

STATE OF COLORADO

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
AIR POLLUTION CONTROL DIVISION
TELEPHONE: (303) 692-3150



CONSTRUCTION PERMIT

PERMIT NO: **16LI0670**

Issuance 2

DATE ISSUED: April 11, 2017

ISSUED TO: **Wiepking-Fullerton Energy, L.L.C.**

THE SOURCE TO WHICH THIS PERMIT APPLIES IS DESCRIBED AND LOCATED AS FOLLOWS:

Oil and gas facility, known as the Kauai #2 Tank Battery, located in the SWNE of Section 6, Township 10S, Range 55W, in Lincoln County, Colorado.

THE SPECIFIC EQUIPMENT OR ACTIVITY SUBJECT TO THIS PERMIT INCLUDES THE FOLLOWING:

Facility Equipment ID	AIRS Point	Description
VENT	006	Produced natural gas from the well controlled by an enclosed flare. Enclosed flare has a minimum control efficiency of 95%.

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 THOSE 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 shall not exceed the following limitations. (Regulation Number 3, Part B, Section II.A.4.)

Annual Limits:

Facility Equipment ID	AIRS Point	Tons per Year			Emission Type
		NO _x	VOC	CO	
VENT	006	---	12.1	---	Point

See "Notes to Permit Holder" for information on emission

factors and methods used to calculate limits.

Compliance with the annual limits shall be determined on a rolling twelve (12) month total. By the end of each month a new twelve-month total shall be calculated based on the previous twelve months' data. The permit holder shall calculate emissions each month

and keep a compliance record on site or at a local field office with site responsibility, for Division review.

3. The emission points in the table below shall be operated and maintained with the control equipment as listed in order to reduce emissions to less than or equal to the limits established in this permit (Reference: Regulation No.3, Part B, Section III.E.)

Facility Equipment ID	AIRS Point	Control Device	Pollutants Controlled
VENT	006	LEED 24" Enclosed Flare (SN: 22791)	VOC and HAP

PROCESS LIMITATIONS AND RECORDS

4. This source shall be limited to the following maximum processing rates as listed below. Monthly records of the throughput shall be maintained by the applicant and made available to the Division for inspection upon request. (Reference: Regulation 3, Part B, II.A.4)

Process/Consumption Limits

Facility Equipment ID	AIRS Point	Process Parameter	Annual Limit
VENT	006	Natural gas vented from the well and routed to the enclosed flare.	14.6 MMscf

The owner or operator shall monitor monthly process rates based on the calendar month. Compliance with the annual throughput limits shall be determined on a rolling twelve (12) month total. By the end of each month a new twelve-month total is calculated based on the previous twelve months' data. The permit holder shall calculate throughput each month and keep a compliance record on site or at a local field office with site responsibility, for Division review

5. The owner or operator shall continuously monitor and record the volumetric flow rate of natural gas vented from the well using a flow meter. The flow meter shall continuously measure flow rate and record total volumetric flow vented to the enclosed flare from the well. The owner or operator shall use monthly throughput records to demonstrate compliance with permit limits and to calculate emissions as described in this permit.

STATE AND FEDERAL REGULATORY REQUIREMENTS

6. The permit number and ten digit AIRS ID number assigned by the Division (i.e., 073/0099/006) shall be marked on the subject equipment for ease of identification. (Reference: Regulation Number 3, Part B, III.E.) (State only enforceable)
7. 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. (Reference: Regulation No. 1, Section II.A.5.)
8. This source is subject to the odor requirements of Regulation Number 2. (State only enforceable)

OPERATING & MAINTENANCE REQUIREMENTS

9. Upon startup of this point, the owner or operator shall follow the most recent operating and maintenance (O&M) plan and record keeping format approved by the Division, in order to demonstrate compliance on an ongoing basis with the requirements of this permit. Revisions to the O&M plan are subject to Division approval prior to implementation. (Reference: Regulation No. 3, Part B, Section III.G.7.)

COMPLIANCE TESTING AND SAMPLING

Periodic Testing Requirements

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

ADDITIONAL REQUIREMENTS

11. All previous versions of this permit are cancelled upon issuance of this permit.
12. A revised Air Pollutant Emission Notice (APEN) shall be filed: (Reference: Regulation No. 3, Part A, II.C)
 - a. Annually by April 30th 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_x) in ozone nonattainment areas emitting **less than 100 tons of VOC or NO_x 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

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.
 - b. Whenever there is a change in the owner or operator of any facility, process, or activity; or
 - c. Whenever new control equipment is installed, or whenever a different type of control equipment replaces an existing type of control equipment; or
 - d. Whenever a permit limitation must be modified; or
 - e. No later than 30 days before the existing APEN expires.
13. Federal regulatory program requirements (i.e., PSD, NANSR) shall apply to this source at any such time that this source becomes major solely by virtue of a relaxation in any permit condition. Any relaxation that increases the potential to emit above the applicable Federal program threshold will require a full review of the source as though construction had not yet commenced on the source. The source shall not exceed the Federal program threshold until a permit is granted. (Regulation Number 3, Parts C and D.)

GENERAL TERMS AND CONDITIONS

14. 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.
15. 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.**
16. 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.
17. 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.
18. 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 shall constitute a rejection of the entire permit and upon such occurrence, this permit shall be deemed denied *ab initio*. This permit may be 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.
19. 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.
20. 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: 

Andy Gruel, P.E.
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	This Issuance	Issued to Wiepking-Fullerton Energy, L.L.C. Increased VOC and HAP emission factors and permit limits based on site-specific gas analysis. Issued as Final Approval.

Notes to Permit Holder:

- 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 shall pay the invoice within 30 days of receipt of the invoice. Failure to pay the invoice will result in revocation of this permit (Reference: Regulation No. 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 shall 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-regs>
- 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 source(s) operate at the permitted limitations.

AIRS Point	Pollutant	CAS #	Uncontrolled Emission Rate (lb/yr)	Are the emissions reportable?	Controlled Emission Rate (lb/yr)
006	Benzene	71432	6588	Yes	330
	n-Hexane	110543	17781	Yes	889
	2,2,4-Trimethylpentane	540841	141	No	7

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

Point 006:

CAS #	Pollutant	Weight Fraction of Gas (%)	Emission Factors Uncontrolled lb/MMscf	Emission Factors Controlled lb/MMscf	Source
	VOC	42.87	32977.45	1648.87	Engineering Calculation
71432	Benzene	0.5866	451.23	22.562	Engineering Calculation
110543	n-Hexane	1.583	1217.86	60.893	Engineering Calculation
540841	2,2,4-Trimethylpentane	0.01252	9.64	0.482	Engineering Calculation

Note: The uncontrolled VOC and HAP emissions for this point were calculated using a site-specific gas analysis collected 8/31/16. The controlled VOC and HAP emissions factors for point 006 are based on the flare control efficiency of 95%. NOx and CO emissions are accounted for in Point 004.

- 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 shall 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	Synthetic Minor Source of: VOC
PSD	Synthetic Minor Source of: VOC
MACT HH	Area Source Requirements: Not Applicable

- 8) Full text of the Title 40, Protection of Environment Electronic Code of Federal Regulations can be found at the website listed below:

<http://ecfr.gpoaccess.gov/>

Part 60: Standards of Performance for New Stationary Sources		
NSPS	60.1-End	Subpart A – Subpart KKKK
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