

PROPOSED MODIFICATIONS

IPANM's proposed modifications to NMED's proposed rules, 20.2.50. NMAC, are shown with additions underlined and deletions indicated by strikethrough.

20.2.50.2 SCOPE:

A. This Part applies to sources located within areas of the state under the board's jurisdiction that, as of the effective date of this rule ~~or anytime thereafter are causing or contributing to Part~~ have ambient ozone concentrations based on data submitted by the department to EPA's Air Quality System that exceed ninety-five percent of the national ambient air quality standard for ozone, as measured by a design value calculated and based on data from one or more department monitors. As of the effective date, sources located in the following counties are subject to this Part: Dona Ana, Eddy, Lea, Sandoval, San Juan, and Valencia.

B. If at any time after the effective date, an area of state identified in paragraph A above has a design value based on data from one or more department monitors to be less than ninety-five percent of the national ambient air quality standard for ozone, the department shall request that the board revise this rule to remove the area from this rule.

C. If at any time after the effective date, an area of state not identified in paragraph A above has a design value based on data from one or more department monitors to be greater than ninety-five percent of the national ambient air quality standard for ozone, the department shall request that the board revise this rule to add the area to this rule.

D. Once a source becomes subject to this rule, the requirements of the rule are ~~irrevocably~~ effective unless the source obtains a federally enforceable air permit conditions limiting the potential to emit of the source to below such the applicability thresholds established in this Part or the area is removed pursuant to paragraph B of this section.

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

XX, **"Design value"** means the 3-year average of the annual fourth-highest daily maximum 8-hour average ozone concentration.

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

OO. **"Small business facility"** means for the purposes of this Part, a source that is independently owned or operated by a company that is not a subsidiary or a division of another business, that employs no more than 10 employees at any time during the calendar year, and that

has a gross annual revenue of less than \$250,000. Employees include part-time, temporary, or limited service workers.

20.2.50.111 APPLICABILITY:

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

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

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

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

20.2.50.112 GENERAL PROVISIONS:

A. General requirements:

(1) Sources subject to emissions standards and requirements under this Part shall be operated and maintained consistent with manufacturer specification, and good engineering and maintenance practices. The owner or operator shall keep manufacturer specifications and maintenance practices on file and make them available upon request by the department. For sources constructed prior to 1980 for which no manufacturer specifications and maintenance practices are available, the owner or operator shall develop and follow a maintenance schedule sufficient to operate and maintain such units in good working order. The owner or operator shall keep such maintenance schedules on file and make them available to the department upon request.

~~(2) Sources subject to emission standards or requirements under this Part shall be operated to minimize emissions of air contaminants, including VOC and NOx.~~

~~(3) Within two years of the effective date of this Part, owners and operators of a source requiring an Equipment Monitoring Tag (EMT) shall physically tag each unit with an EMT, the format of which shall be either RFID, QR, or bar code such that, when scanned it provides a unique identifier of the source. This unique identifier shall act as an index to the~~

source's record of the data required by this Part. The EMT shall be maintained by the owner or operator, and data in the EMT shall provide at a minimum, the following information:

(a) unique unit identification number;

(b) location of the source;

(c) type of source (e.g., tank, VRU, dehydrator, pneumatic controller, etc.);

(d) for each source, the VOC (and NO_x, if applicable) PTE in lbs./hr. and tpy;

(e) for a control device, the controlled VOC and NO_x PTE in lbs./hr. and tpy;

(f) make, model, and serial number; and

(g) a link to the manufacturer's maintenance schedule or repair recommendations

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

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

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

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

(8) If read by the owner or operator's authorized representative, the EMT shall access the owner or operator's database record for that source.

(9) The owner or operator shall contemporaneously track each compliance event for each source subject to the EMT requirements of this Part, and shall comply with the following:

(a) data gathered during each monitoring or testing event shall be contemporaneously uploaded into the database as soon as practicable, but no later than three business days of each compliance event.

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

3
4 ~~_____ (10) The department may request that an owner or operator retain a third party at~~
5 ~~their own expense to verify any data or information collected, reported, or recorded pursuant to~~
6 ~~this Part, and make recommendations to correct or improve the collection of data or information.~~
7 ~~The owner or operator shall submit a report of the verification and any recommendations made~~
8 ~~by the third party to the department by a date specified and implement the recommendations in~~
9 ~~the manner approved by the department.~~

10
11 **B. Monitoring requirements:**

12
13 (1) Sources subject to emission standards and monitoring (e.g. inspection,
14 testing, parametric monitoring) requirements under this Part shall be inspected monthly to ensure
15 proper maintenance and operation unless a different schedule is specified in the Section
16 applicable to that source type. If the equipment is shut down at the time of required periodic
17 testing, monitoring, or inspection, the owner or operator shall not be required to restart the unit
18 for the sole purpose of performing the testing, monitoring, or inspection, but shall note the shut
19 down in the records kept for that equipment for that monitoring event.

20
21 (2).Such requests shall be made on an application form provided by the
22 department. The department shall issue a letter approving or denying the requested alternative
23 monitoring strategy. An owner or operator shall comply with the default monitoring
24 requirements required under the applicable Section and shall not operate under an alternative
25 monitoring strategy until it has been approved by the department.

26
27 ~~(3) _____ Each monitoring event (e.g. testing, inspection, parametric monitoring)~~
28 ~~shall be initiated by an initial scanning of the EMT, the results of which shall then be directly~~
29 ~~uploaded into the database or temporarily into the handheld or other device. Upon completion of~~
30 ~~the monitoring event, a final scanning of the EMT shall terminate the monitoring event. At a~~
31 ~~minimum, the uploaded data shall include:~~

32
33 ~~_____ (a) _____ date and time of the testing, monitoring, or inspection event;~~

34
35 ~~_____ (b) _____ name of the personnel conducting the testing, monitoring, or~~
36 ~~inspection;~~

37
38 ~~_____ (c) _____ identification number and type of unit;~~

39
40 ~~_____ (d) _____ a description of any maintenance or repair activity conducted; and~~

41
42 ~~_____ (e) _____ results of testing, monitoring, or inspection as required under this~~
43 ~~Part.~~

44
45 **C. Recordkeeping requirements:**

(1) Within three business days of a monitoring event, an electronic record shall be made of the monitoring event and shall include the following data:

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

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

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

D. Reporting requirements: Within 24 hours of a request by the department, the owner or Operator shall for each unit subject to the request, provide the requested information either by electronically submitting a CDR to the department's Secure Extranet Portal (SEP), or by other means and formats specified by the department in its request.

20.2.50.117 NATURAL GAS WELL LIQUIDS UNLOADING:

A. Applicability: Manual liquids unloading operations including down-hole well maintenance events resulting in the venting of natural gas at natural gas wells are subject to the requirements of 20.2.50.117 NMAC. Manual liquids unloading operations that do not result in the venting of natural gas are not subject to this part. This 20.2.50.117 NMAC applies only in areas of the State specified in 20.2.50.2 NMAC and the emissions standards, monitoring, testing and inspection requirements, recordkeeping requirements and reporting requirements in this 20.2.50.117 NMAC apply only to the manual liquids unloading described in this 20.2.50.117.A NMAC.

B. Emission standards:

1 (1) The owner or operator of a natural gas well shall use best management
2 practices during the life of the well to avoid the need for manual liquids unloading.
3
4

5
6 (2) The owner or operator of a natural gas well shall use the following best
7 management practices during manual liquids unloading to minimize emissions, consistent with
8 well site conditions and good engineering practices:
9

10 (a) reduce wellhead pressure before blowdown/;

11 (b) monitor manual liquid unloading in close proximity to the well or
12 via remote telemetry; and
13
14

15 (c) close well head vents to the atmosphere and return the well to
16 normal production operation as soon as practicable.
17

18 ~~(3) The owner or operator of a natural gas well shall use one of the following~~
19 ~~methods to reduce emissions during an unloading event:~~
20

21 ~~(a) installation and use of a plunger lift;~~

22 ~~(b) installation and use of an artificial lift engine; or~~

23 ~~(c) installation and use of a control device.~~
24
25

26
27 ~~(4) The owner or operator of a natural gas well shall install an EMT on the~~
28 ~~natural gas well in accordance with 20.2.50.112 NMAC.~~
29

30 **C. Monitoring requirements:**
31

32 (1) The owner or operator shall monitor the following parameters during
33 manual liquids unloading:
34

35 (a) wellhead pressure;

36 (b) flow rate of the vented natural gas (to the extent feasible); and
37

38 (c) duration of venting to the storage vessel or atmosphere.
39

40 (2) The owner or operator shall calculate the volume and mass composition of
41 VOC vented during a manual liquids unloading event.
42

43 ~~(3) A liquid unloading event shall include the scanning of the EMT and~~
44 ~~monitoring data entry in accordance with the requirements of 20.2.50.112 NMAC.~~
45

1 (4) ~~The owner or operator shall comply with the monitoring requirements in~~
2 20.2.50.112 NMAC.

3
4 D. **Recordkeeping requirements:**

5
6 (1) The owner or operator shall keep the following records for manual liquids
7 unloading:

- 8 (a) identification number and location of the well;
9
10 (b) date the manual liquids unloading was performed;
11
12 (c) wellhead pressure;
13
14 (d) flow rate of the vented natural gas (to the extent feasible). If not
15 feasible, the owner or operator shall use ~~the maximum potential~~ estimated flow rate in the
16 emission calculation);
17
18 (e) duration of venting to the storage vessel or atmosphere;
19
20 (f) a description of the management practice used to minimize release
21 of VOC emissions before and during the manual liquids unloading; and
22
23 (g) ~~the type of control device used to control VOC emissions during~~
24 ~~the liquid unloading; and~~
25
26 (h) a calculation of the VOC emissions ~~vented~~ emitted during the
27 manual liquids unloading based on the duration, volume, and ~~mass gas composition~~ of the ~~VOC~~
28 natural gas produced.

29
30 (2) The owner or operator shall comply with the recordkeeping requirements
31 in 20.2.50.112 NMAC.

32
33 E. **Reporting requirements:** The owner or operator shall comply with the reporting
34 requirements in 20.2.50.112 NMAC.

35
36 **20.2.50.122 PNEUMATIC CONTROLLERS AND PUMPS:**

37
38 A. **Applicability:** Natural gas-driven pneumatic controllers and diaphragm pumps
39 permanently located at ~~wellhead sites~~ well production facilities, tank batteries, gathering and
40 boosting sites, and natural gas processing plants, ~~and transmission compressor stations~~ are
41 subject to the requirements of 20.2.50.122 NMAC, except pumps that operate less than 90 days
42 per calendar year.

43
44 B. **Emission standards:**

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

(2) An existing natural gas-driven pneumatic pump shall comply with the requirements of 20.2.50.122 NMAC within three years of the effective date of this Part A new well production facility, tank battery, gathering and boosting site, or natural gas processing plant shall have non-emitting controllers installed, except as allowed in Paragraph (5) of Subsection B of 20.2.50.122 NMAC.

(3) An existing well production facility and tank battery with four or more natural gas-driven pneumatic controller shall comply with the requirements of 20.2.50.122 NMAC according to the following schedule in Table 1 below:

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

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

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

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

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

(ii) Calculate the Total Historic Production for the owner or operator by summing the Historic Facility Production for all existing well production facilities that commenced construction prior to the effective date.

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

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

(v) Owners and operators must demonstrate compliance with Table 1's January 1, 2024, January 1, 2027 and January 1, 2030 Total Required Non-Emitting Facility Percent Production through retrofitting well production facilities (and associated tank batteries) to use non-emitting controllers.

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

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

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

(e) If on-site electrical grid power is not available and a non-emitting pneumatic controllers are not technically and economically feasible, the operator shall utilize a gas-driven pneumatic controllers that emit natural gas emissions in an amount equal to or less than a low-bleed pneumatic controller, except as allowed under Paragraph (5) of Subsection B of 20.2.50.122 NMAC.

(f) For the purpose of 20.2.50.122.B(3)(e), the owner or operator may instead utilize a natural gas-driven intermittent pneumatic controller.

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

Table 2 — NATURAL GAS COMPRESSOR STATIONS GATHERING AND BOOSTING SITES AND GAS PROCESSING PLANTS

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

~~(4) Standards for natural gas-driven pneumatic controllers.~~

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

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

~~(c) existing pneumatic controllers gathering and booster sites and natural gas processing plants shall meet the required percentage of non-emitting controllers within the deadlines in tables table 1 and 2 of Paragraph (34) of Subsection B of 20.2.50.122 NMAC, and shall comply with the following, except as provided in Paragraph 5 of Subsection B of 20.2.50.122 NMAC:~~

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

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

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

~~(iv) based on the percent calculated in (iii) above, the owner or operator shall determine which provisions of tables 1 and table 2 of Paragraph (34) of Subsection B of 20.2.50.122 NMAC apply applies and the retrofit or replacement schedule the owner or operator must meet.~~

~~(v) if an owner or operator meets at least seventy-five percent total non-emitting controllers by January 1, 2025, the owner or operator has satisfied the~~

requirements of tables 1 and table 2 of Paragraph (34) of Subsection B of 20.2.50.122 NMAC does not apply.

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

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

(a) a natural gas pneumatic controller is permitted when the owner or operator has demonstrated that it is required based on functional needs, including response time, safety, and positive actuation. An owner or operator that seeks to maintain operation of an emitting pneumatic controller must prepare and document the justification for the safety or process purposes prior to the installation of a new emitting controller or the retrofit of an existing controller. The justification shall be certified by qualified maintenance or engineering staff.

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

(c) pneumatic controllers that emit natural gas located on temporary or portable equipment that is on-site and in use for 60 days or less.

(56) Standards for natural gas-driven pneumatic diaphragm pumps.

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

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

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

4
5 (d) existing pneumatic diaphragm pumps located at a well production
6 facility, storage vessel gathering and booster site, or transmission compressor station with access
7 to commercial line electrical power shall have a natural gas emission rate of zero within 3 years
8 of the effective date of this rule.

9
10 (ee) ~~owners and operators of existing pneumatic diaphragm pumps~~
11 ~~located at wellhead sites well production facilities, tank batteries, or gathering and boosting sites,~~
12 ~~or transmission compressor stations without access to commercial line electrical power shall~~
13 ~~reduce VOC emissions from the natural gas driven pneumatic diaphragm pumps by ninety-five~~
14 ~~percent if it is technically feasible to route emissions to a control device, fuel cell, or process. If~~
15 ~~there is a control device available onsite but it is unable to achieve a ninety-five percent emission~~
16 ~~reduction, and it is not technically feasible to route the pneumatic pump emissions to a fuel cell~~
17 ~~or process, the owner or operator shall route the pneumatic pump emissions to the control device.~~
18 The rerouting or control device installation must be accomplished within 3 years.

19
20 (7) If an owner or operator's remaining natural gas pneumatic controllers, or
21 if two years after the effective date, an owners or operator's existing natural gas pneumatic
22 diaphragm pumps at a site without commercial line power, are not cost-effective to retrofit, the
23 owner or operator shall submit a cost analysis of retrofitting those remaining units to the
24 department. The department shall review the cost analysis and determine whether those units
25 qualify for a waiver from meeting additional retrofit requirements.

26
27 (6) ~~The owner or operator of a pneumatic controller or pump shall install an~~
28 ~~EMT on the controller or pump in accordance with 20.2.50.112 NMAC.~~

29
30 C. **Monitoring requirements:**

31
32 (1) Non-emitting pneumatic controllers or diaphragm pumps with a natural
33 gas bleed rate equal to zero are not subject to the monitoring requirements in Subsection C of
34 20.2.5.122 NMAC.

35
36 (2) The owner or operator of a facility with one or more natural gas-driven
37 pneumatic controller controllers subject to the deadlines set forth in Tables 1 and 2 of Paragraph
38 (3) and (4) of Subsection B of 20.2.50.122 NMAC shall monitor the compliance status of each
39 subject pneumatic controller at each facility.

40
41 (3) The owner or operator of a natural gas-driven pneumatic controller with a
42 bleed rate greater than zero shall, on a monthly basis, ~~scan the controller and~~ conduct an AVO or
43 OGI inspection, and shall also inspect the pneumatic controller, perform necessary maintenance
44 ~~(such as cleaning, tuning, and repairing a leaking gasket, tubing fitting and seal; tuning to operate~~
45 ~~over a broader range of proportional band; eliminating an unnecessary valve positioner), and~~

1 ~~maintain on~~ the natural gas-driven pneumatic controller according to manufacturer specifications
2 to ensure that the VOC emissions are minimized.

3
4 (4) ~~The EMT shall be linked to a database that contains the following~~ For any
5 natural gas-driven pneumatic controller remaining in operation after January 1, 2030, the owner
6 or operator shall maintain an inventory of natural gas driven pneumatic controllers containing the
7 following:

- 8
9 (a) natural gas-driven pneumatic controller identification number;
10
11 (b) type of controller (continuous or intermittent);
12
13 (c) if continuous, design continuous bleed rate in standard cubic feet
14 per hour;
15
16 (d) if intermittent, bleed volume per intermittent bleed in standard
17 cubic feet; and
18
19 (e) design annual bleed in standard cubic feet per year.

20
21 (5) The owner or operator of a natural gas-driven pneumatic diaphragm pump
22 ~~with a bleed rate greater than zero shall~~ that emits natural gas to the atmosphere, on a monthly
23 basis, ~~scan the pump and~~ conduct an AVO or OGI inspection and ~~shall also inspect the~~
24 ~~pneumatic pump and~~ perform necessary maintenance ~~and maintain the pneumatic pump~~
25 ~~according to manufacturer specifications~~ to ensure that the VOC emissions are minimized.

26
27 (6) The owner or operator shall monitor liquids production through each well
28 production facility or tank battery.

29
30 (7) The owner or operator shall monitor total oil and gas production through
31 each well production facility.

32
33 (68) The owner or operator shall comply with the monitoring requirements in
34 20.2.50.112 NMAC.

35
36 **D. Recordkeeping requirements:**

37
38 (1) Pneumatic controllers and pumps with a natural gas designed bleed rate
39 equal to zero are not subject to the recordkeeping requirements in Subsection D of 20.2.5.122
40 NMAC.

41
42 (2) The owner or operator shall maintain a record of each existing well
43 production facility and associated tank battery, its total liquids production, the total oil and gas
44 production at all existing well production facilities subject to Part 50, whether the well
45 production facility and associated tank battery is a Non-Emitting Facility, and the 2020 liquid
46 throughput for each well production facility and associated tank battery. An owner an operator

1 complying with Table 1 of Paragraph (3) of Subsection B shall, beginning in calendar year 2022
2 each year through calendar year 2031, calculate its Non-Emitting Facility Percent Production as
3 set forth in Paragraph (3)(b) of Subsection B except substituting the calendar year's production
4 for the 2020 production. The owner or operator of existing well production facilities complying
5 with the limitation on daily average per well production set forth in Paragraph (3)(c) of
6 Subsection B shall calculate its daily average production using the procedures in Paragraph (3)
7 substituting the calendar year for 2020.

8
9 (3) The owner or operator shall maintain a record for each existing gathering
10 and boosting site and natural gas processing plant of the total controller count ~~for all controllers~~
11 ~~at all of the owner's or operator's affected facilities that commenced operation before the~~
12 ~~effective date of this Part. The total controller count must include~~ of all emitting and non-
13 emitting pneumatic controllers. An owner or operator shall calculate the percentage of non-
14 emitting controllers for each calendar year from 2022 through 2031, excluding controllers under
15 Paragraph (5) or (7) of Subsection B of 20.2.50.122 NMAC.

16
17 (34) The owner or operator shall maintain a record of the total count of natural
18 gas driven pneumatic controllers necessary for a safety or process purpose that cannot otherwise
19 ~~be met without emitting VOC~~ allowed under Paragraphs (5) or (7) of Subsection B of
20 20.2.50.122 NMAC.

21
22 (45) The owner or operator of a natural gas driven pneumatic controller subject
23 to the requirements in tables 1 and 2 of ~~Paragraph~~ Paragraphs (3) and (4) ~~of~~ shall generate a
24 schedule for meeting the compliance ~~deadlines for each pneumatic controller. The owner or~~
25 ~~operator shall keep a record of the compliance status of each subject controller.~~

26
27 (56) The owner or operator shall maintain an electronic record for each natural
28 gas driven pneumatic controller with a natural gas bleed rate greater than zero. The record shall
29 include the following:

- 30
31 (a) pneumatic controller identification number;
32
33 (b) inspection dates;
34
35 (c) name of the personnel conducting the inspection;
36
37 (d) AVO or OGI inspection result;
38
39 (e) ~~AVO level discrepancy in continuous or intermittent bleed rate;~~
40
41 (f) maintenance date and maintenance activity; and
42
43 (gf) a record of the justification and certification required in
44 Subparagraph (d) of Paragraph (4) of Subsection B of 20.2.50.122 NMAC.

45
46 (67) The owner or operator of a natural gas-driven pneumatic controller
47 allowed under Paragraph (5) of 20.2.50.122 NMAC ~~with a bleed rate greater than six standard~~

1 ~~cubic feet per hour~~ shall maintain a record ~~in the EMT database~~ of the pneumatic controller
2 documenting ~~why a bleed rate greater than six scf/hr is necessary~~ the justification, as required in
3 Subsection B of 20.2.50.122 NMAC.

4
5 (78) The owner or operator shall maintain a record ~~in the EMT database~~ for a
6 natural gas-driven pneumatic diaphragm pump with an emission rate greater than zero and the
7 associated pump number at the facility. The record shall include:

8
9 (a) for a natural gas-driven pneumatic diaphragm pump in operation
10 less than 90 days per calendar year, a record for each day of operation during the calendar year.

11
12 (b) a record of any control device designed to achieve at least a ninety-
13 five percent emission reduction, including an evaluation or manufacturer specifications
14 indicating the percentage reduction the control device is designed to achieve.

15
16 (c) records of the engineering assessment and certification by a
17 qualified in-house professional engineer that routing pneumatic pump emissions to a control
18 device, fuel cell, or process is technically infeasible.

19
20 (89) The owner or operator shall comply with the recordkeeping requirements
21 in 20.2.50.112 NMAC.

22
23 (10) The owner or operator of an existing facility subject to Table 1 or Table 2
24 of Subsection B of 20.2.50.122 NMAC must retain records of its calculations until 2 years after
25 compliance with the January 2030 requirements in Table 1 or Table 2, as applicable, is achieved
26 and reported to the department.

27
28 E. **Reporting requirements:** The owner or operator shall comply with the
29 reporting requirements in 20.2.50.112 NMAC.

30 31 **20.2.50.124 WELL WORKOVERS**

32
33 A. **Applicability:** Workovers performed at oil and natural gas wells are subject to the
34 requirements of 20.2.50.124 NMAC as of the effective date of this Part.

35
36 B. **Emission standards:** The owner or operator of an oil or natural gas well shall use
37 the following best management practices during a workover to minimize emissions, consistent
38 with the well site condition and good engineering practices:

39
40 (1) reduce wellhead pressure before blowdown to minimize the volume of
41 natural gas vented;

42
43 (2) monitor manual venting at the well until the venting is complete; and

44
45 (3) route natural gas to the sales line, if possible.

1 C. **Monitoring requirements:**

2
3 (1) The owner or operator shall monitor the following parameters during a
4 workover:

5
6 (a) wellhead pressure;

7
8 (b) flow rate of the vented natural gas (to the extent feasible); and

9
10 (c) duration of venting to the atmosphere.

11
12 (2) The owner or operator shall calculate the estimated volume and mass of
13 VOC vented during a workover.

14
15 (3) The owner or operator shall comply with the monitoring requirements in
16 20.2.50.112 NMAC.

17
18 D. **Recordkeeping requirements:**

19
20 (1) The owner or operator shall keep the following record for a workover:

21
22 (a) identification number and location of the well;

23
24 (b) date the workover was performed;

25
26 (c) wellhead pressure;

27
28 (d) flow rate of the vented natural gas to the extent feasible, and if
29 measurement of the flow rate is not feasible, the owner or operator shall use the maximum
30 potential flow rate in the emission calculation;

31
32 (e) duration of venting to the atmosphere;

33
34 (f) description of the management practices used to minimize release
35 of VOC before and during the workover; and

36
37 (g) calculation of the estimated VOC emissions vented during the
38 workover based on the duration, volume, and ~~mass~~ gas composition of VOC.

39
40 (2) The owner or operator shall comply with the recordkeeping requirements
41 in 20.2.50.112 NMAC.

42
43 E. **Reporting requirements**

44
45 (1) The owner or operator shall comply with the reporting requirements in
46 20.2.50.112 NMAC.

1
2 (2) ~~If it is not feasible to prevent VOC emissions from being emitted to the~~
3 ~~atmosphere from a workover event, the owner or operator shall notify by certified mail all~~
4 ~~residents located within one quarter mile of the well of the planned workover at least three~~
5 ~~calendar days before the workover event.~~