Title V/Clean Air Act: Center for Biological Diversity Petition to Object Filed Addressing Weld County, Colorado Compressor Station



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04/10/2025

The Center for Biological Diversity ("CBD") filed an April 3rd Clean Air Act Title V Petition to Object ("Petition") before the United States Environmental Protection Agency ("EPA") related to DC Operating Company, LP for the Rocky Turbine Compressor Station in Weld County, Colorado. See Title V Permit No. 21OPWE431.

The Title V Petition objects to the initial Title V Operating Permit issued by the Colorado Department of Public Health and Environment – Air Pollution Control Division ("CDPHE").

Title V of the Clean Air Act requires certain stationary sources of air pollution to obtain Operating Permits. States that administer Title V do so through adopted implementation plans. These plans are submitted to and approved by EPA. The intent of a Title V Permit is to organize in a single document all the requirements that apply to the Permit holder.

42 U.S.C. § 7661 requires that states submit each proposed Title V Permit to EPA for review. Section 505(b)(1) of the Clean Air Act requires that EPA object to the issuance of a proposed Title V Permit in writing within 45 days of receipt of the proposed permit (and all necessary supporting documentation) if the federal agency determines that it was not in compliance with the applicable requirements under the Clean Air Act.

If EPA does not object to a Permit, Section 505(b)(2) provides that any person may petition the EPA Administrator, within 60 days of the expiration of the 45-day review period to object to the Permit.

The Rocky Turbine Compressor Station is described as an oil and gas processing facility. It is stated to receive gas from nearby wells that run through separators to remove oil and wastewater and compressed with two large turbines for transport via pipeline and further processing by additional downstream processing facilities.

A dehydrator is stated to be used to remove water form the gas stream, tanks are used to store liquids, and a flare is used to control volatile organic compound emissions. Sources of air emissions at the facility are stated to include the turbines, dehydrator, tanks, and routine gas venting.

The facility is described as a major source of nitrogen oxide and carbon monoxide emissions, which are released from the turbines, VOCs, which are released from the dehydrator, tanks, and flare, and other hazardous air pollutants.

The facility is stated to be located in the Denver Metro/North Front Range severe nonattainment area.

CBD's Petition argues that the Title V Permit does not ensure adequate monitoring to assure the dehydrator complies with the applicable emission limits. The rationale for this argument is stated to include:

- Insufficient monitoring to assure compliance with NOx, CO, and VOC limits applicable to the glycol dehydrator.
- Failure of the CDPHE to provide a rationale for determining that performance testing only once every five years is sufficiently periodic to assure ongoing continuous compliance with the limits applicable to the dehydrator.
- Five-year frequency for the performance testing requirement is too infrequent to assure continuous compliance with the applicable annual limits and the 95% VOC destruction efficiency requirement, as well as the annual VOC, NOx, and CO limits.
- The EPA has generally rejected the CDPHE's reliance on pilot light monitoring and visible emissions monitoring to assure compliance with applicable quantitative emission limits, including VOC destruction efficiency limits, for flares at oil and gas production and processing facilities.

A copy of the Petition can be downloaded here.