American Petroleum Institute
Pennsylvania

3254

RECEIVED
JUL 31 2020
Independent Regulatory Review Commission

July 27, 2020

The Honorable Secretary Patrick McDonnell
Chairperson, Environmental Quality Board
Rachel Carson State Office Building, 16th Floor
400 Market Street
Harrisburg, PA 17101-230

RE: Proposed Rulemaking: Control of VOC Emissions from Oil and Natural Gas Sources
Submitted Electronically

Dear Secretary McDonnell:

API Pennsylvania (API-PA) would like to offer the following comments on the Proposed Rulemaking: Control of VOC Emissions from Oil and Natural Gas Sources. Generally, any new requirements for oil and gas operators in PA should not be finalized until the proposed amendments to EPA's NSPS OOOOa have been made final. Requirements for *existing source* should not be as stringent, or more stringent, than the federal requirements that address emission from new and modified sources. Nevertheless, we appreciate the willingness of the department to work with our industry to improve regulatory processes as well as our natural environment. As an organization, API is committed to advancing safe and responsible natural gas production while continually reducing environmental impacts and improving the health and safety of our employees, operations and communities. Accordingly, please find our comments attached with this correspondence.

API-PA is a division of the American Petroleum Institute (API), the only national trade association representing all facets of the natural gas and oil industry, which supports 10.3 million U.S. jobs and nearly 8 percent of the U.S. economy. API's more than 600 members include large integrated companies, as well as exploration and production, refining, marketing, pipeline, and marine businesses, and service and supply firms. They provide most of the nation's energy and are backed by a growing grassroots movement of more than 45 million Americans.

API is also a standard setting organization. For over 90 years, API has led the development of petroleum and petrochemical equipment and operating standards. These standards represent the industry's collective wisdom on everything from drill bits to environmental protection, and embrace proven, sound, engineering and operating practices and safe, interchangeable equipment and materials for delivery of this important resource to our nation. API maintains more than 700 standards and recommended practices. Many of these are incorporated into state and federal regulations. API encourages and participates in the development of state regulations and other regulatory documents that are protective of public health and safety, the environment, and the industry workforce. In this context, API-PA offers the following comments and looks forward to continuing to work with the Department.

Sincerely,

Stephanie Catarino Wissman

Stephanie Catarino Wissman
Executive Director
American Petroleum Institute PA

API-PA Comments on Proposed Rulemaking: Control of VOC Emissions from Oil and Natural Gas Sources

Preamble

- Section A. Effective Date
  - The preamble states that the rule will be effective immediately upon publication of the final rule in the PA Bulletin. It is suggested that a minimum 60-day effective date period be used to allow for a reasonable transition into the new requirements so that existing facilities are not required to immediately implement and comply with extensive new rules.
- Section D. Background and Purpose
  - The preamble states (p. 2636) that the Board determined that the proposed requirements that are more stringent than EPA's 2016 O&G CTG "are reasonably necessary" to achieve or maintain the NAAQS. Similarly, it is noted that "addressing existing sources of VOC emissions is necessary to attain and maintain the NAAQS and protect the public health and welfare." As no analysis has been shared to support this conclusion, the Board should not finalize this proposed rule until such information is made available.
  - On the same page, the preamble states that the proposed rule will provide consistency among all O&G sources but mentions nothing about how the proposed rule compares with requirement for other industries in the Commonwealth with similar emission profiles. Accordingly, the Board should consider other emissions sources before proceeding with this proposed rule to avoid establishing overly burdensome requirements relative to other sources.
- Section F. Benefits, Costs and Compliance
  - Compliance Costs—This section describes how these requirements will be incorporated into "existing operating permits." The Board has not provided clarity for operators on how this is to occur and whether these requirements will apply to GP 5 and GP 5a permits.

Proposed Rule

- <u>§ 129.121 – General Provisions and Applicability</u>

  - § 129.121(a) Applicability – This section should clarify how "existing" vs "new" will be interpreted for facilities that have initiated construction but are not yet in operation on the effective date of the rule (i.e. what does "in existence on or before" the effective date of the rule mean).

- <u>§ 129.122(a) – Definitions and Acronyms</u>

  - "Completion combustion device" –

    - The term "completion combustion device" is not used anywhere in sections § 129.121 or § 129.123 to § 129.130 of these rules, so this definition is not necessary for purposes of this rulemaking and should be deleted. The only other place where the term is used is in the definition of "Flare," but that reference is also unnecessary in the context of this rule and should be deleted.

      However, if retained:

    - Subparagraph (ii) of this definition specifically includes "pit flares," but the definition of "Flare" specifically excludes a "completion combustion device," which appears to be a conflict between those two definitions. Also, subparagraph (i) of this definition would seem to include any type of flare, but again, the definition of "Flare" specifically excludes a "completion combustion device," which appears to be a potential conflict between those two definitions.

      In addition, subparagraph (i) of this definition uses the terms "exploration," "production," and "completions," none of which are defined terms for purposes of this rule. Because "completions" is generally considered a separate phase in the life of a well from "exploration" or "production," if the defined term "completion combustion device" is retained in this rule, we suggest that subparagraph (i) be revised to read:

      - "(i) An ignition device, installed horizontally or vertically, used ~~in exploration and production operations~~ to combust otherwise vented emissions from <u>the</u> completions <u>phase of a well</u>."

  - "Compressor station" – It's not clear whether there is an intentional distinction between the defined term "Compressor Station" and the defined term "Gathering and Boosting Station." The definitions of those two terms are similar, but not identical. The only place in these rules where the term "compressor station" is used is in the definition of "natural gas transmission and storage segment," which is by definition limited to transportation between natural gas processing plants and the distribution

segment. As such, it's unclear why "gathering" is included in the "compressor station" definition since that term is only used in these rules in the context of the "natural gas transmission and storage segment" definition.

- "Connector" – The reference to "pipeline(s)" in subparagraph (i) of the proposed definition would seem to be more appropriately referred to as "pipe(s)" as shown below:

  - "(i) A flanged fitting, screwed fitting or other joined fitting used to connect two pipes ~~pipelines~~ or a pipe~~line~~ and a piece of process equipment or that closes an opening in a pipe that could be connected to another pipe."

- "Deviation" – Subparagraph (iii) of this definition includes a failure to meet an emission limit, operating limit, or work practice standard during start-up, shutdown or malfunction as a "deviation," regardless of whether a failure is permitted by these rules. The proposed rule should make clear that these are not "deviations" if permit conditions are met.

- "First attempt at repair" – Why does this definition refer broadly to "organic material" when this rule is specifically applicable to "VOCs." It is suggested that "organic material" be replaced in this definition with "VOCs" as shown below:

  - "First attempt at repair—Action taken for the purpose of stopping or reducing leakage of VOCs ~~organic material~~ to the atmosphere using best practices."

- "Flare" – Consistent with the comment above at the definition of "Completion Combustion Device," we suggest deleting subparagraph (ii) of the "Flare" definition which refers to a "completion combustion device." The term "completion combustion device" is not used anywhere in sections § 129.121 or § 129.123 to § 129.130 of these rules, so it is unnecessary to refer to that term in the "Flare" definition for purposes of this rule.

- "Flow line" – The only place in these rules where the term "flow line" is used is in the definition of "Wellhead," to help define the limits of what constitutes the wellhead. Within this definition, the reference to a pipeline used to transport oil or gas to a "processing facility" is somewhat unclear, since what constitutes a "processing facility" is not defined, and flow lines could transport to other equipment such as storage or compression as well. Suggest that the terminology "processing facility" in this definition be revised as shown below:

  - " Flow line—A pipeline used to transport oil or gas, or both, to ~~a~~ processing equipment, compression equipment, storage or other collection system for further

handling, ~~facility~~ or a mainline pipeline."

- "Fuel gas" – The term "fuel gas" is not used anywhere in sections § 129.121 or § 129.123 to § 129.130 of these rules, so this definition is not necessary for purposes of this rulemaking and should be deleted.

- "Fuel gas system" – The term "fuel gas system" is not used anywhere in sections § 129.121 or § 129.123 to § 129.130 of these rules, so this definition is not necessary for purposes of this rulemaking and should be deleted.

- "GOR – Gas-to-oil ratio" – This term should be clarified as it is only used substantively in § 129.127(b) for determining the fugitive monitoring requirements at well sites where it determines monitoring applicability based on whether the GOR is $<$ or $\geq$ 300 scf of gas per barrel of oil produced. The term is defined as "the ratio of the volume of gas .... that is produced from a volume of oil when depressurized to standard temperature and pressure." Consequently, for a well that produces only gas and no oil, there would be no gas produced from that oil and the GOR would be zero, meaning that no fugitive monitoring would be required per § 129.127(b)(1)(i). DEP should clarify whether that is the intent.

- "In-house engineer" – The proposed definition worded as "an individual who is qualified by education, technical knowledge and experience ...." does not specifically require that the engineer be an "in-house" individual. Any engineer, whether in-house or not, who is "qualified by education, technical knowledge and experience" should be eligible to perform the associated duties, so the defined term here, and in §§ 129.125(c)(3)(ii)(A) and 129.128(c)(1) where that term is used, should be changed from "in-house engineer" to "qualified engineer," as shown below:

  - "~~In-house~~ Qualified engineer—An individual who is qualified by education, technical knowledge and experience to make an engineering judgment and the required specific technical certification."

- "Leak" – In subparagraph (i) of this definition, the wording "A positive indication," should be amended to state more clearly "A positive indication of a leak," as shown below:

  - "(i) A positive indication of a leak, whether audible, visual or odorous, determined during an AVO inspection."

- "Natural gas and oil production segment" – This term is not used anywhere in the proposed regulations, so it should be deleted. However, if it is retained, the definition should be clarified with respect to subparagraph (iii), as the reference to a "low-pressure, small diameter" gathering pipeline does not explain what is considered

"low-pressure" or "small diameter" for purposes of this rule.

- "Natural gas processing plant or gas plant" – The term "gas plant" is not used anywhere in the proposed regulations, so it should be deleted from the defined term, as shown below:

  - "Natural gas processing plant ~~or gas plant~~"

- "Natural gas processing segment" – This term is not used anywhere in the proposed regulations, so it should be deleted.

- "Produced Water" – This definition refers to "water that is extracted .... from an oil or natural gas production well ...." This language should be clarified with respect to flowback water or any other water recovered from the well prior to the well being put into production, but as drafted would appear to exclude those pre-production waters.

- "Storage vessel" – Subparagraph (iii)(C) excludes containers/tanks with a capacity greater than 100,000 gallons used to recycle water that has been passed through two-stage separation, but there is no explanation or rationale provided as to why that proposed exclusion is limited only to containers/tanks greater than 100,000 gallons capacity. As long as the contained water meets the stated condition that it has been passed through two-stage separation, there should not be a size threshold limit to the exclusion, and subparagraph (iii)(C) should be revised as shown below:

  - "(C) A container described in subparagraph (i) ~~with a capacity greater than 100,000 gallons~~ used to recycle water that has been passed through two-stage separation."

- "TOC – Total organic compounds" – Language that reads "For purposes of this section, §§ 129.121 and 129.123—129.130." is duplicative of the introductory wording at § 129.122(a) applicable to all of the definitions in this section, so is unnecessary to repeat here in the "TOC" definition and should be deleted, as shown below:

  - "TOC—Total organic compounds~~—For purposes of this section, §§ 129.121 and 129.123—129.130, t~~The results of EPA Method 25A."

- "Transmission compression station" – The term "transmission compression station" is not used anywhere in the proposed regulations. The term "transmission compressor station" is only used once in the proposed regulations, in the definition of "natural gas transmission and storage segment." Therefore, this definition should be deleted. If retained, the word "compression" in the defined term should be changed to "compressor," and subparagraph (i) of the definition related to pipelines should be

deleted since the pipelines are not part of the compressor station, as shown below:

- "Transmission compressor ~~compression~~ station—
  ~~(i) The pipelines used for the long-distance transport of natural gas, excluding processing.~~
  ~~(ii)~~ The term includes the land, mains, valves, meters, boosters, regulators, storage vessels, dehydrators, compressors, and their driving units and appurtenances, and equipment used for transporting gas from a production plant, delivery point of purchased gas, gathering system, storage area or other wholesale source of gas to one or more distribution areas."

- "Underground storage vessel" – This term is not used anywhere in the proposed regulations, so it should be deleted.

-

- "Wellhead" – In subparagraph (iii) of this definition, the words "at the wellhead" should be inserted following "conveyance" to properly clarify and limit the scope to the actual wellhead equipment, as shown below:

  - "(iii) The term does not include other equipment at the well site except for a conveyance at the wellhead through which gas is vented to the atmosphere."

- "Well site" – Regarding the reference to "injection well" in subparagraph (i) of this definition, the same comment as shown above at the "well" definition calling for clarification with regard to which injection wells are considered within scope would also apply here.

- § 129.123 – Storage Vessels

  - § 129.123(a)(1)(i) – (iii) – The terms "conventional well" and "unconventional well" are not defined in § 129.122(a) or elsewhere for purposes of this rule. We suggest that definitions of each of those terms, as defined in 25 Pa. Code 78.1 and 78a.1, be included by reference in § 129.122(a).

  - § 129.123(a)(1)(iii) – For improved clarity, and consistency with § 129.121(a), the installation timeframe specified in this paragraph as "on or after August 10, 2013" should be further modified by adding that the installation also had to occur by the effective date of this rule, as shown below:

    - "(iii) Is installed at an unconventional well site on or after August 10, 2013 and before [insert the date after the effective date of this rule] and has the potential to

emit 2.7 TPY or greater VOC emissions."

- § 129.123(b)(1)(iii) – This paragraph requires routing emissions to a "control device or process that meets the applicable requirements of § 129.129." However § 129.129 only appears to contain requirements specific to "control devices" and nothing specific to "processes," so it's unclear whether "processes" must somehow meet certain § 129.129 "control device" requirements, or if the proper reading of this paragraph is simply that are no "applicable" § 129.129 requirements for "processes." This same comment applies to similar wording in § 129.125(b)(1)(ii), § 129.126(c)(2), § 129.128(a)(2)(ii), and § 129.128(b)(1).

- § 129.123(c)(2)(i)(A) – The maximum timeframe between calculations should be extended from 30 days to 45 days. Setting an arbitrary 30-day standard will ultimately lead to unmanageable scheduling and duplicate compliance activities being performed in the same month.

- <u>§ 129.124 – Natural Gas-Driven Pneumatic Controllers</u>

  - § 129.124(d) – This section should clarify whether the reference to each "affected" pneumatic controller in this paragraph means all natural-gas driven pneumatic controllers regardless of emission rates, or only those that have not yet met the emission limitations in paragraph (c). Since the primary purpose of paragraph (d) is to tag controllers with the date that it is required to comply, it would be appropriate to only require tagging of those existing controllers that do not yet meet the paragraph (c) requirements.

- <u>§ 129.125 – Natural Gas-Driven Pumps</u>

  - § 129.125(b)(1)(ii) – This paragraph requires routing emissions to a "control device or process that meets the applicable requirements of § 129.129." However § 129.129 only appears to contain requirements specific to "control devices" and nothing specific to "processes," so it's unclear whether "processes" must somehow meet certain § 129.129 "control device" requirements, or if the proper reading of this paragraph is simply that are no "applicable" § 129.129 requirements for "processes."

- <u>§ 129.126 – Compressors</u>

  - § 129.126(b)(2) – As proposed, this paragraph would only allow routing emissions from a reciprocating compressor to a "process" and would not allow routing to a "control device." Routing to a "control device" should be an allowable option as is allowed for centrifugal compressors, storage vessels, and natural gas-driven diaphragm pumps, and for consistency with § 129.129(a) which includes this paragraph § 129.126(b)(2) in the applicability for control devices and in the §

129.129(a)(2) language. The suggested revision to § 129.126(b)(2) is shown below:

- "(2) Route the VOC emissions to a control device or process by using a reciprocating compressor rod packing emissions collection system that operates under negative pressure and meets the cover requirements of § 129.128(a) (relating to covers and closed vent systems) and the closed vent system requirements of § 129.128(b)."

- § 129.126(c)(2) – This paragraph requires routing emissions to a "control device or process that meets the applicable requirements of § 129.129." However § 129.129 only appears to contain requirements specific to "control devices" and nothing specific to "processes," so it's unclear whether "processes" must somehow meet certain § 129.129 "control device" requirements, or if the proper reading of this paragraph is simply that are no "applicable" § 129.129 requirements for "processes."

- § 129.127 – Fugitive Emission Components

  - § 129.127(a)(1) – This paragraph contains an applicability threshold of 15 barrels of oil equivalent per-day, "on average," but it is not clear over what period of time the "average" must be determined. Therefore, the rule should clarify what timeframe should be used to determine per-day average production figures.

  - § 129.127(b)(1)(ii)(A) – Monthly AVO inspections should not be required; it is suggested that this paragraph be removed entirely.

    However, it if is retained, the maximum timeframe between inspections should be extended from 30 days to at least 45 days. Setting an arbitrary 30-day standard will ultimately lead to unmanageable scheduling and duplicate compliance activities being performed in the same month.

  - § 129.127(b)(1)(ii)(B) – The LDAR inspection for well sites should be changed from quarterly to semi-annual, consistent with 40 CFR 60, Subpart OOOOa and the Oil & Gas Control Technique Guidelines (CTG), as shown below:

    - "(B) Conduct an LDAR inspection program within 60 days after _____ (Editor's Note: The blank refers to the effective date of this rulemaking, when published as a final-form rulemaking.), with ~~quarterly~~ semi-annual inspections separated by at least 4 months ~~60 calendar days~~ but not more than 9 months ~~90 calendar days~~ using one or more of the following:"

  - § 129.127(b)(2)(i) – Consistent with the comment above to change the quarterly LDAR monitoring to semi-annual, the reduced frequency allowed by this paragraph

should be changed from semi-annual to annual, as shown below:

- "(i) If the percentage of leaking components is less than 2% for two consecutive ~~quarterly~~ semi-annual inspections, the owner or operator may reduce the LDAR inspection frequency to ~~semi~~annually with inspections separated by at least 9 months ~~120 calendar days~~ but not more than 18 months ~~180 calendar days~~."

- § 129.127(b)(2)(i) – DEP should clarify that the allowance under this paragraph to reduce the inspection frequency when the leak rate is less than 2% for two consecutive inspections does not require the owner or operator to request that extended inspection interval under paragraph § 129.127(e).

- § 129.127(c)(2) – The requirement in this paragraph to perform an LDAR inspection on a shut in well by the date of the next required LDAR inspection would seemingly require LDAR inspections of wells even while they are shut in, even though they would be producing less than the § 129.127(a)(1) applicability threshold of 15 barrels of oil equivalent per day on average over the shut in period. Is that the intent, or is the intent better stated by amending § 129.127(c)(2) to read "The date of the next required LDAR inspection after the well is put into production," similar to the wording in § 129.127(c)(1)?

- § 129.127(d)(1) – Monthly AVO inspections should not be required, and we suggest removing this paragraph entirely.

  However, it if is retained, the maximum timeframe between inspections should be extended from 30 days to 45 days. Setting an arbitrary 30-day standard will ultimately lead to unmanageable scheduling and duplicate compliance activities being performed in the same month.

- § 129.127(d)(2) – Consistent with comments above, the maximum timeframe between inspections here should be extended from 90 days to 135 days. Setting a 90-day standard will ultimately lead to unmanageable scheduling and duplicate compliance activities being performed in the same quarter.

- § 129.127(d)(2) – There should be an allowable step-down provision for reducing the frequency of LDAR inspections at gathering and boosting stations from quarterly to semi-annually for leak rates less than 2%, similar to the provisions in § 129.127(b)(2) for well sites.

- § 129.127(f)(10)(iii) – Consistent with comments above that the maximum timeframe between inspections should be 50% longer than the defined period, the maximum of "12 months apart" in this paragraph should be changed to "18 months apart" as

shown below"

- "(iii) The monitoring schedule for each component identified as difficult-to-monitor or unsafe-to-monitor. The monitoring schedule for difficult-to-monitor components must include at least one survey per year no more than ~~12~~ 18 months apart."

- § 129.127(g)(5) – This language should be revised for clarity as shown below:

  - "(5) ~~Conducting the survey that determines~~ Determining how the equipment operator will perform the following:"

- § 129.128 – Covers and Closed Vent Systems

  - § 129.128(a)(2)(ii) – This paragraph refers to routing emissions to a "control device or process that meets the applicable requirements of § 129.129." However § 129.129 only appears to contain requirements specific to "control devices" and nothing specific to "processes," so it's unclear whether "processes" must somehow meet certain § 129.129 "control device" requirements, or if the proper reading of this paragraph is simply that are no "applicable" § 129.129 requirements for "processes."

  - § 129.128(a)(4) – The maximum timeframe between inspections should be extended from 30 days to 45 days. Setting an arbitrary 30-day standard will ultimately lead to unmanageable scheduling and duplicate compliance activities being performed in the same month.

  - § 129.128(b)(1) – This paragraph refers to routing emissions to a "control device or process that meets the applicable requirements of § 129.129." However § 129.129 only appears to contain requirements specific to "control devices" and nothing specific to "processes," so it's unclear whether "processes" must somehow meet certain § 129.129 "control device" requirements, or if the proper reading of this paragraph is simply that are no "applicable" § 129.129 requirements for "processes."

  - § 129.128(b)(2)(i) – The maximum timeframe between inspections should be extended from 30 days to 45 days. Setting an arbitrary 30-day standard will ultimately lead to unmanageable scheduling and duplicate compliance activities being performed in the same month.

  - § 129.128(b)(2)(ii) – The inspections for closed vent systems should be changed from quarterly to semi-annual, consistent with the comment above regarding LDAR inspection intervals for well sites

    Also, as proposed in this paragraph and the referenced paragraph (d), the closed vent

system inspections could only be performed using EPA Method 21. This should be revised to also allow those inspections to be performed by OGI equipment, the same as allowed for LDAR inspections in § 129.127, by revising the language in this paragraph as shown below, and then making corresponding revisions in paragraph (d) to allow for both EPA Method 21 and OGI procedures:

- "(ii) Conducting a no detectable emissions or no visible leak inspection as specified in subsection (d) within 30 days after _____ (Editor's Note: The blank refers to the effective date of this rulemaking, when published as a final-form rulemaking.), with ~~quarterly~~ semi-annual inspections separated by at least 4 months ~~60 calendar days~~ but not more than 9 months ~~90 calendar days~~."

- § 129.128(b)(4)(ii)(B) - The maximum timeframe between inspections should be extended from 30 days to 45 days. Setting an arbitrary 30-day standard will ultimately lead to unmanageable scheduling and duplicate compliance activities being performed in the same month.

- § 129.128(d) – Consistent with the comment above at § 129.128(b)(2)(ii), this paragraph (d) should also allow for and address OGI procedures by amending the introductory paragraph of (d) and (d)(1) as shown below:

  - "(d) No detectable emissions and no visible leak procedures. The owner or operator shall conduct the no detectable emissions test procedure under Section 8.3.2 of EPA Method 21 or no visible leak test procedure using OGI equipment.

    (1) The owner or operator shall perform the following:

    (i) Use a gas leak detection instrument that meets § 129.127(h) or OGI equipment that meets § 129.127(g).

    (ii) Determine if a potential leak interface operates with no detectable emissions or no visible leak, if the gas leak detection or OGI instrument reading is not a leak as defined in § 129.122(a) (relating to definitions, acronyms and EPA methods)."

- § 129.129 – Control Devices

  - § 129.129(b)(2) – The maximum timeframe between inspections should be extended from 30 days to 45 days. Setting an arbitrary 30-day standard will ultimately lead to unmanageable scheduling and duplicate compliance activities being performed in the same month.

  - § 129.129(b)(3) – Not all control devices operate with a pilot flame, so this paragraph should be modified by wording such as "where applicable" at the beginning, as

shown below:

- " (3) Where applicable, ~~M~~maintain a pilot flame while operating the control device and monitor the pilot flame by installing a heat sensing CPMS as specified under subsection (m)(3)."

- § 129.129(b)(4)(i) – The maximum timeframe between tests should be extended from 30 days to 45 days. Setting an arbitrary 30-day standard will ultimately lead to unmanageable scheduling and duplicate compliance activities being performed in the same month.

- § 129.129(b)(5)(ii) – The reference to an "inspection and maintenance plan of paragraph (1)" in this paragraph should be deleted, as shown below, because paragraph (1) does not require or refer to an "inspection and maintenance plan:"

  - " (ii) The best combustion engineering practice applicable to ~~outlined in~~ the control device ~~inspection and maintenance plan of paragraph (1)~~."

- § 129.129(f)(4)(i)(A) – The requirement in this paragraph that a thermal treatment unit have a permit or authorization by the "Department's Bureau of Waste Management" should only apply if the thermal treatment unit is located in PA. For thermal treatment units located outside of PA, any permit or authorization should be by the state in which the unit is located, as shown below:

  - "(A) A thermal treatment unit for which the owner or operator has been issued a permit or authorization by the Department's Bureau of Waste Management if located in Pennsylvania, or if located outside of Pennsylvania, by the state in which the unit is located, in accordance with any applicable requirements of that state."

- § 129.129(f)(4)(ii)(B) – The requirement in this paragraph that an industrial furnace have a permit or authorization by the "Department's Bureau of Waste Management" should only apply if the industrial furnace is located in PA. For industrial furnaces located outside of PA, any permit or authorization should be by the state in which the unit is located, as shown below:

  - "(B) An industrial furnace for which the owner or operator has been issued a permit or authorization by the Department's Bureau of Waste Management if located in Pennsylvania, or if located outside of Pennsylvania, by the state in which the unit is located, in accordance with any applicable requirements of that state."

- § 129.129(g)(1)(i)(A) – The maximum timeframe between inspections should be extended from 30 days to 45 days. Setting an arbitrary 30-day standard will ultimately lead to unmanageable scheduling and duplicate compliance activities being performed in the same month.

- § 129.129(g)(1)(i)(B) and (C) – The maximum timeframe between inspections in these two paragraphs should be extended from 90 days to 135 days. Setting a 90-day standard will ultimately lead to unmanageable scheduling and duplicate compliance activities being performed in the same quarter.

- § 129.129(k) – In the introductory paragraph of (k), the reference to "(c)(1)(ii)" should be deleted since "(c)(1)(ii)" does not require or refer to a weight-percent VOC emission reduction requirement, as shown below:

  - "(k) Performance test method for demonstrating compliance with a control device weight-percent VOC emission reduction requirement. Demonstrate compliance with the control device weight-percent VOC emission reduction requirements of subsections ~~(c)(1)(ii),~~ (d)(1)(i), (f)(1)(i) and (i)(1)(i) by meeting subsection (j) and the following:"

- § 129.129(k)(5) – The reference to "(c)(1)(ii)" in this paragraph should be deleted since "(c)(1)(ii)" does not require or refer to a weight-percent VOC emission reduction requirement, as shown below:

  - "(5) The weight-percent reduction of TOC across the control device represents the VOC weight-percent reduction for demonstration of compliance with subsections ~~(c)(1)(ii),~~ (d)(1)(i), (f)(1)(i) and (i)(1)(i)."

- <u>§ 129.130 – Recordkeeping and Reporting</u>

  - § 129.130(b)(7) – The reference in the first sentence of this paragraph to "§ 129.123(d)(3)" should be changed to "§ 129.123(d)(1)" since that is the paragraph that addresses skid-mounted or mobile storage vessels, as shown below:

    - "(7) The records documenting the time the skid-mounted or mobile storage vessel under § 129.123(d)<u>(1)</u>~~(3)~~ is located on site."

  - § 129.130(c)(1) – For consistency with § 129.124(d)(1), this section should be clarified to refer to the required compliance date for the controller, as shown below:

    - "(1) The <u>required compliance</u> date, identification, location and manufacturer specifications for each natural gas-driven pneumatic controller subject to §

129.124 (relating to natural gas-driven pneumatic controllers)."

- § 129.130(d)(1) – As drafted, it's unclear what "date" is required to be recorded. The required "date" for purposes of this paragraph should be specified, or the reference to "date" should be deleted from this paragraph.

- § 129.130(d)(7) – The reference in this paragraph to "§ 129.125(c)(1)(iii)" doesn't exist. However, it appears the intended reference should be "§ 129.125(c)(1)(i)(C)," as shown below:

  - "(7) For a natural gas-driven diaphragm pump required to reduce VOC emissions under § 129.125(c)(1), the demonstration under § 129.125(c)(1)(i)(C) ~~(iii)~~."

- § 129.130(e)(3)(i) – For consistency with the comment above at § 129.126(b)(2) that reciprocating compressors should be allowed to also be routed to a control device, not just to a process, this paragraph should include the corresponding revision shown below:

  - "(i) A statement that emissions from the rod packing are being routed to a control device or process through a closed vent system under negative pressure."

- § 129.130(g)(1)(ii) – For consistency with the language in referenced § 129.127(b)(1)(i), the wording "stock barrel" in the first sentence of this paragraph should be changed to just "barrel" since the word "stock" isn't used in § 129.127(b)(1)(i), as shown below:

  - "(ii) The annual analysis documenting a GOR of less than 300 standard cubic feet of gas per ~~stock~~ barrel of oil produced, conducted using generally accepted methods."

- § 129.130(g)(2) – It appears that the reference in this paragraph to "§ 129.127(b)(2)" is intended to refer instead to "§ 129.127(b)(1)(ii)," as shown below:

  - "(2) For a well site subject to § 129.127(b)(1)(ii) ~~(2)~~, a natural gas gathering and boosting station and a natural gas processing plant:"

- § 129.130(g)(2)(ii) – It appears that the reference in the first sentence of this paragraph to "§ 129.127(b)(1)(ii)" should be modified to "§ 129.127(b)(1)(ii)(B)" for consistency with the reference to "§ 129.127(d)(2)," as shown below:

  - "(ii) The records of each monitoring survey conducted under § 129.127(b)(1)(ii)(B) or § 129.127(d)(2)."

- § 129.130(g)(2)(ii)(G)(II) – As drafted, this paragraph requires "the instrument reading" to be recorded for each leak, but does not describe how it relates to leaks detected with OGI equipment and should be clarified accordingly.

- § 129.130(i)(2) – For consistency with the comments above at § 129.128(b)(2)(ii) and § 129.128(d), this paragraph should also allow for and address OGI procedures by amending the wording as shown below:

  - "(2) For the no detectable emissions <u>or no visible leaks</u> inspections of § 129.128(d), a record of the monitoring survey as specified under subsection (g)(2)(ii)."

- § 129.130(j)(5)(iv)(A) – This paragraph does not clearly articulate if the "name of the company" is referring to the company that performed the test or the company that owns or operates the control device, and should be clarified accordingly.