c) For regulated sources that normally would not emit any regulated air pollutants, including but not limited to vents, pressure relief devices, connectors, etc.

(3) For excess emissions reporting as required by 20.2.7 NMAC for H2S, the allowable limits are 0.1 pph and 0.44 tpy for each applicable scenario addressed in paragraph (2) above.

B111 General Testing Requirements

Unless otherwise indicated by Specific Conditions or regulatory requirements, the permittee shall conduct testing in accordance with the requirements in Sections B111A, B, C, D and E, as applicable.

A. Initial Compliance Tests

The permittee shall conduct initial compliance tests in accordance with the following requirements:

(1) Initial compliance test requirements from previous permits (if any) are still in effect, unless the tests have been satisfactorily completed. Compliance tests may be re-imposed if it is deemed necessary by the Department to determine whether the source is in compliance with applicable regulations or permit conditions. (20.2.72 NMAC Sections 210.C and 213)

(2) Initial compliance tests shall be conducted within sixty (60) days after the unit(s) achieve the maximum normal production rate. If the maximum normal production rate does not occur within one hundred twenty (120) days of source startup, then the tests must be conducted no later than one hundred eighty (180) days after initial startup of the source.

(3) The default time period for each test run shall be **at least** 60 minutes and each performance test shall consist of three separate runs using the applicable test method. For the purpose of determining compliance with an applicable emission limit, the arithmetic mean of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Department approval, be determined using the arithmetic mean of the results of the two other runs.

(4) Testing of emissions shall be conducted with the emissions unit operating at 90 to 100 percent of the maximum operating rate allowed by the permit. If it is not possible to test at that rate, the source may test at a lower operating rate

(5) Testing performed at less than 90 percent of permitted capacity will limit emission unit operation to 110 percent of the tested capacity until a new test is conducted.

(6) If conditions change such that unit operation above 110 percent of tested capacity is possible, the source must submit a protocol to the Department within 30 days of such change to conduct a new emissions test.

B. EPA Reference Method Tests

The test methods in Section B111.B(1) shall be used for all initial compliance tests and all Relative Accuracy Test Audits (RATAs), and shall be used if a permittee chooses to use EPA test methods for periodic monitoring. Test methods that are not listed in Section B111.B(1) may be used in accordance with the requirements at Section B111.B(2).

(1) All compliance tests required by this permit shall be conducted in accordance with the requirements of CFR Title 40, Part 60, Subpart A, General Provisions, and the following EPA Reference Methods as specified by CFR Title 40, Part 60, Appendix A:

(a) Methods 1 through 4 for stack gas flowrate

(b) Method 5 for particulate matter (PM)

(c) Method 6C SO_2

(d) Method 7E for NO_X (test results shall be expressed as nitrogen dioxide (NO_2) using a molecular weight of 46 lb/lb-mol in all calculations (each ppm of NO/NO_2 is equivalent to 1.194 x 10-7 lb/SCF)

(e) Method 9 for visual determination of opacity

(f) Method 10 for CO

(g) Method 19 for particulate, sulfur dioxide and nitrogen oxides emission rates. In addition, Method 19 may be used in lieu of Methods 1-4 for stack gas flowrate. The permittee shall provide a contemporaneous fuel gas analysis (preferably on the day of the test, but no earlier than three months prior to the test date) and a recent fuel flow meter calibration certificate (within the most recent quarter) with the final test report.

(h) Method 7E or 20 for Turbines per §60.335 or §60.4400

(i) Method 22 for visual determination of fugitive emissions from material sources and smoke emissions from flares

(j) Method 25A for VOC reduction efficiency

(k) Method 29 for Metals

(l) Method 30B for Mercury from Coal-Fired Combustion Sources Using Carbon Sorbent Traps

(m) Method 201A for filterable PM_{10} and $PM_{2.5}$

(n) Method 202 for condensable PM

(o) Method 320 for organic Hazardous Air Pollutants (HAPs)

(2) Permittees may propose test method(s) that are not listed in Section B111.B(1). These methods may be used if prior approval is received from the Department.

C. Periodic Monitoring and Portable Analyzer Requirements for the Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters

Periodic emissions tests (periodic monitoring) shall be conducted in accordance with the following requirements:

(1) Periodic emissions tests may be conducted in accordance with EPA Reference Methods or by utilizing a portable analyzer. Periodic monitoring utilizing a portable analyzer shall be conducted in accordance with the requirements of the current version of ASTM D 6522. However, if a facility has met a previously approved Department criterion for portable analyzers, the analyzer may be operated in accordance with that criterion until it is replaced.

(2) The default time period for each test run shall be **at least** 20 minutes.

Each performance test shall consist of three separate runs. The arithmetic mean of results of the three runs shall be used to determine compliance with the applicable emission limit.

(3) Testing of emissions shall be conducted in accordance with the requirements at Section B108.E.

(4) 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 Reference Method 19. This information shall be included with the test report furnished to the Department.

(5) Stack gas flow rate shall be calculated in accordance with Reference Method 19 utilizing fuel flow rate (scf) determined by a dedicated fuel flow meter and fuel heating value (Btu/scf). The permittee shall provide a contemporaneous fuel gas analysis (preferably on the day of the test, but no earlier than three months prior to 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 EPA Reference Methods 1-4.

(6) The permittee shall submit a notification and protocol for periodic emissions tests upon the request of the Department.

D. Initial Compliance Test and RATA Procedures

Permittees required to conduct initial compliance tests and/or RATAs shall comply with the following requirements:

(1) The permittee shall submit a notification and test protocol to the Department's Program Manager, Compliance and Enforcement Section, at least thirty (30) days before the test date and allow a representative of the Department to be present at the test. Proposals to use test method(s) that are not listed in Section B111.B(1) (if applicable) shall be included in this notification.

(2) Contents of test notifications, protocols and test reports shall conform to the format specified by the Department's Universal Test Notification, Protocol and Report Form and Instructions. Current forms and instructions are posted to NMED's Air Quality web site under Compliance and Enforcement Testing.

(3) The permittee shall provide (a) sampling ports adequate for the test methods applicable to the facility, (b) safe sampling platforms, (c) safe access to sampling platforms and (d) utilities for sampling and testing equipment.

(4) Where necessary to prevent cyclonic flow in the stack, flow straighteners shall be installed

E. General Compliance Test Procedures

The following requirements shall apply to all initial compliance and periodic emissions tests and all RATAs:

(1) Equipment shall be tested in the "as found" condition. Equipment may not be adjusted or tuned prior to any test for the purpose of lowering emissions, and then returned to previous settings or operating conditions after the test is complete.

(2) The stack shall be of sufficient height and diameter and the sample ports shall be located so that a representative test of the emissions can be performed in accordance with the requirements of EPA Reference Method 1 or the current version of ASTM D 6522, as applicable.

(3) Test reports shall be submitted to the Department no later than 30 days after completion of the test.

B112 Compliance

A. The Department shall be given the right to enter the facility at all reasonable times to verify the terms and conditions of this permit. Required records shall be organized by date and subject matter and shall at all times be readily available for inspection. The permittee, upon verbal or written request from an authorized representative of the Department who appears at the facility, shall immediately produce for inspection or copying any records required to be maintained at the facility. Upon written request at other times, the permittee shall deliver to the Department paper or electronic copies of any and all required records maintained on site or at an off-site location. Requested records shall be copied and delivered at the permittee's expense within three business days from receipt of request unless the Department allows additional time. Required records may include records required by permit and other information necessary to

demonstrate compliance with terms and conditions of this permit. (NMSA 1978, Section 74-2-13)

B. A copy of the most recent permit(s) issued by the Department shall be kept at the permitted facility or (for unmanned sites) at the nearest company office and shall be made available to Department personnel for inspection upon request. (20.2.72.210.B.4 NMAC)

C. Emissions limits associated with the energy input of a Unit, i.e. lb/MMBtu, shall apply at all times unless stated otherwise in a Specific Condition of this permit. The averaging time for each emissions limit, including those based on energy input of a Unit (i.e. lb/MMBtu) is one (1) hour unless stated otherwise in a Specific Condition of this permit or in the applicable requirement that establishes the limit.

B113 Permit Cancellation and Revocation

A. The Department may revoke this permit if the applicant or permittee has knowingly and willfully misrepresented a material fact in the application for the permit. Revocation will be made in writing, and an administrative appeal may be taken to the Secretary of the Department within thirty (30) days. Appeals will be handled in accordance with the Department's Rules Governing Appeals From Compliance Orders.

B. The Department shall automatically cancel any permit for any source which ceases operation for five (5) years or more, or permanently. Reactivation of any source after the five (5) year period shall require a new permit. (20.2.72 NMAC)

C. The Department may cancel a permit if the construction or modification is not commenced within two (2) years from the date of issuance or if, during the construction or modification, work is suspended for a total of one (1) year. (20.2.72 NMAC)

B114 Notification to Subsequent Owners

A. The permit and conditions apply in the event of any change in control or ownership of the Facility. No permit modification is required in such case. However, in the event of any such change in control or ownership, the permittee shall notify the succeeding owner of the permit and conditions and shall notify the Department’s Program Manager, Permits Section of the change in ownership within fifteen (15) days of that change. (20.2.72.212.C NMAC)

B. Any new owner or operator shall notify the Department’s Program Manager, Permits Section, within thirty (30) days of assuming ownership, of the new owner’s or operator’s name and address. (20.2.73.200.E.3 NMAC)

B115 Asbestos Demolition

A. Before any asbestos demolition or renovation work, the permittee shall determine whether 40 CFR 61 Subpart M, National Emissions Standards for Asbestos applies. If required, the permittee shall notify the Department's Program Manager, Compliance and Enforcement Section using forms furnished by the Department.

B116 Short Term Engine Replacement

A. The following Alternative Operating Scenario (AOS) addresses engine breakdown or periodic maintenance and repair, which requires the use of a short term replacement engine. The following requirements do not apply to engines that are exempt per 20.2.72.202.B(3) NMAC. Changes to exempt engines must be reported in accordance with 20.2.72.202.B NMAC. A short term replacement engine may be substituted for any engine allowed by this permit for no more than 120 days in any rolling twelve month period per permitted engine. The compliance demonstrations required as part of this AOS are in addition to any other compliance demonstrations required by this permit.

(1) The permittee may temporarily replace an existing engine that is subject to the emission limits set forth in this permit with another engine regardless of manufacturer, model, and horsepower without modifying this permit. The permittee shall submit written notification to the Department within 15 days of the date of engine substitution according to condition B110.C(1).

(a) The potential emission rates of the replacement engine shall be determined using the replacement engine's manufacturer specifications and shall comply with the existing engine's permitted emission limits.

(b) The direction of the exhaust stack for the replacement engine shall be either vertical or the same direction as for the existing engine. The replacement engine's stack height and flow parameters shall be at least as effective in the dispersion of air pollutants as the modeled stack height and flow parameters for the existing permitted engine. The following equation may be used to show that the replacement engine disperses pollutants as well as the existing engine. The value calculated for the replacement engine on the right side of the equation shall be equal to or greater than the value for the existing engine on the left side of the equation. The permitting page of the Air Quality Bureau website contains a spreadsheet that performs this calculation.

EXISTING ENGINE REPLACMENT ENGINE

$$\frac{[(g) \times (h1)] + [(v1)^2/2] + [(c) \times (T1)]}{q1} <= \frac{[(g) \times (h2)] + [(v2)^2/2] + [(c) \times (T2)]}{q2}$$

Where
g = gravitational constant = 32.2 ft/sec^2
h1 = existing stack height, feet
v1 = exhaust velocity, existing engine, feet per second
c = specific heat of exhaust, 0.28 BTU/lb-degree F
T1 = absolute temperature of exhaust, existing engine = degree F + 460
q1 = permitted allowable emission rate, existing engine, lbs/hour
h2 = replacement stack height, feet
v2 = exhaust velocity, replacement engine, feet per second
T2 = absolute temperature of exhaust, replacement engine = degree F + 460
q2 = manufacturer's potential emission rate, replacement engine, lbs/hour

The permittee shall keep records showing that the replacement engine is at least as effective in the dispersion of air pollutants as the existing engine.

(c) Test measurement of NOx and CO emissions from the temporary replacement engine shall be performed in accordance with Section B111 with the exception of Condition B111A(2) and B111B for EPA Reference Methods Tests or Section B111C for portable analyzer test measurements. Compliance test(s) shall be conducted within fifteen (15) days after the unit begins operation, and records of the results shall be kept according to section B109.B. This test shall be performed even if the engine is removed prior to 15 days on site.

i. These compliance tests are not required for an engine certified under 40CFR60, subparts IIII, or JJJJ, or 40CFR63, subpart ZZZZ if the permittee demonstrates that one of these requirements causes such engine to comply with all emission limits of this permit. The permittee shall submit this demonstration to the Department within 48 hours of placing the new unit into operation. This submittal shall include documentation that the engine is certified, that the engine is within its useful life, as defined and specified in the applicable requirement, and shall include calculations showing that the applicable emissions standards result in compliance with the permit limits.

ii. These compliance tests are not required if a test was conducted by portable analyzer or by EPA Method test (including any required by 40CFR60, subparts IIII and JJJJ and 40CFR63, subpart ZZZZ) within the last 12 months. These previous tests are valid only if conducted at the same or lower elevation as the existing engine location prior to commencing operation as a temporary replacement. A copy of the test results shall be kept according to section B109.B.

(d) Compliance tests for NOx and CO shall be conducted if requested by the Department in writing to determine whether the replacement engine is in compliance with applicable regulations or permit conditions.

(e) Upon determining that emissions data developed according to B116.A.1(c) fail to indicate compliance with either the NOx or CO emission limits, the permittee shall notify the Department within 48 hours. Also within that time, the permittee shall implement one of the following corrective actions:

i. The engine shall be adjusted to reduce NOx and CO emissions and tested per B116.A.1(c) to demonstrate compliance with permit limits.

ii. The engine shall discontinue operation or be replaced with a different unit.

(2) Short term replacement engines, whether of the same manufacturer, model, and horsepower, or of a different manufacturer, model, or horsepower, are subject to all federal and state applicable requirements, regardless of whether they are set forth in this permit (including monitoring and recordkeeping), and shall be subject to any shield afforded by this permit.

(3) The permittee shall maintain a contemporaneous record documenting the unit number, manufacturer, model number, horsepower, emission factors, emission test results, and serial number of any existing engine that is replaced, and the replacement engine. Additionally, the record shall document the replacement duration in days, and the beginning and end dates of the short term engine replacement.

(4) The permittee shall maintain records of a regulatory applicability determination for each replacement engine (including 40CFR60, subparts IIII and JJJJ and 40CFR63, subpart ZZZZ) and shall comply with all associated regulatory requirements.

B. Additional requirements for replacement of engines at sources that are major as defined in regulation 20.2.74 NMAC, Permits – Prevention of Significant Deterioration, section 7.AG. For sources that are major under PSD, the total cumulative operating hours of the replacement engine shall be limited using the following procedure:

(1) Daily, the actual emissions from the replacement engine(s) of each pollutant regulated by this permit for the existing engine shall be calculated and recorded.

(2) The sum of the total actual emissions since the commencement of operation of the replacement engine(s) shall not equal or exceed the significant emission rates in Table 2 of 20.2.74 NMAC, section 502 for the time that the replacement engine is located at the facility.

C. All records required by this section shall be kept according to section B109.

PART C MISCELLANEOUS

C100 Supporting On-Line Documents

A. Copies of the following documents can be downloaded from NMED's web site under Compliance and Enforcement or requested from the Bureau.

(1) Excess Emission Form (for reporting deviations and emergencies)

(2) Universal Stack Test Notification, Protocol and Report Form and Instructions

C101 Definitions

A. **"Daylight"** is defined as the time period between sunrise and sunset, as defined by the Astronomical Applications Department of the U.S. Naval Observatory. (Data for one day or a table of sunrise/sunset for an entire year can be obtained at http://aa.usno.navy.mil/. Alternatively, these times can be obtained from a Farmer's Almanac or from http://www.almanac.com/rise/).

B. **"Decommission"** and **"Decommissioning"** applies to units left on site (not removed) and is defined as the complete disconnecting of equipment, emission sources or activities from the process by disconnecting all connections necessary for operation (i.e. piping, electrical, controls, ductwork, etc.).

C. **"Exempt Sources"** and **"Exempt Activities"** is defined as those sources or activities that are exempted in accordance with 20.2.72.202 NMAC. Note; exemptions are only valid for most 20.2.72 NMAC permitting actions.

D. **"Fugitive Emission"** means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

E. **"Insignificant Activities"** means those activities which have been listed by the department and approved by the administrator as insignificant on the basis of size, emissions or production rate. Note; insignificant activities are only valid for 20.2.70 NMAC permitting actions.

F. **"Malfunction"** for the requirements under 20.2.7 NMAC, means any sudden and unavoidable failure of air pollution control equipment or process equipment beyond the control of the owner or operator, including malfunction during startup or shutdown. A failure that is caused entirely or in part by poor maintenance, careless operation, or any other preventable equipment breakdown shall not be considered a malfunction. (20.2.7.7.E NMAC)

G. **"Natural Gas"** is defined as a naturally occurring fluid mixture of hydrocarbons that contains 20.0 grains or less of total sulfur per 100 standard cubic feet (SCF) and is either composed of at least 70% methane by volume or has a gross calorific value of between 950 and 1100 Btu per standard cubic foot. (40 CFR 60.631)

H. **"Natural Gas Liquids"** means the hydrocarbons, such as ethane, propane, butane, and pentane, that are extracted from field gas. (40 CFR 60.631)

I. **"National Ambient air Quality Standards"** means, unless otherwise modified, the primary (health-related) and secondary (welfare-based) federal ambient air quality standards promulgated by the US EPA pursuant to Section 109 of the Federal Act.

J. **"Night"** is the time period between sunset and sunrise, as defined by the Astronomical Applications Department of the U.S. Naval Observatory. (Data for one day or a table of sunrise/sunset for an entire year can be obtained at http://aa.usno.navy.mil/. Alternatively, these times can be obtained from a Farmer's Almanac or from http://www.almanac.com/rise/).

K. **"Night Operation** or **Operation at Night"** is operating a source of emissions at night.

L. **"NO2"** or "Nitrogen dioxide" means the chemical compound containing one atom of nitrogen and two atoms of oxygen, for the purposes of ambient determinations. The term **"nitrogen dioxide,"** for the purposes of stack emissions monitoring, shall include nitrogen dioxide (the chemical compound containing one atom of nitrogen and two atoms of oxygen), nitric oxide (the chemical compound containing one atom of nitrogen and one atom of oxygen), and other oxides of nitrogen which may test as nitrogen dioxide and is sometimes referred to as NOx or NO_2. (20.2.2 NMAC)

M. "**NOx**" see NO_2

N. "**Paved Road**" is a road with a permanent solid surface that can be swept essentially free of dust or other material to reduce air re-entrainment of particulate matter. To the extent these surfaces remain solid and contiguous they qualify as paved roads: concrete, asphalt, chip seal, recycled asphalt and other surfaces approved by the Department in writing.

O. **"Potential Emission Rate"** means the emission rate of a source at its maximum capacity to emit a regulated air contaminant under its physical and operational design, provided any physical or operational limitation on the capacity of the source to emit a regulated air contaminant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its physical and operational design only if the limitation or the effect it would have on emissions is enforceable by the department pursuant to the Air Quality Control Act or the federal Act.

P. "**Restricted Area**" is an area to which public entry is effectively precluded. Effective barriers include continuous fencing, continuous walls, or other continuous barriers approved by the Department, such as rugged physical terrain with a steep grade that would require special equipment to traverse. If a large property is completely enclosed by fencing, a restricted area within the property may be identified with signage only. Public roads cannot be part of a Restricted Area.

Q. **"Shutdown"** for requirements under 20.2.72 NMAC, means the cessation of operation of any air pollution control equipment, process equipment or process for any purpose, except routine phasing out of batch process units.

R. **"SSM"** for requirements under 20.2.7 NMAC, means routine or predictable startup, shutdown, or scheduled maintenance.

(1) **"Shutdown"** for requirements under 20.2.7 NMAC, means the cessation of operation of any air pollution control equipment or process equipment.

(2) **"Startup"** for requirements under 20.2.7 NMAC, means the setting into operation of any air pollution control equipment or process equipment.

S. **"Startup"** for requirements under 20.2.72 NMAC, means the setting into operation of any air pollution control equipment, process equipment or process for any purpose, except routine phasing in of batch process units.

C102 Acronyms

2SLB ..... 2-stroke lean burn
4SLB ..... 4-stroke lean burn
4SRB ..... 4-stroke rich burn
acfm ..... actual cubic feet per minute
AFR ..... air fuel ratio
AP-42 ..... EPA Air Pollutant Emission Factors
AQB ..... Air Quality Bureau
AQCR ..... Air Quality Control Region
ASTM ..... American Society for Testing and Materials
Btu ..... British thermal unit
CAA ..... Clean Air Act of 1970 and 1990 Amendments
CEM ..... continuous emissions monitoring
cfh ..... cubic feet per hour
cfm ..... cubic feet per minute
CFR ..... Code of Federal Regulation
CI ..... compression ignition
CO ..... carbon monoxides
COMS ..... continuous opacity monitoring system
EIB ..... Environmental Improvement Board
EPA ..... United States Environmental Protection Agency
gr/100 cf ..... grains per one hundred cubic feet
gr/dscf ..... grains per dry standard cubic foot
GRI ..... Gas Research Institute
HAP ..... hazardous air pollutant
hp ..... horsepower
H_2S ..... hydrogen sulfide
IC ..... internal combustion
KW/hr ..... kilowatts per hour

lb/hr ..... pounds per hour
lb/MMBtu ..... pounds per million British thermal unit
MACT ..... Maximum Achievable Control Technology
MMcf/hr ..... million cubic feet per hour
MMscf ..... million standard cubic feet
N/A ..... not applicable
NAAQS ..... National Ambient Air Quality Standards
NESHAP ..... National Emission Standards for Hazardous Air Pollutants
NG ..... natural gas
NGL ..... natural gas liquids
NMAAQS ..... New Mexico Ambient Air Quality Standards
NMAC ..... New Mexico Administrative Code
NMED ..... New Mexico Environment Department
NMSA ..... New Mexico Statues Annotated
NOx ..... nitrogen oxides
NSCR ..... non-selective catalytic reduction
NSPS ..... New Source Performance Standard
NSR ..... New Source Review
PEM ..... parametric emissions monitoring
PM ..... particulate matter (equivalent to TSP, total suspended particulate)
PM_{10} ..... particulate matter 10 microns and less in diameter
$PM_{2.5}$ ..... particulate matter 2.5 microns and less in diameter
pph ..... pounds per hour
ppmv ..... parts per million by volume
PSD ..... Prevention of Significant Deterioration
RATA ..... Relative Accuracy Test Assessment
RICE ..... reciprocating internal combustion engine
rpm ..... revolutions per minute
scfm ..... standard cubic feet per minute
SI ..... spark ignition
SO_2 ..... sulfur dioxide
SSM ..... Startup Shutdown Maintenance (see SSM definition)
TAP ..... Toxic Air Pollutant
TBD ..... to be determined
THC ..... total hydrocarbons
TSP ..... Total Suspended Particulates
tpy ..... tons per year
ULSD ..... ultra low sulfur diesel
USEPA ..... United States Environmental Protection Agency
UTM ..... Universal Transverse Mercator Coordinate system
UTMH ..... Universal Transverse Mercator Horizontal
UTMV ..... Universal Transverse Mercator Vertical
VHAP ..... volatile hazardous air pollutant
VOC ..... volatile organic compounds

From: Polgar, Brian, ENV
To: Butler, Charles, ENV
Subject: FW: North Wind Gas Processing
Date: Friday, January 31, 2025 9:41:50 AM

From: Vigil, Christopher J, ENV <ChristopherJ.Vigil@env.nm.gov>
Sent: Thursday, August 29, 2024 1:25 PM
To: Polgar, Brian, ENV <Brian.Polgar@env.nm.gov>; Nellessen, James, ENV <James.Nellessen@env.nm.gov>; Kuhn, Julia, ENV <Julia.Kuhn@env.nm.gov>; Baldwin, Miranda, ENV <Miranda.Baldwin1@env.nm.gov>
Subject: North Wind Gas Processing

Hi Team,

Lou Rose called me today about the above mentioned facility, which is currently under construction – without a permit. It is a large, unpermitted project around Jal, NM, with about 300 people working on-site. The company bought the existing original facility in December of 2023, and received a permit in July 2024. Sometime after December 2023, construction was started – without a permit – on an expansion and modification. In July 2024, an application was submitted for the expansion, but it permit has not been issued yet. The facility is approximately 75% completed.

The company wants to meet with AQB to address the issue. Can we meet on this next week?

Thank you

Chris Vigil
Assistant General Counsel
Air Quality Bureau
New Mexico Environment Department
121 Tijeras Ave. NE, Ste. 1000
Albuquerque, NM 87102
Phone: (505) 469-4696
Fax: (505) 383-2064
Email: christopherj.vigil@env.nm.gov
https://www.env.nm.gov/

New Mexico Environment Department
Air Quality Bureau
Compliance and Enforcement Section
525 Camino de los Marquez, Suite 1
Santa Fe, NM 87505
Phone (505) 476-4300
Fax (505) 476-4375

Version 06.14.16

ENFORCEMENT DISCRETION REQUEST APPLICATION

SECTION I - GENERAL COMPANY AND FACILITY INFORMATION

® Company Name:			® Facility Name:		
Northwind Midstream Partners LLC			Titan Treater Plant No. 1		
® Company Address:			**® Facility Address:**		
811 Louisiana St., Suite 2500			108 Beckham Rd		
® City:	**® State:**	**® Zip:**	**® City:**	**® State:**	**® Zip:**
Houston	TX	77002	Jal	NM	88252

® AI Number:	Title V Permit Number:	Title V Permit Issue Date:	NSR Permit Number:	NSR Permit Issue Date:
38342			7747M5	07/03/2024

SECTION II - CONTACT INFORMATION FOR THIS SUBMITTAL

Name:	Title:	Office Phone Number:
Jillian Yamartino	Environmental - Air Manager	(346) 613-1471
Cell Phone Number:	**Fax Number:**	**Email Address:**
(207) 745-0783		jyamartino@nwmidstream.com

SECTION III - REASON(S) FOR REQUEST

A.1 **Please indicate below whether or not this request is affected by a permit condition, regulatory citation or other issue:**

A.2	**Permit Condition:**	☒	**Permit Number:**	7747M5	**Condition:**	B101(B)
A.3	**Regulatory Citation:**	☒	**Regulation:**	20.2.72 NMAC	**Sub-paragraph:**	200.E
A.4	**Other:**	☐	**If Other, explain:**			
A.5	**Not Applicable (NA):**	☐	**If NA, explain:**			

A.6. **Please reproduce text (in its entirety) of permit condition or regulatory citation below (if applicable)::**

7747M5 B101(B): Any future physical changes, changes in the method of operation or changes in restricted area may constitute a modification as defined by 20.2.72 NMAC, Construction Permits. Unless the source or activity is exempt under 20.2.72.202 NMAC, no modification shall begin prior to issuance of a permit. (20.2.72 NMAC Sections 200.A.2 and E, and 210.B.4)

20.2.72.200.E: For all sources subject to this part, applications for permits shall be filed prior to the commencement of the construction, modification or installation. Regardless of the anticipated commencement date, no construction, modification or installation shall begin prior to issuance of the permit.

B.	**Emission unit(s) affected by request (if applicable):**	**Emission Unit Number:**	CE-4, CE-5, CE-7, CE-8, CE-9, DHY-2, DHR-2, DHY-3, DHR-3, EC-1, VRU, AGFL, FUG,TK-3 through TK-6, AM-2, HOH-2, HOH-3,SOH-COMP1, SOH-COMP2

B.1 **Emission Unit Description:**

CE-4, CE-5, CE-7, CE-8, CE-9: Compressor engines
DHY-2, DHY-3, DHR-2 and DHR-3: TEG dehyrators and associated reboilers
EC-1: Enclosed Combustor
VRU: Vapor Recovery Unit
AGFL: Acid gas flare
FUG: Fugitive Components
TK-3 through TK-6: 1000bbl stabilized condensate tanks
AM-2: Amine unit
HOH-2 and HOH-3: Hot Oil Heaters
SOH-COMP1 and SOH-COMP2: Electric stabilizer overhead compressors

There will be no emissions from this equipment during construction.

C.	**Explain the nature of the request:**	

Northwind seeks enforcement discretion to resume and complete construction under the significant revision to air permit 7747M5 pending its issuance, which is expected on or before November 4, 2024.

D.	**Explain the reason for the request:**	

Northwind began construction prior to the issuance of the NSR permit application No. 7747M6 for the proposed changes. A senior officer of the Company with a lack of experinece and understanding of the permitting process in New Mexico made the decision to start the unpermitted construction and did not share it with the other members of the executive team, including the CEO and General Counsel. The senior officer has been placed on leave pending further investigation. The CEO of Northwind became aware on August 22, 2024 that construction of unpermitted equipment was underway and in response the Company immediately self reported the violation to NMED on August 23, 2024 and initiated a plan to shut down unpermitted construction activities.

E.	**Will the period of enforcement discretion be resolved by the issuance of a new permit?**	☒ YES ☐ NO ☐ NA

E.1	**If YES, explain why you will not wait until the new permit is issued:**

The safe and prudent shut down of construction is a complex process that is estimated by the construction contractor to take 4 to 6 weeks to complete. In some instances, it will be safer and quicker to finish construction of a piece of equipment than to leave it in place. Shutting down construction will also require demobilization of 300+ personnel. It is uncertain that Northwind will be able to remobilize these personnel without significant delays once the permit amendment is issued. We estimate that it will take 4 to 6 weeks to mobilize and restart construction. As a result, avoiding a complete shutdown of construction is expected to save approximately 90-days of shutdown and remobilization time. Consequently, allowing completion of construction prior to permit issuance will allow the expanded Titan Treater Plant No. 1 (the "Titan Facility") to operate approximately 90-days sooner following permit issuance and thereby achieve a quicker reduction of overall emissions in New Mexico.

The Titan Facility is designed specifically to treat, remove, and sequester carbon dioxide, hydrogen sulfide, and other impurities from the natural gas production stream. The Titan Facility is expected to result in a net decrease in overall emissions through two key initiatives: First, many oil and gas producers, including several of Northwind's customers, are forced to flare their natural gas production principally due to system interruptions and a lack of sufficient treating capacity. In total, Northwind's customers' contracted properties have historically represented approximately 15% of state-wide natural gas flaring. The introduction of the expanded Titan Facility's treating capacity is expected to immediately reduce producer flaring and provide critical treating capacity. Second, carbon dioxide is typically produced in material quantities and entrained with natural gas throughout Lea County, New Mexico. Traditional energy companies have and are currently treating and then venting the associated carbon dioxide into the atmosphere. The Titan Facility is designed specifically to treat, remove, and then sequester this carbon dioxide. Northwind estimates that the Titan Facility will immediately result in an emissions reduction by capturing and sequestering carbon dioxide that is currently being vented today.

Assuming an accelerated construction timeline through approval of the Enforcement Discretion, the expected net reduction in emissions for a 90-day acceleration of placing the expanded facility online would be approximately 30,000 tons of CO_2, 165 tons of CH_4, 30 tons of VOCs, 29 tons of NOx, 68 tons of CO, and 34 tons of SO_2. These emissions reductions would be achieved by (1) reducing flaring by Northwind customers who are awaiting sour gas treatment capacity and (2) capturing and sequestering CO_2 that would otherwise be vented in the field. These calculations (i) specifically exclude emissions from existing permitted equipment, (ii) are based on achieving an in-service date of the expanded Titan Facility 90-days sooner following permit issuance, and (iii) are based on the historical flaring records of Northwind's customers from OCD C-115 monthly reporting for 2023 and Northwind's forecasted gas composition analyses. In addition, the gross emissions calculations for the Titan Facility are based on the plant's maximum potential to emit and actual emissions may be lower from the estimates presented, resulting in a higher net reduction in emissions for the facility. Please see attachment No. 1 included herewith for additional details on the emissions reduction impacts of the Titan Facility.

E.2	**If NO, explain:**

SECTION IV - PERMIT APPLICATION STATUS (if applicable)

A.	**Has an application been submitted to issue a new permit or modify your current permit?**	☒ YES ☐ NO ☐ NA
A.1.	**If YES, indicate date (mm/dd/yyyy):**	07/05/2024
B.	**Has the application been ruled complete?**	☒ YES ☐ NO ☐ NA
B.1	**If YES, indicate date (mm/dd/yyyy):**	08/06/2024
C.	**Indicate type of permit action required (check one):**	☐ New ☒ Significant Revision ☐ Tech Revision ☐ Admin Revision
C.1	**Indicate the permit issuance due date (mm/dd/yyyy):**	11/04/2024
D.	**If application has not been submitted, indicate date when it will be submitted (mm/dd/yyyy):**	
E.	**If application has not been submitted, estimate permit issuance due date based on projected application submittal date and permit action type required (mm/dd/yyyy).**	

SECTION V – DURATION OF REQUEST

A.	**For what length of time are you requesting this discretion (no. of days or deadline, mm/dd/yyyy)?**	11/04/2024

SECTION VI - EMISSIONS INFORMATION

A.	**Does this request involve the replacement (temporary or otherwise) of a currently permitted unit?**	☐ YES ☐ NO ☒ NA
A.1	**If YES, enter current and proposed emission rate details (as applicable) in the table below. Please attach documentation for proposed replacement unit emission rates. If NO, leave table blank:**	

Emission Rate Information	NOx	CO	SO2	VOC	TSP	PM10	PM2.5	Other[1]
Existing Permitted Unit, lb/hr								
Proposed Replacement Unit, lb/hr								

B.	**Are the emissions in the table above associated with an exhaust stack or a flare?**	☐ YES ☐ NO ☐ NA
B.1	**If YES, enter the calculation results from the plume energy spreadsheet (if provided with this application) in the applicable fields in the table below. Attach the spreadsheet and documentation of the replacement unit stack dimensions and emissions parameters to your submittal. If NO, leave table blank:**	

Plume Energy per Unit Mass:	NOx	CO	SO2	VOC	TSP	PM10	PM2.5	Other[1]
Existing Permitted Unit								
Proposed Replacement Unit								

NOTE 1 – If Other, please enter pollutant name in the text field provided.

C.	**If this request will result in emissions in excess of current permitted levels, explain how these emissions will be minimized to the maximum extent practicable during this period, otherwise, leave blank:**	

SECTION VII. ADDITIONAL COMMENTS (if required)

Based on modeling conducted as part of the pending permit application, the proposed emissions will not exceed National Ambient Air Quality Standards (NAAQS), New Mexico Ambient Air Quality Standards, and PSD increments. We will continue to explore and implement all practical measures to minimize emissions.

SECTION VIII. ATTACHMENTS (if required, check all that apply):

1. ☒ **Description:** Titan Facility Emissions Reduction Impacts
2. ☐ **Description:** _____
3. ☐ **Description:** _____
4. ☐ **Description:** _____
5. ☐ **Description:** _____
6. ☐ **Description:** _____

SECTION IX - CERTIFICATION

After reasonable inquiry, I Matt Spicer (name of reporting official) **certify that the information in this submittal is true, accurate and complete.**

® Signature of Reporting Official:	® Title:	® Date	Responsible Official for Title V?
Matt Spicer	CEO	9/10/24	☐ Yes ☐ No

NMED USE ONLY			
TEMPO GREY BAR NO.:	ENF20240001	**FILE NAME:**	Titan Treater ED.pdf

A. Request is: ☐ APPROVED ☐ DENIED ☒ APPROVED WITH CONDITIONS (as stipulated below)

B. This approval is subject to the following conditions (if applicable):

1. This ED approval shall in no way limit Northwind's liability for the violation of beginning construction prior to issuance of a permit modification. This approval shall establish an end date for that violation and allow continued construction prior to issuance of the NSR permit revision 7747-M6.
2. This ED approval shall not limit future liability for other violations related to construction or operation. This ED approval shall also not limit liability for past violations other than beginning construction without an issued permit revision for the M6 revision.
3. No units included as new units in the NSR permit revision 7747-M6 shall operate until the revision is issued.
4. This ED approval only covers NSR Significant Revision 7747-M6.
5. Northwind assumes full responsibility should modeling for the revision not be approved. This ED approval shall not be used to justify further discretion should changes be required due to failed modeling.
6. Northwind shall provide via email the Compliance and Enforcement Section Chief with monthly updates on the status of the construction and any relevant updates from the AQB Permit Section.
7. If modeling does not pass, Northwind shall immediately notify the C&E Section Chief. This notification (or a separate notification within 1 week) shall include a plan for addressing the failed modeling.
8. AQB Permitting is anticipating that 7747-M6 will be issued November 4, 2024. Should Northwind be informed of any delay in this anticipated permit issuance date, the C&E Section Chief shall immediately be notified.
9. This ED approval shall expire on the day that the M6 revision is issued.

IF THIS REQUEST HAS BEEN APPROVED – The Department has relied upon the information provided in this application to approve this request. In the event that any of the information provided in this application is not accurate, and/or if the facility does not abide by the conditions imposed above (if any), this approval may be revoked.

Processed by: Brian Polgar	**Title** AQB C&E Section Chief	**Date:** September 11, 2024
	Phone No. 505-629-3466	**Email Address** brian.polgar@env.nm.gov
Name of Approving NMED Official: Same	**Title:**	**Date**
Signature of Approving NMED Official: Brian Polgar Digitally signed by Brian Polgar Date: 2024.09.11 15:03:17 -06'00'	**Phone No.** 505-629-3466	**Email Address** brian.polgar@env.nm.gov

From: Connor Long
To: Polgar, Brian, ENV
Cc: lrose@spencerfane.com; Matt Spicer; Vigil, Christopher J, ENV
Subject: RE: [EXTERNAL] Northwind Enforcement Discretion Application
Date: Thursday, September 12, 2024 1:33:18 PM

Brian,

We determined that construction commenced for the modifications covered in the M6 permit revision on April 9, 2024. This was the start date for foundation work on the TEG dehydrator (DHY-2). Please let us know if you have any additional questions or need anything else.

Best,
Conor

Connor Long
Senior Vice President & General Counsel
connor@nwmidstream.com
Northwind Midstream Partners LLC
811 Louisiana Street, Suite 2500
Houston, TX 77002
M: (318) 469-3620 | O: (346) 613-1473

From: Polgar, Brian, ENV <Brian.Polgar@env.nm.gov>
Sent: Wednesday, September 11, 2024 4:51 PM
To: Connor Long <connor@nwmidstream.com>
Cc: lrose@spencerfane.com; Matt Spicer <matt@nwmidstream.com>; Vigil, Christopher J, ENV <ChristopherJ.Vigil@env.nm.gov>
Subject: RE: [EXTERNAL] Northwind Enforcement Discretion Application

Great.

I do have one question. Can Northwind provide the date the construction commenced for the modifications covered in the M6 revision?

We need to establish a start date for the construction without permit violation.

I will send a PIN (Post Inspection Notification) hopefully next week for that violation.

Thank you,
Brian

From: Connor Long <connor@nwmidstream.com>
Sent: Wednesday, September 11, 2024 3:46 PM
To: Polgar, Brian, ENV <Brian.Polgar@env.nm.gov>
Cc: lrose@spencerfane.com; Matt Spicer <matt@nwmidstream.com>; Vigil, Christopher J, ENV <ChristopherJ.Vigil@env.nm.gov>
Subject: RE: [EXTERNAL] Northwind Enforcement Discretion Application

Thank you, Brian. We appreciate your quick attention to our request. We note the conditions on page 4, and will provide you with monthly updates on the status of the construction and any updates from AQB permitting.

Regards,
Connor

Connor Long
Senior Vice President & General Counsel
connor@nwmidstream.com
Northwind Midstream Partners LLC
811 Louisiana Street, Suite 2500
Houston, TX 77002
M: (318) 469-3620 | O: (346) 613-1473

From: Polgar, Brian, ENV <Brian.Polgar@env.nm.gov>
Sent: Wednesday, September 11, 2024 4:07 PM
To: Connor Long <connor@nwmidstream.com>; Vigil, Christopher J, ENV <ChristopherJ.Vigil@env.nm.gov>
Cc: lrose@spencerfane.com; Matt Spicer <matt@nwmidstream.com>
Subject: RE: [EXTERNAL] Northwind Enforcement Discretion Application

Hi Connor and Matt,

I've attached the conditional approval of the Enforcement Discretion request for the Titan Treater facility. The conditions are listed on page 4.

Let me know if you have any questions.

Brian

From: Connor Long <connor@nwmidstream.com>
Sent: Wednesday, September 11, 2024 8:12 AM
To: Polgar, Brian, ENV <Brian.Polgar@env.nm.gov>; Vigil, Christopher J, ENV <ChristopherJ.Vigil@env.nm.gov>
Cc: lrose@spencerfane.com; Matt Spicer <matt@nwmidstream.com>
Subject: RE: [EXTERNAL] Northwind Enforcement Discretion Application

Brian,

As promised, please find attached the spreadsheet supporting the estimated emissions calculations in our application. We are happy to answer any questions or provide any additional information that you may need.

Thanks,
Connor

Connor Long
Senior Vice President & General Counsel
connor@nwmidstream.com
Northwind Midstream Partners LLC
811 Louisiana Street, Suite 2500
Houston, TX 77002
M: (318) 469-3620 | O: (346) 613-1473

From: Connor Long
Sent: Tuesday, September 10, 2024 3:35 PM
To: Vigil, Christopher J, ENV <ChristopherJ.Vigil@env.nm.gov>; Polgar, Brian, ENV <Brian.Polgar@env.nm.gov>
Cc: lrose@spencerfane.com; Matt Spicer <matt@nwmidstream.com>
Subject: RE: [EXTERNAL] Northwind Enforcement Discretion Application

Brian,

As discussed, attached please find the signed Enforcement Discretion Request Application with today's date. I can also confirm that the maximum potential to emit amounts used in the gross emissions calculations for the facility are based on the PTE in the pending permit revision.

We will follow up with the spreadsheet supporting the emissions calculations as promised.

Please let us know if you need anything else.

Thanks,
Connor

Connor Long
Senior Vice President & General Counsel
connor@nwmidstream.com
Northwind Midstream Partners LLC
811 Louisiana Street, Suite 2500
Houston, TX 77002
M: (318) 469-3620 | O: (346) 613-1473

From: Connor Long
Sent: Tuesday, September 10, 2024 12:49 PM
To: Vigil, Christopher J, ENV <ChristopherJ.Vigil@env.nm.gov>; Polgar, Brian, ENV <Brian.Polgar@env.nm.gov>
Cc: lrose@spencerfane.com; Matt Spicer <matt@nwmidstream.com>
Subject: RE: [EXTERNAL] Northwind Enforcement Discretion Application

Brian and Chris,

We appreciate your considered feedback to our ED application. We have updated the enforcement discretion request application to address your comments. Please see attached the updated application along with the supplemental slides to be included with the application. We look forward to discussing in more detail with you this afternoon.

Thanks,
Connor

Connor Long
Senior Vice President & General Counsel
connor@nwmidstream.com
Northwind Midstream Partners LLC
811 Louisiana Street, Suite 2500
Houston, TX 77002
M: (318) 469-3620 | O: (346) 613-1473

From: Connor Long <connor@nwmidstream.com>
Sent: Monday, September 9, 2024 5:21 PM
To: Vigil, Christopher J, ENV <ChristopherJ.Vigil@env.nm.gov>; Polgar, Brian, ENV <Brian.Polgar@env.nm.gov>; Matt Spicer <matt@nwmidstream.com>
Cc: lrose@spencerfane.com
Subject: Re: [EXTERNAL] Northwind Enforcement Discretion Application

Thanks Brian and Chris. We are available at 2pm Mountain time.

Connor

Connor Long
Senior Vice President & General Counsel
connor@nwmidstream.com
Northwind Midstream Partners LLC
811 Louisiana Street, Suite 2500
Houston, TX 77002

From: Vigil, Christopher J, ENV <ChristopherJ.Vigil@env.nm.gov>
Sent: Monday, September 9, 2024 5:14:55 PM
To: Polgar, Brian, ENV <Brian.Polgar@env.nm.gov>; Matt Spicer <matt@nwmidstream.com>
Cc: Connor Long <connor@nwmidstream.com>; lrose@spencerfane.com <lrose@spencerfane.com>
Subject: RE: [EXTERNAL] Northwind Enforcement Discretion Application

Just saw this. Can we do tomorrow? I'm available after 2 pm.

Chris Vigil
Assistant General Counsel
Air Quality Bureau
New Mexico Environment Department
121 Tijeras Ave. NE, Ste. 1000
Albuquerque, NM 87102
Phone: (505) 469-4696
Fax: (505) 383-2064
Email: christopherj.vigil@env.nm.gov
https://www.env.nm.gov/

From: Polgar, Brian, ENV <Brian.Polgar@env.nm.gov>
Sent: Monday, September 9, 2024 3:59 PM
To: Matt Spicer <matt@nwmidstream.com>
Cc: Vigil, Christopher J, ENV <ChristopherJ.Vigil@env.nm.gov>; Connor Long <connor@nwmidstream.com>; lrose@spencerfane.com
Subject: RE: [EXTERNAL] Northwind Enforcement Discretion Application

Hello Matt,

I can make a brief call sometime between 2-3:30 mountain time. Chris?

Brian

From: Matt Spicer <matt@nwmidstream.com>
Sent: Monday, September 9, 2024 3:43 PM
To: Polgar, Brian, ENV <Brian.Polgar@env.nm.gov>
Cc: Vigil, Christopher J, ENV <ChristopherJ.Vigil@env.nm.gov>; Connor Long <connor@nwmidstream.com>; lrose@spencerfane.com
Subject: RE: [EXTERNAL] Northwind Enforcement Discretion Application

Brian,

Thank you for the quick turn and comments on the ED, we acknowledge the below conditions with ED approval. We will get started right away estimating the emission reduction only for the equipment not permitted and for the amount of time that equipment is estimated to be operational with and without the ED.

We should have the information ready to discuss mid to late morning tomorrow, is there a good time for your side to meet tomorrow?

Matt

From: Polgar, Brian, ENV <Brian.Polgar@env.nm.gov>
Sent: Monday, September 9, 2024 4:07 PM
To: Matt Spicer <matt@nwmidstream.com>
Cc: Vigil, Christopher J, ENV <ChristopherJ.Vigil@env.nm.gov>; Connor Long <connor@nwmidstream.com>; lrose@spencerfane.com
Subject: RE: [EXTERNAL] Northwind Enforcement Discretion Application

Hello Matt,

Overall, this looks like a good start. One comment I have is that the reduction in emissions is important for an Enforcement Discretion.

We can schedule a meeting if you'd like; however, it is necessary to have more information in the ED application itself, especially since the permit modification applied for represents a substantial increase in emissions at the site.

Given that modeling has not been reviewed / approved for this revision yet, the expected reduction in emissions is very important. The ED application needs to really spell out how and why there will be a reduction in emissions accomplished by approving this ED request versus waiting to see if the permit revision is approved / issued. Especially given that, at the site, emissions will increase. Allowing Northwind to continue construction while in violation of 20.2.72 NMAC requires a more thorough and technical explanation than currently provided in the ED application.

Adding some of the material included in the presentation you gave last week would be helpful, as well as a numerical estimate of the amount of emission reduction expected from approving this ED. Again, the time frame in question needs to be based on accepting this ED versus waiting out the permitting process. What reduction is expected from that? Reductions currently being achieved by permitted operations should NOT be included. Neither should reductions expected in the future after the normal permitting process would be estimated to have played out. Note that this date would be beyond the estimated permit issuance date since it implies that construction would not re-commence until that date. I know there will be a lot of estimates and unknowns in this, but we need a clearer picture of the emission reductions expected from approving this ED, even if it's a range.

It is fine to include the more general information about safety and time delay.

I also want to ensure that Northwind understands that any ED approval will include specific language about no indemnity for past or future violations related to this construction project. It will also state that no installed equipment shall operate until the permit revision is issued. And finally, that should any issues with approval of the modeling occur, Northwind takes full responsibility for further delays or cost and will not use an ED approval at this juncture to request further discretion. Basically, under no circumstances will operation under this revision or modifications beyond those in the current application be permitted until the current permit revision is issued or the new revision is approved.

I hope this helps.

Let me know if you have questions or would like to schedule a meeting.

Brian

From: Matt Spicer <matt@nwmidstream.com>
Sent: Friday, September 6, 2024 10:39 AM
To: Polgar, Brian, ENV <Brian.Polgar@env.nm.gov>
Cc: Vigil, Christopher J, ENV <ChristopherJ.Vigil@env.nm.gov>; Connor Long <connor@nwmidstream.com>; lrose@spencerfane.com
Subject: [EXTERNAL] Northwind Enforcement Discretion Application

Brian,

Thanks again for the time yesterday. Per our conversation, please find attached the Enforcement Discretion Request Application and attachment. If you have a few minutes today I would like to provide you a few more details on the person who made the decision and the history leading up to the decision that we did not necessarily want in a public record for his privacy. I am available anytime today if you have a few free minutes.

Thank you again for your consideration.

Matt

Matt Spicer
Chief Executive Officer

Northwind Midstream Partners LLC
811 Louisiana Street, Suite 2500
Houston, TX 77002
M: 214 794-2490

New Mexico Environment Department
Air Quality Bureau
Compliance and Enforcement Section
525 Camino de Los Marquez
Santa Fe, NM 87505
Phone (505) 476-4300

Version 07-11-18

POST INSPECTION NOTIFICATION FORM

This form shall constitute written notice, to the extent required by the Air Quality Control Act, Section 74-2-5.1.A, of the results of an investigation for which enforcement action is contemplated. The form identifies areas of concern identified during the investigation. Non-compliance with air quality requirements, including state and federal air quality laws, regulations, and permit conditions may result in the issuance of a compliance order, emergency order, civil or criminal complaint, Notice of Violation with associated civil penalty. The facility owner or operator is advised to initiate prompt corrective action for the areas of concern listed below.

Activity: ☐ **FCE** ☐ **PCE** ☐ **Complaint** ☒ **Submittal – Type:** Enforcement Discretion ☐ **Other (explain)** _____

GENERAL FACILITY INFORMATION			
Company Name:	Northwind Midstream Partners, LLC	**Facility Name:**	Titan Treater Plant No. 1
Physical Location:	108 Beckham Rd, Jal, 88252	**Submission Date(s):**	September 10, 2024
Facility Contact:	Jillian Yamartino, 207-745-0783, jyamartino@nwmidstream.com	**Inspector:**	Brian Polgar, 505-629-3466, brian.polgar@env.nm.gov

AI#	AIRS#	NSR#	Title V#	Acid Rain #
38342	35-025-1395	7747-M5	N/A	N/A

Potential Violation Number	Permit OR Regulation:	Description of Area(s) of Concern:
1	20.2.72.200.E	**Failed to obtain a permit prior to commencing a modification.** On September 10, 2024, Northwind Midstream Partners, LLC submitted via email an Enforcement Discretion (ED) request for Titan Treater Plant No. 1. In the ED request Northwind acknowledged beginning construction on a site modification prior to issuance of a permit revision. In an email on September 12, 2024, Connor Long (Senior Vice President & General Counsel, Northwind Midstream) stated that construction commenced on April 9, 2024. The Department received the 7747-M6 permit revision application on July 8, 2024.

Inspector Signature: Brian Polgar Digitally signed by Brian Polgar Date: 2024.09.27 11:45:38 -06'00'

Title: Acting Compliance and Enforcement Section Chief

Date:

Comments:

Facility Representative Signature:

Title:

Date:

Signing above acknowledges receipt of this post-inspection notification form and identified handouts and does not constitute agreement with the contents.

SENT BY ELECTRONIC MAIL AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED

11/22/2024

Jillian Yamartino
108 Beckham Rd
Jal, NM 88252
Sent by electronic mail to: jyamartino@nwmidstream.com

Notice of Violation for Northwind Midstream Partners, LLC, NOR-38342-2401

Dear Ms. Yamartino,

The New Mexico Environment Department ("NMED") has identified Northwind Midstream Partners, LLC ("Northwind") as having violated state and federal regulations for air quality. This Notice of Violation (NOV) is regarding the Titan Treater Plant No. 1 ("Facility") owned by Northwind. The Facility is located 7.8 mi SW of Jal, NM at latitude 32.025581 and longitude -103.276567 and referred to as Agency Interest (AI) #38342 and Aerometric Information Retrieval System (AIRS) #350251395 in NMED records.

Pursuant to the NMED Delegation Order dated February 19, 2024, the Cabinet Secretary ("Secretary") has delegated to the Air Quality Bureau ("Bureau") Chief the authority to seek administrative enforcement for alleged violations of the Act, the Air Quality Control Regulations ("Regulations"), and the air quality permits issued thereunder. The Air Quality Bureau is the Bureau within the Division responsible for identifying air quality violations.

This NOV is issued pursuant to NMSA 1978, Section 74-2-5.1(A), which states that NMED's "investigations shall be reduced to writing if any enforcement action is contemplated, and a copy shall be furnished to the owner or occupants of the premises before the action is filed." In accordance with Section 74-2-5.1(C), the purpose of this NOV is to "encourage and make every reasonable effort to obtain voluntary cooperation by the owner or occupants to preserve, restore or improve air quality."

Alleged Violation
On September 10, 2024, Northwind submitted via email an Enforcement Discretion (ED) request for Titan Treater Plant No. 1 (See Attachment A). In the ED request, Northwind acknowledged beginning construction on a site modification prior to the issuance of a permit revision. On September 11, 2024, NMED granted the facility an ED. In an email on September 12, 2024, a Senior Vice President and General Counsel of Northwind stated the unpermitted construction began on April 9, 2024.

The investigation found evidence of the following alleged violation of the New Mexico Administrative Code (NMAC):

1. **Failure to obtain a permit prior to commencing construction of a site modification pursuant to 20.2.72.200.E NMAC.** NMED alleges the Facility was in violation of 20.2.72.200.E NMAC from the beginning of construction on April 9, 2024, until the ED was granted on September 11, 2024.

Please note that the Facility will appear on NMED's Enforcement Watch as a result of this NOV (see: https://www.env.nm.gov/enforcement-watch/). Further, NMED may issue a press release to local media highlighting your facility as appearing on this webpage. Your facility will remain on the Enforcement Watch website as an active matter until this matter is fully resolved, including the payment of the assessed civil penalty.

You may obtain a copy of the Bureau's Civil Penalty Policy located on the Compliance and Enforcement website at: https://www.env.nm.gov/air-quality/compliance-and-enforcement/**.**

Requested Information
In the response to this NOV please provide this information for the violation:

1. A description of the cause of this violation;
2. Documentation of the steps taken to correct the violation to date; and
3. Documentation of steps taken or to be taken to prevent the recurrence of the violation.

With the documentation, please include specific, measurable, and time-bound changes made or to be made addressing any problems causing the violations. Attachment B is included at the end of the NOV and can be used as a checklist for organizing the response.

Use these instructions to submit the response:

1. All correspondence pertaining to this NOV must be submitted under cover of a properly completed Reporting Submittal Form, emailed to the Enforcement Specialist (contact information below). A copy of the form can be found online at: https://www.env.nm.gov/air-quality/compliance-and-enforcement/
2. Submit requested information no later than thirty (30) days after the date of this NOV.
3. Any documents claimed as Confidential Business Information (CBI) pursuant to 20.2.1.115 NMAC must be submitted in separate electronic files from non-CBI documents and identified as CBI.
4. If files cannot be submitted by electronic mail, contact the Enforcement Specialist to request a link to a file transfer platform, or submit records on a thumb drive mailed to the Air Quality Bureau, 525 Camino de los Marquez, Suite 1, Santa Fe, NM 87505 to the attention of Charles Butler.
5. Please include any facts, information, or documentation to refute the alleged violations, with the requested information.

After receiving the response to this NOV, NMED may send a settlement offer or compliance order outlining the penalties and corrective actions associated with each of the violations. As NMED's review of the alleged violations is ongoing, NMED reserves the right to assert additional violations at the Facility if new information becomes available.

If you have questions or believe any statement in this notice is erroneous, please contact Charles Butler, Enforcement Specialist, at (505) 660-6110 or charles.butler@env.nm.gov, or Brian Polgar, Acting Compliance and Enforcement Section Chief, at (505) 629-3466 or brian.polgar@env.nm.gov. If you are represented by counsel, please contact Kelly Villanueva, Assistant General Counsel, at (505) 795-4383 or kelly.villanueva@env.nm.gov.

Thank you for your prompt attention to this matter.

Sincerely,

DocuSigned by:
Cindy Hollenberg
8C5B75B327A8482...

Cindy Hollenberg
Air Quality Bureau Chief

cc: Kelly Villanueva, OGC
Brian Polgar, AQB
Charles Butler, AQB

Attachments

Attachment A
Enforcement Discretion Request

The next four attached pages are the signed Enforcement Discretion form for the Titan Treater 1 Plant No. 1.

New Mexico Environment Department
Air Quality Bureau
Compliance and Enforcement Section
525 Camino de los Marquez, Suite 1
Santa Fe, NM 87505
Phone (505) 476-4300
Fax (505) 476-4375

Version 06.14.16

ENFORCEMENT DISCRETION REQUEST APPLICATION

SECTION I - GENERAL COMPANY AND FACILITY INFORMATION

® Company Name:			® Facility Name:		
Northwind Midstream Partners LLC			Titan Treater Plant No. 1		
® Company Address:			**® Facility Address:**		
811 Louisiana St., Suite 2500			108 Beckham Rd		
® City:	**® State:**	**® Zip:**	**® City:**	**® State:**	**® Zip:**
Houston	TX	77002	Jal	NM	88252

® AI Number:	Title V Permit Number:	Title V Permit Issue Date:	NSR Permit Number:	NSR Permit Issue Date:
38342			7747M5	07/03/2024

SECTION II - CONTACT INFORMATION FOR THIS SUBMITTAL

Name:	Title:	Office Phone Number:
Jillian Yamartino	Environmental - Air Manager	(346) 613-1471
Cell Phone Number:	**Fax Number:**	**Email Address:**
(207) 745-0783		jyamartino@nwmidstream.com

SECTION III - REASON(S) FOR REQUEST

A.1 **Please indicate below whether or not this request is affected by a permit condition, regulatory citation or other issue:**

A.2	**Permit Condition:**	☒	**Permit Number:**	7747M5	**Condition:**	B101(B)
A.3	**Regulatory Citation:**	☒	**Regulation:**	20.2.72 NMAC	**Sub-paragraph:**	200.E
A.4	**Other:**	☐	**If Other, explain:**			
A.5	**Not Applicable (NA):**	☐	**If NA, explain:**			

A.6. **Please reproduce text (in its entirety) of permit condition or regulatory citation below (if applicable)::**

7747M5 B101(B): Any future physical changes, changes in the method of operation or changes in restricted area may constitute a modification as defined by 20.2.72 NMAC, Construction Permits. Unless the source or activity is exempt under 20.2.72.202 NMAC, no modification shall begin prior to issuance of a permit. (20.2.72 NMAC Sections 200.A.2 and E, and 210.B.4)

20.2.72.200.E: For all sources subject to this part, applications for permits shall be filed prior to the commencement of the construction, modification or installation. Regardless of the anticipated commencement date, no construction, modification or installation shall begin prior to issuance of the permit.

B.	**Emission unit(s) affected by request (if applicable):**	**Emission Unit Number:**	CE-4, CE-5, CE-7, CE-8, CE-9, DHY-2, DHR-2, DHY-3, DHR-3, EC-1, VRU, AGFL, FUG,TK-3 through TK-6, AM-2, HOH-2, HOH-3,SOH-COMP1, SOH-COMP2

B.1 **Emission Unit Description:**

CE-4, CE-5, CE-7, CE-8, CE-9: Compressor engines
DHY-2, DHY-3, DHR-2 and DHR-3: TEG dehyrators and associated reboilers
EC-1: Enclosed Combustor
VRU: Vapor Recovery Unit
AGFL: Acid gas flare
FUG: Fugitive Components
TK-3 through TK-6: 1000bbl stabilized condensate tanks
AM-2: Amine unit
HOH-2 and HOH-3: Hot Oil Heaters
SOH-COMP1 and SOH-COMP2: Electric stabilizer overhead compressors

There will be no emissions from this equipment during construction.

C.	**Explain the nature of the request:**	

Northwind seeks enforcement discretion to resume and complete construction under the significant revision to air permit 7747M5 pending its issuance, which is expected on or before November 4, 2024.

D.	**Explain the reason for the request:**	

Northwind began construction prior to the issuance of the NSR permit application No. 7747M6 for the proposed changes. A senior officer of the Company with a lack of experinece and understanding of the permitting process in New Mexico made the decision to start the unpermitted construction and did not share it with the other members of the executive team, including the CEO and General Counsel. The senior officer has been placed on leave pending further investigation. The CEO of Northwind became aware on August 22, 2024 that construction of unpermitted equipment was underway and in response the Company immediately self reported the violation to NMED on August 23, 2024 and initiated a plan to shut down unpermitted construction activities.

E.	**Will the period of enforcement discretion be resolved by the issuance of a new permit?**	☒ YES ☐ NO ☐ NA

E.1	**If YES, explain why you will not wait until the new permit is issued:**

The safe and prudent shut down of construction is a complex process that is estimated by the construction contractor to take 4 to 6 weeks to complete. In some instances, it will be safer and quicker to finish construction of a piece of equipment than to leave it in place. Shutting down construction will also require demobilization of 300+ personnel. It is uncertain that Northwind will be able to remobilize these personnel without significant delays once the permit amendment is issued. We estimate that it will take 4 to 6 weeks to mobilize and restart construction. As a result, avoiding a complete shutdown of construction is expected to save approximately 90-days of shutdown and remobilization time. Consequently, allowing completion of construction prior to permit issuance will allow the expanded Titan Treater Plant No. 1 (the "Titan Facility") to operate approximately 90-days sooner following permit issuance and thereby achieve a quicker reduction of overall emissions in New Mexico.

The Titan Facility is designed specifically to treat, remove, and sequester carbon dioxide, hydrogen sulfide, and other impurities from the natural gas production stream. The Titan Facility is expected to result in a net decrease in overall emissions through two key initiatives: First, many oil and gas producers, including several of Northwind's customers, are forced to flare their natural gas production principally due to system interruptions and a lack of sufficient treating capacity. In total, Northwind's customers' contracted properties have historically represented approximately 15% of state-wide natural gas flaring. The introduction of the expanded Titan Facility's treating capacity is expected to immediately reduce producer flaring and provide critical treating capacity. Second, carbon dioxide is typically produced in material quantities and entrained with natural gas throughout Lea County, New Mexico. Traditional energy companies have and are currently treating and then venting the associated carbon dioxide into the atmosphere. The Titan Facility is designed specifically to treat, remove, and then sequester this carbon dioxide. Northwind estimates that the Titan Facility will immediately result in an emissions reduction by capturing and sequestering carbon dioxide that is currently being vented today.

Assuming an accelerated construction timeline through approval of the Enforcement Discretion, the expected net reduction in emissions for a 90-day acceleration of placing the expanded facility online would be approximately 30,000 tons of CO_2, 165 tons of CH_4, 30 tons of VOCs, 29 tons of NOx, 68 tons of CO, and 34 tons of SO_2. These emissions reductions would be achieved by (1) reducing flaring by Northwind customers who are awaiting sour gas treatment capacity and (2) capturing and sequestering CO_2 that would otherwise be vented in the field. These calculations (i) specifically exclude emissions from existing permitted equipment, (ii) are based on achieving an in-service date of the expanded Titan Facility 90-days sooner following permit issuance, and (iii) are based on the historical flaring records of Northwind's customers from OCD C-115 monthly reporting for 2023 and Northwind's forecasted gas composition analyses. In addition, the gross emissions calculations for the Titan Facility are based on the plant's maximum potential to emit and actual emissions may be lower from the estimates presented, resulting in a higher net reduction in emissions for the facility. Please see attachment No. 1 included herewith for additional details on the emissions reduction impacts of the Titan Facility.

E.2	**If NO, explain:**

SECTION IV - PERMIT APPLICATION STATUS (if applicable)

A.	**Has an application been submitted to issue a new permit or modify your current permit?**	☒ YES ☐ NO ☐ NA
A.1.	**If YES, indicate date (mm/dd/yyyy):**	07/05/2024
B.	**Has the application been ruled complete?**	☒ YES ☐ NO ☐ NA
B.1	**If YES, indicate date (mm/dd/yyyy):**	08/06/2024
C.	**Indicate type of permit action required (check one):**	☐ New ☒ Significant Revision ☐ Tech Revision ☐ Admin Revision
C.1	**Indicate the permit issuance due date (mm/dd/yyyy):**	11/04/2024
D.	**If application has not been submitted, indicate date when it will be submitted (mm/dd/yyyy):**	
E.	**If application has not been submitted, estimate permit issuance due date based on projected application submittal date and permit action type required (mm/dd/yyyy).**	

SECTION V – DURATION OF REQUEST

A.	**For what length of time are you requesting this discretion (no. of days or deadline, mm/dd/yyyy)?**	11/04/2024

SECTION VI - EMISSIONS INFORMATION

A.	**Does this request involve the replacement (temporary or otherwise) of a currently permitted unit?**	☐ YES ☐ NO ☒ NA
A.1	**If YES, enter current and proposed emission rate details (as applicable) in the table below. Please attach documentation for proposed replacement unit emission rates. If NO, leave table blank:**	

Emission Rate Information	NOx	CO	SO2	VOC	TSP	PM10	PM2.5	Other[1]
Existing Permitted Unit, lb/hr								
Proposed Replacement Unit, lb/hr								

B.	**Are the emissions in the table above associated with an exhaust stack or a flare?**	☐ YES ☐ NO ☐ NA
B.1	**If YES, enter the calculation results from the plume energy spreadsheet (if provided with this application) in the applicable fields in the table below. Attach the spreadsheet and documentation of the replacement unit stack dimensions and emissions parameters to your submittal. If NO, leave table blank:**	

Plume Energy per Unit Mass:	NOx	CO	SO2	VOC	TSP	PM10	PM2.5	Other[1]
Existing Permitted Unit								
Proposed Replacement Unit								

NOTE 1 – If Other, please enter pollutant name in the text field provided.

C.	**If this request will result in emissions in excess of current permitted levels, explain how these emissions will be minimized to the maximum extent practicable during this period, otherwise, leave blank:**	

SECTION VII. ADDITIONAL COMMENTS (if required)

Based on modeling conducted as part of the pending permit application, the proposed emissions will not exceed National Ambient Air Quality Standards (NAAQS), New Mexico Ambient Air Quality Standards, and PSD increments. We will continue to explore and implement all practical measures to minimize emissions.

SECTION VIII. ATTACHMENTS (if required, check all that apply):

1. ☒ **Description:** Titan Facility Emissions Reduction Impacts
2. ☐ **Description:** _____
3. ☐ **Description:** _____
4. ☐ **Description:** _____
5. ☐ **Description:** _____
6. ☐ **Description:** _____

SECTION IX - CERTIFICATION

After reasonable inquiry, I Matt Spicer (name of reporting official) **certify that the information in this submittal is true, accurate and complete.**

® Signature of Reporting Official:	® Title:	® Date	Responsible Official for Title V?
Matt Spicer	CEO	9/10/24	☐ Yes ☐ No

NMED USE ONLY			
TEMPO GREY BAR NO.:	ENF20240001	**FILE NAME:**	Titan Treater ED.pdf
A. Request is:	☐ APPROVED ☐ DENIED ☒ APPROVED WITH CONDITIONS (as stipulated below)		

B. This approval is subject to the following conditions (if applicable):

1. This ED approval shall in no way limit Northwind's liability for the violation of beginning construction prior to issuance of a permit modification. This approval shall establish an end date for that violation and allow continued construction prior to issuance of the NSR permit revision 7747-M6.
2. This ED approval shall not limit future liability for other violations related to construction or operation. This ED approval shall also not limit liability for past violations other than beginning construction without an issued permit revision for the M6 revision.
3. No units included as new units in the NSR permit revision 7747-M6 shall operate until the revision is issued.
4. This ED approval only covers NSR Significant Revision 7747-M6.
5. Northwind assumes full responsibility should modeling for the revision not be approved. This ED approval shall not be used to justify further discretion should changes be required due to failed modeling.
6. Northwind shall provide via email the Compliance and Enforcement Section Chief with monthly updates on the status of the construction and any relevant updates from the AQB Permit Section.
7. If modeling does not pass, Northwind shall immediately notify the C&E Section Chief. This notification (or a separate notification within 1 week) shall include a plan for addressing the failed modeling.
8. AQB Permitting is anticipating that 7747-M6 will be issued November 4, 2024. Should Northwind be informed of any delay in this anticipated permit issuance date, the C&E Section Chief shall immediately be notified.
9. This ED approval shall expire on the day that the M6 revision is issued.

IF THIS REQUEST HAS BEEN APPROVED – The Department has relied upon the information provided in this application to approve this request. In the event that any of the information provided in this application is not accurate, and/or if the facility does not abide by the conditions imposed above (if any), this approval may be revoked.

Processed by: Brian Polgar	**Title** AQB C&E Section Chief	**Date:** September 11, 2024
	Phone No. 505-629-3466	**Email Address** brian.polgar@env.nm.gov
Name of Approving NMED Official: Same	**Title:**	**Date**
Signature of Approving NMED Official:	**Phone No.** 505-629-3466	**Email Address** brian.polgar@env.nm.gov

Attachment B

This form must be completed and signed by the facility's Responsible Official (Title V) or other designee and returned no later than thirty (30) days after the date of this Notice of Violation. Documentation for additional information (in addition to this form) must be submitted electronically to Enforcement Specialist Charles Butler at charles.butler@env.nm.gov or Acting Compliance and Enforcement Section Chief Brian Polgar at brian.polgar@env.nm.gov.

All submittals must be submitted using the Reporting Submittal Form. The Reporting Submittal Form and instructions can be located at: https://www.env.nm.gov/air-quality/compliance-and-enforcement/#.

I hereby verify that Northwind Midstream Partners, LLC has initiated the required additional information response outlined in this Notice of Violation. The following information has been submitted or will be submitted by the dates indicated below for each violation. All required documentation will be submitted electronically no later than thirty (30) days after the date of this Notice of Violation.

Date NOV received: _____

Alleged Violation
_____ A description of the cause of the violation
_____ Documentation of the steps taken to correct the violation to date
_____ Documentation of steps taken (or to be taken) to prevent recurrence of this violation (include date if not yet completed)

_____ _____
Signature **Date**

Printed Name:

Title:

NORTHWIND MIDSTREAM

Enforcement Specialist
NMED Air Quality Bureau
525 Camino de los Marquez Suite 1
Santa Fe, NM 87505-1816

RE: NOV No. NOR-38342-2401
Northwind Midstream Partners LLC

Mr. Butler:

Northwind Midstream Partners LLC is submitting the enclosed response to the requested information and associated forms for NOR-38342-2401.

Please feel free to contact me at 346-613-1471 or by email at jyamartino@nwmidstream.com if you have any questions regarding information provided in the response.

Sincerely,

Jillian Yamartino
Environmental Air Manager

vironment Department
Air Quality Bureau
Compliance and Enforcement Section
525 Camino de los Marquez, Suite 1
Santa Fe, NM 87505
Phone (505) 476-4300

Version 07.20.18

NMED USE ONLY	
TEMPO	

REPORTING SUBMITTAL FORM

NMED USE ONLY	
Staff	
Admin	

PLEASE NOTE: ® - Indicates required field

SECTION I - GENERAL COMPANY AND FACILITY INFORMATION

A. ® Company Name: Northwind Midstream Partners, LLC			**D. ® Facility Name:** Titan Treater Plant No. 1		
B.1 ® Company Address: 811 Louisiana Street Suite 2500			**E.1 ® Facility Address:** 108 Beckham Rd		
B.2 ® City: Houston	**B.3 ® State:** TX	**B.4 ® Zip:** 77002	**E.2 ® City:** Jal	**E.3 ® State:** NM	**E.4 ® Zip:** 88252
C.1 ® Company Environmental Contact: Jillian Yamartino	**C.2 ® Title:** Environmental-Air Manager		**F.1 ® Facility Contact:** Reagan Register	**F.2 ® Title:** Director of Operations	
C.3 ® Phone Number: 346-613-1471	**C.4 ® Fax Number:**		**F.3 ® Phone Number:** 432-250-5888	**F.4 ® Fax Number:**	
C.5 ® Email Address: jyamartino@nwmidstream.com			**F.5 ® Email Address:** rregister@nwmidstream.com		
G. Responsible Official: (Title V only):	**H. Title:**		**I. Phone Number:**	**J. Fax Number:**	
K. ® AI Number: 38342	**L. Title V Permit Number:**	**M. Title V Permit Issue Date:**	**N. NSR Permit Number:** 7747M6	**O. NSR Permit Issue Date:**	
P. Reporting Period: From: November 22, 2024 To: December 23, 2024					

Do NOT submit NSPS OOOO or OOOOa well completion or flowback notifications to the Air Quality Bureau. See https://www.env.nm.gov/air-quality/notices-and-faqs-for-compliance-and-enforcement/ for explanation.

SECTION II – TYPE OF SUBMITTAL (check one that applies)

A. ☐	Title V Annual Compliance Certification	Permit Condition(s):	Description:	
B. ☐	Title V Semi-Annual Monitoring Report	Permit Condition(s):	Description:	
C. ☐	NSPS Requirement (40CFR60)	Regulation:	Section(s):	Description:
D. ☐	MACT Requirement (40CFR63)	Regulation:	Section(s):	Description:
E. ☐	NMAC Requirement (20.2.xx) or NESHAP Requirement (40CFR61)	Regulation:	Section(s):	Description:
F. ☐	Permit or Notice of Intent (NOI) Requirement	Permit No.☐: or NOI No.☐:	Condition(s):	Description:
G. ☒	Requirement of an Enforcement Action	NOV No. ☒: or SFO No. ☐: or CD No. ☐: or Other ☐: NOR-38342-2401	Section(s): Response to requested Information	Description: Response to questions for alleged violation #1.

SECTION III - CERTIFICATION

After reasonable inquiry, I Josh Thomas (Name of Certifier) certify that the information in this submittal is true, accurate and complete.

® Signature of Certifier:	® Title:	® Date	® Responsible Official for Title V?
	SVP Operations	12/11/24	☒ Yes ☐ No

Reviewed By: _____ Date Reviewed: _____

In response to NOV No. NOR-38342-2401:

1. A description of the cause of this violation:

   Northwind began construction prior to the issuance of the NSR permit application No. 7747M6 for the proposed modifications. A senior officer of the Company with a lack of experience and understanding of the permitting process in New Mexico made the decision to start the unpermitted construction and did not share it with the other members of the executive team, including the CEO and General Counsel. Northwind submitted NSR permit application No. 7747M6 on July 5, 2024, and determined that unpermitted construction commenced for the modifications covered in the M6 permit revision on April 9, 2024.

2. Documentation of the steps taken to correct the violation to date:

   The CEO of Northwind became aware on August 22, 2024 that construction of unpermitted equipment was underway, and in response, the Company immediately self-reported the violation to NMED on August 23, 2024 and initiated a plan to shut down unpermitted construction activities. On September 10, 2024, Northwind submitted an Enforcement Discretion Request Application to NMED seeking enforcement discretion to resume and complete construction under the significant revision to air permit 7747M5 pending its issuance. Enforcement Discretion was granted by NMED on September 11, 2024. The NSR Significant Revision 7747M6 permit was issued on November 4, 2024, resulting in the expiration of the Enforcement Discretion.

3. Documentation of steps taken or to be taken to prevent the recurrence of the violation:

   The Company has taken meaningful steps to prevent the recurrence of this violation. First, the senior officer of the Company responsible for the decision to begin construction without a permit has been removed from the Company. In addition, the Company has conducted an internal review of the factors that contributed to this violation. As a result of this review, project management has incorporated Air Quality in the preliminary project planning phase to ensure adequate time for permit authorization prior to commencing construction. Also, New Mexico's construction permitting options and timelines have been communicated to upper management and key stakeholders including engineering, construction, and operations.

Attachment B

This form must be completed and signed by the facility's Responsible Official (Title V) or other designee and returned no later than thirty (30) days after the date of this Notice of Violation. Documentation for additional information (in addition to this form) must be submitted electronically to Enforcement Specialist Charles Butler at charles.butler@env.nm.gov or Acting Compliance and Enforcement Section Chief Brian Polgar at brian.polgar@env.nm.gov.

All submittals must be submitted using the Reporting Submittal Form. The Reporting Submittal Form and instructions can be located at: https://www.env.nm.gov/air-quality/compliance-and-enforcement/#.

I hereby verify that Northwind Midstream Partners, LLC has initiated the required additional information response outlined in this Notice of Violation. The following information has been submitted or will be submitted by the dates indicated below for each violation. All required documentation will be submitted electronically no later than thirty (30) days after the date of this Notice of Violation.

Date NOV received: 11/22/2024

Alleged Violation
✓ *A description of the cause of the violation*
✓ *Documentation of the steps taken to correct the violation to date*
✓ *Documentation of steps taken (or to be taken) to prevent recurrence of this violation (include date if not yet completed)*

Signature **Date** 12/11/24

Printed Name: Josh Thomas

Title: SVP Operations

SENT BY ELECTRONIC MAIL AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED

January 14, 2025

Jillian Yamartino
Northwind Midstream Partners, LLC
108 Beckham Rd
Jal, NM 88252
Email sent to: jyamartino@nwmidstream.com

NMED Settlement Offer
ABQ Case File No. NOR-38342-2401
Confidential - For Settlement Purposes Only

Dear Ms. Yamartino,

The New Mexico Environment Department ("NMED" or "Department") has received the December 11, 2024, letter regarding the Northwind Midstream Partners, LLC ("Northwind") response to NMED's November 22, 2024, Notice of Violation (NOV) for NOR-38342-2401. NMED has reviewed the information submitted and has evaluated the penalties in accordance with the Air Quality Bureau Civil Penalty Policy, as explained below. A draft civil penalty calculation is found in Attachment A. The file review and civil penalty assessment, at the NMED Air Quality Bureau's discretion and for settlement purposes only, are as follows:

I. NMED Review of the Alleged Violation and Northwind December 11, 2024, Response

Violation #1, Failure to obtain a permit prior to construction of a site modification pursuant to 20.2.72.200.E NMAC: In their NOV response letter, Northwind admits to beginning construction on the Titan Treater Plant No. 1 before submitting a permit application to NMED's Air Quality Bureau. Construction began on April 9, 2024. The company explained that "[a] senior officer of the Company with lack of experience and understanding of the permitting process in New Mexico made the decision to start the unpermitted construction and did not share it with other members of the executive team."

After Northwind's CEO became aware of the violation on August 22, 2024, the CEO reported the violation to NMED on August 23, 2024. Northwind submitted an Enforcement Discretion Request Application to NMED on September 10, 2024, and NMED granted the request on September 11, 2024. NMED has determined that the length of the violation is 156 days.

The NOV response letter states that Northwind has taken meaningful steps to prevent this violation from

happening again. According to Northwind, the officer responsible for beginning construction early "has been removed from the Company." Northwind has also completed an internal review of what contributed to this violation. Northwind stated that air quality is now added to the preliminary project planning phase for future projects and that they have communicated New Mexico's construction permitting timelines to upper management.

NMED accepts this explanation and the plan to prevent recurrence of this violation. Any similar violations at Northwind facilities in the future will be penalized at a higher rate.

II. Additional Action Required

NMED has determined that there is no further corrective action for this violation at this time.

III. Settlement Offer, Penalty Amount

The attached civil penalties and calculations include an assessment for each alleged violation in the NOV. The New Mexico Air Quality Control Act, Sections 74-2-12 and 12.1, establishes a maximum penalty of fifteen thousand dollars ($15,000) per day for each violation of the Act. The draft civil penalty calculation, which is less than the statutorily authorized penalty, is based on the approved Air Quality Bureau Civil Penalty Policy available from the New Mexico Environment Department's website at https://www.env.nm.gov/air-quality/compliance-and-enforcement/. This constitutes an offer of settlement for the alleged violations in the NOV and is not a demand for payment.

NMED hereby offers to settle this enforcement action as follows:

1. Northwind Midstream Partners, LLC agrees to a civil penalty of $260,000.00. Payment of the civil penalty shall be made in accordance with item 4 below. In addition, Northwind Midstream Partners, LLC agrees to pay the invoiced amount of $6,608.00 for administrative compliance costs incurred to date that are associated with this matter.

2. Northwind Midstream Partners, LLC enters into a Settlement Agreement and Stipulated Final Compliance Order (SASFCO) with the Department. The SASFCO will be based on the Department's standard template and approved by the Department's Office of General Counsel. The SASFCO will include requirements related to payment of the civil penalty.

3. When the SASFCO, executed on behalf of Northwind Midstream Partners, LLC, is returned to the Department, it will be signed by the Department representative and will become effective.

4. Unless otherwise agreed, payment of the civil penalty and administrative compliance costs shall be due within thirty (30) days of the effective date of the SASFCO. The civil penalty and administrative

compliance costs shall be paid separately. Both payments shall be made electronically, according to the instructions in the SASFCO. Civil penalties revert to *the State of New Mexico General Fund*. Administrative compliance costs reimburse the Air Quality Bureau for costs associated with noncompliance.

5. NMED reserves the right to rely on the violations alleged in the NOV and to offer proof thereof in connection with any administrative or judicial proceeding.

This offer expires thirty (30) days from issuance of this settlement offer. If you would like to discuss this offer, please contact Charles Butler, Enforcement Specialist, at (505) 660-6110 or charles.butler@env.nm.gov or Brian Polgar, Acting Compliance and Enforcement Section Chief, at (505) 629-3466 or brian.polgar@env.nm.gov before the offer expires.

To accept this offer, please complete the section below, entitled "Agreement in Principle." If no response is received from you within 30 days, the matter may be referred to the Office of General Counsel for the initiation of a formal administrative or judicial proceeding.

Sincerely,

Brian Polgar Digitally signed by Brian Polgar
Date: 2025.01.14 15:26:10 -07'00'

Brian Polgar
Acting Compliance and Enforcement Section Chief
Air Quality Bureau, New Mexico Environment Department

cc: Kelly Villanueva, OGC
Charles Butler, AQB

Attachment

AGREEMENT IN PRINCIPLE

On behalf of Northwind Midstream Partners, LLC, I, _____, hereby accept the terms of settlement as set forth above. I represent that I have authority on behalf of Northwind Midstream Partners, LLC to enter into this agreement.

NORTHWIND MIDSTREAM PARTNERS, LLC

_____ _____
Print Name: Date

Print Title:

SENT BY ELECTRONIC MAIL AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED

January 14, 2025

Jillian Yamartino
Northwind Midstream Partners, LLC
108 Beckham Rd
Jal, NM 88252
Email sent to: jyamartino@nwmidstream.com

NMED Settlement Offer
ABQ Case File No. NOR-38342-2401
Confidential - For Settlement Purposes Only

Dear Ms. Yamartino,

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After Northwind's CEO became aware of the violation on August 22, 2024, the CEO reported the violation to NMED on August 23, 2024. Northwind submitted an Enforcement Discretion Request Application to NMED on September 10, 2024, and NMED granted the request on September 11, 2024. NMED has determined that the length of the violation is 156 days.

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NMED accepts this explanation and the plan to prevent recurrence of this violation. Any similar violations at Northwind facilities in the future will be penalized at a higher rate.

II. Additional Action Required

NMED has determined that there is no further corrective action for this violation at this time.

III. Settlement Offer, Penalty Amount

The attached civil penalties and calculations include an assessment for each alleged violation in the NOV. The New Mexico Air Quality Control Act, Sections 74-2-12 and 12.1, establishes a maximum penalty of fifteen thousand dollars ($15,000) per day for each violation of the Act. The draft civil penalty calculation, which is less than the statutorily authorized penalty, is based on the approved Air Quality Bureau Civil Penalty Policy available from the New Mexico Environment Department's website at https://www.env.nm.gov/air-quality/compliance-and-enforcement/. This constitutes an offer of settlement for the alleged violations in the NOV and is not a demand for payment.

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2. Northwind Midstream Partners, LLC enters into a Settlement Agreement and Stipulated Final Compliance Order (SASFCO) with the Department. The SASFCO will be based on the Department's standard template and approved by the Department's Office of General Counsel. The SASFCO will include requirements related to payment of the civil penalty.

3. When the SASFCO, executed on behalf of Northwind Midstream Partners, LLC, is returned to the Department, it will be signed by the Department representative and will become effective.

4. Unless otherwise agreed, payment of the civil penalty and administrative compliance costs shall be due within thirty (30) days of the effective date of the SASFCO. The civil penalty and administrative

compliance costs shall be paid separately. Both payments shall be made electronically, according to the instructions in the SASFCO. Civil penalties revert to *the State of New Mexico General Fund*. Administrative compliance costs reimburse the Air Quality Bureau for costs associated with noncompliance.

5. NMED reserves the right to rely on the violations alleged in the NOV and to offer proof thereof in connection with any administrative or judicial proceeding.

This offer expires thirty (30) days from issuance of this settlement offer. If you would like to discuss this offer, please contact Charles Butler, Enforcement Specialist, at (505) 660-6110 or charles.butler@env.nm.gov or Brian Polgar, Acting Compliance and Enforcement Section Chief, at (505) 629-3466 or brian.polgar@env.nm.gov before the offer expires.

To accept this offer, please complete the section below, entitled "Agreement in Principle." If no response is received from you within 30 days, the matter may be referred to the Office of General Counsel for the initiation of a formal administrative or judicial proceeding.

Sincerely,

Brian Polgar
Acting Compliance and Enforcement Section Chief
Air Quality Bureau, New Mexico Environment Department

cc: Kelly Villanueva, OGC
Charles Butler, AQB

Attachment

AGREEMENT IN PRINCIPLE

On behalf of Northwind Midstream Partners, LLC, I, Tyler Buckingham hereby accept the terms of settlement as set forth above. I represent that I have authority on behalf of Northwind Midstream Partners, LLC to enter into this agreement.

NORTHWIND MIDSTREAM PARTNERS, LLC

Print Name: Tyler Buckingham

Print Title: CFO

1-29-25
Date