



June 21, 2022

Submitted electronically via:  
<https://www.regulations.gov/>  
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Elizabeth Selbst  
Air Quality Policy Division  
Office of Air Quality Planning and Standards (C539-01)  
Environmental Protection Agency  
109 TW Alexander Drive, Research Triangle  
Park, NC 27711

Subject: Docket ID# EPA-HQ-OAR-2021-0668, Federal Implementation Plan Addressing Regional Ozone Transport for the 2015 Ozone National Ambient Air Quality Standard

Dear Ms. Selbst:

The Petroleum Alliance of Oklahoma (The Alliance) appreciates the opportunity to submit comments to the Environmental Protection Agency (EPA) regarding Docket ID# EPA-HQ-OAR-2021-0668, Federal Implementation Plan (FIP) Addressing Regional Ozone Transport for the 2015 Ozone National Ambient Air Quality Standard (Proposed Rule).

The Alliance represents more than 1,300 individuals and member companies and their tens of thousands of employees in the upstream, midstream, and downstream sectors and ventures ranging from small, family-owned businesses to large, publicly traded corporations. Our members produce, transport, process and refine the bulk of Oklahoma's crude oil and natural gas.

The Alliance's members will be directly impacted by EPA's Proposed Rule. For the first time, EPA is proposing requirements for nitrogen oxide (NOx) emissions limitations for non-Electric Generating Unit (non-EGU) sources in 23 states (including Oklahoma) with a compliance date for these emissions limitations beginning in 2026. In specific, EPA's Proposed Rule requires emission limitations for certain reciprocating internal combustion engines in the Pipeline Transportation of Natural Gas (Pipeline) industry. We have concerns with the Proposed Rule and provide the following comments and recommendations for your consideration.

**1. EPA should reconsider the comments submitted by the Oklahoma Secretary of Energy and Environment and the Oklahoma Department of Environmental Quality on April 22, 2022.**

We support the comments submitted by the Oklahoma Secretary of Energy and Environment and the Oklahoma Department of Environmental Quality on April 22, 2022. We would like to emphasize some the points made in that letter.



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- Oklahoma’s Infrastructure State Implementation Plan (ISIP) for Interstate Transport of Air Pollution for the 2015-Hour Ozone National Ambient Air Quality Standards (NAAQS) submitted to EPA on October 28, 2021, is approvable.
- EPA should honor the memorandums (Memos) issued by Peter Tsirigotis (EPA’s Office of Air Quality Planning and Standards Director) that Oklahoma used in the development of its ISIP.
- EPA did not communicate concerns with Oklahoma’s ISIP development process, its reliance on the multiple EPA Memos or communicate its intent of disapproval of Oklahoma’s ISIP.
- EPA used a different data set for its decision to disapprove Oklahoma’s ISIP.
- EPA did not allow the State of Oklahoma the opportunity to revise its ISIP before it issued the Proposed Rule.

We request EPA reconsider Oklahoma’s comments submitted in April 2022 and approve Oklahoma’s original ISIP. At a minimum, EPA should work with the State of Oklahoma and allow it to revise its ISIP before finalizing the Proposed Rule. This would greatly improve cooperation and collaboration between the two agencies. Finally, we support the State of Oklahoma’s current comments on EPA’s Proposed Rule.

### **2. EPA should work with the State of Oklahoma to review the modeling input parameters and results to ensure the requirements for Pipeline emission sources are necessary.**

The State of Oklahoma pointed out in its comments that the results of the original modeling and the modeling EPA used to disapprove Oklahoma’s ISIP decreased the number of receptors from six to two with only one common receptor among the two modeling efforts. The expected modeled contributions to the one remaining receptor decreased. Clearly this should raise a question as to whether Oklahoma’s emissions are linked to any downwind receptors. To avoid “over control” of emission sources in Oklahoma, we request EPA work with the State of Oklahoma to review the input parameters and modeling result to ensure the costly requirements for Pipeline emission sources are justified.

### **3. EPA should limit the requirements of the Proposed Rule for Pipeline emission sources to the ozone season.**

EPA states in the Proposed Rule that emission limits and compliance requirements for Pipeline emission sources will apply only during the ozone season (May 1-September 30). However, operators of affected Pipeline emission sources would be required to submit electronic copies of required performance test reports, performance evaluation reports, quarterly and semiannual reports, and excess emissions reports through EPA’s various electronic data management systems that fall outside the ozone season. If the Proposed Rule only applies during the ozone season, we request EPA’s Proposed Rule limit the requirements (emission limits, compliance requirements, testing, reporting information, etc.) for Pipeline emission sources to the ozone season.



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**4. EPA should provide more details as to why it used certain thresholds for its non-EGU screening analysis.**

To analyze non-EGU emission units, EPA states in the Proposed Rule that it assessed emission units that emit greater than 100 tons per year (tpy) of NO<sub>x</sub>. However, under EPA's assessment for the Revised Cross State Air Pollution Rule Update, EPA reviewed emissions units with >150 tpy. We request EPA provide more details that justifies the use of the >100 tpy screening assessment threshold.

**5. We request EPA extend the compliance deadline for Pipeline emission sources.**

EPA requests comment on whether individual non-EGU sources should be allowed to request an extension of the May 1, 2026, compliance deadline by no more than 1 year (i.e., to May 1, 2027) based on a sufficient showing of necessity.

We request EPA extend the compliance deadline for non-EGU Pipeline emission sources to May 1, 2027, in light of the current challenges our members are facing. Beyond the additional time needed for facility engineering review, developing control technology specifications, awarding a procurement contract, obtaining a construction permit, completing control technology design, installation, and testing, and obtaining an operating permit, our members, like many businesses, are experiencing continued supply chain and workforce issues. Our members are continuing to experience labor shortages, and the availability of equipment and materials is limited or requires a significantly longer delivery time as compared to pre-COVID-19 times. Pipeline emission sources are spread out in rural settings providing additional challenges of planning and scheduling replacement, retrofits or the addition of controls. Additionally, Pipeline companies require additional planning and coordination of down times with upstream suppliers and downstream purchasers/users.

We request EPA extend the compliance deadline for Pipeline emission sources until at least May 1, 2027. In addition, we support EPA allowing companies the option to request a longer compliance deadline based on good cause.

**Conclusion.**

The Alliance appreciates the opportunity to provide the EPA comments regarding the Proposed Rule. If you have questions, please contact me at [angie@okpetro.com](mailto:angie@okpetro.com) or 405-601-2124.

Sincerely,

Angie Burckhalter  
Sr. V.P. of Regulatory and Environmental Affairs