



**TCEQ SEEKS COMMENT ON DRAFT REVISED STANDARD PERMIT
FOR OIL AND GAS FACILITIES**

**March 17, 2006
Austin, Texas**

TCEQ is seeking comment on a draft revised standard permit for oil and gas facilities which would replace the existing standard permit under 30 Texas Administrative Code (TAC) §116.620 and the existing permit by rule under 30 TAC §106.352. This draft standard permit has been under development for several years, but agency staff currently anticipates that it may be adopted by the end of the summer of 2006. Beginning March 20, 2006, the TCEQ will be holding stakeholder meetings in Midland, Fort Worth, Amarillo, Houston and Longview to obtain input. The schedule for these meetings and a copy of the draft standard permit are available at: http://www.tceq.state.tx.us/permitting/air/announcements/advisory/Current/sp_oilgas_sg.html.

The draft standard permit proposes two tiers for authorization. Tier I would authorize small sweet oil and gas facilities and would require notification. Tier II would authorize those facilities not meeting the requirements for Tier I and would require registration. The draft requirements include the following:

- All facilities would be required to meet best available control technology (BACT) as specified in detail in the standard permit (e.g., submerged or bottom loading).
- Only sweet oil or gas transportation or production facilities would be authorized under Tier I. Facilities handling sour gas would be required to register under Tier II. Under current requirements, both types of facilities would qualify under the existing permit by rule.
- The prescribed “distance to property line or receptor” would vary depending on stack height.
- Owners or operators emitting uncontrolled VOC process fugitive emissions equal to or greater than 10 tons per year would be subject to specified monitoring requirements. (Although this proposed threshold is not clearly stated in the draft standard permit, we understand from agency staff that this is the intended proposed threshold.)

If you have any questions about this draft standard permit, please contact Maddie Kadas at mkadas@bdlaw.com, Laura LaValle at llavalle@bdlaw.com, or Lydia González Gromatzky at lgromatzky@bdlaw.com.

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Maddie Kadas is a Director of the Firm. She represents the Firm’s clients on a variety of regulatory and litigation matters, concentrating on air and waste issues.

Laura LaValle is also a Director of the Firm. Her practice focuses on Clean Air Act matters including permitting, compliance and policy issues. She also provides counsel on waste matters, including permitting and remediation.

Lydia González Gromatzky, previously chief of legal services for the Texas Commission on Environmental Quality, is Of Counsel with the Firm. Her environmental law practice focuses on waste and water issues.