

May 22, 2018
James Chisholm
Investment Equipment, LLC
412 W. Platte Ave.
Fort Morgan, CO 80701

Grandfathered Status

Dear Mr. Chisholm:

The Air Pollution Control Division (the Division) reviewed your APEN submittal for the following source:

Point AIRS ID:	121/0331/001
APEN #:	16WA0945.GF1
Plant Name:	Davis WT 1, 2, 3 Tank Battery
Plant Location:	SWNE of Section 30, T3S, R51W Washington County
Equipment Description:	Two (2) 400 barrel tank used for the storage of crude oil

The Division determined uncontrolled actual emissions of volatile organic compounds (VOC) from the source referenced above are greater than two tons per year. Therefore, this source is required to report air emissions by filing an Air Pollution Emission Notice (APEN) (Reference: Regulation No. 3, Part A, Section II.B.3.a). In addition, the Division determined this source is currently grandfathered from the requirement to obtain an air pollution emissions permit since the storage tanks were installed prior to April 14, 2014 (Reference: APCD PS Memo 14-03).

This exemption from permit requirements is based on the grandfathered status determination of this review. This determination is issued in reliance upon the accuracy and completeness of the information supplied by the applicant and is conditioned upon construction, installation and operation in accordance with this information. Specifically, this exemption is granted provided the following information is accurate and complete:

1. The storage tanks associated with this source were installed prior to April 14, 2014 and operations have not been modified since this date. Modifications to source operations that would render this grandfathered status null and void include:
 - a. Installation of new storage tanks; or
 - b. Replacement of an existing tank; or

- c. A new well drilled and connected to the tank battery; or
- d. Re-piping an existing well to this tank battery; or
- e. Any significant change (e.g. replacement of a separator) in the physical components of the tank(s) or the equipment related to the functioning of the tank(s).
- f. Re-frac or re-completion of an existing well if it results in an increase in emissions.

The following activities are not considered modifications and would not cause the operator to lose grandfathered status for construction permit exemption purposes:

- a. Removal of a well from a tank battery; or
- b. Installation of a control device.

For guidance, if this source loses grandfathered status due to a modification and uncontrolled actual emissions from this facility are greater than or equal to 5 tons VOC per year, an air pollution emission permit would be required.

Please refer to Regulation 3, Part A, Section II.C for guidance on when a revised APEN is required to be filed with the Division for this point source. The APEN associated with this APEN-required/permit-exemption letter shall expire on 07/31/2022. Appropriate forms and fees must be submitted to the Division prior to making changes to the equipment.

Please note, although exempt emission points do not need air emission permits, they are still required to meet all applicable standards and regulations of the Air Quality Control Commission. These include, but are not limited to the provisions of Regulation 7, Section XVII - Statewide Controls for Oil and Gas Operations and Natural Gas-Fired Reciprocating Internal Combustion Engines.

It should be noted that although exempted emission points may not need air emission permits, they still are required to meet all applicable standards and regulations of the Air Quality Control Commission, including visible emissions shall not exceed 20% opacity.

Sincerely,



Christian Lesniak
Permit Engineer
Air Pollution Control Division

