


MEMO TO : File
Oil Production Facility Operators and Interested Parties

FROM : James L. Semerad 
Director
Division of Air Quality

RE : Control of Storage Tanks at Shut-In Production Facilities

DATE : May 7, 2020

Under normal circumstances, VOC emissions from crude oil storage tanks at production facilities are required to be controlled by a flare or equally effective control device under North Dakota Administrative Code (NDAC) 33.1-15-07-02.1.

The COVID-19 pandemic has contributed to a significant drop in crude oil prices; consequently, numerous crude oil production wells in the state have or will be shut-in (presumably on a temporary basis until crude oil prices increase). Several oil producers have expressed concern with operating control devices to control storage tank emissions from tanks associated with shut-in wells given the potential for oxygen to infiltrate the tanks and cause an explosion hazard.

NDAC 33.1-15-07-02.1 establishes that “Minor sources, as determined by the department and not subject to New Source Performance Standards, may be granted exemptions to this subsection”. When a well is shut-in, VOC emissions from the storage tank(s) associated with the well are expected to be minimal since the emissions will be almost entirely due to breathing losses. Given this, VOC emissions from storage tanks associated with shut-in wells are considered to be a minor source of VOC emissions and control of VOC emissions is not required under NDAC 33.1-15-07-02.1.

Note that this policy is a temporary policy developed in response to a unique situation related to the COVID-19 pandemic and only applies to controls required under NDAC 33.1-15-07-02.1. This policy does not affect other requirements of NDAC 33.1-15 including, but not limited to, NDAC 33.1-15-02 (Ambient Air Quality Standards), 33.1-15-12 (New Source Performance Standards) and NDAC 33.1-15-20 (Control of Emissions from Oil and Gas Well Production Facilities).

Any questions regarding this policy can be directed to Craig Thorstenson at 701-328-5198 or at cThorstenson@nd.gov.

JLS/CDT:saj