



December 2022 Newsletter

SPECIAL VOC EMISSION EDITION

Hello from Arthur Stewart, Secretary

DEP USES “EMERGENCY” PROCESS TO RAM THROUGH VOC EMISSION REGULATIONS

On November 30, 2022, the Pennsylvania Environmental Quality Board (EQB) voted 16-2 to approve an EMERGENCY (but permanent) rule regulating volatile organic compound (VOC) emissions from conventional oil and gas sources. The emergency passage means DEP and EQB bypassed the public comment period that accompanies all normal rulemaking. Additionally, the DEP and EQB did not do a separate analysis form that analyzes the impact of the Emergency VOC rule on conventional oil and gas industry operations. Instead, the DEP did a cut and paste of the analysis form the DEP used, earlier in the year, for the unconventional industry VOC Emission Rule.

You will recall that in spring 2022, the DEP tried to combine both conventional and unconventional sources in one VOC Emission rule package. This attempt violated the law requiring separate regulations for conventional and unconventional oil and gas operations. On April 26, 2022, the House Environmental Resources and Energy (ERE) Committee sent a letter disapproving the DEP’s combined VOC Rulemaking; the House letter requested that the Independent Regulatory Review Commission (IRRC) disapprove the combined Rule. The House Committee also initiated a temporary blocking process called the concurrent resolution process under Section 7(d) of the Regulatory Review Act.

In addition to the action taken by the House ERE Committee, PGCC joined forces with PIOGA attorney, Kevin Moody, to file a lawsuit against the DEP and the EQB, asking the Commonwealth Court to make DEP and EQB FOLLOW THE LAW by initiating regulations pertinent to and drafted exclusively for the conventional industry as required in Act 126 and Act 52.

We filed our first lawsuit in May 2022. Almost immediately the DEP and EQB changed course. They sent a letter to IRRC withdrawing the combined VOC Rulemaking from consideration. Here is what DEP and EQB later said was the motivation to change course: “[w]hile [we] disagree with the House ERE Committee’s interpretation of Act 52 [in its April 26, 2022 letter], to address their concerns and avoid

further delay, on May 4, 2022, the Board withdrew the combined rulemaking from IRRC's consideration."

That meant the conventional VOC rule was dead. The DEP proceeded with a VOC Rule that only applied to unconventional oil and natural gas sources of VOC emissions installed at unconventional well sites and associated equipment. On July 21, 2022, IRRC approved the Unconventional VOC Regulation. In correspondence with us, the DEP and EQB said "[n]either the Petitioners (PGCC, PIPP and PIOGA) nor their [conventional oil and natural gas producer] members will be subject to regulation under the Unconventional VOC Regulation." PGCC and PIOGA discontinued our lawsuit because there was no longer a pending VOC Emission rule for conventional operations.

The DEP's November 2022 emergency process is only supposed to be used when it is impracticable and unnecessary to allow written comments. In using the emergency process, the DEP claimed that obtaining written comments was unnecessary because DEP had already obtained comments when it rolled out the rule that combined conventional with unconventional oil and gas operations. Further, DEP asserted that the State of Pennsylvania would lose millions of dollars of Federal highway funding as punishment for not timely implementing a VOC emission rule for conventional operations.

We are not persuaded by either of those arguments. The DEP knew Pennsylvania law prevented it from rolling out a rule that COMBINED regulation of conventional and unconventional oil and gas operations. The DEP had YEARS to develop the VOC emission rules and the DEP could and should have pursued separate rulemaking.

The DEP is now trumping up the potential loss of Federal Funding as the reason for the emergency. What the DEP ignores, is that the emergency is of the DEP's own making. It was the DEP's refusal to follow Pennsylvania law that put the DEP and the state of Pennsylvania in the predicament of "losing" Federal highway funding. But even that claim (that Pennsylvania will "lose" funding) is trumped up. The Federal highway money is not "lost" if the VOC rules are not in place. The payment of the Federal money is merely delayed until the VOC rules are in place.

For all of these reasons, PGCC has again teamed with PIOGA attorney, Kevin Moody, to file a second lawsuit with the Commonwealth Court. Promptly after hearing what the DEP was up to, Kevin Moody of PIOGA and Arthur Stewart of PGCC, teamed with the Babst Calland law firm to submit a Petition asking the Court to declare the new VOC regulations null and void. We filed our Petition December 5th. The Petition cites the facts that the emergency is trumped up, that the Federal funding will not really be lost, and that the DEP was disingenuous back in the fall when it said it was withdrawing the Conventional VOC rules in order to address the concerns raised by the House ERE Committee.

The scheduling of the case is now in the hands of the Commonwealth Court. Meantime the new regulations are in place. The remainder of this newsletter contains a summary of the requirements and a timeline for compliance. Thanks go out to Kevin Moody for assembling the following summaries.

Summary of VOC Emission Compliance Requirements and Deadlines:

§ 129.131. General provisions and applicability.

(a) *Applicability.* **Beginning December 2, 2022**, this section and §§ 129.132—129.140 apply to an owner or operator of one or more of the following conventional oil and natural gas sources of VOC emissions installed at a conventional well site, a gathering and boosting station or a natural gas processing plant in this Commonwealth which were **constructed on or before December 2, 2022**:

- (1) Storage vessels at:
 - (i) A conventional well site.
 - (ii) A gathering and boosting station.
 - (iii) A natural gas processing plant.
 - (iv) The natural gas transmission and storage segment.
- (2) Natural gas-driven continuous bleed pneumatic controllers.
- (3) Natural gas-driven diaphragm pumps.
- (4) Reciprocating compressors and centrifugal compressors.
- (5) Fugitive emissions components.

....

§ 129.133. Storage vessels.

(a)(2) *Calculation of potential VOC emissions.*

- (i) The potential VOC emissions in paragraph (1) must be calculated using a **generally accepted model or calculation methodology**, based on the maximum average daily throughput as defined in § 129.132 (relating to definitions, acronyms and EPA methods) **prior to January 31, 2023** for an **existing** storage vessel.

[*Maximum average daily throughput* - The single highest daily average throughput during the 30-day potential to emit evaluation period employing generally accepted methods.]

....

(b) *VOC emissions limitations and control requirements.* Except as specified in subsections (c) and (d), **beginning December 2, 2023**, the owner or operator of a storage vessel subject to this

section shall reduce VOC emissions by 95.0% by weight or greater. The owner or operator shall comply with paragraph (1) or paragraph (2) as applicable.

....

(2) The owner or operator of a storage vessel claiming **exception** under this subsection shall perform the following:

(i) **Beginning on or before January 1, 2023**, calculate the actual VOC emissions once per calendar month using a generally accepted model or calculation methodology. The **monthly calculations** must meet the following:

(A) Be separated by at least 15 calendar days but not more than 45 calendar days.

(B) Be based on the **monthly** average throughput for the previous 30 calendar days.

(ii) **Comply with subsection (b) within 1 year of the date of the monthly calculation** showing that actual VOC emissions from the storage vessel have increased to 2.7 TPY VOC or greater.

(g) **Recordkeeping and reporting requirements.** The owner or operator of a storage vessel subject to this section shall maintain the **records** under § 129.140(b) and submit the reports under § 129.140(k)(3)(i).

Reporting & Recordkeeping

§ 129.140(b)

(b) *Storage vessels.* The **records** for each storage vessel must include the following, as applicable:

....

§ 129.140(k)(3)(i)

(k) Reporting. The owner or operator of a source subject to § 129.131(a) (relating to general provisions and applicability) shall do the following:

(1) **Submit an initial annual report** to the Air Program Manager of the appropriate Department Regional Office **by December 2, 2023** and **annually thereafter on or before June 1.**

....

(3) Submit the information specified in **subparagraphs (i)–(ix) for each report as applicable:**

(i) Storage vessels. The report for each storage vessel must include the information specified in subsection **(b)(1)–(4)** for the reporting period, as applicable.

§ 129.134. Natural gas-driven continuous bleed pneumatic controllers

(c) *VOC emissions limitation requirements.* Except as specified in subsection (b), **beginning December 2, 2023**, the owner or operator of a natural gas-driven continuous bleed pneumatic controller subject to this section shall do the following:

....

(e) *Recordkeeping and reporting requirements.* The owner or operator of a natural gas-driven continuous bleed pneumatic controller affected under subsection (c) shall maintain the records under § 129.140(c) (relating to recordkeeping and reporting) and submit the reports under § 129.140(k)(3)(ii).

Reporting & Recordkeeping

§ 129.140(c)

(c) *Natural gas-driven continuous bleed pneumatic controllers.* The records for each natural gas-driven continuous bleed pneumatic controller must include the following, as applicable:

....

§ 129.140(k)(3)(ii)

(k) Reporting. The owner or operator of a source subject to § 129.131(a) (relating to general provisions and applicability) shall do the following:

- (1) **Submit an initial annual report** to the Air Program Manager of the appropriate Department Regional Office **by December 2, 2023** and **annually thereafter on or before June 1.**

....

- (3)** Submit the information specified in **subparagraphs (i)—(ix) for each report as applicable:**

....

(ii) *Natural gas-driven continuous bleed pneumatic controllers.* The **initial report** for each natural gas-driven continuous bleed pneumatic controller must include the information specified in **subsection (c)**, as applicable. Subsequent reports must include the following:

- (A) The information specified in **subsection (c)(1) and (2)** for each natural gas-driven continuous bleed pneumatic controller.
- (B) The information specified in **subsection (c)(3) and (4)** for each natural gas-driven continuous bleed pneumatic controller installed during the reporting period.

§ 129.135. Natural gas-driven diaphragm pumps.

(a) *Applicability.* This section applies to the owner or operator of a natural gas-driven diaphragm pump subject to § 129.131(a)(3) (relating to general provisions and applicability) located at a well site or natural gas processing plant.

(b) *VOC emissions limitation and control requirements.* Except as specified in subsections (c) and (d), **beginning December 2, 2023**, the owner or operator of a natural gas-driven diaphragm pump subject to this section shall comply with the following:

(1) **Conventional well site.** The owner or operator of a natural gas-driven diaphragm pump located at a conventional well site shall reduce the VOC emissions by 95.0% by weight or greater. The owner or operator shall do the following:

....

(f) *Recordkeeping and reporting requirements.* The owner or operator of a natural gas-driven diaphragm pump subject to this section shall maintain the records under § 129.140(d) and submit the reports under § 129.140(k)(3)(iii).

Reporting & Recordkeeping

§ 129.140(d)

(d) *Natural gas-driven diaphragm pumps.* The records for each natural gas-driven diaphragm pump must include the following, as applicable:

....

§ 129.140(k)(3)(iii)

(k) Reporting. The owner or operator of a source subject to § 129.131(a) (relating to general provisions and applicability) shall do the following:

(1) **Submit an initial annual report** to the Air Program Manager of the appropriate Department Regional Office **by December 2, 2023** and **annually thereafter on or before June 1.**

....

(3) Submit the information specified in **subparagraphs (i)—(ix) for each report as applicable:**

....

(iii) *Natural gas-driven diaphragm pumps.* The report for each natural gas-driven diaphragm pump must include the following:

....

§ 129.137. Fugitive emissions components.

(a) *Applicability.* This section applies to the owner or operator of a fugitive emissions component subject to § 129.131(a)(5) (relating to general provisions and applicability), located at **one or more** of the following:

- (1) A **conventional well site**.
- (2) A natural gas gathering and boosting station.
- (3) A natural gas processing plant.

(b) *Average production calculation procedure for a well site.* **Beginning on or before January 1, 2023:**

(1) The owner or operator of a **well site subject to subsection (a)(1)** shall **calculate** the average production in barrels of oil equivalent per day of the well site using the previous 12 calendar months of operation as reported to the Department and thereafter as specified in subsection (c)(4) for the previous calendar year. The owner or operator shall do the following:

....

(c) *Requirements for a conventional well site.*

- (1) For a well site consisting of **only oil wells**, the owner or operator shall:
 - (i) Determine the GOR of the oil well site using generally accepted methods.
 - (ii) If the GOR of the oil well site is less than 300 standard cubic feet of gas per barrel of oil produced, maintain the records under § 129.140(g)(1) (relating to recordkeeping and reporting).
 - (iii) If the GOR of the oil well site is equal to or greater than 300 standard cubic feet of gas per barrel of oil produced, meet the requirements of paragraph (2) or paragraph (3) based on the results of subsection (b)(1).
- (2) For a well site producing, on average, equal to or greater than 15 barrels of oil equivalent per day, **with at least one well producing, on average, equal to or greater than 15 barrels of oil equivalent per day**, the owner or operator shall:
 - (i) Conduct an **initial AVO [Audible, visual and olfactory] inspection on or before January 31, 2023**, with **monthly inspections thereafter** separated by at least 15 calendar days but not more than 45 calendar days.
 - (ii) Conduct an initial LDAR inspection program **on or before January 31, 2023**, with **quarterly inspections thereafter** separated by at least 60 calendar days but not more than 120 calendar days using one or more of the following:

(3) For a well site producing, on average, equal to or greater than 15 barrels of oil equivalent per day, **and at least one well producing, on average, equal to or greater than 5 barrels of oil equivalent per day but less than 15 barrels of oil equivalent per day**, the owner or operator shall:

(i) Conduct an **initial AVO inspection on or before January 31, 2023**, with **monthly inspections thereafter** separated by at least 15 calendar days but not more than 45 calendar days.

(ii) Conduct an initial LDAR inspection program **on or before May 1, 2023**, with **annual inspections thereafter** separated by at least 335 calendar days but not more than 395 calendar days using one or more of the following:

....

(4) The owner or operator of a producing well site shall calculate the average production of the well site **under subsection (b)** for the previous calendar year **not later than February 15** and may adjust the frequency of the required LDAR inspection as follows:

(i) If two consecutive calculations show reduced production, the owner or operator may adopt the **requirements** applicable to the reduced production level.

(ii) If a calculation shows higher production, the owner or operator shall adopt the **requirements** applicable to the higher production level immediately.

....

(e) **Requirements for a natural gas gathering and boosting station or a natural gas processing plant.** The owner or operator of a natural gas gathering and boosting station or a natural gas processing plant shall conduct the following:

(1) An **initial AVO inspection on or before January 31, 2023**, with **monthly inspections thereafter** separated by at least 15 calendar days but not more than 45 calendar days.

(2) An initial LDAR inspection program **on or before January 31, 2023**, with quarterly inspections thereafter separated by at least 60 calendar days but not more than 120 calendar days using one or more of the following:

....

(m) **Recordkeeping and reporting requirements.** The owner or operator of a fugitive emissions component subject to this section shall maintain the records under **§ 129.140(g)** and submit the reports under **§ 129.140(k)(3)(vi)**.

Reporting & Recordkeeping

§ 129.140(g)

(g) *Fugitive emissions components.* The records for each fugitive emissions component must include the following, as applicable:

(1) For an **oil well site subject to § 129.137(c)(1)(ii)** (relating to fugitive emissions components) [***“(ii) If the GOR of the oil well site is less than 300 standard cubic feet of gas per barrel of oil produced, maintain the records under § 129.140(g)(1) (relating to recordkeeping and reporting).”***]:

- (i) The location of each well and its United States Well ID Number.
- (ii) The analysis documenting a GOR of less than 300 standard cubic feet of gas per barrel of oil produced, conducted using generally accepted methods. The analysis must be signed by and include a certification by the responsible official stating that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

(2) For **each well site**, the average production calculations required under § 129.137(b)(1) and § 129.137(c)(4).

(3) For a **well site subject to § 129.137(c)(2) [(2) average production ≥ 15 BOE/day, with at least one well average production ≥ 15 BOE/day] or (c)(3) [(3) average production ≥ 15 BOE/day, with at least one well average production ≥ 5 BOE/day but ≤ 15 BOE/day]**, a natural gas gathering and boosting station or a natural gas processing plant:

- (i) The **fugitive emissions monitoring plan** under § 129.137(g).
- (ii) The **records of each monitoring survey** conducted under § 129.137(c)(2)(ii), (c)(3)(ii) or (e)(2). The monitoring survey must include the following information:

....

§ 129.140(k)(3)(vi)

(k) Reporting. The owner or operator of a source subject to § 129.131(a) (relating to general provisions and applicability) shall do the following:

(1) **Submit an initial annual report** to the Air Program Manager of the appropriate Department Regional Office **by December 2, 2023** and **annually thereafter on or before June 1.**

....

(3) Submit the information specified in **subparagraphs (i)—(ix) for each report as applicable:**

....

(vi) *Fugitive emissions components*. The report for each fugitive emissions component must include the [records of each monitoring survey](#) conducted during the reporting period as specified in subsection (g)(3)(ii). (vi)

§ 129.138. Covers and closed vent systems.

(a) Requirements for a cover on a storage vessel, reciprocating compressor or centrifugal compressor. The owner or operator shall perform the following for a cover of a source subject to § 129.133(b)(1)(i) or § 129.136(b)(2) or (c)(2) (relating to storage vessels; and compressors), as applicable:

(1) Ensure that the cover and all openings on the cover form a continuous impermeable barrier over each subject source as follows:

....

(2) Ensure that each cover opening is covered by a gasketed lid or cap that is secured in a closed, sealed position except when it is necessary to use an opening for one or more of the following:

....

(3) Ensure that each storage vessel thief hatch is equipped, maintained and operated with the following:

....

(4) Conduct an [initial AVO inspection on or before January 31, 2023](#), with [monthly inspections thereafter](#) separated by at least 15 calendar days but not more than 45 calendar days for defects that could result in air emissions. Defects include the following:

....

(5) Inspect only those portions of the cover that extend to or above the surface and the connections on those portions of the cover, including fill ports, access hatches and gauge wells that can be opened to the atmosphere for a storage vessel that is partially buried or entirely underground.

(6) Repair a detected leak or defect as specified in § 129.137(l) (relating to fugitive emissions components).

(7) [Maintain the records](#) under [§ 129.140\(h\)](#) (relating to recordkeeping and reporting) and submit the report under [§ 129.140\(k\)\(3\)\(vii\)](#).

(b) Requirements for a closed vent system. The owner or operator shall perform the following for each closed vent system installed on a source subject to § 129.133(b)(1)(ii), § 129.135(b)(1)(i) or (c)(1)(ii) (relating to natural gas-driven diaphragm pumps) or § 129.136(b)(2) or (c)(2):

....

(2) Operate the closed vent system with **no detectable emissions** as determined by the following:

(i) Conduct an **initial AVO inspection on or before January 31, 2023**, with **monthly inspections thereafter** separated by at least 15 calendar days but not more than 45 calendar days for defects that could result in air emissions. Defects include the following:

....

(ii) Conducting a **no detectable emissions inspection** as specified in subsection (d) **during the facility's scheduled LDAR inspection** in accordance with **§ 129.137(c)(2)(ii)** and **(c)(3)(ii)** or **(e)(2)**.

....

(4) **Except as specified in subparagraph (iii)**, if the closed vent system contains **one or more bypass devices** that could be used to divert the liquid, gas, vapor or fume from routing to the control device or to the process under paragraph (1), perform one or more of the following:

....

(ii) Secure the bypass device valve installed at the inlet to the bypass device in the non-diverting position **using the following procedure**:

....

(B) **Visually inspecting** the mechanism in clause (A) to verify that the valve is maintained in the non-diverting position **on or before January 31, 2023**, with **monthly inspections separated** by at least 15 calendar days but not more than 45 calendar days.

(C) **Maintaining the records under § 129.140(i)(4)**.

(iii) **Subparagraphs (i) and (ii) do not apply** to a low leg drain, high point bleed, analyzer vent, open-ended valve or line or safety device.

(5) **Conduct an assessment** that meets the requirements of subsection (c).

(6) **Maintain the records under § 129.140(i)** and **submit the reports under § 129.140(k)(3)(viii)**.

(c) **Requirements for closed vent system design and capacity assessment**. An owner or operator that installs a closed vent system under subsection (b) shall perform a design and capacity assessment which must include the following:

(1) Be prepared under the supervision of **an in-house engineer** or **qualified professional engineer**.

(2) Verify the following:

(i) That the closed vent system is of sufficient design and capacity to ensure that the emissions from the emission source are routed to the control device or process.

(ii) That the control device or process is of sufficient design and capacity to accommodate the emissions from the emission source.

(3) **Be certified, signed and dated by the engineer supervising the assessment**, including the statement: "I certify that the closed vent design and capacity assessment was prepared under my supervision. I further certify that the assessment was conducted and this report was prepared under the requirements of **25 Pa. Code § 129.138(c)**. Based on my professional knowledge and experience, and inquiry of personnel involved in the assessment, the certification submitted herein is true, accurate, and complete. I am aware that there are penalties for knowingly submitting false information."

(d) **No detectable emissions procedures**. The owner or operator shall conduct the no detectable emissions inspection required under **subsection (b)(2)(ii)** by performing one of the following:

(1) Use OGI equipment that meets § 129.137(h).

(2) Use a gas leak detection instrument that meets § 129.137(i). The owner or operator may adjust the gas leak detection instrument readings as specified in § 129.137(k).

(3) Use another leak detection method approved by the Department.

(4) Determine if a potential leak interface operates with no detectable emissions, if the gas leak detection instrument reading is not a leak as defined in § 129.132(a) (relating to definitions, acronyms and EPA methods).

Reporting & Recordkeeping

§ 129.140(h), (i) & (i)(4)

(h) **Covers**. The **records** for each cover include the results of **each cover inspection** under § 129.138(a) (relating to covers and closed vent systems).

(i) **Closed vent systems**. The **records** for each closed vent system must include the following, as applicable:

(1) The results of each **closed vent system inspection** under § 129.138(b)(2).

(2) For the **no detectable emissions inspections** of § 129.138(d), a **record** of the **monitoring survey** as specified under **subsection (g)(3)(ii)**.

(3) The **engineering assessment** under § 129.138(c), including the **certification** under § 129.138(c)(3).

(4) If the closed vent system includes a **bypass device** subject to § 129.138(b)(4), a record of:

- (i) Each time the alarm is activated.
- (ii) Each time the key is checked out, as applicable.
- (iii) Each inspection required under § 129.138(b)(4)(ii)(B).

§ 129.140(k)(3)(vii) & (viii)

(k) Reporting. The owner or operator of a source subject to § 129.131(a) (relating to general provisions and applicability) shall do the following:

(1) **Submit an initial annual report** to the Air Program Manager of the appropriate Department Regional Office **by December 2, 2023** and **annually thereafter on or before June 1.**

....

(3) Submit the information specified in **subparagraphs (i)—(ix) for each report as applicable:**

....

(vii) Covers. The **report** for each cover must include the information specified in subsection (h) for the reporting period, as applicable.

(viii) Closed vent systems. The **report** for each closed vent system must include the information specified in **subsection (i)(1) and (2)** for the reporting period, as applicable. The information specified in **subsection (i)(3)** is **only required for the initial report** or if the closed vent system was installed during the reporting period.

§ 129.139. Control devices.

(a) *Applicability.* This section applies to the owner or operator of **each control device that receives a liquid, gas, vapor or fume from a source** subject to § 129.133(b)(1)(iii), § 129.135(b)(1)(ii) or (c)(1), or § 129.136(b)(2) or (c)(2) (relating to storage vessels; natural gas-driven diaphragm pumps; and compressors).

(1) The owner or operator shall perform the following:

- (i) Operate each control device whenever a liquid, gas, vapor or fume is routed to the control device.
- (ii) **Maintain the records** under § 129.140(j) (relating to recordkeeping and reporting) and submit the reports under § 129.140(k)(3)(ix).

(2) The owner or operator may route the liquid, gas, vapor or fume from more than one source subject to § 129.133(b)(1)(iii), § 129.135(b)(1)(ii) or (c)(1), or § 129.136(b)(2) or (c)(2) to a control device installed and operated under this section.

(b) *General requirements for a control device.* The owner or operator of a control device subject to this section shall install and operate one or more control devices listed in subsections (c)—(i). The owner or operator shall meet the following requirements, as applicable:

....

(2) Ensure that the control device is maintained in a leak-free condition by **conducting a physical integrity check according to the manufacturer's instructions, with monthly inspections** separated by at least 15 calendar days but not more than 45 calendar days.

....

(4) Operate the control device with no visible emissions, except for periods not to exceed a total of 1 minute during a 15-minute period as determined by conducting a visible emissions test according to Section 11 of EPA Method 22.

(i) Each **monthly** visible emissions test shall be separated by at least 15 calendar days but not more than 45 calendar days.

....

(7) **Record** the inspection, repair and maintenance activities for the control device in a **maintenance and repair log**.

(c) *Compliance requirements for a manufacturer-tested combustion device.* The owner or operator of a control device subject to this section that installs a control device tested under 40 CFR 60.5413a(d) (relating to what are the performance testing procedures for control devices used to demonstrate compliance at my centrifugal compressor and storage vessel affected facilities?) shall meet subsection (b)(1)—(7) and the following:

(1)

...

(ii) Conducting a **periodic performance test under subsection (k)** instead of installing a flow CPMS to demonstrate that the mass content of VOC in the gases vented to the device is reduced by 95.0% by weight or greater.

(2) **Submit an electronic copy of the performance test results** to the EPA as required by 40 CFR 60.5413a(d) in accordance with 40 CFR 60.5413a(e)(6).

(d) *Compliance requirements for an enclosed combustion device.* The owner or operator of a control device subject to this section that installs an enclosed combustion device, such as a

thermal vapor incinerator, catalytic vapor incinerator, boiler or process heater, shall meet subsection (b)(1)—(7) and the following:

....

(e) *Compliance requirements for a flare.* The owner or operator of a control device subject to this section that installs a flare designed and operated in accordance with 40 CFR 60.18(b) (relating to general control device and work practice requirements) shall meet subsection (b)(3)—(7).

(f) *Compliance requirements for a carbon adsorption system.* The owner or operator of a control device subject to this section that installs a carbon adsorption system shall meet subsection (b)(1) and (2) and the following:

....

(g) *Additional compliance requirements for a regenerative carbon adsorption system.* The owner or operator of a control device subject to this section that installs a regenerative carbon adsorption system shall meet subsection (f) and the following:

....

(h) *Additional compliance requirements for a non-regenerative carbon adsorption system.* The owner or operator of a control device subject to this section that installs a non-regenerative carbon adsorption system shall meet subsection (f) and the following:

....

(i) *Compliance requirements for a condenser or non-destructive control device.* The owner or operator of a control device subject to this section that installs a condenser or other non-destructive control device shall meet subsection (b)(1) and (2) and the following:

....

(j) *General performance test requirements.* The owner or operator shall meet the following performance test requirements:

(1) The owner or operator shall do the following, as applicable:

(i) Except as specified in subparagraph (iii), **conduct an initial performance test within 180 days** after installation of a control device.

(ii) Except as specified in subparagraph (iii), **conduct a performance test** of an existing control device **on or before July 30, 2023**, unless the owner or operator of the control device is complying with an established performance test interval, in which case the current schedule should be maintained.

(iii) The **performance test in subparagraph (i) or subparagraph (ii) is not required** if the owner or operator meets one or more of the following:

....

(k) *Performance test method for demonstrating compliance with a control device weight-percent VOC emission reduction requirement.* Demonstrate compliance with the control device weight-percent VOC emission reduction requirements of subsections (c)(1)(ii), (d)(1)(i), (f)(1)(i) and (i)(1)(i) by meeting subsection (j) and the following:

....

(l) *Performance test method for demonstrating compliance with an outlet concentration requirement.* Demonstrate compliance with the TOC concentration requirement of subsections (d)(1)(ii), (f)(1)(ii) and (i)(1)(ii) by meeting subsection (j) and the following:

....

(m) *Continuous parameter monitoring system requirements.* The owner or operator of a source subject to § 129.131(a) (relating to general provisions and applicability) and controlled by a device listed in subsections (c)—(i) that is required to install a CPMS shall:

....

Reporting & Recordkeeping

§ 129.140(j)

(j) *Control devices.* The records for each control device must include the following, as applicable:

....

§ 129.140(k)(3)(ix)

(k) *Reporting.* The owner or operator of a source subject to § 129.131(a) (relating to general provisions and applicability) shall do the following:

(1) **Submit an initial annual report** to the Air Program Manager of the appropriate Department Regional Office **by December 2, 2023** and **annually thereafter on or before June 1.**

....

(3) Submit the information specified in subparagraphs (i)—(ix) for each report as applicable:

(ix) *Control devices.* The report for each control device must include the information specified in **subsection (j)**, as applicable.

Chart of VOC Emission Regulation Deadlines:

Conventional VOC Regulation Deadlines

Emissions sources	On/before 1/1/2023	Prior to/By 1/31/2023	5/1/2023	Beginning/By 12/2/2023	12/2/2025
<p>§ 129.131. General provisions and applicability. (a) <i>Applicability.</i> Beginning December 2, 2022, this section and §§ 129.132—129.140 apply to an owner or operator of one or more of the following conventional oil and natural gas sources of VOC emissions installed at a conventional well site, a gathering and boosting station or a natural gas processing plant in this Commonwealth which were constructed on or before December 2, 2022:</p> <p>(1) Storage vessels at:</p> <p>(i) A conventional well site. (2) Natural gas-driven continuous bleed pneumatic controllers. (ii) A gathering and boosting station. (3) Natural gas-driven diaphragm pumps. (iii) A natural gas processing plant. (4) Reciprocating compressors and centrifugal compressors. (iv) The natural gas transmission and storage segment. (5) Fugitive emissions components.</p> <p>§ 129.140. Recordkeeping and reporting. (k) <i>Reporting.</i> The owner or operator of a source subject to § 129.131(a) (relating to general provisions and applicability) shall do the following: (1) Submit an initial annual report to the Air Program Manager of the appropriate Department Regional Office by December 2, 2023 and annually thereafter on or before June 1.</p>					
<p>§ 129.133 Storage vessels with potential to emit 2.7 tons per year (TPY)</p> <p>Records/Reporting</p>	<p>Calculate actual VOC emissions once per calendar month if claiming exception under (c)</p> <p>§ 129.140(b)</p>	<p>Calculate potential VOC emissions based on the "maximum average daily throughput" per § 129.133(a)(2)(i)</p> <p>§ 129.140(b)</p>		<p>Reduce VOC emissions by 95% by weight or greater per § 129.133(b)(1)&(2)</p> <p>Exceptions/Exemptions in § 129.133(c) & (d)</p> <p>§ 129.140(k)(3)(i)</p>	
<p>§ 129.134 Natural gas-driven continuous bleed pneumatic controllers</p> <p>Records/Reporting</p>				<p>Ensure each controller with natural gas bleed rate greater than 6.0 standard cu ft/hr (zero if located at natural gas processing plant) <i>maintains</i> bleed rate of ≤ 6.0 or zero per § 129.134(c)</p> <p>Exception in (b)</p> <p>§ 129.140(c)&(k)(3)(ii)</p>	
<p>§ 129.135 Natural gas-driven diaphragm pumps</p> <p>Records/Reporting</p>				<p>Reduce VOC emissions by 95% by weight or greater @ conventional well site & <i>maintain</i> emission rate of zero standard cu ft/hr @ natural gas processing plant per § 129.135(b)(1)&(2)</p> <p>Exceptions/Exemptions in § 129.135(c) & (d)</p> <p>§ 129.140(d)&(k)(3)(iii)</p>	

Conventional VOC Regulation Deadlines

Emissions sources	On/before 1/1/2023	Prior to/By 1/31/2023	5/1/2023	Beginning/By 12/2/2023	12/2/2025
<p>§ 129.136 Reciprocating & centrifugal compressors</p> <p>Records/Reporting</p>				<p>Replace reciprocating compressor rod packing on or before 26,000 hours of operation per continuous monitoring beginning on the later of (A) date of most recent rod packing replacement or (B) December 2, 2022 for rod packing not yet replaced, per § 129.136(b)</p> <p>Reduce the VOC emissions from each centrifugal compressor wet seal fluid degassing system by 95% by weight or greater per § 129.136(c)</p> <p>Exemption in (d)</p> <p>§ 129.140(e),(f)&(k)(3)(iv),(v)</p>	<p>Replace reciprocating compressor rod packing on or before 36 months of operation per continuous monitoring beginning on the later of (A) date of most recent rod packing replacement or (B) December 2, 2025 for rod packing not yet replaced</p>
<p>§ 129.137 Fugitive emissions components</p> <p>Fugitive Emissions Monitoring Plan</p> <p>NO DEADLINE SPECIFIED, BUT Plan REQUIRED TO ADDRESS ALL MATTERS RELATED COMPLIANCE WITH FUGITIVE EMISSIONS REQUIREMENTS</p> <p>Records/Reporting</p>	<p>Per (g) owner or operator must develop written fugitive emissions monitoring plan covering collection of fugitive emissions components at subject facility within each company-defined area, and must include elements at (g)(1)-(10)</p> <p>§ 129.140(g)</p>			<p>§ 129.140(k)(3)(vi)</p>	

Conventional VOC Regulation Deadlines

Emissions sources	On/before 1/1/2023	Prior to/By 1/31/2023	5/1/2023	Beginning/By 12/2/2023	12/2/2025
<p>§ 129.137 Fugitive emissions components @ all conventional well sites</p> <p>Per § 129.137(c)(4), <i>calculate</i> well site avg production under (b) for previous calendar year not later than February 15; and frequency of the required LDAR inspection may be adjusted:</p> <p>(i) if two consecutive calculations show ↓ production, requirements applicable to ↓ production level may be adopted, and</p> <p>(ii) if a calculation shows ↑ production, requirements applicable to ↑ production level shall be adopted immediately.</p>	<p><i>Calculate</i> avg production in BOE/day of the well site using previous 12 calendar months as reported to DEP per § 129.137(b)(1) and thereafter not later than February 15 for the previous calendar year</p> <p>If production of individual well unknown, must comply with (c)(2) → (re well site producing avg ≥ 15 BOE/day, with at least one well producing avg ≥ 15 BOE/day)</p>	<p><i>Calculate</i> the average production in BOE/day of conventional well site using previous 12 calendar months reported to DEP Department and thereafter as specified in subsection (c)(4) for the previous calendar year</p> <p>(c)(2)(i) Conduct initial audible, visual and olfactory (AVO) inspection, with monthly inspections thereafter separated by at least 15 calendar days but not more than 45 calendar days, and</p> <p>(c)(2)(ii) Conduct initial LDAR inspection program, with quarterly inspections thereafter separated by at least 60 calendar days but not more than 120 calendar days, using OGI equipment [SEE § 129.137(h)], gas</p>	<p>(c)(3) For well site producing avg ≥ 15 BOE/day, and at least one well producing avg ≥ 5 BOE/day but < 15 BOE/day,</p> <p>(ii) <i>conduct</i> initial LDAR inspection program, with annual inspections thereafter separated by at least 335 calendar days but not more than 395 calendar days, using OGI equipment [SEE § 129.137(h)], gas leak</p>		

Conventional VOC Regulation Deadlines

		<p>leak detector meeting requirements of EPA Method 21 [SEE § 129.137(i)], or another leak detection method approved by DEP</p> <p>(c)(3)(i) For well site producing avg ≥ 15 BOE/day, and at least one well producing avg ≥ 5 BOE/day but < 15 BOE/day, conduct initial audible, visual and olfactory (AVO) inspection, with monthly inspections thereafter separated by at least 15 calendar days but not more than 45 calendar days</p>	<p>detector meeting requirements of EPA Method 21 [SEE § 129.137(i)], or another leak detection method approved by DEP</p>		
<p>Emissions sources</p> <p>§ 129.137 Fugitive emissions components @ conventional well site with only oil wells</p>	<p>On/before 1/1/2023</p> <p>(c)(1) For well site consisting of only oil wells, (i) determine gas-to-oil ratio (GOR) of oil well site using generally accepted methods, and (ii) if oil well site GOR is < 300 standard cu ft of gas per barrel of oil produced, maintain the records under §</p>	<p>Prior to/By 1/31/2023</p> <p>(c)(2)(i) Conduct initial audible, visual and olfactory (AVO) inspection, with monthly inspections thereafter separated by at least 15 calendar days but not more than 45 calendar days, and (c)(2)(ii) conduct initial LDAR inspection program, with quarterly</p>	<p>5/1/2023</p> <p>(c)(3) For well site producing avg ≥ 15 BOE/day, and at least one well producing avg ≥ 5 BOE/day but < 15 BOE/day.</p>	<p>Beginning/By 12/2/2023</p>	<p>12/2/2025</p>

Conventional VOC Regulation Deadlines

	<p>129.140(g)(1) [location & US Well ID Number; analysis documenting GOR, signed & certified by responsible official], and</p> <p>(iii) if well site GOR is \geq 300 standard cu ft of gas per barrel of oil produced, meet requirements of paragraph (c)(2) or paragraph (c)(3) based on the results of subsection (b)(1) BOE calculation.</p>	<p>inspections thereafter separated by at least 60 calendar days but not more than 120 calendar days, using OGI equipment [SEE § 129.137(h)], gas leak detector meeting requirements of EPA Method 21 [SEE § 129.137(i)], or another leak detection method approved by DEP</p> <p>(c)(3)(i) For well site producing avg \geq 15 BOE/day, and at least one well producing avg \geq 5 BOE/day but < 15 BOE/day, conduct initial audible, visual and olfactory (AVO) inspection, with monthly inspections thereafter separated by at least 15 calendar days but not more than 45 calendar days</p>	<p>(c)(3)(ii) conduct initial LDAR inspection program, with annual inspections thereafter separated by at least 335 calendar days but not more than 395 calendar days, using OGI equipment [SEE § 129.137(h)], gas leak detector meeting requirements of EPA Method 21 [SEE § 129.137(i)], or another leak detection method approved by DEP</p>		
Emissions sources	On/before 1/1/2023	Prior to/By 1/31/2023	5/1/2023	Beginning/By 12/2/2023	12/2/2025

Conventional VOC Regulation Deadlines

Emissions sources	On/before 1/1/2023	Prior to/By 1/31/2023	5/1/2023	Beginning/By 12/2/2023	12/2/2025
<p>§ 129.137 Fugitive emissions components @ natural gas gathering & boosting station and natural gas processing plant</p>		<p>(e)(1) conduct initial audible, visual and olfactory (AVO) inspection, with monthly inspections thereafter separated by at least 15 calendar days but not more than 45 calendar days, and</p> <p>(e)(2) conduct initial LDAR inspection program, with quarterly inspections thereafter separated by at least 60 calendar days but not more than 120 calendar days, using OGI equipment [SEE § 129.137(h)], gas leak detector meeting requirements of EPA Method 21 [SEE § 129.137(i)], or another leak detection method approved by DEP</p>			

Conventional VOC Regulation Deadlines

Emissions sources	On/before 1/1/2023	Prior to/By 1/31/2023	5/1/2023	Beginning/By 12/2/2023	12/2/2025
<p>§ 129.138 Covers on a storage vessel, reciprocating compressor or centrifugal compressor and closed vent systems re storage vessel, natural gas-driven diaphragm pump, & reciprocating and centrifugal compressors connected to control device</p>	<p>(b)(5) Upon installation of closed vent system, conduct design and capacity assessment, prepared under the supervision of an in-house engineer or qualified professional engineer, that meets the requirements of subsection (c)</p>	<p>(a)(4) [covers] & (b)(2)(i) [closed vent systems] conduct an initial AVO inspection, with monthly inspections thereafter separated by at least 15 calendar days but not more than 45 calendar days for defects that could result in air emissions [examples of defects in (a)(4)(i)-(iv) & (b)(2)(i)(A)-(D)]</p> <p>(b)(2)(ii) conduct a no detectable emissions inspection as specified in subsection (d) during the facility's scheduled LDAR inspection in accordance with § 129.137(c)(2)(ii) and (c)(3)(ii) or (e)(2)</p> <p>(b)(4) for closed vent system w/one or more bypass devices, (ii)(B) visually inspect car-seal or lock-and-key configuration to verify that valve is maintained in the non-diverting</p>	<p>(b)(2)(ii) conduct a no detectable emissions inspection as specified in subsection (d) during the facility's scheduled LDAR inspection in accordance with § 129.137(c)(2)(ii) and (c)(3)(ii) or (e)(2)</p>		

Conventional VOC Regulation Deadlines

		position, with monthly inspections separated by at least 15 calendar days but not more than 45 calendar days [BUT N/A to low leg drain, high point bleed, analyzer vent, open-ended valve or line or safety device]			
Records/Reporting		§ 129.140(h),(i),(i)(4)		§ 129.140(k)(3)(vii) & (viii)	
Emissions sources	On/before 1/1/2023	Prior to/By 1/31/2023	5/1/2023	Beginning/By 12/2/2023	12/2/2025
§ 129.139 Control devices that receive liquid, gas, vapor or fume from storage vessels, natural gas-driven diaphragm pumps, and compressors Records/Reporting	Comply with general requirements in (b)(1)-(7) for installing and operating control device, including [(b)(2)] ensuring that control device is maintained in leak-free condition by conducting physical integrity check according to the manufacturer's instructions, with monthly inspections separated by at least 15 calendar days but not more than 45 calendar days, and		SEE (j) for General performance test requirements (i) conduct initial performance test within 180 days after installation of a control device, and (ii) conduct performance test of existing control device on or before July 30, 2023, unless owner or	SEE (k) for Performance test method for demonstrating compliance with a control device weight-percent VOC emission reduction requirement § 129.140(k)(3)(ix)	

Conventional VOC Regulation Deadlines

<p>(b)(7) recording inspection, repair and maintenance activities for the control device in a maintenance and repair log</p> <p>SEE subsections (c) for compliance requirements for a manufacturer-tested combustion device [per 40 CFR 60.5413a(d)],</p> <p>(d) for compliance requirements for an enclosed combustion device (such as thermal vapor incinerator, catalytic vapor incinerator, boiler or process heater),</p> <p>(e) for compliance requirements for a flare designed and operated per 40 CFR 60.18(b),</p> <p>(i) for compliance requirements for a condenser or non-destructive control device,</p> <p>(j) for general performance test requirements, and</p> <p>(k) for performance test method for</p>		<p>operator is complying with established performance test interval, in which case the current schedule should be maintained</p>		
--	--	--	--	--

Conventional VOC Regulation Deadlines

	<p>demonstrating compliance with a control device weight-percent VOC emission reduction requirement</p> <p>Records/Reporting: § 129.140(j)</p>				
Emissions sources	On/before 1/1/2023	Prior to/By 1/31/2023	5/1/2023	Beginning/By 12/2/2023	12/2/2025

SUPPORT OUR MEMBERS:

PGCC is fortunate to have a growing membership that includes valued service providers. We urge you to support our service members!!!

Jean M. Mosites
Attorney at Law
jmosites@babstcalland.com

Babst Calland
Attorneys at Law

Two Gateway Center
Pittsburgh, PA 15222
Direct 412.394.6468
Main 412.394.5400
Fax 412.586.1051
www.babstcalland.com

Babst Calland is a key provider of legal service to the oil and gas industry with experience in matters related to energy, environmental, land use, construction, litigation, business transactions, real estate, and employment and labor law. For more information, including attorney profiles, visit babstcalland.com or contact Jean Mosites, Shareholder, at jmosites@babstcalland.com or 412-394-6468.



Proudfit Insurance has been an insurance partner of the oil & gas industry since 1977.



Matt J. Bernini
Account Executive

Laurel Place, 922 Philadelphia Street
Indiana, PA 15701-3940

Desk: 724.463.5921
Cell: 724.599.5498
Fax: 724.349.6616
mbernini@reschini.com

The Reschini Group understands the need for a comprehensive employee benefits and health care program tailored specifically for your business. We are known as a leading advocate assisting employers in navigating through the health care maze. The Reschini Group also manages risk. We navigate change. We track regulations, and we can help you reach your business rewards.

Mark Miller, P.G.

Vice President
mmiller@moody-s.com

11548 Cotton Road
Suite 101
Meadville, PA 16335

814.724.4970 office
814.720.0629 cell
814.724.4973 fax
800.836.5040

www.moody-s.com



Groundwater and Environmental Professionals Since 1891

Moody and Associates, Inc. offers Groundwater and Environmental services. With over 128 years of professional expertise in Environmental, Geological, Ecological, and Gas Migration, our services include:

- Environmental services that address your needs, no matter the complexity.
- Groundwater services that solve the most complex groundwater issues.
- Engaging in energy services ranging from permitting to reclamation.

For more information, visit www.moody-s.com or contact a licensed Professional Geologists in our Meadville, PA office at (814) 724 – 4970.

MATTHEW L. WOLFORD
ATTORNEY AT LAW

Wolford Law
638 West 6th Street
Eric, PA 16507
E-mail: mwolford@wolfordlaw.com

814/459-9600
Fax: 814/459-9661

ROBERT S. TAYLOR, ESQ.
CHAIRMAN AND CEO

THE CAMERON COMPANIES, LLC
PO Box 220
SOLEBURY, PA 18963

PHONE: 215-489-5300
FAX: 215-489-5301
CELL: 215-801-2295
EMAIL: RST@CAMERON-COMPANIES.COM

Producer-focused, service-driven
purchaser of light, sweet, paraffinic crude oil
and blender of ARGuard™ lubricants for all
of your industrial equipment needs.

ARG's roots are deep in the Pennsylvania oil fields.

In 1881, the Bradford oil refinery was
established in Northwestern PA, the birthplace
of the domestic oil industry. 140 years later,
ARG remains committed to supporting the
Commonwealth's conventional oil and gas producers.

David Cook
Crude Oil Relationship Manager
dcook@amref.com
814-598-1607

Bill Murray
VP - Crude Supply & Logistics
bmurray@amref.com
330-224-4408



AMERICAN REFINING GROUP, INC.
Refine everything

www.amref.com



333 Allegheny
Avenue
Suite 201
Oakmont, PA 15139

Chris Klonowski – Openhole Mgn.
(724-859-7373)

Garry Rex – Casedhole Mgn.
(724-705-3942)

Marty Comini – COO
(412-260-9040)

Operation Location: 15771 Olean Trail, Strattanville, PA 15139 (Corsica Shop)

Equipment & Service Description

- 1) **Description:** 3 Complete Wireline Units setup to run Openhole and Casedhole Services. With 2 additional Wireline units in yard. Equipment was built and designed to handle the terrain of the Appalachian's, and the specific needs of the Energy business.
- 2) **Safety:** ATF & NRC Licenses for all operating States. Registered with ISNetworld with a "A" rating. OOSH 300A forms with ZERO incidents since conception (Sept. 2014). All training and safety audits up to date.
- 3) **Personal:** Keystone Wireline staff has many years of field, sales, and management experience dealing with all aspects of wireline work, including Plug-n-Abandonment, Openhole, Casedhole, Cavern, and Porosity storage operations. The team has between 20 plus years of experience for each individual in the wireline industry, making the staff experience leader in the industry.



AUTO HOME BUSINESS LIFE HEALTH



CALVERT · PEARSON
INSURANCE GROUP

814-723-2300

*"Proudly Serving Pennsylvania, Ohio,
and New York For Generations."*