



# Department of Environmental Quality

*To protect, conserve and enhance the quality of Wyoming's  
environment for the benefit of current and future generations.*



Matthew H. Mead, Governor

Todd Parfitt, Director

April 30, 2015

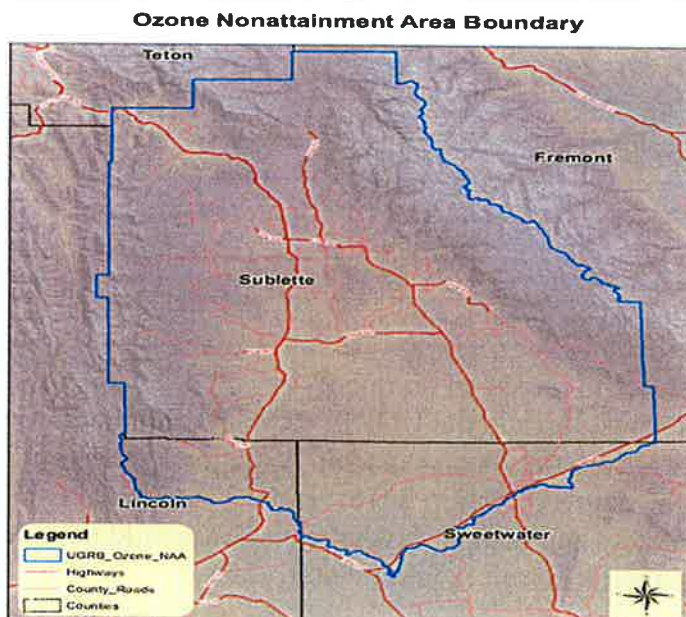
Ozone Advance  
c/o Laura Bunte, Mail Code C304-01  
109 TW Alexander Dr.  
RTP, NC 27711

**RE: Wyoming Department of Environmental Quality – Air Quality Division's Ozone Advance Annual Update**

Dear Ms. Bunte:

On April 12, 2012, the Wyoming Department of Environmental Quality – Air Quality Division (AQD or Division) signed up to participate in the Environmental Protection Agency's (EPA) Ozone Advance Program as a proactive measure intended to encourage and identify early emission reductions in ozone attainment areas in order to help maintain the 2008 National Ambient Air Quality Standards (NAAQS) for ozone. On July 20, 2012, the Upper Green River Basin (UGRB) in southwest Wyoming was designated nonattainment for the 2008 8-hour ozone standard (Figure A).

**Figure A**



While the State is aware that participation in the program does not relieve the State of its obligations under nonattainment regulations, it is understood that participation in the program can better position the State to comply with the requirements associated with such a designation. The AQD has been working to understand the unique wintertime ozone episodes since 2005, and has already instituted a number of control measures in the UGRB. The State appreciates EPA's establishment of an Ozone Advance Program that will provide incentives for areas that achieve early emission reductions.

On April 8, 2013, Wyoming submitted to EPA a "path forward letter" describing measures and/or programs the State would implement in the UGRB ozone nonattainment area. As the Ozone Advance Guidance instructs, a participating area should briefly and informally summarize the status of each of the area's measures and programs implemented under Ozone Advance. An update on those programs is provided below:

Table 1 shows the running year-to-date emissions reductions in the UGRB (as of March 20, 2015) that have been achieved through the implementation of the *Interim Policy on Demonstration of Compliance with Wyoming Air Quality Standards and Regulations (WAQSR), Chapter 6, Section 2(c)(ii) for Sources in Sublette County (Interim Policy)* from the permitting baseline of April 1, 2008. Controlled emission reductions in the UGRB have been achieved through, but are not limited to, the installation of controls on storage tanks, installation of low bleed/no bleed pneumatic controllers, installation of controls on drill rig engines, and the installation of centralized gathering facilities.

**Table 1. Running Year-to-Date Emissions Reductions (tpy)**

	Volatile Organic Compounds (VOCs)	Nitrogen Oxides (NOx)
2008	-196.6	-33.6
2008-2009	-1322.1	-606.7
2008-2010	-2302.2	-1695.2
2008-2011	-3555.1	-1545.7
2008-2012	-3926.9	-1457.2
2008-2013	-5129.9	-1537.0
2008-2014	-5455.4	-1857.6
2008-2015*	-5874.7	-1862.2

\* Through March 20, 2015

The AQD requires operators to obtain an air quality permit to conduct well completion/re-completion activities in the UGRB. "Green" completion requirements have expanded over the years – from the Jonah/Pinedale Anticline Development Area (JPDA) in 2005 to encompassing the entire UGRB in 2010. Table 2 summarizes the emissions from reports provided by operators and compares what emissions could have resulted by not having the "green" completion permit requirement in place.

**Table 2. Completion Emissions Summary (VOCs tpy) <sup>1</sup>**

	Reported (Controlled) Emissions <sup>3</sup>	Uncontrolled Emissions <sup>4</sup>	Emissions offset by AQD Permits
2005	122	1220	-1098
2006	203	2033	-1830
2007	144	1443	-1299
2008	130	1304	-1174
2009	67	665	-598
2010	57	569	-512
2011	19	194	-175
2012	8.4	84	-76
2013	4.0	40	-36
2014 <sup>2</sup>	21.1	211	-190

<sup>1</sup> Emissions rounded to the nearest ton.

<sup>2</sup> Based on all reports received through March 26, 2015.

<sup>3</sup> Total reported emissions from all operators in the JPDA.

<sup>4</sup> Assuming the 90% VOC emissions reductions included in BACT section for the AQD's permits.

The implementation of the Interim Policy and “green” completion permits are ongoing programs that address emissions of NOx and VOC’s in the UGRB.

The 2015 UGRB Winter Ozone Update/Ozone Action Day program ran from January 2 to March 31, 2015. The Winter Ozone Update is a daily weather-based forecast geared towards increasing public health awareness of high ground level ozone potential. Winter Ozone Updates were made available to the public on the Wyoming Department of Environmental Quality (WDEQ) website, through a toll-free phone number, via email and a daily radio broadcast from the KPINE radio station in Pinedale, Wyoming. In previous years, on days when forecasters have issued an Ozone Action Day (OAD), everyone is encouraged to implement an Ozone Contingency Plan (OCP). OCPs are voluntary, short-term emission reduction plans that can be implemented with 24-hour notice of an OAD. As of the conclusion of the 2015 Winter Ozone Update/Ozone Action Day season, no Ozone Action Days were issued and preliminary data indicates that no episodes of elevated ozone exceeding the NAAQS of 75 ppb were monitored. The number of participants developing OCPs decreased from 36 in 2014 to 34 in 2015. This slight decrease was due to company ownership acquisitions in the UGRB. The Division will continue to encourage increased participation into future years by all stakeholders.

The State of Wyoming incorporated by reference 40 CFR 51.165, Nonattainment Area New Source Review (NNSR) requirements into the Wyoming Air Quality Standards and Regulations (WAQSR) on September 7, 2010. A State Implementation Plan (SIP) update

consisting of WAQSR Chapter 6, Section 13 was submitted to the EPA on May 10, 2011. On February 20, 2015, the EPA published a final disapproval of Wyoming's NNSR SIP submission in the Federal Register (80 FR 9194). EPA's action explained that a "blanket" incorporation by reference of 40 CFR 51.165 was inconsistent with Clean Air Act (CAA) and EPA regulations. To rectify this issue, the Division has committed to working collaboratively with EPA R8 in developing a State regulation that is consistent with 40 CFR 51.165. The proposed WAQSR Chapter 6, Section 13, Nonattainment new source review permit requirements went out to public notice on March 27, 2015. The proposed regulation was presented to the Air Quality Advisory Board for approval on April 28, 2015. The Division anticipates submitting a new NNSR SIP to EPA for approval before the end of the calendar year.

Wyoming's General Conformity SIP was approved by EPA on September 16, 2013. This SIP ensures that the actions taken by federal agencies in the nonattainment area do not interfere with AQD's strategy to bring the UGRB back into attainment of the 2008 8-Hour Ozone NAAQS.

The AQD adopted an emission statement regulation into the WAQSR on November 22, 2013. To fulfill CAA Section 182 requirements, the WAQSR Chapter 8, Section 5, Ozone nonattainment emission inventory rule was submitted as a SIP to the EPA for approval on July 18, 2014. As of the date of this letter, the SIP has not been acted upon by the EPA.

To help further address emissions of uncontrolled VOC's in the UGRB, the Division has developed a proposed State regulation that will establish requirements for existing oil and gas production facilities, and compressor stations, located in the ozone NAA. This proposed regulation has proven to be controversial, which has significantly extended the rulemaking process. The proposed WAQSR Chapter 8, Section 6, Upper Green River Basin permit by rule for existing sources went out to public notice for a third time on February 27, 2015 and is scheduled to go before the Environmental Quality Council on May 19, 2015.

On December 17, 2014, the EPA proposed to revise the ozone standard to a level ranging from 65 to 70 parts per billion (ppb). Depending on the final level of the new 2015 ozone NAAQS, the UGRB may be faced with being designated as nonattainment for ozone under a different standard. The AQD considers participation in the Ozone Advance Program to be a benefit; however, the State still has concerns about moving forward without affirmed modeling tools that are appropriate for rural and wintertime ozone areas. The EPA has offered assistance to States participating in Ozone Advance, and this is an area where the State of Wyoming would greatly appreciate this assistance.

The implementation of Wyoming's Ozone Advance measures and programs have played an important role in building the foundation to help bring the UGRB back into ozone attainment with the 2008 Ozone NAAQS, and the AQD will continue to investigate additional solutions to further reduce ozone levels in the UGRB.

The State of Wyoming looks forward to continuing to work with the EPA as a participant in the Ozone Advance Program.

Sincerely,



Steven A. Dietrich, P.E.  
Air Quality Administrator

cc: Jeni Cederle, AQD  
Amber Potts, AQD  
Jody Ostendorf, EPA R8