Summary of State Regulations Applicable to Oil and Gas Sources in the Western States Air Resources Council-Western Regional Air Partnership Region

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1.0 Introduction

This document describes oil and gas (O&G) emission control regulations currently in place (as of January 2020) in several western US states in the Western States Air Resources Council- Western Regional Air Partnership (WESTAR-WRAP) region. The focus is on O&G emission sources in wellsite, gas gathering and boosting, and gas processing[1] subsectors (items 1, 5, and 6 in Figure 1).

Agencies with jurisdiction in O&G producing areas in the WESTAR-WRAP region that contributed text to this document describing applicable regulations within their jurisdiction include:

- Alaska Department of Environmental Conservation (AKDEC)
- California Air Resources Board (CARB)
- Colorado Department of Public Health (CDPHE)
- Montana Department of Environmental Quality (Montana DEQ)
- New Mexico Environment Department (NMED)
- North Dakota Department of Environmental Quality, Division of Air Quality (NDDEQ, DAQ)
- Utah Department of Environmental Quality (Utah DEQ)
- Wyoming Department of Environmental Quality (WYDEQ)

State agency rules and regulations described in this document do not apply on Tribal Lands.

A comprehensive table of federal and state regulations applicable to O&G wellsite and midstream O&G sources in the WESTAR-WRAP region (including Tribal Lands) has also been compiled and is posted along with this document on the Western Regional Air Partnership Oil and Gas Workgroup (WRAP OGWG) website[2].

[1] gas gathering and boosting, and gas processing subsectors together are referred to as "midstream" sources

[2] https://www.wrapair2.org/OGWG.aspx

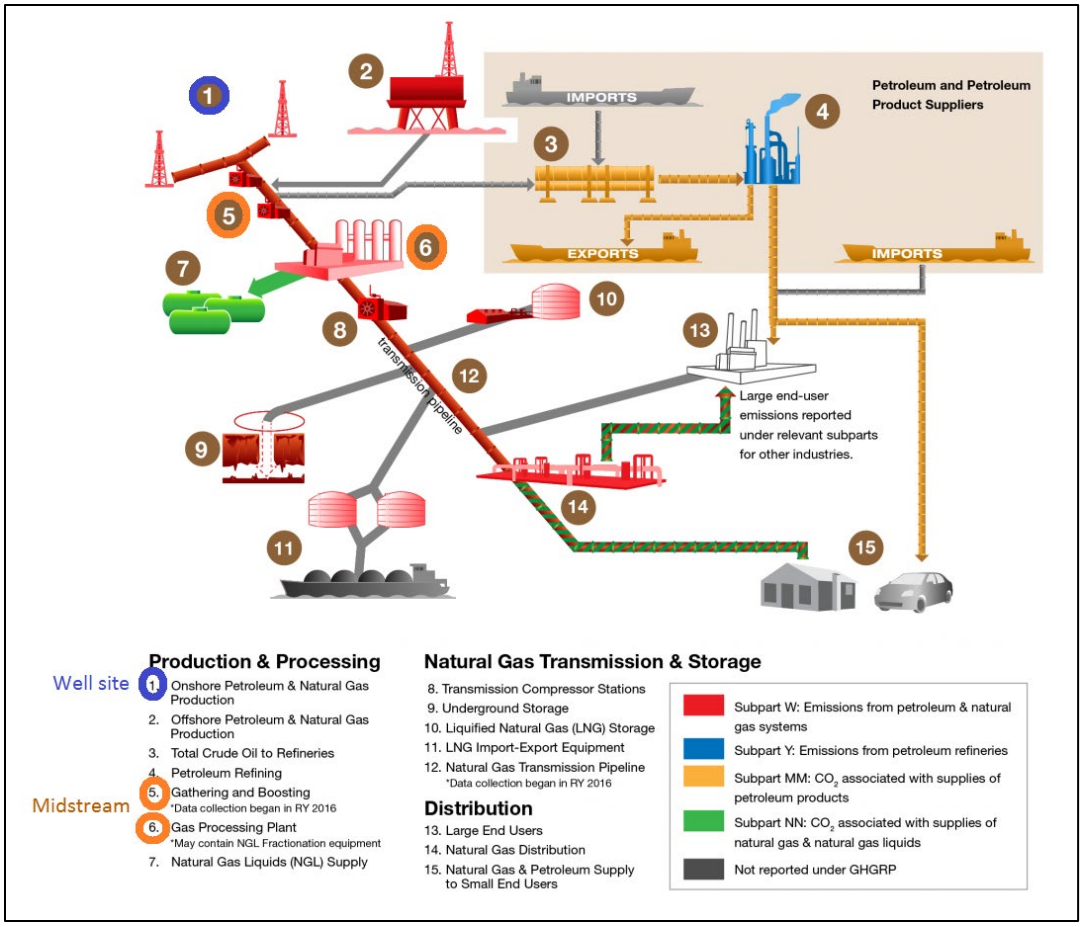

Figure 1. Example Petroleum and Natural Gas Industry schematic[3].

2.0 State Regulations Overview

The narratives below summarize the major components of each state's regulatory program applicable to O&G wellsite and midstream sources. As noted above, whereas the comprehensive companion table includes detailed information, including specific regulations applicable to each source category by jurisdiction.

2.1 Alaska

With respect to control of emissions of volatile organic compounds (VOC), the Alaska Department Environmental Conservation (AKDEC) has adopted New Source Performance Standard (NSPS) Subpart OOOO for Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution and for Crude Oil and Natural Gas Facilities for which Construction, Modification, or Reconstruction Commenced after September 18, 2015. Alaska has also adopted NSPS Subpart KKK regulations for Leak Detection and Repair (LDAR) at gas plants. Alaska does not consider or include VOC or hazardous air pollutant (HAP) emissions/controls in their minor source permit program, nor do they have delegation of the applicable NSPS/ National Emission Standards for Hazardous Air Pollutants (NESHAP) obligations for their minor source program.

[3] Source: https://www.epa.gov/ghgreporting/ghgrp-and-oil-and-gas-industry, accessed November 2019

With respect to control of emissions of nitrogen oxides (NOx), Alaska has adopted the combustion control NSPS standards (boiler Subparts Db and Dc, engine/turbine Subparts IIII, JJJJ and KKKK). Alaska's major source permitting threshold for NOx is 100 tons per year (tpy), so minor sources under that threshold do not undergo a Best Available Control Technology (BACT) review. As with other pollutants, Alaska does not consider or include NOx controls for minor sources, nor do they have delegation of the applicable NSPS/NESHAP obligations for their minor source program. Regarding major sources, although NSPS represent the ceiling for NOx emission limits in major source permits, BACT may drive emissions lower if review shows controls to be technically feasible and economically reasonable.

Federal Tier Standards take precedence for nonroad mobile sources. Alaska does have a regulation [18AAC50.502(c)(2)] which requires a minor source permit for temporary portable O&G operations. Such sources have to demonstrate through modeling that the proposed potential emissions will not interfere with the attainment or maintenance of the Alaska Ambient Air Quality Standards. No BACT review is conducted for these minor sources, however. Thus, in certain cases emissions from temporary engines could be restricted to levels under federal requirements in order to meet ambient standards.

2.2 California

In 2017, the California Air Resources Board (CARB) adopted Greenhouse Gas Emission Standards for Crude Oil and Natural Gas Facilities under California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 10 Climate Change, Article 4. This regulation is designed to reduce methane emissions from both new and existing O&G facilities. Regulated entities are required to take actions to limit intentional (vented) and unintentional (leaked or fugitive) emissions from equipment and operations.

This regulation applies to owners or operators of equipment and components located within California, including California waters, that are associated with facilities in the sectors listed below, regardless of emissions level.

- Onshore and offshore crude oil or natural gas production; and,
- Crude oil, condensate, and produced water separation and storage; and,
- Natural gas underground storage; and,
- Natural gas gathering and boosting stations; and,
- Natural gas processing plants; and,
- Natural gas transmission compressor stations.

Applicable California regulatory standards are summarized in Table 1.

Table 1. California regulatory standards for O&G sources.

Source	Standard Summary
Separator and tank systems	• Requires flash testing to determine annual methane emissions. • Requires systems with annual emissions above 10 metric tons (MT) methane to install vapor collection.
Circulation tanks used in Well Stimulation Treatments	• Operators institute a Best Practices Management Plan, followed by a control equipment technical assessment by January 1, 2019. • If technical assessment proves out, tanks controlled for emissions by January 1, 2020.

Source	Standard Summary
Leak Detection and Repair (LDAR)	• Requires daily audio/visual inspections and quarterly leak measurements of components. • Builds on current requirements by many districts to control VOC. • Regulation extends testing to methane at natural gas facilities.
Underground gas storage monitoring program	• Ambient air monitoring. • Daily or continuous leak monitoring at injection/withdrawal wellheads. • Operators submit monitoring plans to CARB for approval.
Natural gas compressors	• Emission standards for reciprocating compressor rod packings and centrifugal compressor wet seals. • Requires either (1) replacement of high-emitting rod packing or wet seal, or (2) collection of leaking gas. • All compressors subject to LDAR.
Pneumatic devices and pumps	• Continuous bleed to be changed to no-bleed. • Air or electricity to operate, or controlled with a vapor collection system.
Reporting requirements	• Facility and equipment information; • Flash test results; • Annual LDAR Results; • Underground natural gas storage monitoring plan reporting; • Annual concentrations or flow rates for compressors and pneumatics; and • Additional annual reporting for liquids unloading of natural gas wells, and for well casing vents.

The regulation may be implemented by both CARB and the districts; district implementation is preferred. In most districts, CARB handles one-time facility and equipment reporting; districts handle "on the ground" enforcement. The implementation schedule is summarized below.

- January 1, 2018
  - Leak Detection and Repair (LDAR) begins;
  - Underground natural gas storage facilities' monitoring plans due; and
  - Equipment reporting and flash testing data due.
- July 1, 2018
  - CARB staff will decide to approve or request modifications of underground natural gas storage facilities' monitoring plans.
- January 1, 2019
  - Vapor collection on separator and tank systems installed;
  - Pneumatic devices and compressor seal change-outs required; and
  - Circulation tank technology assessment complete.
- July 1, 2019
  - Annual reporting of LDAR results, compressor and pneumatic flow rates, and liquids unloading and well casing vent reporting all due.
- January 1, 2020
  - Circulation tank vapor collection installed, pending technology assessment.

2.3 Colorado

The CDPHE has adopted several rules which regulate VOC emissions from O&G operations in Colorado. The Colorado Oil and Gas Conservation Commission (COGCC) has also adopted requirements under HB 07-1341 which regulate VOC emissions.

COGCC HB 07 1341 requires that green completions be used when technically and economically feasible. If a green completion not feasible, Best Management Practices (BMPs) shall be used. For the purpose of regional emission inventory evaluation, this COGCC rule is essentially equivalent to the NSPS Subpart OOOO requirements for completions.

Colorado Regulation 7 has statewide requirements which are essentially equivalent to NSPS Subpart OOOO regulations for wet seal systems or maintenance schedules to prevent fugitive VOC leaks from the compressor units.

Colorado Regulation 7 requires no or low-bleed pneumatic controllers for all new and existing applications statewide, with limited exceptions. In addition, COGCC HB 07-1341 includes statewide pneumatic controller requirements. For the purpose of regional emission inventory evaluation, Colorado specific pneumatic controller requirements are essentially equivalent to NSPS Subpart OOOO.

Colorado Regulation 7 , Part D, II.C (applicable statewide) requires control of condensate tanks greater than or equal to 6 tpy VOC. COGCC HB 07-1341 lowers the threshold to 5 tpy VOC for sites within 1/4 mile of an "affected building" (applicable only in Garfield, Mesa and Rio Blanco Counties). In December 2019, more stringent statewide controls on storage tanks were adopted under Colorado Regulation 7 requiring all storage tanks (condensate, crude oil and produced water), statewide, with uncontrolled actual VOC emissions greater than or equal to 2 tpy to control emissions (i.e., 95% emission reductions). Storage tanks constructed on or after March 1, 2020, must be in compliance with this requirement upon commencing operation and existing storage tanks constructed before March 1, 2020, must be in compliance by May 1, 2021.

Colorado has adopted NSPS Subpart KKK regulations for Leak Detection and Repair (LDAR) at gas plants. Colorado also has adopted NSPS Subpart OOOO.

Colorado's Regulation 7 requires 90% emission reductions for dehydrators with uncontrolled emissions greater than or equal to 15 tpy VOC (applicable only in ozone nonattainment areas). Under the COGCC HB 07-1341 regulation, dehydrators with uncontrolled emissions greater than or equal to 5 tpy VOC must be controlled if the site is within 1/4 mile of an "affected building" (applicable only to Garfield, Mesa and Rio Blanco Counties).

Colorado has adopted combustion controls targeting NOx emission reductions under NSPS standards (boiler Subparts Db and Dc, engine/turbine Subparts IIII and KKKK). Colorado did not adopt NSPS Subpart JJJJ for spark-ignition-internal combustion engines (SI-ICE). In its place, Colorado has Regulation 7, Part E, I.D sets emission limits for SI-ICE, which are consistent with NSPS Subpart JJJJ. Colorado's minor source permitting threshold for NOx is 10 tpy (5 tpy for sources in nonattainment areas), but minor sources between 50-100 tpy (25-100 tpy in ozone nonattainment areas) do not undergo a BACT review. In Colorado, NSPS requirements, Regulation 7, and Part E, I.D represent the ceiling for NOx limits in minor source permits.

Federal Tier Standards take precedence for Nonroad Mobile Sources. Colorado does have a regulation [Regulation 3 Part A, I.B.31] which requires that nonroad engines greater than 1200 brake horsepower (BHP), which operate more than 4380 hours per year, are subject to Colorado state requirements (for nonroad engines co-located at an existing major source of NOx or SO2, engines greater than 1200 BHP must meet Colorado requirements regardless of operating hours). Such engines must pay a Colorado emission fee mandated by an Air Pollutant Emission Notice (APENs), and if they emit 100 tpy or more of NOx (or other thresholds applicable to other pollutants), they must submit an application for a site-specific, temporary permit. This permit will contain such terms and conditions determined by CDPHE to be necessary to protect Colorado Ambient Air Quality Standards. Thus, it is possible that temporary engine emissions could be restricted to levels under Federal Nonroad Mobile emission limits in order to meet ambient standards.

2.4 Montana

Montana DEQ has a robust air quality program that works together with Montana Board of Oil and Gas Conservation (MBOGC) regulations and federal regulations to limit emissions during the drilling, completion and operation of O&G wells in Montana.

Montana DEQ regulations require O&G well facilities to control emissions from the time the well is completed until the source is registered or permitted (Administrative Rules of Montana [ARM] Title 17, Chapter 8, Subchapter 16). Once the well is completed, the owner or operator has 60 days to determine the facility's potential to emit (PTE) and either apply for a Montana Air Quality Permit (MAQP) according to the provisions of ARM Title 17, Chapter 8, Subchapter 7 or register the facility according to the requirements of ARM Title 17, Chapter 8, Subchapter 17. Subchapter 17 is Montana's O&G well facility registration program, which is essentially a permit by rule program that allows the owner or operator of a registration eligible facility to register with Montana DEQ and follow the requirements contained in Subchapter 17 in lieu of submitting an application for and obtaining an MAQP. If a source cannot meet the requirements outlined in Subchapter 17, the source must apply for an MAQP. O&G well facilities are subject to all applicable state and federal rules, including SIP-approved, federally enforceable requirements, regardless of whether the facilities obtain an MAQP, register in lieu of obtaining an MAQP, or have a potential to emit (PTE) below the 25 tpy permit/registration threshold.

The only O&G sources currently eligible to register in Montana are upstream crude oil well (tank battery) facilities. All other oil and gas sector facilities which exceed the minor source threshold of 25 tpy of any regulated pollutant are required to obtain an MAQP. Furthermore, oil or gas well facilities subject to Title V requirements are currently prohibited from registering.

Montana's air quality program has permitting and registration rules for control of fugitive VOC vapors from O&G facilities. Subchapter 16 requires that each applicable piece of O&G well facility equipment with VOC heating value greater than 500 British Thermal Unit per standard cubic foot (BTU/scf) and with a PTE greater than 15 tpy VOC be controlled. These VOC vapors must either be routed to a gas pipeline or controlled using emission minimizing technology from the time the well is initially completed until the facility is registered or permitted. Upon registration, all equipment with VOC vapors with a heating value greater than 200 BTU/scf and having a PTE greater than 15 tpy VOC, must capture the VOC emissions and route them to a pipeline or a smokeless combustion device (or equivalent control) operating at 95% or greater control efficiency. Submerged filling of tanks during

loading/unloading is also required. If applying for an MAQP, control requirements are determined via a case-by-case BACT analysis and determination. A case-by-case BACT analysis requirement may include design, equipment, work practice, or operational standards in place of or in combination with an emission limitation.

With respect to NSPS limiting VOC emissions, Montana has adopted NSPS Subparts KKK, LLL, and OOOO and NESHAP Subparts HH and HHH regulations covering the upstream and midstream O&G sectors. Montana has not adopted NSPS Subpart OOOOa. Montana intends to adopt Subpart OOOOa during its next annual incorporation.

With respect to NSPS limiting NOx emissions, Montana has adopted the combustion control NSPS standards (boiler Subparts Db and Dc, engine/turbine Subparts IIII, JJJJ and KKKK) applicable to the upstream and midstream O&G sectors. Subchapters 16 and 17 require that stationary rich burn internal combustion engines greater than 85 BHP be equipped with nonselective catalytic reduction or its equivalent. Similarly, stationary lean burn internal combustion engines greater than 85 BHP are required to be equipped with oxidation catalytic reduction or its equivalent. Sources that obtain an MAQP undergo a case-by-case BACT analysis and determination, which may include design, equipment, work practice, or operational standards in place of or in combination with an emission limitation.

Federal Tier Standards take precedence for nonroad mobile sources. Montana has no separate state restrictions for temporary engines.

2.5 New Mexico

NMED Air Quality Bureau has adopted by reference NSPS (40 CFR 60) and NESHAP (40 CFR 63) applicable to oil and gas sources that have been promulgated in the Federal Register up to January 15, 2017.

New Mexico minor source permitting requirements are specified in 20.2.72 New Mexico Administrative Code (NMAC). Minor source air quality permits are required for all sources with a PTE greater than 10 pounds per hour (pph) or 25 tpy of any regulated air pollutant with a National or New Mexico Ambient Air Quality Standard. A Notice of Intent, or registration, is required under 20.2.73 NMAC for any source with emissions of any regulated air pollutant greater than 10 tpy, including VOC and HAPs. These rules apply throughout New Mexico except for on Tribal lands and in Bernalillo County.

Regarding NO_X, New Mexico has adopted the combustion control NSPS standards (40 CFR 60, boiler Subparts Db and Dc, engine Subparts IIII and JJJJ, and Turbine Subparts GG and KKKK). New Mexico's permitting threshold for NOx is 10 pph or 25 tpy. Therefore, in New Mexico, NSPS requirements represent the ceiling for NO_X limits in minor source permits.

Federal Tier Standards take precedence for nonroad mobile sources. New Mexico also requires air quality permits for nonroad engines under 20.2.72 NMAC since that regulation covers both "stationary sources" and "portable stationary sources". New Mexico has no separate restrictions for temporary compression-ignition (CI) or spark-ignition internal reciprocating internal combustion engines (SI-RICE). If a facility is subject to a Title V permit; then, any nonroad engine operating, monitoring, and records requirements in a minor source construction permit are incorporated into its Title V permit.

New Mexico has several source specific regulations that were originally promulgated in 1995. Most new NSPS that cover similar sources have more stringent requirements. These state regulations include: 20.2.33 NMAC - Gas Burning Equipment NO_X; 20.2.35 NMAC - Natural Gas Processing Plant – Sulfur; 20.2.38 NMAC - Hydrocarbon Storage Facilities; 20.2.61 NMAC - Smoke and Visible Emissions; and 20.2.81 NMAC - Western Backstop Sulfur Dioxide Trading Program (not yet triggered).

Governor Michelle Lujan Grisham's Executive Order on Addressing Climate Change and Energy Waste Prevention directs NMED and the New Mexico Energy, Minerals and Natural Resources Department (EMNRD) to develop regulations to reduce oil and gas sector methane emissions and to prevent waste from new and existing sources. Additional information may be found on the New Mexico Methane Strategy website[4].

NMED has General Construction Permits for O&G facilities (GCP-O&G); temporary flaring (GCP-Temporary Controls); and sources with tanks that do not require a permit but wish to avoid being subject to NSPS OOOO tank requirements (GCP6).

2.6 North Dakota

The North Dakota Department of Environmental Quality, Division of Air Quality is currently in the process of rulemaking to take primacy of NSPS Subpart OOOO and OOOOa, anticipated for submittal to EPA mid-2020.

To date, except as noted below, North Dakota has adopted no regulations comparable to NSPS Subpart OOOO and OOOOa for VOC emissions from O&G operations. North Dakota has adopted NSPS Subpart KKK regulations for Leak Detection and Repair (LDAR) at gas plants. North Dakota Administrative Code (NDAC) Chapter 33.1-15-07 – Control of Organic Compounds Emissions requires submerged filling of liquid hydrocarbons from tanks 1,000 gallons or larger and tank cars at facilities handling 20,000 gallons per day or more; other control, such as vapor recovery or combustion is acceptable. Chapter 33.1-15-07 contains provisions requiring properly designed and maintained seals for pumps and compressors. Chapter 33.1-15-07 contains general requirements for control of all organic compounds through proper disposal (i.e. combustion).

Instead of minor source permitting requirements for O&G wells, North Dakota requires O&G production facilities to submit registrations for each, individual well in accordance with Chapter 33.1-15-20 in lieu of applying for a permit. To ensure compliance, the "Bakken Pool Oil and Gas Production Facilities Air Pollution Control Permitting & Compliance Guidance"[5]; hereafter called Bakken Pool O&G Guidance) provides guidance for calculating and selecting control equipment for tank vapor controls.

This Bakken Pool O&G Guidance requires that tanks constructed after June 1, 2011 must control total VOC emissions from flashing and from standing/working/breathing losses by at least 90%. The control efficiency requirement is raised to 98% if the VOC PTE is equal to or greater than 20 tpy from a tank.

[4] New Mexico Methane Strategy website: https://www.env.nm.gov/new-mexico-methane-strategy/, accessed January 2020

[5] "Bakken Pool Oil and Gas Production Facilities Air Pollution Control Permitting & Compliance Guidance", https://deq.nd.gov/publications/AQ/policy/PC/20110502_OilGas_Permitting_Guidance.pdf, accessed January 2020

Regarding NOx, North Dakota has adopted combustion control NSPS standards (boiler Subparts Db and Dc, engine/turbine Subparts IIII, JJJJ and KKKK). North Dakota's permitting threshold for NOx is 100 tpy. Other than O&G sources (see O&G registration requirements above), facilities that emit less than 100 tpy NOx are subject to minor source permitting, but do not undergo a BACT review. Regarding major sources, although the NSPS represent the ceiling for NOx limits in major source permits, BACT may drive emissions lower if review shows controls to be technically feasible and economically reasonable.

Federal Tier Standards take precedence for nonroad mobile sources. North Dakota has no separate state restrictions for temporary/mobile sources.

2.7 Utah

Utah Administrative Code Rules R307-501 to 511 address emission control requirements for O&G facilities. Rules R307-501 to 504 specify general requirements for good air pollution control practices: All existing and new pneumatic controllers must meet 40 CFR 60, Subpart OOOO, all flares must have auto-ignitors, and tank truck loading must be controlled. R307-505 to 511 specify a permit by rule approach to replace the previous minor source permitting process for O&G well sites under state jurisdiction. These rules require all O&G sources to register with the Division of Air Quality (DAQ). If site-wide throughput is 8,000 barrels or greater of crude oil or 2,000 barrels or greater of condensate per year, VOC emissions from storage tanks must be controlled by 95%. If uncontrolled dehydrator emissions are greater than 4 tons per year of VOC emissions, 95% control is required. If a site is required to control emissions, semi-annual LDAR inspections are required. All O&G sites must meet specific natural gas engine emission requirements if new or moved after January 1, 2016. All associated gases from O&G well sites must be flared, routed to a sales pipeline or controlled.

Utah regulations for hydrocarbon storage tanks in ozone nonattainment areas (R307-327) require large tanks (greater than 40,000 gallons) with high vapor pressure (true vapor pressure greater than 1.52 pounds per square inch, absolute [psia] at storage temperature) to be controlled to minimize vapor loss (new tanks shall be fitted with an internal floating roof resting on the liquid surface). This regulation is applicable to the following counties which are nonattainment for ozone as of January 2020: Davis, Duchesne, Salt Lake, Tooele, Uintah, Utah, and Weber counties.

Utah Administrative Code (UAC) Rule 307-401-9 exempts sources from New Source Review (NSR) permitting with controlled emissions below de minimis levels (PTE less than 5 tpy each for particulate matter less than 10 microns [PM_{10}], NOx, sulfur oxides [SOx], carbon monoxide [CO], VOC, or single HAP less than 500 pounds per year, combined HAP less than 1 tpy).

Utah has adopted combustion control NSPS standards (boiler Subparts Db and Dc, engine/turbine Subparts IIII, JJJJ and KKKK) which target NOx emission reductions. Utah's permitting threshold for NOx is 5 tpy; minor sources with PTE between 5-100 tpy undergo a BACT review. NSPS represents the ceiling for NOx limits in minor source permits; BACT may drive emissions lower if review shows controls to be technically feasible and economically reasonable.

Utah has adopted NSPS Subpart KKK regulations for Leak Detection and Repair (LDAR) at gas plants.

Federal Tier Standards take precedence for Nonroad Mobile Sources. Utah has no separate state restrictions for temporary CI or SI-ICE.

2.8 Wyoming

The WYDEQ Air Quality Division has adopted several requirements, which regulate emissions from O&G production facilities and midstream O&G sources.

Under § 35-11-801(e) of the Wyoming Environmental Quality Act[6], construction or modification of an O&G exploration or production well may occur prior to permitting, as long as the facility (1) is not a major source; (2) submits a complete permit application within 90 days of the first date of production (FDOP); and (3) applies BACT. However, any owner or operator may instead apply for a construction or modification permit under Chapter 6, Section 2 of the Wyoming Air Quality Standards and Regulations[7] prior to construction or modification of a facility.

The Oil and Gas Production Facilities Chapter 6 Section 2 Permitting Guidance[8] (C6 S2 O&G Guidance) document is an interpretive policy intended to publicize the Air Quality Division's current understanding of BACT for certain types of emission sources at certain types of O&G production facilities. As such, the C6 S2 O&G Guidance assists owners and operators who choose to construct or modify O&G production facilities prior to initiating the permitting process. This interpretive policy is not binding on the agency, the regulated community, or any person; it is for informational purposes and does not create any rights, responsibilities, or liabilities for the Division, members of the regulated community, or any person.

C6 S2 O&G Guidance has been revised eight (8) times since it was introduced in 1997. C6 S2 O&G Guidance describes a permitting procedure tailored to Wyoming's O&G producers that allows for the construction and startup of new facilities to begin prior to issuance of an Air Quality Permit. In order to construct and operate facilities prior to permitting, operators must install specific pollution control equipment and follow certain operational procedures that meet BACT requirements. This is the Presumptive BACT (P-BACT) permitting process. Otherwise, an Air Quality Permit or Authorization Letter shall be obtained prior to start up or modification of a facility.

The Presumptive BACT permitting requirements in the December 2018 revision of the C6 S2 O&G Guidance apply to facilities with O&G wells that have a first date of production on/after February 1, 2019 and to facilities with a modification occurring on/after February 1, 2019. Presumptive BACT requirements have been established for three (3) areas: JPAD/NPL refers to facilities located in the Jonah and Pinedale Anticline Development Area and Normally Pressured Lance; UGRB refers to facilities located in the Upper Green River Basin; and SWA (Statewide Area) refers to all facilities not located in the UGRB or JPAD/NPL.

Wyoming has no de minimis permitting threshold outside of the Wyoming Air Quality Standards and Regulation Chapter 6 Section 2(k) exemptions, thus all sources not waived by the Administrator are permitted and undergo a BACT analysis. Wyoming has adopted NSPS Subparts Db and Dc, KKK, IIII, JJJJ, KKKK, OOOO, OOOOa as well as NESHAP Subpart HH. The Chapter 6, Section 2 permitting process includes the review of applicable regulatory requirements (e.g., NSPS and NESHAP) and a BACT analysis taking into consideration site-specific variables on a case-by-case basis.

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[6] Wyoming Statutes are available online https://www.wyoleg.gov/StateStatutes/StatutesConstitution, accessed January 2020

[7] Wyoming Air Quality Standards and Regulations are available online https://rules.wyo.gov/ , accessed January 2020

[8] Wyoming Department of Environmental Quality – Air Quality Division New Source Review guidance documents are available online http://deq.wyoming.gov/aqd/new-source-review/resources/guidance-documents/, accessed January 2020