



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SEP 20 2012

Ref: 8P-AR

Joseph L. Uppercue
Deputy Operations Site Manager
BP America Production Company
380A North Airport Road
Durango, Colorado 81303

Re: Notification of Permit Status
PSD Permit #PSD-SU-0007-95.01
BP America Production Company
Treating Site #9 Compressor Station

Dear Mr. Uppercue:

Upon its construction in 1991, BP America Production Company's (BP's) Treating Site #9 Compressor Station (TS#9) was a major stationary source subject to Prevention of Significant Deterioration (PSD) permitting requirements since the potential to emit (PTE) of carbon monoxide (CO) emissions exceeded 250 tons per year (tpy). The U.S. Environmental Protection Agency issued a PSD permit for TS#9 on July 31, 1997. The permit was amended on June 9, 1999. At that time, TS#9 was owned and operated by Vastar Resources, Inc, a wholly owned subsidiary of BP America, Inc. TS#9 ownership assets were transferred to BP on January 1, 2002 as a result of corporate reorganization under BP America, Inc.

As indicated by Section 502(a) of the Clean Air Act (CAA) and 40 CFR 71.5(a)(1)(ii), sources subject to permitting requirements under part C or D of Title I of CAA are subject to Title V permitting requirements. The EPA issued an initial Title V permit for TS#9 on March 27, 2000 and a renewal Title V permit on September 28, 2007. The renewal Title V permit expires on October 29, 2012.

On June 15, 2010, the agency received notification from BP indicating that as of May 18, 2009 the facility was completely decommissioned and permanently shutdown. A certification of truth, accuracy, and completeness (Form CTAC) and photographs depicting the empty site undergoing surface reclamation activities were enclosed with the notification.

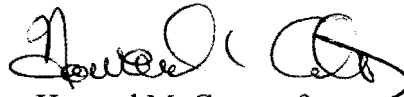
The agency has reviewed BP's request regarding clarification of PSD and Title V permitting obligations and notes that all of the equipment referenced in the PSD permit (#PSD-SU-0007-95.01) for TS#9 no longer exists. The definition of "major stationary source" in 40 CFR 52.21(b)(1)(i) has embedded the term "stationary source," which is in turn defined as "any building, structure, facility, or installation which emits or may emit a regulated NSR pollutant" (see 40 CFR 52.21(b)(5)). Because all of the equipment has been removed and there are no longer any pollutant emitting activities at the TS#9 site, there is nothing which "emits or may emit a regulated NSR pollutant." Thus, there is no stationary



source that would be subject to PSD requirements at this time. Similarly, the term "major source" in Part 71 is defined in relation to the term "stationary source," which is defined in Part 71 as "any building, structure, facility, or installation that emits or may emit any regulated air pollutant or pollutant listed under section 112(b) of the Act" (see 40 CFR 71.2). Thus, since all of the equipment has been removed from the site and there are no longer any pollutant emitting activities at the site, there is no longer a stationary source at the site for Part 71 purposes at this time. Accordingly, BP is no longer required to obtain a Title V permit for TS#9 as specified by Section 502(a) of the CAA and 40 CFR 71.5(a)(1)(ii). Therefore, the agency hereby terminates the Part 71 operating permit for Treating Site #9 in accordance with Section IV.G. of the permit and §71.6(a)(6)(iii).

If you have any questions concerning this letter please contact Eric Wortman, of my staff, at (303) 312-6649.

Sincerely,



Howard M. Cantor, for
Assistant Regional Administrator
Office of Partnerships and Regulatory Assistance

cc: Brenda Jarrell, SUIT, Air Quality Program Manager
Julie Best, BP America, Environmental Advisor

