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Air Title V Operating Permit (AOP) - Renewal

version 2.5

(Submission #: HQD-NK5H-9VXD1, version 1)

Details

Submission ID HQD-NK5H-9VXD1

Status In Process

Form Input

Form Instructions

In accordance with 33.1-15-14-04.c. of the North Dakota Air Pollution Control Rules, a Title V permit renewal application must be submitted to the Department at least six months, but no more than eighteen months, prior to the expiration date. Permit renewal applications are incomplete unless all information requested in SFN 52824 is supplied. The current Title V permit will be the baseline reference for a renewal. The requirements (40 CFR 70.5(c) & NDAC 33.1-15-14-06.4.c) to include a citation and description of all applicable requirements and a description of or reference to any applicable test method for determining compliance with each applicable requirement may be met by accomplishing either or both of the following: 1) provide an annotated (red-lined) copy of the current permit indicating all changes needed to reflect the current facility configuration, applicable requirements and test methods; 2) provide a narrative that conveys all changes needed to the current permit to reflect the current facility configuration, all applicable requirements and test methods.

FOR ACID RAIN UNITS ONLY ♦ Submit with the Title V permit renewal application all Acid Rain renewal applications (the Acid Rain Permit Application, the Phase II NOx Compliance Plan, and if applicable, the Phase II NOx Averaging Plan).

When completing the online application, if uploaded files are provided in each section (when indicated), do not include those same files in the General Document Upload/File Upload section. If uploading the application files in the General Document Upload/File Upload section, only fill out the required (asterisked) sections of the online application.

Section A - Permit Information

Permit Number

AOP-28409

Permit Version

2

Issue Date

04/27/2021

Expiration Date

02/24/2026

Permittee

Company Name

ONEOK Rockies Midstream, L.L.C.

Address

100 West Fifth St.

Tulsa, OK 74103

United States

Responsible Official

Prefix

NONE PROVIDED

First Name

Dick

Last Name

Vande Bossche

Title

VP - Operations: ONEOK Rockies Midstream, L.L.C.

Phone Type

Business

Number

406-433-8710

Extension

Email

dick.vandebossche@oneok.com

Address

896 25th St SE

Sidney, MT 59270

United States

Contact Person for Air Pollution Matters

Prefix

NONE PROVIDED

First Name

David

Last Name

Youngman

Title

NONE PROVIDED

Phone Type

Business

Number

918-732-1471

Extension

Email

david.youngman@oneok.com

Address

100 W. Fifth Street

Tulsa, OK 74103

United States

Section B (Part 1) - Facility Information

Facility Name

ONEOK Rockies Midstream, L.L.C. - Stateline Gas Plant

Have you added, removed, or made any modifications to equipment since your last operating permit issuance?

No

Is this source subject to Title IV Acid Rain regulations?

No

Is this a portable source?

No

Facility Location

15071 - 56th Street NW

Williston, ND 58801

United States

County

Williams

Facility Location:
48.22883000000000,-103.94595000000000

15071 - 56th Street NW, Williston, ND

Section B (Part 2) - Additional Location Information

Legal Description of Facility Site

Qtr Qtr	Qtr	Section	Township	Range
NONE PROVIDED	SW	21	155N	103W

Land area at facility site (indicate whether measurement is in acres or sq. ft.)
NONE PROVIDED

MSL elevation at facility
NONE PROVIDED

Section C - Nature of Business

General Nature of Business

Describe Nature of Business	NAICS Code	SIC Code
Natural Gas Plant	211130-Natural Gas Extraction	1311-Crude Petroleum and Natural Gas

Actual Start of Construction Date
NONE PROVIDED

Actual End of Construction Date
NONE PROVIDED

Facility Startup Date
NONE PROVIDED

Section D - Process Equipment Information (1 of 1)

Emission Unit -

Emission Unit ID
NONE PROVIDED

Emission Unit Description
NONE PROVIDED

Emission Point ID
NONE PROVIDED

Emission Point Description
NONE PROVIDED

Emission Process Description
NONE PROVIDED

Emission Unit Status
NONE PROVIDED

Applicable PTCs

PTC Number

Applicable Federal Air Programs

Program Code

Applicable State Regulations

Regulation

Emission Unit form

Download the emission unit form linked here, complete it, and upload it to this application using the attachment control below.

When completing the online application, if uploaded files are provided in each section (when indicated), do not include those same files in the General Document Upload/File Upload section. If uploading the application files in the General Document Upload/File Upload section, only fill out the required (asterisked) sections of the online application.

[EMISSION UNIT FOR TITLE V PERMIT TO OPERATE \(SFN61006\)](#)

Attach Emission Unit Form

NONE PROVIDED
Comment
NONE PROVIDED

Section F - Facility-Wide Applicable Regulations and Potential to Emit (PTE)

Applicable Federal Air Programs

Program Code

Applicable State Regulations

Regulation

Potential to Emit (PTE)

Pollutant	Tons Per Year Without Fugitives	Tons Per Year With Fugitives
NOx	75.12	75.12
CO	239.10	239.10
VOCs	113.90	154.33
SO2	58.69	58.69
PM	6.46	6.46
PM10	6.46	6.46
PM2.5	6.46	6.46
Total HAPs	4.96	6.48

Emission Calculations Document Upload

Using the attachment control below, upload emission calculations documents.

When completing the online application, if uploaded files are provided in each section (when indicated), do not include those same files in the General Document Upload/File Upload section. If uploading the application files in the General Document Upload/File Upload section, only fill out the required (asterisked) sections of the online application.

Attach Emission Calculations Documents

NONE PROVIDED
Comment
NONE PROVIDED

Section G - Compliance Schedule

Will your facility be in compliance with all applicable requirements effective at the time of permit issuance?

Yes

Will your facility be in compliance with all applicable requirements effective after the time of permit issuance?

Yes

Section H - Flexible Permits

Are you requesting a flexible permit?
No

Section I - Compliance Assurance Monitoring (CAM)

To determine if your facility is subject to CAM, review the information provided at the following link.
[Compliance Assurance Monitoring \(CAM\) Guidance](#)

Is the facility identified in this application in compliance with applicable monitoring and compliance certification requirements?
Yes, the facility IS in compliance with applicable monitoring and compliance certification requirements.

Section K - Redline Permit Upload

Use the attachment control below to upload a redline version of your existing permit document, showing any changes.

When completing the online application, if uploaded files are provided in each section (when indicated), do not include those same files in the General Document Upload/File Upload section. If uploading the application files in the General Document Upload/File Upload section, only fill out the required (asterisked) sections of the online application.

Attach redline version of permit here
[2021-0427_Stateline_AOP28409v2_0_Redline.pdf - 08/20/2025 03:06 PM](#)
Comment
NONE PROVIDED

Section L - General Document Upload

File Upload

Use the attachment control below to upload any other information necessary for application review, such as plot plans, process diagrams, maps, etc.

When completing the online application, if uploaded files are provided in each section (when indicated), do not include those same files in the General Document Upload/File Upload section. If uploading the application files in the General Document Upload/File Upload section, only fill out the required (asterisked) sections of the online application.

Attachments
[2025-0822_Stateline_TV_R_SUBMIT.pdf - 08/20/2025 03:08 PM](#)
Comment
NONE PROVIDED

Additional Forms
NONE PROVIDED

Attachments

Date	Attachment Name	Context	User
8/20/2025 3:08 PM	2025-0822_Stateline_TV_R_SUBMIT.pdf	Attachment	David M Youngman
8/20/2025 3:06 PM	2021-0427_Stateline_AOP28409v2_0_Redline.pdf	Attachment	David M Youngman

Status History

	User	Processing Status
6/27/2025 11:40:55 AM	David M Youngman	Draft
8/20/2025 4:25:45 PM	David M Youngman	Signing
8/20/2025 4:35:23 PM	Joshua Hills	Submitting
8/20/2025 4:35:54 PM	Joshua Hills	Submitted
8/20/2025 4:36:02 PM	Joshua Hills	In Process

Agreements and Signature(s)

SUBMISSION AGREEMENTS

- ☒ I am the owner of the account used to perform the electronic submission and signature.
- ☒ I have the authority to submit the data on behalf of the facility I am representing.
- ☒ I agree that providing the account credentials to sign the submission document constitutes an electronic signature equivalent to my written signature.
- ☒ I have reviewed the electronic form being submitted in its entirety, and agree to the validity and accuracy of the information contained within it to the best of my knowledge.

I certify under penalty of law that the enclosed documents and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I also certify that the source(s) identified in this application is/are in compliance with all applicable requirements except those requirements for which a compliance schedule has been submitted in the Compliance Schedule Form or Compliance Schedule Section of the application. I understand that failure to comply with any term of a compliance schedule is considered to be a violation of regulation NDAC 33.1-15-14-06.1.e. The source will continue to comply with the current applicable requirements with which it is in compliance. The source will meet, on a timely basis, any applicable requirement, which becomes effective during the permit term. The source is properly implementing any required risk management plan in accordance with section 112(r) of the federal clean air act, if appropriate.

I certify, as the Responsible Official, that I have read and understood the above requirements and conditions applicable to my source/facility and that the information and attachments provided in this application are true, accurate, and complete to the best of my knowledge." Further, I agree to comply with the provisions of Chapter 23.1-06 of the North Dakota Century Code and all rules and regulations of the Department, or revisions thereof. I also understand a permit is nontransferable and, if granted a permit, I will promptly notify the Department upon sale or legal transfer of this permitted establishment.

Note: This certification must be signed by a "responsible official" as defined in NDAC 33.1-15-14-06.1.

**Signed
By**

David M Youngman on 08/20/2025 at 4:25 PM

Joshua Hills on 08/20/2025 at 4:35 PM



Submitted Electronically via CERIS-ND

August 22, 2025

Mr. James Semerad
North Dakota Department of Environmental Quality
Division of Air Quality
918 E. Divide Ave, 2nd Floor
Bismark, ND 58501-1947

**ONEOK ROCKIES MIDSTREAM, L.L.C.
STATELINE GAS PLANT
TITLE V PERMIT TO OPERATE RENEWAL**

Dear Mr. Semerad:

ONEOK Rockies Midstream, L.L.C. (ORM) operates the Stateline Gas Plant, located in Williams County, North Dakota. The facility currently operates under Permit No. AOP-28409 v2.0, which was issued on April 27, 2021, by the North Dakota Department of Environmental Quality (NDDEQ) and will expire on February 24, 2026. In accordance with North Dakota Administrative Code Chapter 33-15-14-06.4a(1)(c), ORM submits this permit application to renew the Title V operating permit.

Enclosed with this letter are the required application forms. ORM is not proposing any changes to equipment, emission rates, or facility throughputs. Therefore, a copy of the current Title V operating permit is not being included.

If you need additional information or have any questions, please contact me at 918-732-1471 or David.Youngman@oneok.com.

Sincerely,

David Youngman
Environmental Professional

Enclosures

xc: J. Pongratz/L. Weltikol/S. Hayes/S. Bruins/C. Northrop/D. Vande Bossche/J. Ellette/J. Chrobak (.pdf)
Tulsa Environmental Files – Stateline Gas Plant – Permit Actions
ACTS

Title V Permit to Operate Renewal Application

Stateline Gas Plant

ONEOK Rockies Midstream, L.L.C.



**Submitted to NDDEQ Division of Air Quality
August 2025**

ONEOK Rockies Midstream, L.L.C.
Stateline Gas Plant
August 2025

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ONEOK Rockies Midstream, L.L.C.
Stateline Gas Plant
August 2025

Introduction

ONEOK Rockies Midstream, L.L.C. (ORM) operates the Stateline Gas Plant, located in Williams County, North Dakota. The facility currently operates under Permit No. AOP-28409 v2.0, which was issued on April 27, 2021, by the North Dakota Department of Environmental Quality (NDDEQ) and will expire on February 24, 2026. In accordance with North Dakota Administrative Code Chapter 33-15-14-06.4a(1)(c), ORM submits this permit application to renew the Title V operating permit. Please note no changes to emission rates or facility throughputs are being proposed at this time.

Facility Equipment

Stateline Gas Plant consist of two (2) 1,462-hp Caterpillar G3516C LE gas-fired emergency generators, two (2) 91.4 MMBtu/hr hot oil heaters, two (2) 6.67 MMBTU/hr regeneration gas heaters, eight (8) 700-bbl low pressure condensate storage tanks, four (4) 400-bbl produced water/slop oil storage tanks, two (2) 150-bbl produced water/slop oil storage tanks, two (2) 17-bbl produced water/slop oil storage tanks, two (2) 300-bbl methanol storage tanks, and two (2) process/emergency flares. Associated emission sources include condensate truck loading, fugitive emissions and miscellaneous vents and blowdowns.

Process Description

Raw, sweet field gas enters the plant via pipeline and condensate is removed. The gas then is filtered and dehydrated using mole sieve dehydration. A cryogenic turbo expander separates the natural gas liquids (NGL) from the gas stream, thereby separating the methane from the NGL product. Each of these main product streams leaves the plant via pipeline. Several electric driven compressors are used to compress overheads, methane product and propane refrigerant.

Hot oil heaters are used to heat the oil which is used as a heat transfer medium throughout the facility. The mole sieves are regenerated using heat from the small regeneration heaters that heat natural gas, which passes through the mole sieves to release moisture. Produced water, methanol, lube oil, and used oil are stored in atmospheric storage tanks which are equipped with small electric heaters. NGL product is stored in high pressure storage tanks and leaves the plant by pipeline. Condensate/natural gasoline is stored in high pressure storage tanks and leaves the plant by pipeline. Condensate/natural gasoline is stored in low pressure condensate tanks and is then transferred to trucks to leave the plant. A flare system is used for safety, maintenance, emergencies and process flaring on an as needed basis.

Regulatory Applicability

The facility is a natural gas compressor station that falls under the North American Industrial Classification System (NAICS) code 211130 (formerly Standard Industrial Classification (SIC) 1311).

New Source Performance Standards 40 CFR Part 60 Subpart KKK, Equipment Leaks of VOC from Onshore Natural Gas Processing Plants. This subpart sets standards for natural gas processing plants which are defined as any site engaged in the extraction of natural gas liquids from field gas, fractionation of natural gas liquids, or both. The gas plant was originally constructed after January 20, 1984. The contracts for construction for both trains were signed prior to August 23, 2011 and signify the commencement of construction of the gas plant. Therefore, the plant is subject to this subpart.

New Source Performance Standards 40 CFR Part 60 Subpart Dc, Standards of Performance for Heaters. The Hot Oil Heaters (H-1 A&B) are between 10 and 100 MMBTU/hr and were constructed after 1984; as such they are affected facilities under this subpart. As the heaters only burn natural gas, the only applicable

ONEOK Rockies Midstream, L.L.C.
 Stateline Gas Plant
 August 2025

requirements are the initial notification under 40 CFR 60.7 and a monthly record of fuel type and amount combusted per 40 CFR 60.48c(g)(2). All other heaters are less than 10 MMBTU/hr and are not covered by any NSPS.

New Source Performance Standards 40 CFR Part 60 Subpart JJJJ, Stationary Spark Ignition Internal Combustion Engines (SI-ICE) promulgates emission standards for all new SI engines ordered after June 12, 2006, and all SI engines modified or reconstructed after June 12, 2006, regardless of size. Specific emission standards (either in g/hp-hr or as a concentration limit) vary based on engine class, engine power rating, lean-burn or rich-burn, fuel type, duty (emergency or non-emergency), and numerous manufacture dates. The 1,462-hp Caterpillar G3516C LE emergency generators were manufactured after July 1, 2010 and are therefore subject to the standards for emergency use engines including emission limitations of 2.0 g NOx/hr, 4.0 g CO/hr and 1.0 g VOC/hr.

New Source Performance Standards 40 CFR Part 60 Subpart OOOO, Crude Oil and Natural Gas Production, Transmission and Distribution, establishes emission standards for the following equipment that commences construction, modification, or reconstruction after August 23, 2011 and on or before September 18, 2015 at crude oil and natural gas production, transmission or distribution facilities:

1. Each single gas well;
2. Single centrifugal compressors using wet seals located between the wellhead and the point of custody transfer to the natural gas transmission and storage segment;
3. Single reciprocating compressors located between the wellhead and the point of custody transfer to the natural gas transmission and storage segment;
4. Single continuous bleed natural gas driven pneumatic controllers with a natural gas bleed rate greater than 6 SCFH, located between the wellhead and the point of custody transfer to the natural gas transmission and storage segment and not located at a natural gas processing plant;
5. Single continuous bleed natural gas driven pneumatic controllers located at a natural gas processing plant;
6. Single storage vessels located in the oil and natural gas production segment, natural gas processing segment, or natural gas transmission and storage segment with the potential for VOC emissions equal to or greater than 6 tons per year;
7. All equipment, except compressors, within a process unit at an onshore natural gas processing plant;
8. Sweetening units located at onshore natural gas processing plants.

Construction commenced prior to August 23, 2011 and therefore the compressors associated with the emergency generators and the tanks at the facility are not subject to this subpart. However, a project resulting in additional equipment at the inlet of the plant is subject to fugitive monitoring under this subpart.

New Source Performance Standards 40 CFR Part 60 Subpart OOOOa, Crude Oil and Natural Gas Facilities, establishes emission standards for the following equipment that commences construction, modification or reconstruction after September 18, 2015 at crude oil and natural gas production, transmission or distribution facilities:

1. Each single oil or gas well that conducts a completion following hydraulic fracturing or refracturing;
2. Single centrifugal compressors using wet seals that are not located at a well site;
3. Single reciprocating compressors not located at a well site;
4. Single continuous bleed natural gas driven pneumatic controllers with a natural gas bleed rate greater than 6 SCFH, not located at a natural gas processing plant;
5. Single continuous bleed natural gas driven pneumatic controllers located at a natural gas processing plant;
6. Single storage vessels with the potential for VOC emissions equal to or greater than 6 tons per year;
7. The group of all equipment within a process unit;

ONEOK Rockies Midstream, L.L.C.
Stateline Gas Plant
August 2025

8. The group of fugitive emissions equipment at a compressor station;
9. The group of fugitive emissions equipment at a well site;
10. Sweetening units located at onshore natural gas processing plants;
11. Pneumatic pumps at natural gas processing plants and well sites.

All potentially affected equipment at the plant was constructed before September 18, 2015 and is not subject to this subpart.

New Source Performance Standards 40 CFR Part 60 Subpart OOOOb, Crude Oil and Natural Gas Facilities, establishes emission standards for the following equipment that commences construction, modification or reconstruction after December 6, 2022 at crude oil and natural gas facilities:

1. Each single oil or gas well;;
2. Single centrifugal compressors using wet or dry seals that are not located at a well site;
3. Single reciprocating compressors not located at a well site;
4. Each collection of natural gas-driven process controllers at a well site, centralized production facility, onshore natural gas processing plant, or compressor station;
5. Storage vessel batteries with either the potential for VOC emissions equal to or greater than 6 tons per year or the potential for methane emissions equal to or greater than 20 tons per year;
6. The group of all equipment within a process unit at an onshore natural gas processing plant;
7. Sweetening units;
8. The group of all natural gas-driven pumps at a well site, centralized production facility, onshore natural gas processing plant, or compressor station;
9. The group of fugitive emissions equipment at a well site, centralized production facility or compressor station;

All potentially affected equipment at the plant was constructed before December 6, 2022 and is not subject to this subpart.

National Emission Standards for Hazardous Air Pollutants 40 CFR Part 63 Subpart ZZZZ, Reciprocating Internal Combustion Engines (RICE), affects any existing, new or reconstructed stationary RICE located at a major or area source of HAP emissions. Owners and operators of new or reconstructed engines at area sources must meet the requirements of Subpart ZZZZ by complying with either 40 CFR Part 60 Subpart IIII (for CI engines) or 40 CFR Part 60 Subpart JJJJ (for SI engines). Based on emission calculations, this facility is a minor source of HAP. The emergency engines at the facility were manufactured after June 12, 2006; therefore, compliance with this subpart will be demonstrated by compliance with Subpart JJJJ.

National Emission Standards for Hazardous Air Pollutants 40 CFR Part 63 Subpart DDDDD, Industrial, Commercial and Institutional Boilers and Process Heaters. This subpart establishes national emission limitations and work practice standards from HAP emitted from industrial, commercial, and institutional boilers and process heaters located at major source of HAP. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and work practice standards. This facility is not a major source of HAP.

National Emission Standards for Hazardous Air Pollutants 40 CFR Part 63 Subpart JJJJJ, Industrial, Commercial, and Institutional Boilers Area Sources. This subpart establishes national emission limitations and work practice standards for HAP emitted from industrial, commercial and institutional boilers at area sources of HAP. Natural gas-fired boilers are exempt from this subpart. All fuel burning equipment at this facility is fueled by natural gas; therefore, this subpart does not apply.

ONEOK Rockies Midstream, L.L.C.
Stateline Gas Plant
August 2025

State Requirements

Applicability of regulations within Article 15 - Air Pollution Control Rules under the North Dakota Administrative Code were evaluated for the facility.

33.1-15-03-02. Restrictions applicable to new installations and all incinerators.

The facility will operate in a manner to not discharge into the ambient air from any single source of emission whatsoever any air contaminant which exhibits an opacity greater than twenty percent except that a maximum of forty percent opacity is permissible for not more than one six-minute period per hour.

33.1-15-03-03.1. Restrictions applicable to flares.

The facility will operate in a manner to not discharge into the ambient air from any single source of emission whatsoever any air contaminant which exhibits an opacity greater than twenty percent except that a maximum of sixty percent opacity is permissible for not more than one six-minute period per hour.

33.1-15-05 Emissions of Particulate Matter Restricted

The facility is an insignificant source of particulate matter emissions and does not fall within the source categorizations listed in this subpart.

33.1-15-06 Emissions of Sulfur Compounds Restricted

The facility combusts pipeline quality natural gas and is therefore exempt from this subpart (33.1-15-06-01.e).

33.1-15-07 Control of Organic Compounds Emissions

Storage tanks at the facility will be equipped with submerged fill pipes (33.1-15-07-01.2). Any loading of volatile organic compounds will not exceed 20,000 gallons per day (33.1-15-07-01.4). With the exception of emergency vapor blowdowns or safety relief valves, emissions of organic compounds will be routed to flare or an equally effective control device (33.1-15-07-02.1). Any flares located at the facility will be equipped with an automatic igniter or a continuous burning pilot (33.1-15-07-02.3). Any storage tanks in excess of 6 ton per year of VOC at the facility will be controlled and therefore meets the requirements of the May 27, 2015 NDDH guidance memorandum for storage vessels at oil and gas non-production facilities.

33.1-15-08 Control of Air Pollution From Vehicles and Other Internal Combustion Engines

Any internal combustion engines located at the facility will not emit any unreasonable and excessive smoke, obnoxious or noxious gases, fumes or vapor (33.1-15-08-01). The facility will not intentionally remove, alter, or otherwise render inoperative, exhaust emission control, crankcase ventilation, or any other air pollution control device which has been installed as a requirement of federal law or regulation (33.1-15-08-02.1).

33.1-15-11 Prevention of Air Pollution Emergency Episodes

The facility is not a source category listed in Table 7 of this subpart. The facility will comply with any requirements that are instituted during an air pollution emergency issued by the Department.

33.1-15-12 Standards of Performance for New Stationary Sources

33.1-15-13 Emission Standards for Hazardous Air Pollutants

33.1-15-22 Emission Standards for Hazardous Air Pollutants for Source Categories

NSPS and NESHAP applicability is addressed above in the Federal Requirements.

33.1-15-14 Designated Air Contaminant Sources, Permit to Construct, Minor Source Permit to Operate, Title V Permit to Operate

ONEOK Rockies Midstream, L.L.C.
Stateline Gas Plant
August 2025

Through submittal of this application for a permit, the facility is complying with this subpart.

33.1-15-15 Prevention of Significant Deterioration of Air Quality

The facility is not classified as a major stationary source under the PSD rules and therefore this standard is not applicable to this facility.

33.1-15-16 Restriction of Odorous Air Contaminants

The facility will comply with the general provisions of the Department's odor restrictions (33.1.15-16-01) and will not exceed the maximum hydrogen sulfide concentrations to be considered a violation (33.1-15-16-02.1).

33.1-15-17 Restriction of Fugitive Emissions

The facility will take reasonable precautions to prevent fugitive emissions as defined under 33.1-15-17-01.2 in regards to ambient air quality standards and opacity limitations.

33.1-15-18 Stack Heights

Stack heights at the facility will not exceed good engineering practice (GEP) stack heights as defined under 33.1-15-18-01.2.d.

33.1-15-19 Visibility Protection

The facility is not classified as a major stationary source under the PSD rules and therefore this standard is not applicable to this facility.

33.1-15-21 Acid Rain Program

The acid rain provisions of the Air Pollution Control Rules are not applicable to the facility.

33.1-15-24 Standards for Lead-Based Paint Activities

There will be no lead-based paint utilized at the facility and therefore not applicable to the facility.

33.1-15-25 Regional Haze Requirements

The facility is currently not subject to regulation under a regional haze program. Therefore, this subpart is not applicable.

ONEOK Rockies Midstream, L.L.C.
Stateline Gas Plant
August 2025

Application Forms

Form SFN 52824 – Title V Permit to Operate – Renewal Application



TITLE V PERMIT TO OPERATE - RENEWAL APPLICATION
 NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY
 DIVISION OF AIR QUALITY
 SFN 52824 (9-2021)

In accordance with 33.1-15-14-04.c. of the North Dakota Air Pollution Control Rules, a Title V permit renewal application must be submitted to the Department at least six months, but no more than eighteen months, prior to the expiration date. Permit renewal applications are incomplete unless all information requested herein is supplied. The current Title V permit will be the baseline reference for this renewal. The requirements (40 CFR 70.5(c) & NDAC 33.1-15-14-06.4.c) to include a citation and description of all applicable requirements and a description of or reference to any applicable test method for determining compliance with each applicable requirement may be met by accomplishing either or both of the following: 1) enclose an annotated (red-lined) copy of the current permit indicating all changes needed to reflect the current facility configuration, applicable requirements and test methods; 2) enclose a narrative that conveys all changes needed to the current permit to reflect the current facility configuration, all applicable requirements and test methods.

FOR ACID RAIN UNITS ONLY – Submit with the Title V permit renewal application all Acid Rain renewal applications (the Acid Rain Permit Application, the Phase II NO_x Compliance Plan, and if applicable, the Phase II NO_x Averaging Plan).

PART 1. GENERAL APPLICATION INFORMATION

Owner's Name <u>ONEOK Rockies Midstream, L.L.C.</u>	
Facility Name <u>Stateline Gas Plant</u>	
Name of Person Completing Application <u>David Youngman</u>	Phone <u>(918) 732-1471</u>
Title <u>Environmental Professional</u>	Email <u>david.youngman@oneok.com</u>
Current Operating Permit Number <u>AOP-28409 v2.0</u>	
Expiration Date of Current Operating Permit <u>02</u> / <u>24</u> / <u>2026</u>	

PART 2. COMPLIANCE CERTIFICATION

A. Schedule for Submission of Compliance Certifications During the Term of the Permit

Frequency of Submittal <u>Annually</u>	Date Beginning (month/day/year) <u>02/23/2016</u>
---	--

B. Statement of Compliance with Compliance Assurance Monitoring (CAM) and Compliance Certification Requirements

The facility identified in this application is in compliance with applicable monitoring and compliance certification requirements.	
☒	Yes
☐	No - Describe below which requirements are not being met:
☐	CAM not applicable

C. Certification of Compliance with all Applicable Requirements

This certification must be signed by a "responsible official" as defined in NDAC 33.1-15-14-06.1. Forms without a signed certification will be returned as incomplete.

Except for requirements identified in Compliance Schedule and Plan (Section G) of Title V Permit to Operate application forms for which compliance is not achieved, I hereby certify that, based on information and belief formed after reasonable inquiry, the air contaminant source identified in this form is in compliance with all applicable requirements.

Signed

DocuSigned by:

Dick Vande Bossche

67B797C4193640F...

Date

8/19/2025

Typed Name **Dick Vande Bossche, VP Rockies Midstream Operations****PART 3. STATUS OF SOURCE**

Has there been any change to the source since the most recent initial or renewal permit application, minor permit modification, significant modification or administrative permit amendment?

☒ No ☐ Yes

If yes, complete and submit appropriate sections of Title V Permit to Operate application forms.

PART 4. CERTIFICATION OF TRUTH, ACCURACY AND COMPLETENESS

Note: This certification must be signed by a "responsible official" as defined in NDAC 33.1-15-14-06.1. Applications without a signed certification will be returned as incomplete.

I certify under penalty of law that, based on information and belief formed after reasonable inquiry, the statements and information contained in this application are true, accurate and complete.

Name (typed) **Dick Vande Bossche, VP Rockies Midstream Operations**

DocuSigned by:

(Signed)

Dick Vande Bossche

67B797C4193640F...

Date 8/19/2025 / / Telephone Number **(406) 433-8710**

Send original renewal application to:

North Dakota Department of Environmental Quality
Division of Air Quality
4201 Normandy Street, 2nd Floor
Bismarck, ND 58503-1324
(701)328-5188

Send copy of renewal application to:

Air Program (8P-AR)
Office of Partnerships & Regulatory
Assistance
US EPA Region 8
1595 Wynkoop Street
Denver, CO 80202-1129

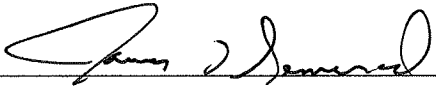
ONEOK is requesting no changes be made to the permit with this submittal of the TV Renewal application. This document serves as the requested redline version of the existing permit, with no further notations.

AIR POLLUTION CONTROL TITLE V PERMIT TO OPERATE

Permittee: Name: ONEOK Rockies Midstream, L.L.C. Address: 100 West Fifth Street Tulsa, OK 74103-4298	Permit Number: AOP-28409 v2.0 Source Name: Stateline Gas Plant
Source Location: 15071 - 56th Street NW, Williston SW ¼, Sec. 21, T155N, R103W Lat./Long.: 48.22883° N, -103.94595° E Williams County, North Dakota	Source Type: Natural Gas Processing
Expiration Date: February 24, 2026	

Pursuant to Chapter 23.1-06 of the North Dakota Century Code (NDCC), and the Air Pollution Control Rules of the State of North Dakota, Article 33.1-15 of the North Dakota Administrative Code (NDAC), and in reliance on statements and representations heretofore made by the permittee (i.e., owner) designated above, a Title V Permit to Operate is hereby issued authorizing such permittee to operate the emissions units at the location designated above. This Title V Permit to Operate is subject to all applicable rules and orders now or hereafter in effect of the North Dakota Department of Environmental Quality (Department) and to any conditions specified on the following pages. All conditions are enforceable by EPA and citizens under the Clean Air Act unless otherwise noted.

Renewal : 4/27/2021



James L. Semerad
Director
Division of Air Quality

Stateline Gas Plant
Title V Permit to Operate
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1. **Emission Unit Identification:**

The emission units regulated by this permit are listed below. All emission unit ratings are considered nominal ratings.

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment
Two hot oil heaters rated at 91.4×10^6 Btu/hr each and fired on natural gas	H-1A & H-1B	H-1A & H-1B	None
Two regeneration gas heaters rated at 6.67×10^6 Btu/hr each and fired on natural gas	H-2A & H-2B	H-2A & H-2B	None
Two 300-barrel (12,600 gallon) methanol storage tanks	TK-1 ^A & TK-2 ^A	TK-1 & TK-2	Submerged Fill Pipe (SFP)
Eight 700-barrel (29,400 gallon) low pressure condensate storage tanks	COND-1 through COND-8 ^{A, B, C}	COND-1 & COND-2	Fixed Roof, Pressure Regulator & SFP
Four 400-barrel (16,800 gallon) produced water/slop oil storage tanks	PW-1 ^{A, C} , PW-2 ^{A, C} , PW-5 ^{A, C} & PW-6 ^{A, C}	PW-1, PW-2, PW-5 & PW-6	Fixed Roof & SFP
Two 150-barrel (6,300 gallon) produced water/slop oil storage tanks***	PW-3 ^{A, C} & PW-7 ^{A, C}	PW-3 & PW-7	Fixed Roof & SFP
Two 17-barrel (714 gallon) produced water/slop oil storage tanks	PW-4 ^{A, C} & PW-8 ^{A, C}	PW-4 & PW-8	Fixed Roof
Two Caterpillar Model G3516C LE lean burn natural gas-fired engine-driven emergency generators each rated at 1,818 bhp (manuf. after 7/1/10, NSPS JJJJ)	EGEN-1 ^D & EGEN-2 ^D	EGEN-1 & EGEN-2	None
Two condensate truck loading units	TL-1 ^A & TL-2 ^A	TL-1 & TL-2	None
Two process/emergency flares	FL-1 & FL-2	FL-1 & FL-2	None
Fugitive emissions (NSPS KKK, LDAR)	FUG-2 ^A	Fugitive	None
Fugitive emissions (NSPS KKK, non-LDAR)	FUG-3 ^A	Fugitive	None
Fugitive emissions (NSPS OOOO)	FUG-5 ^A	Fugitive	None

^A Insignificant or fugitive emission sources (no specific emission limit).

^B Each train of four low-pressure, gas blanketed tanks share a common ¾" relief pipe in the event that pressure in the tanks exceeds the maximum setpoint.

^C Constructed pre-NSPS Subpart OOOO.

^D The potential to emit for an emergency stationary reciprocating internal combustion engine (RICE) is based on operating no more hours per year than is allowed by the subpart (40 CFR 60, Subpart IIII, §60.4211(f) and 40 CFR 63, Subpart ZZZZ) for other than emergency situations. For engines to be considered emergency stationary RICE under the RICE rules, engine operations must comply with the operating hour limits as specified in the applicable subpart. There is no time limit on the use of emergency stationary RICE in emergency situations [40 CFR 60, Subpart IIII, §60.4211(f) and 40 CFR 63, Subpart ZZZZ, §63.6640(f)].

Note: Compression at the facility is electrically driven.

2. **Applicable Standards, Restrictions and Miscellaneous Conditions:**

- A. **Fuel Restriction:** All equipment at the facility is restricted to combusting only natural gas containing no more than 2 grains of sulfur per 100 standard cubic feet. This fuel restriction ensures compliance with NDAC 33.1-15-06-01.2

Applicable Requirements: NDAC 33.1-15-14-06.5.b(1) and NDAC 33.1-15-06-01.2

B. **Flaring Restrictions:**

- 1) When it is necessary to operate the flares (EU FL-1 and FL-2) during emergency, malfunction or maintenance, all precautions shall be taken to minimize emissions and maintain compliance with all ambient air quality standards as outlined in NDAC 33.1-15-02 and the opacity standard of 20% not to exceed 60% for more than one six-minute period per hour.
- 2) The flares must be equipped and operated with an automatic ignitor or a continuous burning pilot which must be maintained in good working order as outlined in NDAC 33.1-15-07-02.
- 3) The presence of a flame shall be monitored using a thermocouple or any other equivalent device approved by the Department.
- 4) The owner/operator shall minimize oil field gas flaring by notifying all appropriate companies and field personnel of all planned and emergency plant shutdowns to allow operators to shut-in wells rather than flare.

Applicable Requirement: NDAC 33.1-15-14-06.5.b(1)

C. **Stack Height Requirements:**

- 1) Emissions from the hot oil heaters (EU H-1A and EU H-1B) shall be vented from stack heights which are at least 1.5 times the height of any nearby building. A nearby building is any building located a distance of less than five times the building height from the stack.
- 2) The stack height for the flares shall be at least 100 feet above ground level.

Applicable Requirements: NDAC 33.1-15-18-01.2.d(2)(b) and NDAC 33.1-15-14-06.5.b(1)

D. **New Source Performance Standards:** The permittee shall comply with all applicable requirements of the following NDAC 33.1-15-12-02 and 40 CFR 60 subparts in addition to complying with Subpart A - General Provisions.

- 1) Subpart Dc – Standards of Performance for Small Industrial-Commercial- Institutional Steam Generating Units (EU H-1A and EU H-1B).

Applicable Requirements: NDAC 33.1-15-12-02, Subparts A and Dc

- 2) Subpart KKK – Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011.

Applicable Requirements: NDAC 33.1-15-12-02, Subparts A & KKK

- 3) Subpart JJJJ – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (EU EGEN-1 and EGEN-2). Note: As an area source of HAPs, compliance with this subpart constitutes compliance with 40 CFR 63, Subpart ZZZZ.

Applicable Requirements: NDAC 33.1-15-12-02, Subparts A & JJJJ

- 4) Subpart OOOO – Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution for which Construction, Modification or Reconstruction Commenced after August 23, 2011 and on or before September 18, 2015.

Applicable Requirements: NDAC 33.1-15-12-02, Subparts A & OOOO

E. **Maximum Achievable Control Technology (MACT):** The permittee shall comply with all applicable requirements of the following NDAC 33.1-15-22-03 and 40 CFR 63 subparts in addition to complying with Subpart A - General Provisions.

- 1) Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (EU EGEN-1 and EGEN-2). The Department has not adopted the area source provisions of this subpart. Send all required reports and documentation to EPA Region 8 at the below.

U.S. EPA Region 8
1595 Wynkoop Street
Mail Code 8ENF – AT
Denver, CO 80202-1129

Applicable Requirements: 40 CFR 63, Subparts A & ZZZZ

F. **Like-Kind Engine Replacement:** This permit allows the permittee to replace the existing engine(s) with a like-kind engine. Replacement is subject to the following conditions.

- 1) The Department must be notified within 10 days after change-out of the engine.

- 2) The replacement engine shall operate in the same manner, provide no increase in throughput and have equal or less emissions than the engine it is replacing.
- 3) The date of manufacture of the replacement engine must be included in the notification. The facility must comply with any applicable federal standards (e.g. NSPS, NESHAP, MACT) triggered by the replacement.
- 4) The replacement engine is subject to the same state emission limits as the existing engine in addition to any NSPS or MACT emission limit that is applicable. Testing shall be conducted in accordance with the applicable federal standards (e.g. NSPS, NESHAP, MACT).

Applicable Requirement: NDAC 33.1-15-14-06.5.b(1)

3. Emission Unit Limits:

Emission Unit Description	EU	EP	Pollutant / Parameter	Emission Limit	NDAC Applicable Requirement
Two hot oil heaters	H-1A & H-1B	H-1A & H-1B	Opacity	20% ^A	33.1-15-03-02
Two regeneration gas heaters	H-2A & H-2B	H-2A & H-2B	Opacity	20% ^A	33.1-15-03-02
Two Caterpillar emergency generator engines	EGEN-1 & EGEN-2	EGEN-1 & EGEN-2	NO _x	2.0 g/hp-hr or 160 ppm @ 15% O ₂	33.1-15-12-02, Subpart JJJJ
			CO	4.0 g/hp-hr or 540 ppm @ 15% O ₂	33.1-15-12-02, Subpart JJJJ
			VOC	1.0 g/hp-hr or 86 ppm @ 15% O ₂	33.1-15-12-02, Subpart JJJJ
			Opacity	20% ^A	33.1-15-03-02
			Operating Hours	See Condition 1, Footnote D	33.1-15-12-02, Subpart JJJJ & 40 CFR 63, Subpart ZZZZ
Two process/emergency flares	FL-1 & FL-2	FL-1 & FL-2	Opacity	20% ^B	33.1-15-03-03.1

^A 40% opacity is permissible for not more than one six-minute period per hour.

^B 60% opacity is permissible for not more than one six-minute period per hour.

4. **Monitoring Requirements and Conditions:**

A. **Requirements:**

Emission Unit Description	EU	EP	Pollutant/ Parameter	Monitoring Requirement (Method)	Condition Number	NDAC Applicable Requirement
Two hot oil heaters	H-1A & H-1B	H-1A & H-1B	Opacity	Recordkeeping & Visible Emissions Observations (VEO)	4.B.1 & 4.B.2	33.1-15-14-06.5.a(3)(a)
Two regeneration gas heaters	H-2A & H-2B	H-2A & H-2B	Opacity	Recordkeeping & VEO	4.B.1 & 4.B.2	33.1-15-14-06.5.a(3)(a)
Two Caterpillar emergency generator engines	EGEN-1 & EGEN-2	EGEN-1 & EGEN-2	NO _x /CO/ VOC	Stack Test	4.B.5	33.1-15-12-02, Subpart JJJJ
			Opacity	Recordkeeping	4.B.1	33.1-15-14-06.5.a(3)(a)
			Operating Hours	Recordkeeping	4.B.4	33.1-15-12-02, Subpart JJJJ & 40 CFR 63, Subpart ZZZZ
Two process/ emergency flares	FL-1 & FL-2	FL-1 & FL-2	Opacity	Recordkeeping & VEO	4.B.1, 4.B.2 & 4.B.3	33.1-15-14-06.5.a(3)(a)

B. **Monitoring Conditions:**

- 1) For purposes of compliance monitoring, burning of pipeline quality natural gas as outlined in Condition 3.A, shall be considered credible evidence of compliance with any applicable opacity emission limit. However, results from tests conducted in accordance with the test methods in 40 CFR 50, 51, 60, 61, or 75 will take precedence over burning of gaseous fuel as outlined in Condition 3.A, for evidence of compliance or noncompliance with any applicable opacity emission limit, in the event of enforcement action.
- 2) Once per week in which the emission unit is operated, a company representative (need not be certified) shall observe the emission point. If no visible emissions are observed, the date and time shall be recorded.

If visible emissions are observed, the permittee must investigate the problem within eight hours. Any problems that are discovered must be corrected as soon as possible. If the correction of the emissions is expected to take longer than 24 hours, the permittee shall follow procedures as outlined in Condition 7.G. Following corrective maintenance, a visible emissions observation shall be made.

All investigations of malfunctions and visible emissions shall be recorded. The permittee shall comply with the visible emissions emission limit and nothing in this condition shall be construed as authorizing otherwise.

- 3) If the flaring lasts longer than 24 hours, the permittee shall notify the Department as soon as possible during normal working hours. The permittee shall conduct a formal visible emissions evaluation of the flare to determine if the emissions are in compliance with the applicable opacity standard. Opacity readings shall consist of three consecutive six-minute periods per day of flaring using EPA Reference Method 9 and conducted by a certified visible emissions reader.
- 4) The engines, EGEN-1 and EGEN-2, shall each be equipped with a non-resettable hour meter and a log shall be kept of the total hours of operation on a calendar year basis. Records shall be maintained to differentiate annual emergency vs. non-emergency/maintenance/etc. hours of operation.
- 5) When applicable, stack testing for EGEN-1 and EGEN-2 shall be conducted every 8,760 hours of operation or three years, whichever comes first, in accordance with 40 CFR 60, Subpart JJJJ.

5. Recordkeeping Requirements:

- A. The permittee shall maintain compliance monitoring records as outlined in the Monitoring Records table that include the following information.
 - 1) The date, place (as defined in the permit) and time of sampling or measurement.
 - 2) The date(s) testing was performed.
 - 3) The company, entity, or person that performed the testing.
 - 4) The testing techniques or methods used.
 - 5) The results of such testing.
 - 6) The operating conditions for the engines (i.e., ambient conditions, horsepower calculations, suction/discharge pressures, testing rate compared to rated capacity, timing, air to fuel ratio and rpm that existed at the time of sampling or measurement.
 - 7) The records of quality assurance for emissions measuring systems including, but not limited to, quality control activities, audits and calibration drifts as required by the applicable test method, standard or monitoring equipment.

- 8) A copy of all field data sheets from the emissions testing.

Applicable Requirement: NDAC 33.1-15-14-06.5.a(3)(b)[1]

Monitoring Records

Emission Unit Description	EU	EP	Pollutant / Parameter	Compliance Monitoring Record
Two hot oil heaters	H-1A & H-1B	H-1A & H-1B	Opacity	Fuel Usage Data & Visible Emissions Observations (VEO) Data
Two regeneration gas heaters	H-2A & H-2B	H-2A & H-2B	Opacity	Fuel Usage Data & Visible Emissions Observations (VEO) Data
Two Caterpillar emergency generator engines	EGEN-1 & EGEN-2	EGEN-1 & EGEN-2	NO _x /CO/VOC	Stack Test Data
			Opacity	Fuel Usage Data
			Operating Hours	Hours of Operation Data
Two process/emergency flares	FL-1 & FL-2	FL-1 & FL-2	Opacity	Fuel Usage Data & VEO Data

- B. In addition to requirements outlined in Conditions 5.A, recordkeeping shall be in accordance with the following applicable requirements of NDAC 33.1-15-06 and NDAC 33.1-15-12 of the North Dakota Air Pollution Control Rules and 40 CFR 63, Subpart ZZZZ, as applicable:

- 1) NDAC 33.1-15-06-05, Reporting and Recordkeeping Requirements.
- 2) NDAC 33.1-15-12, Subpart A, §60.7, Notification and Recordkeeping.
- 3) NDAC 33.1-15-12 and 40 CFR 60, Subpart JJJJ, §60.4245, Notification, Reports, and Records for Owners and Operators.
- 4) 40 CFR 63, Subpart ZZZZ, §63.6655 – Records Requirements.

Applicable Requirements: NDAC 33.1-15-06, NDAC 33.1-15-12 and 40 CFR 63, Subpart ZZZZ

- C. The permittee shall retain records of all required monitoring data and support information for a period of at least five years from the date of the monitoring sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings/computer printouts of continuous monitoring instrumentation, and copies of all reports required by the permit.

Applicable Requirement: NDAC 33.1-15-14-06.5.a(3)(b)[2]

6. **Reporting:**

- A. Reporting shall be in accordance with the following applicable requirements of NDAC 33.1-15-06 and NDAC 33.1-15-12 of the North Dakota Air Pollution Control Rules and 40 CFR 63, Subpart ZZZZ, as applicable:

- 1) NDAC 33.1-15-06-05, Reporting and Recordkeeping Requirements.
- 2) NDAC 33.1-15-12, Subpart A, §60.7, Notification and Recordkeeping.
- 3) NDAC 33.1-15-12 and 40 CFR 60, Subpart JJJJ, §60.4245, Notification, Reports, and Records for Owners and Operators.
- 4) 40 CFR 63, Subpart ZZZZ, §63.6650 – Reporting Requirements.

Applicable Requirements: NDAC 33.1-15-06, NDAC 33.1-15-12 and 40 CFR 63, Subpart ZZZZ

- B. The permittee shall submit a semi-annual monitoring report for all monitoring records required under Condition 5 in a format provided or approved by the Department. All instances of deviations from the permit must be identified in the report. A monitoring report shall be submitted within 45 days after June 30 and December 31 of each year.

Applicable Requirements: NDAC 33.1-15-14-06.5.a(3)(c)[1] and [2]

- C. The permittee shall submit an annual compliance certification report in accordance with NDAC 33.1-15-14-06.5.c(5) within 45 days after December 31 of each year in a format provided or approved by the Department.

Applicable Requirement: NDAC 33.1-15-14-06.5.c(5)

- D. For emission units where the method of compliance monitoring is demonstrated by an EPA Test Method or a portable analyzer test, the test report shall be submitted to the Department within 60 days after completion of the test.

Applicable Requirement: NDAC 33.1-15-14-06.5.a(6)(e)

- E. The permittee shall submit an annual emission inventory report in a format provided or approved by the Department. This report shall be submitted by March 15 of each year. Insignificant units/activities listed in this permit do not need to be included in the report.

Applicable Requirements: NDAC 33.1-15-14-06.5.a(7) and NDAC 33.1-15-23-04

7. **Facility Wide Operating Conditions:**

A. **Ambient Air Quality Standards:**

- 1) Particulate and gases. The permittee shall not emit air contaminants in such a manner or amount that would violate the standards of ambient air quality listed in Table 1 of NDAC 33.1-15-02, external to buildings, to which the general public has access.
- 2) Radioactive substances. The permittee shall not release into the ambient air any radioactive substances exceeding the concentrations specified in NDAC 33.1-10.
- 3) Other air contaminants. The permittee shall not emit any other air contaminants in concentrations that would be injurious to human health or well-being or unreasonably interfere with the enjoyment of property or that would injure plant or animal life.
- 4) Disclaimer. Nothing in any other part or section of this permit may in any manner be construed as authorizing or legalizing the emission of air contaminants in such manner that would violate the standards in Paragraphs 1), 2) and 3) of this condition.

Applicable Requirements: NDAC 33.1-15-02-04 and 40 CFR 50.1(e)

- B. **Fugitive Emissions:** The release of fugitive emissions shall comply with the applicable requirements in NDAC 33.1-15-17.

Applicable Requirement: NDAC 33.1-15-17

- C. **Open Burning:** The permittee may not cause, conduct, or permit open burning of refuse, trade waste, or other combustible material, except as provided for in Section 33.1-15-04-02 and may not conduct, cause, or permit the conduct of a salvage operation by open burning. Any permissible open burning under NDAC 33.1-15-04-02 must comply with the requirements of that section.

Applicable Requirement: NDAC 33.1-15-04

- D. **Asbestos Renovation or Demolition:** Any asbestos renovation or demolition at the facility shall comply with emission standard for asbestos in NDAC 33.1-15-13.

Applicable Requirement: NDAC 33.1-15-13-02

E. **Requirements for Organic Compounds Gas Disposal:**

- 1) Any organic compounds, gases and vapors which are generated as wastes as the result of storage, refining or processing operations and which contain hydrogen sulfide shall be incinerated, flared or treated in an equally effective manner before being released into the ambient air.

- 2) Each flare must be equipped and operated with an automatic ignitor or a continuous burning pilot.

Applicable Requirement: NDAC 33.1-15-07-02

- F. **Rotating Pumps and Compressors:** All rotating pumps and compressors handling volatile organic compounds must be equipped and operated with properly maintained seals designed for their specific product service and operating conditions.

Applicable Requirement: NDAC 33.1-15-07-01.5

- G. **Shutdowns/Malfunction/Continuous Emission Monitoring System Failure:**

- 1) Maintenance Shutdowns. In the case of shutdown of air pollution control equipment for necessary scheduled maintenance, the intent to shut down such equipment shall be reported to the Department at least 24 hours prior to the planned shutdown provided that the air contaminating source will be operated while the control equipment is not in service. Such prior notice shall include the following:
 - a) Identification of the specific facility to be taken out of service as well as its location and permit number.
 - b) The expected length of time that the air pollution control equipment will be out of service.
 - c) The nature and estimated quantity of emissions of air pollutants likely to be emitted during the shutdown period.
 - d) Measures, such as the use of off-shift labor and equipment, that will be taken to minimize the length of the shutdown period.
 - e) The reasons that it would be impossible or impractical to shutdown the source operation during the maintenance period.
 - f) Nothing in this subsection shall in any manner be construed as authorizing or legalizing the emission of air contaminants in excess of the rate allowed by this article or a permit issued pursuant to this article.

Applicable Requirement: NDAC 33.1-15-01-13.1

- 2) Malfunctions.
 - a) When a malfunction in any installation occurs that can be expected to last longer than 24 hours and cause the emission of air contaminants in violation of this article or other applicable rules and regulations, the person responsible for such installation shall notify the Department of such malfunction as soon as possible

during normal working hours. The notification must contain a statement giving all pertinent facts, including the estimated duration of the breakdown. The Department shall be notified when the condition causing the malfunction has been corrected.

- b) Immediate notification to the Department is required for any malfunction that would threaten health or welfare or pose an imminent danger. During normal working hours the Department can be contacted at 701-328-5188. After hours the Department can be contacted through the 24-hour state radio emergency number 1-800-472-2121. If calling from out of state, the 24-hour number is 701-328-9921.
- c) Unavoidable Malfunction. The owner or operator of a source who believes any excess emissions resulted from an unavoidable malfunction shall submit a written report to the Department which includes evidence that:
 - [1] The excess emissions were caused by a sudden, unavoidable breakdown of technology that was beyond the reasonable control of the owner or operator.
 - [2] The excess emissions could not have been avoided by better operation and maintenance, did not stem from an activity or event that could have been foreseen and avoided, or planned for.
 - [3] To the extent practicable, the source maintained and operated the air pollution control equipment and process equipment in a manner consistent with good practice for minimizing emissions, including minimizing any bypass emissions.
 - [4] Any necessary repairs were made as quickly as practicable, using off-shift labor and overtime as needed and possible.
 - [5] All practicable steps were taken to minimize the potential impact of the excess emissions on ambient air quality.
 - [6] The excess emissions are not part of a recurring pattern that may have been caused by inadequate operation or maintenance, or inadequate design of the malfunctioning equipment.

The report shall be submitted within 30 days of the end of the calendar quarter in which the malfunction occurred or within 30 days of a written request by the Department, whichever is sooner.

The burden of proof is on the owner or operator of the source to provide sufficient information to demonstrate that an unavoidable equipment malfunction occurred. The Department may elect not to pursue enforcement action after considering whether excess emissions resulted from an unavoidable equipment malfunction.

The Department will evaluate, on a case-by-case basis, the information submitted by the owner or operator to determine whether to pursue enforcement action.

Applicable Requirement: NDAC 33.1-15-01-13.2

- 3) Continuous Emission Monitoring System Failures. When a failure of a continuous emission monitoring system occurs, an alternative method for measuring or estimating emissions must be undertaken as soon as possible. The owner or operator of a source that uses an alternative method shall have the burden of demonstrating that the method is accurate. Timely repair of the emission monitoring system must be made. The provisions of this subsection do not apply to sources that are subject to monitoring requirements in Chapter 33.1-15-21 (40 CFR 75, Acid Rain Program).

Applicable Requirement: NDAC 33.1-15-01-13.3

H. **Noncompliance Due to an Emergency:** The permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:

- 1) An emergency occurred, and that the permittee can identify the cause(s) of the emergency;
- 2) The permitted facility was at the time being properly operated;
- 3) During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and
- 4) The permittee submitted notice of the emergency to the Department within one working day of the time when emission limitations were exceeded longer than 24-hours due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. Those emergencies not reported within one working day, as well as those that were, will be included in the semi-annual report.

In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

Technology-based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a New Source Performance Standard) rather than those established to attain a health-based air quality standard.

An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of this source, including acts of God, which requires immediate corrective action to restore normal operation, and that causes this source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly

designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

Applicable Requirement: NDAC 33.1-15-14-06.5.g

- I. **Air Pollution from Internal Combustion Engines:** The permittee shall comply with all applicable requirements of NDAC 33.1-15-08-01 – Internal Combustion Engine Emissions Restricted.

Applicable Requirement: NDAC 33.1-15-08-01

- J. **Prohibition of Air Pollution:**

- 1) The permittee shall not permit or cause air pollution, as defined in NDAC 33.1-15-01-04.
- 2) Nothing in any other part of this permit or any other regulation relating to air pollution shall in any manner be construed as authorizing or legalizing the creation or maintenance of air pollution.

Applicable Requirement: NDAC 33.1-15-01-15

- K. **Performance Tests:**

- 1) The Department may reasonably require the permittee to make or have made tests, at a reasonable time or interval, to determine the emission of air contaminants from any source, for the purpose of determining whether the permittee is in violation of any standard or to satisfy other requirements of NDCC 23.1-06. All tests shall be made, and the results calculated in accordance with test procedures approved or specified by the Department including the North Dakota Department of Environmental Quality Emission Testing Guideline. All tests shall be conducted by reputable, qualified personnel. The Department shall be given a copy of the test results in writing and signed by the person responsible for the tests.
- 2) The Department may conduct tests of emissions of air contaminants from any source. Upon request of the Department, the permittee shall provide necessary and adequate access into stacks or ducts and such other safe and proper sampling and testing facilities, exclusive of instruments and sensing devices, as may be necessary for proper determination of the emission of air contaminants.

Applicable Requirement: NDAC 33.1-15-01-12

- 3) Except for sources subject to 40 CFR 63, the permittee shall notify the Department by submitting a Proposed Test Plan, or its equivalent, at least 30 calendar days in advance of any tests of emissions of air contaminants required by the Department. The permittee shall notify the Department at least 60 calendar days in advance of any performance testing required under 40 CFR 63, unless otherwise specified by the subpart. If the permittee is

unable to conduct the performance test on the scheduled date, the permittee shall notify the Department as soon as practicable when conditions warrant and shall coordinate a new test date with the Department.

Failure to give the proper notification may prevent the Department from observing the test. If the Department is unable to observe the test because of improper notification, the test results may be rejected.

Applicable Requirements: NDAC 33.1-15-14-06.5.a(3)(a), NDAC 33.1-15-12-02 Subpart A (40 CFR 60.8), NDAC 33.1-15-13-01.2 Subpart A (40 CFR 61.13), NDAC 33.1-15-22-03 Subpart A (40 CFR 63.7)

- L. **Pesticide Use and Disposal:** Any use of a pesticide or disposal of surplus pesticides and empty pesticide containers shall comply with the requirements in NDAC 33.1-15-10.

Applicable Requirements: NDAC 33.1-15-10-01 and NDAC 33.1-15-10-02

- M. **Air Pollution Emergency Episodes:** When an air pollution emergency episode is declared by the Department, the permittee shall comply with the requirements in NDAC 33.1-15-11.

Applicable Requirements: NDAC 33.1-15-11-01 through NDAC 33.1-15-11-04

- N. **Stratospheric Ozone Protection:** The permittee shall comply with any applicable standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for MVACs in Subpart B:

- 1) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to Section 82.156.
- 2) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to Section 82.158.
- 3) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to Section 82.161.
- 4) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to Section 82.156.

Applicable Requirement: 40 CFR 82

- O. **Chemical Accident Prevention:** The permittee shall comply with all applicable requirements of Chemical Accident Prevention pursuant to 40 CFR 68. The permittee shall comply with the requirements of this part no later than the latest of the following dates:

- 1) Three years after the date on which a regulated substance is first listed under this part; or

- 2) The date on which a regulated substance is first present above a threshold quantity in a process.

Applicable Requirement: 40 CFR 68

- P. **Air Pollution Control Equipment:** The permittee shall maintain and operate air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. The manufacturer's recommended Operations and Maintenance (O&M) procedures, or a site-specific O&M procedure developed from the manufacturer's recommended O&M procedures, shall be followed to assure proper operation and maintenance of the equipment. The permittee shall have the O&M procedures available onsite and provide the Department with a copy when requested.

Applicable Requirement: NDAC 33.1-15-14-06.5.b(1)

- Q. **Prevention of Significant Deterioration of Air Quality** (40 CFR 52.21 as incorporated by NDAC Chapter 33.1-15-15): If this facility is classified as a major stationary source under the Prevention of Significant Deterioration of Air Quality (PSD) rules, a Permit to Construct must be obtained from the Department for any project which meets the definition of a "major modification" under 40 CFR 52.21(b)(2).

If this facility is classified as a major stationary source under the PSD rules and the permittee elects to use the method specified in 40 CFR 52.21(b)(41)(i)(a) through (c) for calculating the projected actual emissions of a proposed project, then the permittee shall comply with all applicable requirements of 40 CFR 52.21(r)(6).

Applicable Requirement: NDAC 33.1-15-15-01.2

8. General Conditions:

- A. **Annual Fee Payment:** The permittee shall pay an annual fee, for administering and monitoring compliance, which is determined by the actual annual emissions of regulated contaminants from the previous calendar year. The Department will send a notice, identifying the amount of the annual permit fee, to the permittee of each affected installation. The fee is due within 60 days following the date of such notice. Any source that qualifies as a "small business" may petition the Department to reduce or exempt any fee required under this section. Failure to pay the fee in a timely manner or submit a certification for exemption may cause this Department to initiate action to revoke the permit.

Applicable Requirements: NDAC 33.1-15-14-06.5.a(7) and NDAC 33.1-15-23-04

- B. **Permit Renewal and Expiration:** This permit shall be effective from the date of its issuance for a fixed period of five years. The permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least six months, but no more than 18 months, prior to the date of permit expiration. The Department shall approve or disapprove the renewal application within 60 days of receipt. Unless the Department

requests additional information or otherwise notifies the applicant of incompleteness, the application shall be deemed complete. For timely and complete renewal applications for which the Department has failed to issue or deny the renewal permit before the expiration date of the previous permit, all terms and conditions of the permit, including any permit shield previously granted shall remain in effect until the renewal permit has been issued or denied. The application for renewal shall include the current permit number, description of any permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term.

Applicable Requirements: NDAC 33.1-15-14-06.4 and NDAC 33.1-15-14-06.6

- C. **Transfer of Ownership or Operation:** This permit may not be transferred except by procedures allowed in Chapter 33.1-15-14 and is to be returned to the Department upon the destruction or change of ownership of the source unit(s), or upon expiration, suspension or revocation of this permit. A change in ownership or operational control of a source is treated as an administrative permit amendment if no other change in the permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Department.

Applicable Requirement: NDAC 33.1-15-14-06.6.d

- D. **Property Rights:** This permit does not convey any property rights of any sort, or any exclusive privilege.

Applicable Requirement: NDAC 33.1-15-14-06.5.a(6)(d)

- E. **Submissions:**

- 1) Reports, test data, monitoring data, notifications, and requests for renewal shall be submitted to the Department using a format provided or approved by the Department. Physical submittals shall be submitted to:

North Dakota Department of Environmental Quality
Division of Air Quality
918 E Divide Avenue, 2nd Floor
Bismarck, ND 58501-1947

- 2) Any application form, report or compliance certification submitted shall be certified as being true, accurate, and complete by a responsible official.

Applicable Requirement: NDAC 33.1-15-14-06.4.d

- F. **Right of Entry:** Any duly authorized officer, employee or agent of the North Dakota Department of Environmental Quality may enter and inspect any property, premise or place listed on this permit or where records are kept concerning this permit at any reasonable time for the purpose of ascertaining the state of compliance with this permit and the North Dakota Air Pollution Control Rules. The Department may conduct tests and take samples of air contaminants, fuel, processing material, and other materials which affect or may affect emissions of air contaminants from any

source. The Department shall have the right to access and copy any records required by the Department's rules and to inspect monitoring equipment located on the premises.

Applicable Requirements: NDAC 33.1-15-14-06.5.c(2) and NDAC 33.1-15-01-06

- G. **Compliance:** The permittee must comply with all conditions of this permit. Any noncompliance with a federally-enforceable permit condition constitutes a violation of the Federal Clean Air Act. Any noncompliance with any State enforceable condition of this permit constitutes a violation of NDCC Chapter 23.1-06 and NDAC 33.1-15. Violation of any condition of this permit is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. Noncompliance may also be grounds for assessment of penalties under the NDCC 23.1-06. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

Applicable Requirements: NDAC 33.1-15-14-06.5.a(6)(a) and NDAC 33.1-15-14-06.5.a(6)(b)

- H. **Duty to Provide Information:** The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. This includes instances where an alteration, repair, expansion, or change in method of operation of the source occurs. Upon request, the permittee shall also furnish to the Department copies of records that the permittee is required to keep by this permit, or for information claimed to be confidential, the permittee may furnish such recourse directly to the Department along with a claim of confidentiality. The permittee, upon becoming aware that any relevant facts were omitted, or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. Items that warrant supplemental information submittal include, but are not limited to, changes in the ambient air boundary and changes in parameters associated with emission points (i.e., stack parameters). The permittee shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete renewal application was submitted but prior to release of a draft permit.

Applicable Requirements: NDAC 33.1-15-14-06.5.a(6)(e), NDAC 33.1-15-14-06.6.b(3) and NDAC 33.1-15-14-06.4.b

- I. **Reopening for Cause:** The Department will reopen and revise this permit as necessary to remedy deficiencies in the following circumstances:
- 1) Additional applicable requirements under the Federal Clean Air Act become applicable to the permittee with a remaining permit term of three or more years. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit.
 - 2) The Department or the United States Environmental Protection Agency determines that this permit contains a material mistake or inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit.

- 3) The Department or the United States Environmental Protection Agency determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- 4) Reopenings shall not be initiated before a notice of intent to reopen is provided to the permittee by the Department at least 30 days in advance of the date that this permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency. Proceedings to reopen and issue this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.

Applicable Requirement: NDAC 33.1-15-14-06.6.f

- J. **Permit Changes:** The permit may be modified, revoked, reopened, and reissued or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Applicable Requirement: NDAC 33.1-15-14-06.5.a(6)(c)

- K. **Off-Permit Changes:** A permit revision is not required for changes that are not addressed or prohibited by this permit, provided the following conditions are met:

- 1) No such change may violate any term or condition of this permit.
- 2) Each change must comply with all applicable requirements.
- 3) Changes under this provision may not include changes or activities subject to any requirement under Title IV or that are modifications under any provision of Title I of the Federal Clean Air Act.
- 4) A Permit to Construct under NDAC 33.1-15-14-02 has been issued, if required.
- 5) Before the permit change is made, the permittee must provide written notice to both the Department and Air Program (8P-AR), Office of Partnerships & Regulatory Assistance, US EPA Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129, except for changes that qualify as insignificant activities in Section 33.1-15-14-06. This notice shall describe each change, the date of the change, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result.
- 6) The permittee shall record all changes that result in emissions of any regulated air pollutant subject to any applicable requirement not otherwise regulated under this permit, and the emissions resulting from those changes. The record shall reside at the permittee's facility.

Applicable Requirement: NDAC 33.1-15-14-06.6.b(3)

- L. **Administrative Permit Amendments:** This permit may be revised through an administrative permit amendment, if the revision to this permit accomplishes one of the following:

- 1) Corrects typographical errors.

- 2) Identifies a change in the name, address or phone number of any person identified in this permit or provides a similar minor administrative change at the source.
- 3) Requires more frequent monitoring or reporting by the permittee.
- 4) Allows for a change in ownership or operational control of the source where the Department determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittee has been submitted to the Department.
- 5) Incorporates into the Title V permit the requirements from a Permit to Construct when the review was substantially equivalent to Title V requirements for permit issuance, renewal, reopenings, revisions and permit review by the United States Environmental Protection Agency and affected state review, that would be applicable to the change if it were subject to review as a permit modification and compliance requirements substantially equivalent to Title V requirements for permit content were contained in the Permit to Construct.
- 6) Incorporates any other type of change which the Administrator of the United States Environmental Protection Agency has approved as being an administrative permit amendment as part of the Department's approved Title V operating permit program.

Applicable Requirement: NDAC 33.1-15-14-06.6.d

M. **Minor Permit Modification:** This permit may be revised by a minor permit modification, if the proposed permit modification meets the following requirements:

- 1) Does not violate any applicable requirement.
- 2) Does not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in this permit.
- 3) Does not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis.
- 4) Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include a federally enforceable emissions cap assumed to avoid classification as a modification under any provision of Title I of the Federal Clean Air Act; and alternative emissions limit approved pursuant to regulations promulgated under Section 112(i)(5) of the Federal Clean Air Act.
- 5) Is not a modification under NDAC 33.1-15-12, 33.1-15-13, and 33.1-15-15 or any provision of Title I of the Federal Clean Air Act.

- 6) Is not required to be processed as a significant modification.

Applicable Requirement: NDAC 33.1-15-14-06.6.e(1)

N. **Significant Modifications:**

- 1) Significant modification procedures shall be used for applications requesting permit modifications that do not qualify as minor permit modifications or as administrative amendments. Every significant change in existing monitoring permit terms or conditions and every relaxation of reporting or recordkeeping permit terms or conditions shall be considered significant. Nothing therein shall be construed to preclude the permittee from making changes consistent with this subsection that would render existing permit compliance terms and conditions irrelevant.
- 2) Significant permit modifications shall meet all Title V requirements, including those for applications, public participation, review by affected states, and review by the United States Environmental Protection Agency, as they apply to permit issuance and permit renewal. The Department shall complete review of significant permit modifications within nine months after receipt of a complete application.

Applicable Requirement: NDAC 33.1-15-14-06.6.e(3)

- O. **Operational Flexibility:** The permittee is allowed to make a limited class of changes within the permitted facility that contravene the specific terms of this permit without applying for a permit revision, provided the changes do not exceed the emissions allowable under this permit, are not Title I modifications and a Permit to Construct is not required. This class of changes does not include changes that would violate applicable requirements; or changes to federally-enforceable permit terms or conditions that are monitoring, recordkeeping, reporting, or compliance certification requirements.

The permittee is required to send a notice to both the Department and Air Program (8P-AR), Office of Partnerships & Regulatory Assistance, US EPA Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129, at least seven days in advance of any change made under this provision. The notice must describe the change, when it will occur and any change in emissions, and identify any permit terms or conditions made inapplicable as a result of the change. The permittee shall attach each notice to its copy of this permit. Any permit shield provided in this permit does not apply to changes made under this provision.

Applicable Requirement: NDAC 33.1-15-14-06.6.b(2)

- P. **Relationship to Other Requirements:** Nothing in this permit shall alter or affect the following:

- 1) The provisions of Section 303 of the Federal Clean Air Act (emergency orders), including the authority of the administrator of the United States Environmental Protection Agency under that section.
- 2) The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance.

- 3) The ability of the United States Environmental Protection Agency to obtain information from a source pursuant to Section 114 of the Federal Clean Air Act.
- 4) Nothing in this permit shall relieve the permittee of the requirement to obtain a Permit to Construct.

Applicable Requirements: NDAC 33.1-15-14-06.3 and NDAC 33.1-15-14-06.5.f(3)(a), (b) and (d)

- Q. **Severability Clause:** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

Applicable Requirement: NDAC 33.1-15-14-06.5.a(5)

- R. **Circumvention:** The permittee shall not cause or permit the installation or use of any device of any means which conceals or dilutes an emission of air contaminants which would otherwise violate this permit.

Applicable Requirement: NDAC 33.1-15-01-08

9. **State Enforceable Only Conditions (not Federally enforceable):**

- A. **General Odor Restriction:** The permittee shall not discharge into the ambient air any objectionable odorous air contaminant which exceeds the limits established in NDAC 33.1-15-16.

Applicable Requirement: NDAC 33.1-15-16

- B. **Hydrogen Sulfide Restriction:** The permittee shall not discharge into the ambient air hydrogen sulfide (H₂S) in concentrations that would be objectionable on land owned or leased by the complainant or in areas normally accessed by the general public. For the purpose of complaint resolution, two samples with concentrations greater than 0.05 parts per million (50 parts per billion) sampled at least 15 minutes apart within a two-hour period and measured in accordance with Section 33.1-15-16-04 constitute a violation.

Applicable Requirement: NDAC 33.1-15-16-04