

Proposed Rule Revisions Summary

Chapter 33-15-01: General Provisions

- 1) Page 8, Subsection 52 – The date for incorporation by reference is changed to July 1, 2015.

Chapter 33-15-03: Restriction of Emissions of Visible Air Contaminants

- 1) Page 2, Subsection 33-15-03-04.3 – This subsection is deleted.

Chapter 33-15-12: Standards of Performance for New Stationary Sources

- 1) Page 1, Section 33-15-12-01.1 – The date for incorporating the standards by reference is changed to July 1, 2015.

Chapter 33-15-14: Designated Air Contaminant Sources, Permit to Construct, Minor Source Permit to Operate, Title V Permit to Operate

- 1) Page 9, Subdivision c. – Public comment is being added for a proposed general Permit to Construct, any changes to a general Permit to Construct and renewal of a general Permit to Construct.
- 2) Page 13, Paragraph b(2) – The change will allow the Department to post the application, proposed permit and Air Quality Effects Analysis on its website rather than mailing it to the city or county auditor.
- 3) Page 23, Subparagraph b – The change will allow the Department to post the renewal application, proposed permit and supporting information on its website rather than mailing it to the city or county auditor.
- 4) Page 23, Subparagraph d – The change allows the Department to provide just a notice to affected land managers of the permit instead of providing the permit and public notice.
- 5) Page 25, Subdivision 9.a – The revision changes the term of the permit from a fixed five year period to a maximum of five years. Applications for renewal must be submitted 90 days prior to the expiration date listed in the permit.
- 6) Page 25, Subdivision 9.b – This subdivision is eliminated since it is no longer necessary.
- 7) Page 31, Paragraph (2) – The change eliminates greenhouse gases from consideration when determining whether a source is major under the Title V rules.
- 8) Page 36, Paragraphs (1) and (2) – These paragraphs are eliminated since greenhouse gases are not considered when determining applicability.
- 9) Page 45, Paragraph (2) – The term of the Title V permit is changed to allow a shorter term for certain permits (e.g. for permit renewals that are issued after the expiration date listed on the previous permit).
- 10) Page 52, Item (5)(c)[2] – This change adds language from a 7/28/14 change by EPA. It requires Title V sources to consider all available information when making their compliance certification.

Chapter 33-15-15: Prevention of Significant Deterioration of Air Quality

- 1) Page 1, Subsection 33-15-15-01.2 – The date for incorporation of 40 CFR 52.21 by reference is changed to July 1, 2015.
- 2) Page 2, 40 CFR 52.21(b)(1) – The change eliminates greenhouse gases from consideration when determining whether a source is a “major source”.
- 3) Page 2, 40 CFR 52.21(b)(2) – The change eliminates greenhouse gases from consideration when determining whether a change to major stationary source is a “major modification”.
- 4) Page 2, 40 CFR 52.21(23)(i) – 75,000 tons per year of greenhouse gases is added to the definition of “significant”.
- 5) Page 3, 40 CFR 52.21(b)(49)(ii)(a) – This change eliminates the exemption for greenhouse gases from biogenic sources which has expired.
- 6) Page 4, 40 CFR 52.21(b)(49)(iv) and (v) – These paragraphs are eliminated since they deal with the applicability of greenhouse gases for determining whether a source is a “major source” or whether a “major modification” will occur.
- 7) Page 7, 40 CFR 52.21(q)(2)(b) – The change will allow the Department to post the renewal application, proposed permit and supporting information on its website rather than mailing it to the city or county auditor.

Chapter 33-15-20: Control of Emissions from Oil and Gas Well Production Facilities

- 1) Page 1, Subsection 33-15-20-01.1 – the change makes it clear that all producing wells are subject to the requirements of this chapter, not just those that emit sulfur compounds.
- 2) Page 1, Subsection 33-15-20-01.2 – A definition of “actively producing” is added.
- 3) Page 3, Subsection 33-15-20-02.1 – This change clarifies that only actively producing wells must be registered. The subsection is also revised to indicate that a registration form is required to be submitted 90 days after the well achieves active production status.
- 4) Page 3, Subsection 33-15-20-02.2 – This subsection is eliminated since it is no longer relevant.
- 5) Page 3, Subsection 33-15-20-03.1 – This subsection is revised to correct the Prevention of Significant Deterioration applicability to oil and gas wells.
- 6) Page 3, Subsection 33-15-20-03.2 – Parentheses are added to the equation.
- 7) Page 4, Subsection 33-15-20-03.2 – Language is added to clarify that the gas volume must be measured at 60 degrees Fahrenheit and 14.7 psia.

Chapter 33-15-22: Emission Standards for Hazardous Air Pollutants for Source Categories

- 1) Page 1, Section 33-15-22-01 – The date for incorporating the standards by reference is changed to July 1, 2015.

Chapter 33-15-23: Fees

- 1) Page 1, Subsection 33-15-23-02.1 – The filing fee for Permit to Construct is changed to 325 dollars.
- 2) Page 2, Subsection 33-15-23-02.2 – The filing fee is changed to 325 dollars.

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- 3) Page 2, Subdivision 33-15-23-02.2(b) – The last line of the subsection is deleted.

Chapter 33-15-25: Regional Haze Requirements

- 1) Page 1, Subsection 33-15-25-02.1 – This subsection is eliminated since it is no longer relevant.
- 2) Page 2, Section 33-15-25-03 – This section is eliminated since it is no longer relevant.