UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

APR 25 2018

Laura Guthrie
Director, Air Program
Enable Midstream Partners, LP
P. 0. Box 21734
Shreveport, LA 71151

Re: Applicability Determination (AD) and Once-In-Always-In (OIAI) Policy Implementation 40 Code of Federal Regulations (C.F.R.) Part 63 Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines (RICE); 40 C.F.R. Part 60 Subpart JJJJ, New Source Performance Standards (NSPS) for Stationary Spark Ignition (SI) Internal Combustion Engines (ICE); Engines Replacement at Enable Midstream Partners, LP (Enable) F&H Compressor Station located in Latimer County, Oklahoma.

Dear Ms. Guthrie:

This letter is in response to your request dated October 15, 2014, regarding three new engines installed at Enable Midstream Partners, LP F&H Compressor Station (FHCS) that are replacing four of the existing engines that were subject to 40 C.F.R. Part 63 Subpart ZZZZ ("RICE NESHAP"). Since the facility's status changed from a major source to an area source prior to the installation date for the new engines, you have asked about rule applicability for the new engines and an interpretation of the U.S. Environmental Protection Agency (EPA) "Once-In-Always-In" (OIAI) Policy[1] for this case.

On January 25, 2018, EPA issued a new guidance memorandum[2] that superseded the OIAI policy. Under the new guidance, a major source that takes an enforceable limit on its potential to emit and brings its HAP emissions below the applicable threshold becomes an area source, irrespective of when the source limits its potential to emit. EPA has determined that the three newly installed engines at FHCS would be subject to area source requirements under the RICE NESHAP and would only need to demonstrate compliance by meeting requirements of NSPS Subpart JJJJ.[3]

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[1] EPA Memorandum from John S. Seitz on *"Potential to Emit for MACT Standards – Guidance on Timing Issues"* to Regional Office Air Directors (May 16, 1995). The term "MACT" stands for "maximum achievable control technology" in reference to emission standards promulgated under 40 CFR Part 63 NESHAP.

[2] EPA Memorandum from William L. Wehrum, *"Reclassification of Major Sources as Areas Sources Under Section 112 of the Clean Air Act,"* to Regional Air Division Directors (January 25, 2018).

[3] An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines, or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

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Enable operated six non-emergency spark ignition four-stroke lean burn (4SLB) engines greater than 500 horsepower (hp) at the FHCS. The engines were subject to the major source requirements under the RICE NESHAP. Enable took steps to reduce the facility-wide potential to emit to below major HAP source levels prior to removing four of these existing engines and installing three new engines. The three new engines are non-emergency 4SLB greater than 500 hp engines.

Since the new engines that replaced some of the existing engines were installed onsite after the facility status changed to an area source for HAP emissions, the new engines are subject to the area source requirements for a new source under the RICE NESHAP. At 40 C.F.R §63.6590(c), a new or reconstructed stationary RICE located at an area source must meet RICE NESHAP requirements by complying with NSPS Subpart IIII or Subpart JJJJ.

This response has been coordinated with EPA's Office of Enforcement and Compliance Assurance (OECA) and Office of Air Quality Planning and Standards (OAQPS), as well as our state partner, ODEQ. If you have any further questions, please do not hesitate to contact Mr. Prince Nfodzo of my staff at PBI / Ex. 4

Sincerely,

PBI / Ex. 4

Steve Thompson
Chief, Air Enforcement Branch

cc: Phillip Fielder, ODEQ
Richard Groshong, ODEQ

Ec: Sara Ayres (OECA)
Melanie King (OAQPS)
Rick Vetter (OAQPS)
Sheila Igoe (OGC, ARLO)