Title V/Clean Air Act: Center for Biological Diversity Petition to Object Addressing Weld County, Colorado Oil and Gas Production Facility



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

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The Center for Biological Diversity (“CBD”) filed a June 27th Title V Petition to Object (“Petition”) before the Administrator of the United States Environmental Protection Agency ("EPA”) related to the Anschutz Equus Farms oil and gas production facility (“Facility”).

The Title V Petition objects to the revised Title V Operating Permit (“Permit”) issued by the Colorado Department of Public Health and Environment's Air Pollution Control Division ("Division").

The Petition addresses the Anschutz Equus Farms operation of an oil and gas production Facility in Weld County, Colorado.

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. Those plans are submitted to and approved by EPA.

The intent of a Title V Permit is to organize into a single document all of 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 the receipt of the proposed Permit (and all necessary supporting information) if the agency determines it is 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 Facility is described as an oil and gas production facility that receives and processes oil and gas produced in nearby wells. Oil and gas is stated to be run through separators to separate oil, gas, and wastewater. Oil and wastewater is dumped into tanks and loaded away by tanker trucks.

Gas is processed and compressed with engines and transported via pipeline for further downstream processing. Flares are used to combust waste gas produced at the facility. Sources of air pollution at the facilities is stated to include:

- Compressor engines
- Flares
- Liquid storage tanks

- Truck loadout of oil and wastewater
- Other activities

The Facility is stated to be a major source of VOCs and NOx emissions. Further referenced as emission are carbon monoxide and hazardous air pollutants. It is stated to be located in the Denver Metro/North Front Range severe ozone nonattainment area.

The grounds for CBD's objection include:

- The Revised Permit Still Fails to Assure Compliance with Title V Monitoring Requirements.
- Referencing concerns over the frequency of performance testing of the flares.
- Division provided no source-specific rationale as why it believes that testing only once every 5 years is sufficiently frequent.
- There is no relationship between the parametric monitoring set forth in the Revised Title V Permit and compliance with limits applicable to the flares at the Facility.

A copy of the Petition can be downloaded here.