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

05/13/2025

The Center for Biological Diversity ("CBD") filed a May 8th Clean Air Act Title V Petition to Object ("Petition") before the United States Environmental Protection Agency ("EPA") relating to Bargath, LLC for the Hyrup Compressor Station in Garfield County, Colorado. See Title V Permit No. 08OPGA323.

The Title V Petition objects to a final renewed Title V Operating Permit issued by the Colorado Department of Public Health and Environment's 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 permitholder.

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 of 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 Hyrup Compressor Station is described as an oil and gas processing facility receiving gas from nearby wells that is run through separators to remove oil and wastewater and compressed with several large engines for transport via pipeline and further processing by additional downstream processing facilities.

Sources of air emissions at the Compressor Station are stated to include:

- Compressor engines.
- Oil and wastewater storage tanks.
- Routine gas venting from maintenance activities.

The facility is stated to be a major source of nitrogen oxide emissions, carbon monoxide, and volatile organic compounds and other hazardous air pollutants.

The Permit estimates that annually the facility has the potential to emit up to 156.2 tons of NOx, 52.8 tons of CO, and 82.7 tons of VOCs.

CBD's Petition argues that the Title V Permit does not ensure adequate monitoring to assure the flare controlling emissions from the tanks comply with applicable limits.

Specific arguments include:

- The Title V Permit Does Not Assure Compliance With the Applicable VOC Emission Limit for Gas Venting.
- Section II Condition 3 is unenforceable as a practical matter and fails to set forth sufficient monitoring to assure compliance with the applicable limits.

A copy of the Petition can be downloaded [here](#).