

# Navajo Nation EPA Air Quality Control Program Operating Permit Program

Tennille Denetdeel, Sr. Environmental Specialist



# Operating Permit Program



- On April 24, 2004, the Navajo Nation Council enacted the Navajo Air Pollution Prevention and Control Act.
- The Act created a program to control current and future sources of air pollution on the Navajo Nation.
- October 2004 and March 2006, USEPA approved a Clean Air Act program for the NNEPA to administer a Title V Operating Permit Program (Part 71 Permit Program)
- The Program issues Title V permits to the major sources on the Navajo Nation



# Navajo Nation EPA Permitting Experience

- Title V Operating Permit Program - issue 14 Title V permits to sources on the Navajo Nation
- Ensure that permits clearly identify the requirements, includes the necessary monitoring and recordkeeping requirements to ensure compliance, and provide an opportunity for public involvement
- Annual Compliance inspections: ensure that permit terms and conditions are being followed to promote compliance
- Outreach and Education: Chapter and community outreach at affected communities



# Current permitting mechanisms in Indian Country for Minor Sources - Navajo Nation

- Tribal Minor New Source Review Rule
- Federal Implementation Plan in Indian Country that establishes a preconstruction permitting program for minor sources in Indian country.
- Sources that have the potential to emit above the TNSR thresholds, must register if they are an existing source, or obtain a permit prior to commencing construction.
  - General permits
  - Permits by rule
  - Oil and Natural Gas - Federal Implementation Plan



# Proposed: Navajo Nation Minor Source Regulations

- The Navajo Nation Minor Source Regulations will establish a unitary operating and preconstruction review permitting program for new minor sources, certain modifications at existing minor sources, minor modifications at major sources and synthetic minor sources
- It will also establish a registration system for sources emitting below the minor source permit threshold.

# Navajo Nation Minor Source Regulations Applicability: Permit Thresholds

## Navajo Nation Minor Source Permit Threshold:

A source that has the potential to emit above the minor source threshold must obtain a permit prior to commencing construction.

Regulated NSR Pollutant	Non Attainment Area (TPY)	Attainment Area (TPY)
Carbon monoxide (CO)	5	10
Oxides of nitrogen (NOx)	5	10
Sulfur dioxide (SO2)	5	10
Volatile Organic Compounds (VOC)	2	5
Particulate Matter (PM)	5	10
Particulate Matter 10 (PM10)	1	5
Particulate Matter 2.5 (PM 2.5)	0.6	3
Lead	0.1	0.1
Fluorides	NA	1
Sulfuric acid mist	NA	2
Hydrogen sulfide (H2S)	NA	2
Total reduced sulfur (including H2S)	NA	2
Reduced sulfur compounds (including H2S)	NA	2
Municipal waste combustors	NA	2
Municipal solid waste landfills emissions	NA	10

# Registration Program

- New and existing sources that are not major sources, not minor sources, and those that are not covered by a general permit, and are not exempt must register with the NNEPA Minor Source Program
  - Existing sources must register within 6 months
  - New sources must register within 90 days prior to commencing construction
- Sources that register will receive a confirmation
  - Registered sources must report to NNEPA 30 days prior to relocation
  - Report a change of owner/operator within 90 days after the changes is in effect
  - Report of closure within 90 day after the cessation of all operation

# General Permits

- General permits will cover preconstruction review and operating requirements for emission units that are similar in nature
- Source Categories
  - Oil and natural gas production and natural gas processing segments of oil and natural gas sector
  - Gasoline dispensing facilities
- Existing Sources
  - The general permit will cover the operational content of the permit and not the preconstruction content
- New Sources
  - Will have both the operating conditions and the preconstruction content
- Requesting Coverage
  - Owner/operators that qualify for coverage under a general permit may submit a request for coverage under the general permit. The Director will have 90 days to make a final determination on the request.



# Site Specific Permits

- New true minor sources, new synthetic minor sources and existing sources under going modifications triggering a preconstruction review must apply for a unitary permit that will cover both the preconstruction review and operation of the affected emission units
- Existing true minor sources and existing synthetic minor sources that are not undergoing a modification triggering preconstruction review must apply and obtain only the operating permit component of a site specific minor source permit.

# Transition from the Tribal New Source Review to Navajo Nation Minor Source Program

- The Tribal Minor New Source review rule will remain in place until the NN Minor Source Rule has been approved
- The NNEPA - AQCP/OPP will respond to comments
- Take the regulations and get approval from the Navajo Nation Resource and Development Committee
- Submit an application to U.S. EPA for approval of these regulations

# Next Steps

- The NNEPA AQCP/OPP will respond to comments
- Draft the General Permits for the oil and natural gas production and natural gas processing segments of oil and natural gas sector and gasoline dispensing facilities and public notice
- Obtain approval by the Navajo Nation Resources and Development Committee
- Submit an Treatment as a State application to U.S. EPA to obtain approval for the Navajo Nation Minor Source Regulations