



## CONSTRUCTION PERMIT

Permit number: 16LI0670 Issuance: 4

Date issued: December 30, 2020

Issued to: Wiepking-Fullerton Energy, LLC

Facility Name: Kauai #2 Tank Battery  
Plant AIRS ID: 073/0099  
Physical Location: SWNE Section 6 T10S R55W  
County: Lincoln County  
Description: Well Production Facility

Equipment or activity subject to this permit:

Equipment ID	AIRS Point	Equipment Description	Emissions Control Description
VENT	006	Venting of wellhead gas	Enclosed Combustion Device

This permit is granted subject to all rules and regulations of the Colorado Air Quality Control Commission and the Colorado Air Pollution Prevention and Control Act (C.R.S. 25-7-101 et seq), to this specific general terms and conditions included in this document and the following specific terms and conditions.

### REQUIREMENTS TO SELF-CERTIFY FOR FINAL AUTHORIZATION

1. This construction permit represents final permit approval and authority to operate this emissions source. Therefore, it is not necessary to self-certify. (Regulation Number 3, Part B, Section III.G.5.)

### EMISSION LIMITATIONS AND RECORDS

2. Emissions of air pollutants must not exceed the following limitations. Annual records of the actual emission rates must be maintained by the owner or operator and made available to the Division for inspection upon request. (Regulation Number 3, Part B, Section II.A.4.)

#### Annual Limits:

Equipment ID	AIRS Point	Tons per Year				Emission Type
		PM2.5	NO <sub>x</sub>	VOC	CO	
VENT	006	---	---	4.0	---	Point

Note: See "Notes to Permit Holder" for information on emission factors and methods used to calculate limits.



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3. The owner or operator must use the emission factors found in “Notes to Permit Holder” to calculate emissions and show compliance with the limits. The owner or operator must submit an Air Pollutant Emission Notice (APEN) and receive a modified permit prior to the use of any other method of calculating emissions.
4. The emission points in the table below must be operated and maintained with the emissions control equipment as listed in order to reduce emissions to less than or equal to the limits established in this permit. (Regulation Number 3, Part B, Section III.E.)

Equipment ID	AIRS Point	Control Device	Pollutants Controlled
VENT	006	Wellhead gas is routed to an enclosed combustion device	VOC and HAP

#### **PROCESS LIMITATIONS AND RECORDS**

5. This source must be limited to the following maximum processing rates as listed below. Annual records of the actual processing rates must be maintained by the owner or operator and made available to the Division for inspection upon request. (Regulation Number 3, Part B, II.A.4.)

##### **Process Limits**

Equipment ID	AIRS Point	Process Parameter	Annual Limit
VENT	006	Natural Gas Venting	4.75 MMSCF

6. The owner or operator must continuously monitor and record the volumetric flow rate of natural gas vented from the separator(s) using the flow meter. The flow meter must be calibrated and maintained per the manufacturer’s specifications and schedule. The owner or operator must use monthly throughput records to demonstrate compliance with the process limits contained in this permit and to calculate emissions as described in this permit.

#### **STATE AND FEDERAL REGULATORY REQUIREMENTS**

7. The permit number and ten digit AIRS ID number assigned by the Division (e.g. 123/4567/001) must be marked on the subject equipment for ease of identification. (Regulation Number 3, Part B, Section III.E.) (State only enforceable)
8. No owner or operator of a smokeless flare or other flare for the combustion of waste gases shall allow or cause emissions into the atmosphere of any air pollutant which is in excess of 30% opacity for a period or periods aggregating more than six minutes in any sixty consecutive minutes. (Regulation Number 1, Section II.A.5.)
9. This source is subject to the odor requirements of Regulation Number 2. (State only enforceable)





10. On or before June 30th, 2021 (and on June 30th each year thereafter), the owner or operator of oil and natural gas operations and equipment at or upstream of a natural gas processing plant in Colorado must submit a single annual report that includes actual emissions and specified information in the Division-approved report format. The information included in the annual report must be in accordance with the general reporting requirements of Regulation Number 7, Part D, Section V.B. Beginning July 1, 2020, and each calendar year thereafter, owners or operators must maintain the information according to Regulation Number 7, Part D, Section V.C. for inclusion in the annual report. (Regulation Number 7, Part D, Section V)

#### **OPERATING & MAINTENANCE REQUIREMENTS**

11. This source is not required to follow a Division-approved operating and maintenance plan.

#### **COMPLIANCE TESTING AND SAMPLING**

##### **Initial Testing Requirements**

12. This source is not required to conduct initial testing, unless otherwise directed by the Division or other state or federal requirement.

##### **Periodic Testing Requirements**

13. This source is not required to conduct periodic testing, unless otherwise directed by the Division or other state or federal requirement.

#### **ADDITIONAL REQUIREMENTS**

14. All previous versions of this permit are cancelled upon issuance of this permit.
15. A revised Air Pollutant Emission Notice (APEN) must be filed: (Regulation Number 3, Part A, II.C.)
  - Annually by April 30<sup>th</sup> whenever a significant increase in emissions occurs as follows:

##### **For any criteria pollutant:**

For sources emitting **less than 100 tons per year**, a change in actual emissions of five (5) tons per year or more, above the level reported on the last APEN; or

For volatile organic compounds (VOC) and nitrogen oxides sources (NO<sub>x</sub>) in ozone nonattainment areas emitting **less than 100 tons of VOC or NO<sub>x</sub> per year**, a change in annual actual emissions of one (1) ton per year or more or five percent, whichever is greater, above the level reported on the last APEN; or

For sources emitting **100 tons per year or more**, a change in actual emissions of five percent or 50 tons per year or more, whichever is less, above the level reported on the last APEN submitted; or



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**For any non-criteria reportable pollutant:**

If the emissions increase by 50% or five (5) tons per year, whichever is less, above the level reported on the last APEN submitted to the Division.

- Whenever there is a change in the owner or operator of any facility, process, or activity; or
- Whenever new control equipment is installed, or whenever a different type of control equipment replaces an existing type of control equipment; or
- Whenever a permit limitation must be modified; or
- No later than 30 days before the existing APEN expires.

**GENERAL TERMS AND CONDITIONS**

16. This permit and any attachments must be retained and made available for inspection upon request. The permit may be reissued to a new owner by the APCD as provided in AQCC Regulation Number 3, Part B, Section II.B. upon a request for transfer of ownership and the submittal of a revised APEN and the required fee.
17. If this permit specifically states that final authorization has been granted, then the remainder of this condition is not applicable. Otherwise, the issuance of this construction permit does not provide "final" authority for this activity or operation of this source. Final authorization of the permit must be secured from the APCD in writing in accordance with the provisions of 25-7-114.5(12)(a) C.R.S. and AQCC Regulation Number 3, Part B, Section III.G. Final authorization cannot be granted until the operation or activity commences and has been verified by the APCD as conforming in all respects with the conditions of the permit. Once self-certification of all points has been reviewed and approved by the Division, it will provide written documentation of such final authorization. **Details for obtaining final authorization to operate are located in the Requirements to Self-Certify for Final Authorization section of this permit.**
18. This permit is issued in reliance upon the accuracy and completeness of information supplied by the owner or operator and is conditioned upon conduct of the activity, or construction, installation and operation of the source, in accordance with this information and with representations made by the owner or operator or owner or operator's agents. It is valid only for the equipment and operations or activity specifically identified on the permit.
19. Unless specifically stated otherwise, the general and specific conditions contained in this permit have been determined by the APCD to be necessary to assure compliance with the provisions of Section 25-7-114.5(7)(a), C.R.S.
20. Each and every condition of this permit is a material part hereof and is not severable. Any challenge to or appeal of a condition hereof must constitute a rejection of the entire permit and upon such occurrence, this permit must be deemed denied *ab initio*. This permit may be





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revoked at any time prior to self-certification and final authorization by the Air Pollution Control Division (APCD) on grounds set forth in the Colorado Air Quality Control Act and regulations of the Air Quality Control Commission (AQCC), including failure to meet any express term or condition of the permit. If the Division denies a permit, conditions imposed upon a permit are contested by the owner or operator, or the Division revokes a permit, the owner or operator of a source may request a hearing before the AQCC for review of the Division's action.

21. Section 25-7-114.7(2)(a), C.R.S. requires that all sources required to file an Air Pollution Emission Notice (APEN) must **pay an annual fee** to cover the costs of inspections and administration. If a source or activity is to be discontinued, the owner must notify the Division in writing requesting a cancellation of the permit. Upon notification, annual fee billing will terminate.
22. Violation of the terms of a permit or of the provisions of the Colorado Air Pollution Prevention and Control Act or the regulations of the AQCC may result in administrative, civil or criminal enforcement actions under Sections 25-7-115 (enforcement), -121 (injunctions), -122 (civil penalties), -122.1 (criminal penalties), C.R.S.

By:

Lauraleigh Lakocy  
Permit Engineer

### Permit History

Issuance	Date	Description
Issuance 1	November 1, 2016	Issued to Wiepking-Fullerton Energy, L.L.C. Permit for natural gas venting at an existing synthetic minor facility.
Issuance 2	April 11, 2017	Issued to Wiepking-Fullerton Energy, L.L.C. Increased VOC and HAP emission factors and permit limits based on a site-specific gas analysis. Issued as Final Approval.
Issuance 3	January 26, 2018	Issued to Wiepking-Fullerton Energy, L.L.C. Changed make/model of control device. Decreased emissions and throughput limits. No change to emission factors. Issued as Final Approval.
Issuance 4	This Issuance	Issued to Wiepking-Fullerton Energy, LLC. Source replaced control device with new make/model. No changes to emissions or process limits. Permit issued as Final Approval.



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Notes to Permit Holder at the time of this permit issuance:

- 1) The permit holder is required to pay fees for the processing time for this permit. An invoice for these fees will be issued after the permit is issued. The permit holder must pay the invoice within 30 days of receipt of the invoice. Failure to pay the invoice will result in revocation of this permit. (Regulation Number 3, Part A, Section VI.B.)
- 2) The production or raw material processing limits and emission limits contained in this permit are based on the consumption rates requested in the permit application. These limits may be revised upon request of the owner or operator providing there is no exceedance of any specific emission control regulation or any ambient air quality standard. A revised air pollution emission notice (APEN) and complete application form must be submitted with a request for a permit revision.
- 3) This source is subject to the Common Provisions Regulation Part II, Subpart E, Affirmative Defense Provision for Excess Emissions During Malfunctions. The owner or operator must notify the Division of any malfunction condition which causes a violation of any emission limit or limits stated in this permit as soon as possible, but no later than noon of the next working day, followed by written notice to the Division addressing all of the criteria set forth in Part II.E.1 of the Common Provisions Regulation. See: <https://www.colorado.gov/pacific/cdphe/aqcc-reg>
- 4) The following emissions of non-criteria reportable air pollutants are estimated based upon the process limits as indicated in this permit. This information is listed to inform the operator of the Division's analysis of the specific compounds emitted if the sources operates at the permitted limitations.

Equipment ID	AIRS Point	Pollutant	CAS #	Uncontrolled Emissions (lb/yr)	Controlled Emissions (lb/yr)
VENT	006	Benzene	71432	2,141	107
		n-Hexane	110543	5,779	289

Note: All non-criteria reportable pollutants in the table above with uncontrolled emission rates above 250 pounds per year (lb/yr) are reportable and may result in annual emission fees based on the most recent Air Pollution Emission Notice.

- 5) The emission levels contained in this permit are based on the following emission factors:

CAS #	Pollutant	Uncontrolled Emission Factors (lb/MMscf)	Controlled Emission Factors (lb/MMscf)	Source
	VOC	32,934.7354	1,646.7368	Displacement Equation (mass balance) based on a site-specific gas analysis collected 8/24/16.
71432	Benzene	451.2471	22.5624	
110543	n-Hexane	1,217.9597	60.8980	

Note: The controlled emissions factors for this point are based on a control efficiency of 95%.





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6) In accordance with C.R.S. 25-7-114.1, each Air Pollutant Emission Notice (APEN) associated with this permit is valid for a term of five years from the date it was received by the Division. A revised APEN must be submitted no later than 30 days before the five-year term expires. Please refer to the most recent annual fee invoice to determine the APEN expiration date for each emissions point associated with this permit. For any questions regarding a specific expiration date call the Division at (303)-692-3150.

7) This facility is classified as follows:

Applicable Requirement	Status
Operating Permit	True Minor Source
PSD	True Minor Source

8) Full text of the Title 40, Protection of Environment Electronic Code of Federal Regulations can be found at the following website: <http://www.ecfr.gov/>

Part 60: Standards of Performance for New Stationary Sources		
NSPS	60.1-End	Subpart A - Subpart UUUU
NSPS	Part 60, Appendixes	Appendix A - Appendix I
Part 63: National Emission Standards for Hazardous Air Pollutants for Source Categories		
MACT	63.1-63.599	Subpart A - Subpart Z
MACT	63.600-63.1199	Subpart AA - Subpart DDD
MACT	63.1200-63.1439	Subpart EEE - Subpart PPP
MACT	63.1440-63.6175	Subpart QQQ - Subpart YYYY
MACT	63.6580-63.8830	Subpart ZZZZ - Subpart MMMMM
MACT	63.8980-End	Subpart NNNNN - Subpart XXXXXX