

ALERT

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Energy, Environmental and Utilities Group

News Concerning
Recent Developments in Energy and Environmental Law



Pennsylvania DEP Issues Revised Air Quality General Permit for Oil & Gas Operations

Joshua L. Belcher • 202.912.4826 • jbelcher@cozen.com

On January 31, the Pennsylvania Department of Environmental Protection (PADEP) finalized revisions to its "GP-5" air quality general permit, which include significantly reduced allowable emission limits. According to PADEP, the revisions to GP-5 impose emissions limits that are 75 to 90 percent stricter than current limits for the most common engines used at compressor stations.

GP-5 authorizes the construction, modification and/or operation of certain natural gas compression and processing facilities (i.e., dehydration, compression, fractionation and storage) that are not subject to Title V or New Source Review permitting requirements. Specifically, covered facilities include natural gas-fired spark ignition combustion engines, simple cycle turbines, centrifugal compressors, storage vessels, glycol dehydration units, fractionation process units, equipment leaks, pneumatic controllers and sweetening units. While the permit covers facilities used on a gathering line, the permit does not apply to facilities used on a natural gas transmission line.

PADEP also announced it will publish a proposed plan approval exemption under 25 Pa. Code § 127.14 for certain air emission sources at well drilling sites. Specifically, PADEP has indicated the construction of wellheads and their associated storage tanks would qualify for the exemption, provided drillers increase emissions controls and conduct leak detection on the entire wellhead, exceeding even current federal New Source

Performance Standards for oil and gas development. If exempted from plan approval requirements under 25 Pa. Code § 127.14, the wellheads and associated storage tanks would also be eligible to apply for operating approval under the new GP-5.

Formal publication in the *Pennsylvania Bulletin* of the final revised GP-5 (which is available for download from the PADEP website [here](#)) and the proposed drilling site exemptions to air quality plan approval regulations is expected on February 2 with comments to be accepted through March 19. Drillers and operators of upstream natural gas facilities should pay close attention to PADEP's action and be prepared to comment. While allowable emissions limits have been ratcheted down under the GP-5, the proposed exemption may nevertheless offer increased flexibility to operators who are already implementing best available technology and other industry-leading emission control techniques.

To discuss any questions you may have regarding the opinion discussed in this Alert, or how it may apply to your particular circumstances, please contact Joshua L. Belcher at 202.912.4826 or jbelcher@cozen.com or any other member of Cozen O'Connor's Energy, Environmental & Public Utilities Practice.

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