



# Comments on Additional NSPS and MACT Standards for Oil and Gas Production and Processing Under the Clean Air Act

*John R. Jacus*

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# Overview of Comments

- My Background
- Summary of State Controls in CO and WY
- Recent COGCC Controls Developed
- Prior and Planned Studies of Air Emissions
- New NSPS/MACT Controls Would Restrict State Choices in Their SIPs





## John R. Jacus' Background

- 26 Years of Environmental Practice
- B.A. in Environmental Policy – Stanford
- J.D. – University of Colorado
- Active in Every Ozone Rulemaking since 2004 for Oil & Gas Operators
- Brokered Broad Stakeholder Compromise in 2008





# Summary of State Controls

- In Addition to Existing NSPS/MACT Standards applicable to oil & gas;
  - Revised (3/10) WY Presumptive BACT for Oil & Gas;
  - Revised Ozone SIP and State-only Provisions in CO;
  - Lack of EPA Review of NSPS/MACT has not Resulted in Lack of Regulation in the States; and
  - WY and CO Regulations Among the Most Restrictive, Effective in VOC and HAP Control





# Wyoming's Revised Presumptive BACT Controls

- Measures Tailored to JPAD, CDA and State-wide
- Controls on Tank Flash Emissions, Dehys, Pneumatic Pumps and Controllers, Well Completions, Blowdown and Venting; and Produced Water Tanks





# Colorado's Revised Ozone Control Provisions of Reg. 7

- System-wide Condensate Tank Controls in the NAA @ 90% and State-wide > 20 tpy
  - Creates Incentive to Over-control
  - Provides Operational Flexibility
- Flares and VRUs at 95% DRE
- Electronic or Human Surveillance
- Dehys at 90% Control
- State-wide RICE Controls





## COGCC Controls (non-CAA)

- Green Completion and Odor Controls in the Piceance Basin
- O&G Operations Subject to AQCC Odor Control Regulation No. 2
- Use of Open-top Tanks Limited
- Pit Flaring Very Limited
- Use of Low-Bleed Pneumatics





## Prior and Planned Studies

- WY and CO Modeling for Ozone and RH SIPs
- Modeling for BLM Resource Management Plans Under FLPMA
- WRAP Phase III Oil & Gas Inventory Work
- COGA's PARA Report of 2008
- Planned Literature Review





# Potential Conflict of State and Federal Standards

- Want to Preserve System-wide Tank Controls in CO
- Inconsistency in Fed./State Regs Creates Confusion for Operators
- State VOC Controls Also Control HAPs
- New Federal HAP/VOC Controls not Harmonized with Air Modeling





# Existing Federal MACT Standards Protective

- 500 BBL/day threshold for Major Source MACT (Subpt. HH) is protective for Benzene, other HAPs, considering CO-approved Emission Factors;
- This is Especially True with CO and WY VOC Controls in Place;
- Most Area Sources in Remote, Non-Urbanized Locations





## Conclusion – Additional NSPS/MACT Controls Not Warranted

- Existing Federal Standards Protective
- State Regs Further Control VOCs and HAPs, Including Non-CAA Controls
- Federal Standards may Create Confusion and Aren't Tailored to SIP Air Modeling
- Industry Data and Emissions Inventory Efforts Demonstrate No Need
- More Data Before New Regs





For Questions, Contact:

***John R. Jacus***

(303) 892-7305

[john.jacus@dgsllaw.com](mailto:john.jacus@dgsllaw.com)

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Davis Graham & Stubbs LLP | [www.dgsllaw.com](http://www.dgsllaw.com)

