Message

From: Dickens, Brian [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=416CD582A67D44AAB91D3BEFF56B892D-BDICKENS]
Sent: 3/15/2018 2:19:56 AM
To: Topinka, Natalie [topinka.natalie@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]
Subject: RE: OOOOa applicable provisions

Very helpful, thanks

From: Topinka, Natalie
Sent: Friday, March 09, 2018 11:30 AM
To: Dickens, Brian <dickens.brian@epa.gov>; Loukeris, Constantinos <loukeris.constantinos@epa.gov>
Subject: RE: OOOOa applicable provisions

Here's the permit:
http://wwwapp.epa.ohio.gov/dapc/permits_issued/1238365.pdf

Here's the bit about NSPS applicability. They don't mention OOOOa because OEPA has not yet revised these permits since OOOOa was promulgated.
Multiple emissions units contained in this permit must comply with various federal New Source Performance Standards (NSPS) and Maximum Achievable Control Technology (MACT) standards. The complete NSPS and MACT requirements may be accessed via the internet from the Electronic Code of Federal Regulations (e-CFR) website http://ecfr.gpoaccess.gov or by contacting the appropriate Ohio EPA District Office or local air agency. The permittee must comply with the applicable requirements of 40 CFR Part 60 Subparts OOOO, JJJJ, and IIII and 40 CFR Part 63 Subparts HH and ZZZZ as they apply to the emissions source.

The GP 12.1 is for "production" operations. Although it is a PTIO (so the "install" portion would lead one to think wellheads and completion operations would be part of that process), it doesn't seem to address anything at the wellhead during drilling or completion operations. The only provisions that seem to apply to the wellhead per this permit is the requirement to do LDAR after everything is up and running.

The permit has the GAPC as a general condition:
Emission units and any required control and monitoring equipment shall be operated in a manner consistent with safety and good air pollution control practices for minimizing emissions.
The permit cites the source of the condition as the MACT HH and NSPS IIII and JJJJ.

MACT HH defines "facility" as the whole well site. Wells/wellheads are not specifically affected sources, but would be considered "ancillary equipment" subject to the LDAR provisions of HH.

Combined with the applicability of NSPS OOOOa at the wellhead during completion operations, plus the wellheads being covered under MACT HH as ancillary equipment, plus the inclusion of GAPC in the general conditions of the permit, it seems as though OEPA has some solid footing to say they have the authority to enforce the GAPC in some form.

From: Dickens, Brian
Sent: Friday, March 09, 2018 11:17 AM
To: Topinka, Natalie <topinka.natalie@epa.gov>; Loukeris, Constantinos <loukeris.constantinos@epa.gov>
Subject: RE: OOOOa applicable provisions

From Rae Trine: They only have delegation authorities if the requirements of the rule are in a federally enforceable permit.

Is "OOOOa" stated in their permit?

From: Topinka, Natalie
Sent: Friday, March 09, 2018 11:00 AM
To: Loukeris, Constantinos <loukeris.constantinos@epa.gov>; Dickens, Brian <dickens.brian@epa.gov>
Subject: OOOOa applicable provisions

NSPS OOOOa definitely applies to the wellhead during completion operations. Among other requirements for recovering gas, see (a)(4).

§60.5375a What GHG and VOC standards apply to well affected facilities?

If you are the owner or operator of a well affected facility as described in §60.5365a(a) that also meets the criteria for a well affected facility in §60.5365(a) of subpart OOOO of this part, you must reduce GHG (in the form of a limitation on emissions of methane) and VOC emissions by complying with paragraphs (a) through (g) of this section. If you own or operate a well affected facility as described in §60.5365a(a) that does not meet the criteria for a well affected facility in §60.5365(a) of subpart OOOO of this part, you must reduce GHG and VOC emissions by complying with paragraphs (f)(3), (f)(4) or (g) for each well completion operation with hydraulic fracturing prior to November 30, 2016, and you must comply with paragraphs (a) through (g) of this section for each well completion operation with hydraulic fracturing on or after November 30, 2016.

(a) Except as provided in paragraph (f) and (g) of this section, for each well completion operation with hydraulic fracturing you must comply with the requirements in paragraphs (a)(1) through (4) of this section. You must maintain a log as specified in paragraph (b) of this section.

(1) For each stage of the well completion operation, as defined in §60.5430a, follow the requirements specified in paragraphs (a)(1)(i) through (iii) of this section.

(i) During the initial flowback stage, route the flowback into one or more well completion vessels or storage vessels and commence operation of a separator unless it is technically infeasible for a separator to function. Any gas present in the initial flowback stage is not subject to control under this section.

(ii) During the separation flowback stage, route all recovered liquids from the separator to one or more well completion vessels or storage vessels, re-inject the recovered liquids into the well or another well, or route the recovered liquids to a collection system. Route the recovered gas from the separator into a gas flow line or collection system, re-inject the recovered gas into the well or another well, use the recovered gas as an onsite fuel source, or use the recovered gas for another useful purpose that a purchased fuel or raw material would serve. If it is technically infeasible to route the recovered gas as required above, follow the requirements in paragraph (a)(3) of this section. If, at any time during the separation flowback stage, it is technically infeasible for a separator to function, you must comply with paragraph (a)(1)(i) of this section.

(iii) You must have a separator onsite during the entirety of the flowback period, except as provided in paragraphs (a)(1)(iii)(A) through (C) of this section.

(A) A well that is not hydraulically fractured or refractured with liquids, or that does not generate condensate, intermediate hydrocarbon liquids, or produced water such that there is no liquid collection system at the well site is not required to have a separator onsite.

(B) If conditions allow for liquid collection, then the operator must immediately stop the well completion operation, install a separator, and restart the well completion operation in accordance with §60.5375a(a)(1).

(C) The owner or operator of a well that meets the criteria of paragraph (a)(1)(iii)(A) or (B) of this section must submit the report in §60.5420a(b)(2) and maintain the records in §60.5420a(c)(1)(iii).

(2) [Reserved]

(3) If it is technically infeasible to route the recovered gas as required in §60.5375a(a)(1)(ii), then you must capture and direct recovered gas to a completion combustion device, except in conditions that may result in a fire hazard or explosion, or where high heat emissions from a completion combustion device may negatively impact tundra, permafrost or waterways. Completion combustion devices must be equipped with a reliable continuous pilot flame.

(4) You have a general duty to safely maximize resource recovery and minimize releases to the atmosphere during flowback and subsequent recovery.

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