

United States Environmental Protection Agency
Region 8
Air Program
1595 Wynkoop Street
Denver, CO 80202



**AIR POLLUTION CONTROL
TITLE V PERMIT TO OPERATE**

In accordance with the provisions of Title V of the Clean Air Act and 40 CFR Part 71 and applicable rules and regulations,

**Williston Basin Interstate Pipeline Company
Hardin Compressor Station**

is authorized to operate air emission units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit.

This source is authorized to operate at the following location:

**Crow Indian Reservation
SW ¼, SE ¼ of Section 17, Township 1 South, Range 34 East
Big Horn County, Montana**

Terms not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. All terms and conditions of the permit are enforceable by EPA and citizens under the Clean Air Act.

A handwritten signature in black ink, appearing to read "Callie A. Videtich", written over a horizontal line.

Callie A. Videtich, Director
Air Program
US EPA Region 8

9/26/08
Date

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**AIR POLLUTION CONTROL
TITLE V PERMIT TO OPERATE**

**Williston Basin Interstate Pipeline Company
Hardin Compressor Station**

Permit Number: V-C-0001-06.00
Replaces Permit No.: V-C-0001-00.00

Issue Date: September 26, 2008
Effective Date: November 2, 2008
Expiration Date: November 2, 2013

The permit number cited above should be referenced in future correspondence regarding this facility.

Permit Revision History

| DATE OF REVISION | TYPE OF REVISION | SECTION NUMBER AND TITLE | DESCRIPTION OF REVISION |
|-------------------------|--------------------------------|---------------------------------|--------------------------------|
| June 17, 2002 | Initial Permit Issued | | Permit # V-C-0001-00.00 |
| September 26, 2008 | 1 st Renewal Issued | | Permit # V-C-0001-06.00 |

TABLE OF CONTENTS

| | |
|--------------------------------------------------------------------------------------------|-----------|
| Abbreviations and Acronyms..... | 5 |
| LIST OF TABLES | 6 |
| I. Source Information and Emission Unit Identification..... | 7 |
| I.A. General Source Information | 7 |
| I.B. Source Emission Points..... | 9 |
| II. Facility-Wide Requirements..... | 10 |
| II.A. General Recordkeeping Requirements..... | 10 |
| II.B. General Reporting Requirements | 10 |
| II.C. Stratospheric Ozone and Climate Protection, Recycling and Emissions Reduction | 11 |
| II.D. Alternative Operating Scenarios..... | 12 |
| II.E. Permit Shield..... | 13 |
| III. Part 71 Administrative Requirements | 14 |
| III.A. Annual Fee Payment..... | 14 |
| III.B. Annual Emissions Inventory | 16 |
| III.C. Compliance Requirements | 16 |
| III.D. Duty to Provide and Supplement Information..... | 18 |
| III.E. Submissions | 18 |
| III.F. Severability Clause..... | 19 |
| III.G. Permit Actions..... | 19 |
| III.H. Administrative Permit Amendments | 19 |
| III.I. Minor Permit Modifications..... | 20 |
| III.J. Group Processing of Minor Permit Modifications | 21 |
| III.K. Significant Permit Modifications | 22 |
| III.L. Reopening for Cause..... | 23 |
| III.M. Property Rights | 23 |
| III.N. Inspection and Entry | 23 |
| III.O. Emergency Provisions | 24 |
| III.P. Transfer of Ownership or Operation | 24 |
| III.Q. Off Permit Changes | 24 |
| III.R. Permit Expiration and Renewal | 27 |
| IV. Appendix..... | 28 |
| IV.A. Inspection Information..... | 28 |
| IV.B. Facility Plot Plan | 28 |

Abbreviations and Acronyms

| | |
|------------------|---------------------------------------------------------------------------|
| AR | Acid Rain |
| ARP | Acid Rain Program |
| bbls | Barrels |
| BACT | Best Available Control Technology |
| CAA | Clean Air Act [42 U.S.C. Section 7401 et seq.] |
| CAM | Compliance Assurance Monitoring |
| CEMS | Continuous Emission Monitoring System |
| CFR | Code of Federal Regulations |
| CMS | Continuous Monitoring System (includes COMS, CEMS and diluent monitoring) |
| COMS | Continuous Opacity Monitoring System |
| CO | Carbon monoxide |
| CO ₂ | Carbon dioxide |
| DAHS | Data Acquisition and Handling System |
| dscf | Dry standard cubic foot |
| dscm | Dry standard cubic meter |
| EIP | Economic Incentives Programs |
| EPA | Environmental Protection Agency |
| FGD | Flue gas desulfurization |
| gal | Gallon |
| GPM | Gallons per minute |
| H ₂ S | Hydrogen sulfide |
| gal | gallon |
| HAP | Hazardous Air Pollutant |
| hr | Hour |
| Id. No. | Identification Number |
| kg | Kilogram |
| lb | Pound |
| MACT | Maximum Achievable Control Technology |
| MVAC | Motor Vehicle Air Conditioner |
| Mg | Megagram |
| MMBtu | Million British Thermal Units |
| mo | Month |
| NESHAP | National Emission Standards for Hazardous Air Pollutants |
| NMHC | Non-methane hydrocarbons |
| NO _x | Nitrogen Oxides |
| NSPS | New Source Performance Standard |
| NSR | New Source Review |
| pH | Negative logarithm of effective hydrogen ion concentration (acidity) |
| PM | Particulate Matter |
| PM ₁₀ | Particulate matter less than 10 microns in diameter |
| ppm | Parts per million |
| PSD | Prevention of Significant Deterioration |
| PTE | Potential to Emit |
| psi | Pounds per square inch |
| psia | Pounds per square inch absolute |
| RICE | Reciprocating Internal Combustion Engine |
| RMP | Risk Management Plan |
| scfm | Standard cubic feet per minute |
| SNAP | Significant New Alternatives Program |
| SO ₂ | Sulfur Dioxide |
| tpy | Tons Per Year |
| US EPA | United States Environmental Protection Agency |
| VOC | Volatile Organic Compounds |

LIST OF TABLES

| | |
|--------------------------------------------|---|
| Table 1. Emission Units..... | 9 |
| Table 2. Insignificant Emission Units..... | 9 |

I. Source Information and Emission Unit Identification

I.A. General Source Information

Parent Company name: Williston Basin Interstate Pipeline Company
(subsidiary of WBI Holdings, Inc.)

Facility Name: Hardin Compressor Station

Facility Location: SW ¼ , SE ¼ of Section 17, Township 1 South, Range 34 East
Lat.: 45° 44' 19.9314" N, Long.: -107° 32' 38.3994" W

Region: 8

State: Montana

County: Big Horn

Reservation: Crow Indian Reservation

Tribe: Crow Tribe

Responsible Official: Director of Pipeline Operations

SIC Code: 4922

AFS Plant Identification Number: 30-003-00005

Other Clean Air Act Permits: This is the first renewal of the part 71 permit. There are no other permits, such as PSD or minor NSR, issued to this facility.

Description of Process:

The Hardin Compressor Station is owned and operated by Williston Basin Interstate Pipeline Company (WBI). The Hardin Compressor Station is a natural gas boosting facility located in south central Montana. The facility is located within the exterior boundaries of the Crow Indian Reservation.

The Hardin Compressor Station, consists of four reciprocating engines, one generator set, a natural gas fired plant boiler (space heating), a natural gas fired water storage tank heater, a natural gas fired domestic water heater, a natural gas fired shop heater, a natural gas fired auxiliary building heater, a sloop/drip oil tank, an ethylene glycol storage tank, a methanol storage tank, a 1,000 gallon vaulted fiberglass used oil storage tank, and a 2,630 gallon above ground steel new oil storage tank.

The Hardin Compressor Station provides natural gas compression along the transmission line. The gas is compressed from approximately 300 psig to approximately 780 psig at maximum normal operating conditions and does not exceed 800 psig which is the maximum allowable. The compressor station is a booster along the gas transmission system. A small portion of the natural gas is taken off the compression line to be used as fuel for the units to run the station.

The Hardin Compressor Station is a major source subject to the part 71 operating permit requirements due to its potential emissions of oxides of nitrogen (NO_x) and carbon monoxide (CO). The potential emissions, in tons per year (tpy) are 399 tpy for NO_x and 654 tpy for CO.

The potential to emit for the facility as a whole is as follows:

Nitrogen Oxides (NO_x) – 399 tpy
Carbon Monoxide (CO) – 654 tpy
Volatile Organic Compounds (VOC) – 11.7 tpy
Small Particulates (PM₁₀) – 1.3 tpy
Sulfur Dioxide (SO₂) – 0.04 tpy
Total Hazardous Air Pollutants (HAPs) – 2.03 tpy
Largest Single HAP (formaldehyde, CH₂O) – 1.71 tpy

I.B. Source Emission Points

**Table 1 - Emission Units
Williston Basin Interstate Pipeline Company
Hardin Compressor Station**

| Emission Unit Id. | Description | Control Equipment |
|--------------------------|----------------------------------------------------------------------------------------------------|--------------------------|
| | 5.94 MMBtu/hr, Ingersoll-Rand 62K VG, 660 bhp Reciprocating Compressor Engines. Natural gas fired: | None |
| Unit 1 | Serial Number: 62NL846 Installed: 1954 | |
| Unit 2 | Serial Number: 62NL847 Installed: 1954 | |
| Unit 3 | Serial Number: 62NL848 Installed: 1954 | |
| Unit 4 | Serial Number: 62NL849 Installed: 1954 | |
| | 1.305 MMBtu/hr, Waukesha F1197G, 100 kW Generator Set. Natural gas fired: | None |
| GEN-1 | Serial Number: 1109881 Installed: 1999 | |

**Table 2 - Insignificant Emission Units
Williston Basin Interstate Pipeline Company
Hardin Compressor Station**

| Description |
|-----------------------------------------------------------------------------------------|
| 45 - Valves on station piping, potential fugitive natural gas emissions |
| 149 -Flanges on station piping, potential fugitive natural gas emissions |
| 10 - Open-ended lines on station piping, potential fugitive natural gas emissions |
| 10 - Pressure relief valves on station piping, potential fugitive natural gas emissions |
| 1 - 1.95 MM Btu/hr natural gas fired plant boiler (space heating) |
| 1 - 30,000 Btu/hr natural gas-fired domestic water heater |
| 1 - 40,000 Btu/hr natural gas fired domestic water heater |
| 1 - 70,000 Btu/hr natural gas fired shop heater |
| 1 - 75,000 Btu/hr natural gas-fired auxiliary building heater |
| 1 - 50,000 Btu/hr natural gas furnace |
| 1 - 175,000 Btu/hr natural gas heater |
| 1 - 1,000 gallon used oil tank |
| 1 - 1,000 gallon ethylene glycol storage tank |
| 1 - 1,200 gallon ethylene glycol storage tank |
| 1 - 3,200 gallon ethylene glycol/water storage tank |
| 1 - 500 gallon methanol storage tank |
| 2 - 2,630 gallon above ground steel new oil storage tanks |
| 1 - 1,000 gallon waste water tank |
| 1 - 1,000 gallon slop tank |
| 1 - Office air conditioning unit, installed 1998 |
| In-plant vehicle traffic |
| Repair and maintenance activities |

II. Facility-Wide Requirements

Conditions in this section of the permit apply to all emissions units located at the facility, including any units not specifically listed in Table 1 and Table 2 of Section I.B.

[40 CFR 71.6(a)(1)]

II.A. General Recordkeeping Requirements [40 CFR 71.6(a)(3)(ii)]

The permittee shall comply with the following generally applicable recordkeeping requirements:

1. If the permittee determines that his or her stationary source that emits (or has the potential to emit, without federally recognized controls) one or more hazardous air pollutants is not subject to a relevant standard or other requirement established under 40 CFR part 63, the permittee shall keep a record of the applicability determination on site at the source for a period of five (5) years after the determination, or until the source changes its operations to become an affected source, whichever comes first. The record of the applicability determination shall include an analysis (or other information) that demonstrates why the permittee believes the source is unaffected (e.g., because the source is an area source).

[40 CFR 63.10(b)(3)]

2. Records shall be kept, as required by Section III.Q, of off permit changes made in accordance with the approved provisions for Alternative Operating Scenarios in Section II.D.

II.B General Reporting Requirements [40 CFR 71.6(a)(3)(iii)]

1. The permittee shall submit to EPA reports of any monitoring results and recordkeeping required under this permit semi-annually by April 1st and October 1st of each year. The report due on April 1st shall cover the prior six-month period from July 1st through the end of December. The report due on October 1st shall cover the prior six-month period from January 1st through the end of June. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with Section III.E.1. of this permit.

[Explanatory note: To help part 71 permittees meet reporting responsibilities, EPA has developed a form "SIXMON" for six-month monitoring reports. The form may be found on the EPA website at: <http://www.epa.gov/air/oaqps/permits/p71forms.html>]

2. "Deviation," means any situation in which an emissions unit fails to meet a permit term or condition. A deviation is not always a violation. A deviation can be determined by observation or through review of data obtained from any testing, monitoring, or recordkeeping established in accordance with §71.6(a)(3)(i) and (a)(3)(ii). For a situation lasting more than 24 hours which constitutes a deviation, each 24 hour period is considered a separate deviation. Included in the meaning of deviation are any of the following:
 - (a) A situation where emissions exceed an emission limitation or standard;
 - (b) A situation where process or emissions control device parameter values indicate that an emission limitation or standard has not been met;

- (c) A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit; or
 - (d) A situation in which an exceedance or an excursion, as defined in 40 CFR part 64 occurs.
3. The permittee shall promptly report to EPA deviations from permit requirements, including those attributable to upset conditions as defined in this permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. “Prompt” is defined as follows:
- (a) Any definition of “prompt” or a specific timeframe for reporting deviations provided in an underlying applicable requirement as identified in this permit;
 - (b) Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations will be submitted based on the following schedule:
 - (i) For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in the applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
 - (ii) For emissions of any regulated air pollutant, excluding a hazardous air pollutant or a toxic air pollutant that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
 - (iii) For all other deviations from permit requirements, the report shall be submitted with the semi-annual monitoring report required in II.B.1.
4. If any of the conditions in Section II.B.3.(b)(i) - (ii) are met, the source must notify EPA by telephone (1-800-227-8917) or facsimile (303-312-6064) based on the timetables listed above. *[Notification by telephone or fax must specify that this notification is a deviation report for a part 71 permit.]* A written notice, certified consistent with Section III.E.1. of this permit must be submitted within ten (10) working days of the occurrence. All deviations reported under this section must also be identified in the 6-month report required under permit Section II.B.1.

[Explanatory note: To help part 71 permittees meet reporting responsibilities, EPA has developed a form “PDR” for prompt deviation reporting. The form may be found on the EPA website at: <http://www.epa.gov/air/oaqps/permits/p71forms.html>]

II.C. Stratospheric Ozone and Climate Protection, Recycling and Emissions Reduction
[40 CFR part 82, subparts F and G]

1. The permittee shall comply with applicable standards for recycling and emissions reduction:
- (a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the applicable required practices pursuant to 40 CFR 82.156.

- (b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the applicable standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
 - (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - (d) Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined in 40 CFR 82.152) must comply with recordkeeping requirements pursuant to 40 CFR 82.166(i). ("MVAC-like appliance" as defined at 40 CFR 82.152)
2. The permittee shall be allowed to switch from any ozone depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated in 40 CFR part 82, subpart G.

[40 CFR 82.176(b)(1)]

II.D. Alternative Operating Scenarios [40 CFR 71.6(a)(9)]

1. Natural Gas Fired Compressor Engine Replacement/Overhaul

- (a) Replacement of a permitted compressor engine with an engine of the same make, model, brake horsepower rating, heat input capacity rating, and configured to operate in the same manner as the engine being replaced, shall be an allowed alternative operating scenario provided the replacement activity satisfies all of the provisions for Off Permit Changes (Section III.Q.) under this permit, including the provisions specific to replacement.

[40 CFR 71.6(a)(9)]

- (b) Replacement of a permitted engine with an engine or generator subject to 40 CFR part 60, subpart IIII is not allowed under this alternative operating scenario.
- (c) Replacement of a permitted engine with an engine or generator subject to 40 CFR part 60, subpart JJJJ is not allowed under this alternative operating scenario.
- (d) Replacement of a permitted engine with an engine or generator subject to 40 CFR part 63, subpart ZZZZ is not allowed under this alternative operating scenario.
- (e) At all times, including periods of startup, shut-down, and equipment malfunction, the facility, to the extent practical, shall be maintained and operated in a manner consistent with good air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to EPA, which may include, but not be limited to monitoring results, review of operating and maintenance procedures, manufacturer's specifications, industry practices or inspection of the facility.

[Explanatory note- Section II.D was included at the request of the permittee to allow for off permit replacement of engines that do not have existing federally enforceable limits or other requirements. For replacement engines that trigger new applicable requirements (i.e., NSPS or MACT), the

minor permit modification process (Section III.I of this permit) shall be utilized to incorporate the new applicable federally enforceable emission limits and other requirements of the replacement engine.]

II.E. Permit Shield [40 CFR 71.6(f)(3)]

Nothing in this permit shall alter or affect the following:

1. The liability of a permittee for any violation of applicable requirements prior to or at the time of permit issuance;
2. The ability of EPA to obtain information from a source pursuant to section 114 of the Clean Air Act; or
3. The provisions of section 303 of the CAA (emergency orders), including the authority of EPA under that section.

III. Part 71 Administrative Requirements

III.A. Annual Fee Payment [40 CFR 71.6(a)(7) and 40 CFR 71.9]

1. The permittee shall pay an annual permit fee in accordance with the procedures outlined below.
[40 CFR 71.9(a)]
2. The permittee shall pay the annual permit fee each year no later than April 1st. The fee shall cover the previous calendar year.
[40 CFR 71.9(h)]
3. The fee payment shall be in United States currency and shall be paid by money order, bank draft, certified check, corporate check, or electronic funds transfer payable to the order of the U.S. Environmental Protection Agency.
[40 CFR 71.9(k)(1)]
4. The permittee shall send fee payment and a completed fee filing form to:

For regular U.S. Postal Service mail

U.S. Environmental Protection Agency
FOIA and Miscellaneous Payments
Cincinnati Finance Center
P.O. Box 979078
St. Louis, MO 63197-9000

For non-U.S. Postal Service Express mail

(FedEx, Airborne, DHL, and UPS)

U.S. Bank
Government Lockbox 979078
U.S. EPA FOIA & Misc. Payments
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, MO 63101

[40 CFR 71.9(k)(2)]

5. The permittee shall send an updated fee calculation worksheet form and a photocopy of each fee payment check (or other confirmation of actual fee paid) submitted annually by the same deadline as required for fee payment to the address listed in Submissions section of this permit.
[40 CFR 71.9(h)(1)]

[Explanatory note: The fee filing form FF and the fee calculation worksheet form FEE may be found on EPA website at: <http://www.epa.gov/air/oaqps/permits/p71forms.html>]

6. Basis for calculating annual fee:
 - (a) The annual emissions fee shall be calculated by multiplying the total tons of actual emissions of all “regulated pollutants” (for fee calculation) emitted from the source by the presumptive emissions fee (in dollars/ton) in effect at the time of calculation.
[40 CFR 71.9(c)(1)]
 - (i) “Actual emissions” means the actual rate of emissions in tpy of any regulated pollutant (for fee calculation) emitted from a part 71 source over the

preceding calendar year. Actual emissions shall be calculated using each emissions unit's actual operating hours, production rates, in-place control equipment, and types of materials processed, stored, or combusted during the preceding calendar year.

[40 CFR 71.9(c)(6)]

- (ii) Actual emissions shall be computed using methods required by the permit for determining compliance, such as monitoring or source testing data.

[40 CFR 71.9(h)(3)]

- (iii) If actual emissions cannot be determined using the compliance methods in the permit, the permittee shall use other federally recognized procedures.

[40 CFR 71.9(e)(2)]

[Explanatory note: The presumptive fee amount is revised each calendar year to account for inflation, and it is available from EPA prior to the start of each calendar year.]

- (b) The permittee shall exclude the following emissions from the calculation of fees:

- (i) The amount of actual emissions of each regulated pollutant (for fee calculation) that the source emits in excess of 4,000 tpy;

[40 CFR 71.9(c)(5)(i)]

- (ii) Actual emissions of any regulated pollutant (for fee calculation) already included in the fee calculation; and

[40 CFR 71.9(c)(5)(ii)]

- (iii) The quantity of actual emissions (for fee calculation) of insignificant activities [defined in §71.5(c)(11)(i)] or of insignificant emissions levels from emissions units identified in the permittee's application pursuant to §71.5(c)(11)(ii).

[40 CFR 71.9(c)(5)(iii)]

- 7. Fee calculation worksheets shall be certified as to truth, accuracy, and completeness by a responsible official.

[40 CFR 71.9(h)(2)]

[Explanatory note: The fee calculation worksheet form already incorporates a section to help you meet this responsibility.]

- 8. The permittee shall retain fee calculation worksheets and other emissions-related data used to determine fee payment for 5 years following submittal of fee payment. [Emission-related data include, for example, emissions-related forms provided by EPA and used by the permittee for fee calculation purposes, emissions-related spreadsheets, and emissions-

related data, such as records of emissions monitoring data and related support information required to be kept in accordance with §71.6(a)(3)(ii).]

[40 CFR 71.9(i)]

9. Failure of the permittee to pay fees in a timely manner shall subject the permittee to assessment of penalties and interest in accordance with §71.9(l).

[40 CFR 71.9(l)]

10. When notified by EPA of underpayment of fees, the permittee shall remit full payment within 30 days of receipt of notification.

[40 CFR 71.9(j)(2)]

11. A permittee who thinks an EPA assessed fee is in error and who wishes to challenge such a fee, shall provide a written explanation of the alleged error to EPA along with full payment of the EPA assessed fee.

[40 CFR 71.9(j)(3)]

III.B. Annual Emissions Inventory [40 CFR 71.9(h)(1)and (2)]

The permittee shall submit an annual emissions report of its actual emissions for both criteria pollutants and regulated HAPS for this facility for the preceding calendar year for fee assessment purposes. The annual emissions report shall be certified by a responsible official and shall be submitted each year to EPA by April 1st.

The annual emissions report shall be submitted to EPA at the address listed in the Submissions section of this permit.

[Explanatory note: An annual emissions report, required at the same time as the fee calculation worksheet by §71.9(h), has been incorporated into the fee calculation worksheet form as a convenience.]

III.C. Compliance Requirements [40 CFR 71.6(a)(6)(i) and (ii), and sections 113(a) and 113(e)(1) of the Act, and 40 CFR 51.212, 52.12, 52.33, 60.11(g), and 61.12]

1. Compliance with the Permit

- (a) The permittee must comply with all conditions of this part 71 permit. Any permit noncompliance constitutes a violation of the Clean Air Act and is grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application.

[40 CFR 71.6(a)(6)(i)]

- (b) 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.

[40 CFR 71.6(a)(6)(ii)]

- (c) For the purpose of submitting compliance certifications in accordance with this permit, or establishing whether or not a person has violated or is in violation of any requirement of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[Section 113(a) and 113(e)(1) of the Act, 40 CFR 51.212, 52.12, 52.33, 60.11(g), and 61.12]

2. Compliance Schedule

- (a) For applicable requirements with which the source is in compliance, the source will continue to comply with such requirements.

[40 CFR 71.5(c)(8)(iii)(A)]

- (b) For applicable requirements that will become effective during the permit term, the source shall meet such requirements on a timely basis.

[40 CFR 71.5(c)(8)(iii)(B)]

3. Compliance Certifications

The permittee shall submit to EPA a certification of compliance with permit terms and conditions, including emission limitations, standards, or work practices annually by April 1st, and shall cover the preceding calendar year.

[Explanatory note: To help part 71 permittees meet reporting responsibilities, EPA has developed a reporting form for annual compliance certifications. The form may be found on EPA website at: <http://www.epa.gov/air/oaqps/permits/p71forms.html>]

The compliance certification shall be certified as to truth, accuracy, and completeness by a responsible official consistent with §71.5(d).

[40 CFR 71.6(c)(5)]

- (a) The certification shall include the following:
 - (i) Identification of each permit term or condition that is the basis of the certification;
 - (ii) The identification of the method(s) or other means used for determining the compliance status of each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required in this permit. If necessary, the permittee also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Clean Air Act, which prohibits knowingly making a false certification or omitting material information;
 - (iii) The status of compliance with each term and condition of the permit for the period covered by the certification based on the method or means designated

- in the preceding paragraph of this permit. The certification shall identify each deviation and take it into account in the compliance certification;
- (iv) Such other facts as the EPA may require to determine the compliance status of the source; and
 - (v) Whether compliance with each permit term was continuous or intermittent.

[40 CFR 71.6(c)(5)(iii)]

III.D. Duty to Provide and Supplement Information

[40 CFR 71.6(a)(6)(v), 71.5(a)(3), and 71.5(b)]

1. The permittee shall furnish to EPA, within a reasonable time, any information that EPA 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. Upon request, the permittee shall also furnish to the EPA copies of records that are required to be kept pursuant to the terms of the permit, including information claimed to be confidential. Information claimed to be confidential must be accompanied by a claim of confidentiality according to the provisions of 40 CFR part 2, subpart B.

[40 CFR 71.6(a)(6)(v) and 40 CFR 71.5(a)(3)]

2. 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. In addition, a permittee shall provide additional information as necessary to address any requirements that become applicable after the date a complete application is filed, but prior to release of a draft permit.

[40 CFR 71.5(b)]

III.E. Submissions [40 CFR 71.5(d), 71.6(c)(1) and 71.9(h)(2)]

1. Any document (application form, report, compliance certification, etc.) required to be submitted under this permit shall be certified by a responsible official as to truth, accuracy, and completeness. Such certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[Explanatory note: EPA has developed a reporting form CTAC for certifying truth, accuracy and completeness of part 71 submissions. The form may be found on EPA website at:

<http://www.epa.gov/air/oaqps/permits/p71forms.html>]

2. Any documents required to be submitted under this permit, including reports, test data, monitoring data, notifications, compliance certifications, fee calculation worksheets, and applications for renewals and permit modifications shall be submitted to:

Part 71 Permit Contact
Air Program, 8P-AR
U.S. Environmental Protection Agency
1595 Wynkoop Street
Denver, Colorado 80202-1129

III.F. Severability Clause [40 CFR 71.6(a)(5)]

The provisions of this permit are severable, and in the event of any challenge to any portion of this permit, or if any portion is held invalid, the remaining permit conditions shall remain valid and in force.

III.G. Permit Actions [40 CFR 71.6(a)(6)(iii)]

This 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.

III.H. Administrative Permit Amendments [40 CFR 71.7(d)]

The permittee may request the use of administrative permit amendment procedures for a permit revision that:

1. Corrects typographical errors;
2. Identifies a change in the name, address, or phone number of any person identified in the 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 a source where the EPA 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 EPA;
5. Incorporates into the part 71 permit the requirements from preconstruction review permits authorized under an EPA-approved program, provided that such a program meets procedural requirements substantially equivalent to the requirements of §71.7 and §71.8 that would be applicable to the change if it were subject to review as a permit modification, and compliance requirements substantially equivalent to those contained in §71.6; or
6. Incorporates any other type of change which EPA has determined to be similar to those listed above in subparagraphs 1 through 5 above.

[Note to permittee: If subparagraphs 1 through 5 above do not apply, please contact EPA for a determination of similarity prior to submitting your request for an administrative permit amendment under this provision.]

III.I. Minor Permit Modifications [40 CFR 71.7(e)(1)]

1. The permittee may request the use of minor permit modification procedures only for those modifications that:
 - (a) Do not violate any applicable requirements;
 - (b) Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;
 - (c) Do 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;
 - (d) Do 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:
 - (i) A federally enforceable emissions cap assumed to avoid classification as a modification under any provision of title I; and
 - (ii) An alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the Clean Air Act;
 - (e) Are not modifications under any provision of title I of the Clean Air Act; and
 - (f) Are not required to be processed as a significant modification.

[40 CFR 71.7(e)(1)(i)(A)]

2. Notwithstanding the list of changes ineligible for minor permit modification procedures in Section IV.I.1., minor permit modification procedures may be used for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that such minor permit modification procedures are explicitly provided for in an applicable implementation plan or in applicable requirements promulgated by EPA.

[40 CFR 71.7(e)(1)(i)(B)]

3. An application requesting the use of minor permit modification procedures shall meet the requirements of §71.5(c) and shall include the following:
 - (a) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
 - (b) The source's suggested draft permit;

- (c) Certification by a responsible official, consistent with §71.5(d), that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used; and
- (d) Completed forms for the permitting authority to use to notify affected States as required under §71.8.

[40 CFR 71.7(e)(1)(ii)]

- 4. The source may make the change proposed in its minor permit modification application immediately after it files such application. After the source makes the change allowed by the preceding sentence, and until the permitting authority takes any of the actions authorized by §71.7(e)(1)(iv)(A) through (C), the source must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, the source need not comply with the existing permit terms and conditions it seeks to modify. However, if the source fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it.

[40 CFR 71.7(e)(1)(v)]

- 5. The permit shield under §71.6(f) may not extend to minor permit modifications.

[40 CFR 71.7(e)(1)(vi)]

III.J. Group Processing of Minor Permit Modifications [40 CFR 71.7(e)(2)]

- 1. Group processing of modifications by EPA may be used only for those permit modifications:
 - (a) That meet the criteria for minor permit modification procedures under the Minor Permit Modifications section of this permit; and
 - (b) That collectively are below the threshold level of 10 percent of the emissions allowed by the permit for the emissions unit for which the change is requested, 20 percent of the applicable definition of major source in §71.2, or 5 tpy, whichever is least.

[40 CFR 71.7(e)(2)(i)]

- 2. An application requesting the use of group processing procedures shall be submitted to EPA, shall meet the requirements of §71.5(c), and shall include the following:
 - (a) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
 - (b) The source's suggested draft permit;
 - (c) Certification by a responsible official, consistent with §71.5(d), that the proposed modification meets the criteria for use of group processing procedures and a request that such procedures be used;

- (d) A list of the source's other pending applications awaiting group processing, and a determination of whether the requested modification, aggregated with these other applications, equals or exceeds the threshold set under this section of this permit; and
- (e) Completed forms for the permitting authority to use to notify affected States as required under §71.8.

[40 CFR 71.7(e)(2)(ii)]

- 3. The source may make the change proposed in its minor permit modification application immediately after it files such application. After the source makes the change allowed by the preceding sentence, and until the permitting authority takes any of the actions authorized by §71.7(e)(1)(iv)(A) through (C), the source must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, the source need not comply with the existing permit terms and conditions it seeks to modify. However, if the source fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it.

[40 CFR 71.7(e)(2)(v)]

- 4. The permit shield under §71.6(f) does not extend to group processing of minor permit modifications.

[40 CFR 71.7(e)(1)(vi)]

III.K. Significant Permit Modifications [40 CFR 71.7(e)(3)]

- 1. The permittee must request the use of significant permit modification procedures for those modifications that:
 - (a) Do not qualify as minor permit modifications or as administrative amendments;
 - (b) Are significant changes in existing monitoring permit terms or conditions; or
 - (c) Are relaxations of reporting or recordkeeping permit terms or conditions.

[40 CFR 71.7(e)(3)(i)]

- 2. Nothing herein shall be construed to preclude the permittee from making changes consistent with part 71 that would render existing permit compliance terms and conditions irrelevant.

[40 CFR 71.7(e)(3)(i)]

- 3. Permittees must meet all requirements of part 71 for applications, public participation, and review by affected states and tribes for significant permit modifications. For the application to be determined complete, the permittee must supply all information that is required by §71.5(c) for permit issuance and renewal, but only that information that is related to the proposed change.

[40 CFR 71.7(e)(3)(ii), 71.8(d), and 71.5(a)(2)]

III.L. Reopening for Cause [40 CFR 71.7(f)]

The permit may be reopened and revised prior to expiration under any of the following circumstances:

1. Additional applicable requirements under the Act become applicable to a major part 71 source with a remaining permit term of 3 or more years. Such a reopening shall be completed not 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 date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended pursuant to §71.7 (c)(3);
2. Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit;
3. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or
4. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

III.M. Property Rights [40 CFR 71.6(a)(6)(iv)]

This permit does not convey any property rights of any sort, or any exclusive privilege.

III.N. Inspection and Entry [40 CFR 71.6(c)(2)]

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow EPA or an authorized representative to perform the following:

1. Enter upon the permittee's premises where a part 71 source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
4. As authorized by the Clean Air Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

III.O. Emergency Provisions [40 CFR 71.6(g)]

1. In addition to any emergency or upset provision contained in any applicable requirement, 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:
 - (a) An emergency occurred and that the permittee can identify the cause(s) of the emergency;
 - (b) The permitted facility was at the time being properly operated;
 - (c) 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
 - (d) The permittee submitted notice of the emergency to EPA within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. This notice fulfills the requirements for prompt notification of deviations.
2. In any enforcement proceeding the permittee attempting to establish the occurrence of an emergency has the burden of proof.
3. An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the 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 preventive maintenance, careless or improper operation, or operator error.

III.P. Transfer of Ownership or Operation [40 CFR 71.7(d)(1)(iv)]

A change in ownership or operational control of this facility may be treated as an administrative permit amendment if the EPA determines no other change in this 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 EPA.

III.Q. Off Permit Changes [40 CFR 71.6(a)(12) and 40 CFR 71.6(a)(3)(ii)]

The permittee is allowed to make certain changes without a permit revision, provided that the following requirements are met, and that all records required by this section are kept on site at the source for a period of five (5) years:

1. Each change is not addressed or prohibited by this permit;

2. Each change shall meet all applicable requirements and shall not violate any existing permit term or condition;
3. Changes under this provision may not include changes subject to any requirement of 40 CFR parts 72 through 78 or modifications under any provision of title I of the CAA;
4. The permittee must provide contemporaneous written notice to EPA of each change, except for changes that qualify as insignificant activities under §71.5(c)(11). The written notice must describe each change, the date of the change, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change;
5. The permit shield does not apply to changes made under this provision;
6. The permittee must keep a record describing 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; and
7. Replacement of a permitted engine with an engine of the same make, model, brake horsepower rating, and configured to operate in the same manner as the engine being replaced, in addition to satisfying all other provisions for off permit changes, shall satisfy the following provisions:
 - (a) The replacement engine employs air emissions control devices, monitoring, record keeping and reporting that are equivalent to those employed by the engine being replaced;
 - (b) The replacement of the permitted engine does not constitute a major modification or major new source as defined in Federal PSD regulations (40 CFR 52.21);
 - (c) No new applicable requirements, as defined in 40 CFR 71.2, are triggered by the replacement; and
 - (d) The following information is provided in a written notice to EPA, prior to installation of the replacement engine, in addition to the standard information listed above for contemporaneous written notices for off permit changes:
 - (i) Make, model number, serial number, brake horsepower rating and configuration of both the permitted engine and the replacement engine;
 - (ii) Manufacturer date and commence construction date [per the definitions in 40 CFR 60.2, 60.4230(a), and 63.2], installation date, and start-up date of the replacement engine at the facility;
 - (iii) If applicable, documentation of the cost to overhaul a replacement engine versus the cost to purchase a new engine in order to support claims that an engine is not “reconstructed,” as defined in 40 CFR 60.15 and 63.2;
 - (iv) 40 CFR part 60, subpart IIII (CI Engine NSPS) non-applicability documentation as appropriate;
 - (v) 40 CFR part 60, subpart JJJJ (SI Engine NSPS) non-applicability documentation as appropriate;
 - (vi) 40 CFR part 63, subpart ZZZZ (RICE MACT) non-applicability documentation for major HAP sources as appropriate;

- (vii) 40 CFR part 63, subpart ZZZZ (RICE MACT) non-applicability documentation for area sources as appropriate; and
- (viii) Documentation to demonstrate that the replacement does not constitute a major new source or major modification, as defined in Federal PSD rules (40 CFR 52.21), as follows:

- (A) If the replacement will not constitute a “physical change or change in the method of operation” as described in §52.21(b)(2)(i), an explanation of how that conclusion was reached shall be provided.
- (B) If the replacement will constitute a “physical change or change in the method of operation” as described §52.21(b)(2)(i), the following information shall be provided:

- (1) If the existing source is a “major stationary source” as defined in §52.21(b)(1): For each “regulated NSR pollutant” as defined in §52.21(b)(50), a demonstration (including all calculations) that the replacement will not be a “major modification” as defined in §52.21(b)(2). A modification is major only if it causes a “significant emissions increase” as defined in §52.21(b)(40), and also causes a “significant net emissions increase” as defined in §§52.21(b)(3) and (b)(23).

The procedures of §52.21(a)(2)(iv) shall be used to calculate whether or not there will be a significant emissions increase. If there will be a significant emissions increase, then calculations shall be provided to demonstrate there will not be a significant net emissions increase. These latter calculations shall include all sourcewide contemporaneous and creditable emission increases and decreases, as defined in §52.21(b)(3), summed with the PTE of the replacement unit(s).

If netting is used to demonstrate that the replacement will not constitute a “major modification,” verification shall be provided that the replacement engine(s) or turbine(s) employ emission controls at least equivalent in control effectiveness to those employed by the engine(s) or turbine(s) being replaced.

PTE of replacement unit(s) shall be determined based on the definition of PTE in §52.21(b)(4). For each “regulated NSR pollutant” for which the PTE is not “significant,” calculations used to reach that conclusion shall be provided.

- (2) If the existing source is not a “major stationary source” as defined in §52.21(b)(1): For each “regulated NSR pollutant,” a demonstration (including all calculations) that the replacement engine(s) or turbine(s), by itself, will not constitute a “major stationary source” as defined in §52.21(b)(1)(i).

8. The notice shall be kept on site at the source and made available to EPA on request, in accordance with the general recordkeeping provision of this permit.
9. Submittal of the written notice required above shall not constitute a waiver, exemption, or shield from applicability of any applicable standard or PSD permitting requirements under 40 CFR 52.21 that would be triggered by the replacement of any one engine, or by the replacement of multiple engines.

III.R. Permit Expiration and Renewal [40 CFR 71.5(a)(1)(iii), 71.5(a)(2), 71.5(c)(5), 71.6(a)(11), 71.7(b), 71.7(c)(1), and 71.7(c)(3)]

1. This permit shall expire upon the earlier occurrence of the following events:
 - (a) Five (5) years elapse from the date of issuance; or
 - (b) The source is issued a part 70 or part 71 permit under an EPA approved or delegated permit program.

[40 CFR 71.6(a)(11)]
2. Expiration of this permit terminates the permittee's right to operate unless a timely and complete permit renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration of this permit.

[40 CFR 71.5(a)(1)(iii)]
3. If the permittee submits a timely and complete permit application for renewal, consistent with §71.5(a)(2), but EPA has failed to issue or deny the renewal permit, then all the terms and conditions of the permit, including any permit shield granted pursuant to §71.6(f) shall remain in effect until the renewal permit has been issued or denied.

[40 CFR 71.7(c)(3)]
4. The permittee's failure to have a part 71 permit is not a violation of this part until EPA takes final action on the permit renewal application. This protection shall cease to apply if, subsequent to the completeness determination, the permittee fails to submit any additional information identified as being needed to process the application by the deadline specified in writing by EPA.

[40 CFR 71.7(b)]
5. Renewal of this permit is subject to the same procedural requirements that apply to initial permit issuance, including those for public participation, affected State, and tribal review.

[40 CFR 71.7(c)(1)]
6. The application for renewal shall include the current permit number, description of permit revisions and off permit changes that occurred during the permit term, any applicable requirements that were promulgated and not incorporated into the permit during the permit term, and other information required by the application form.

[40 CFR 71.5(a)(2) and 71.5(c)(5)]

IV. Appendix

IV.A. Inspection Information

1. Directions to Plant:

The Hardin Compressor Station is accessed by exiting Interstate 90 at the eastern-most interchange (exit 497) and traveling southeast 1.2 miles on the frontage road that parallels the south side of the interstate. Turn left (north) on Sarpy Creek Road (State Highway 384) and travel 1.0 mile north and east, where the compressor station will be visible just north of the highway. Attached is a map with the compressor station highlighted.

2. Latitude and Longitude Coordinates

45° 44' 19.9314" (45.73887) latitude
-107° 32' 38.3994" (-107.544) longitude
(Datum WGS84)

3. Safety Considerations

Contact the operator to determine what safety equipment is required.

IV.B. Facility Plot Plan – Attached