

**APPLICATION FORMS & INSTRUCTIONS:
PERMIT BY RULE
OIL AND NATURAL GAS SECTOR**

ASSISTANCE AVAILABLE @
DEQ Customer Assistance: (800) 869-1400
Or customerassistance@deq.ok.gov
Air Quality Division: (405) 702-4100

INTRODUCTION

This package contains the application forms for registration under the Air Quality Permit By Rule (PBR) to Construct and/or Operate Minor Sources in the Oil and Gas Sector (OAC 252:100-7-60.5). Please read all the directions carefully before you fill it out. Answer all questions by checking the appropriate box or filling in a response (e.g., NA – not applicable). An original signature from a qualified responsible official is required for certifications. Please note that delays in processing your application may occur if an incomplete application is submitted.

ELIGIBILITY

This PBR covers equipment and processes located at minor facilities and area sources in the Oil and Natural Gas (O&NG) sector. This includes sources in the crude oil and natural gas production, transmission, and distribution sector.

New and existing minor facilities are eligible for this PBR, provided they meet the conditions in (A) through (C) of this paragraph.

(A) Facilities meeting the following criteria:

- (1) The facility has actual emissions of 40 TPY or less of each regulated air pollutant, except HAPs.
- (2) The facility does not emit or have the potential to emit (PTE) 10 TPY or more of any single HAP or 25 TPY or more of any combination of HAPs.
- (3) The owner or operator of the facility certifies that it will comply with the applicable permit by rule.
- (4) The facility is not operated in conjunction with another facility or source that is subject to air quality permitting.

(B) The facilities must have potential emissions of each regulated air pollutant that are less than the emission levels that require prevention of significant deterioration (PSD), nonattainment new source review (NNSR), and Part 70 permits. For the purposes of this PBR, potential emissions do not take into account any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed.

(C) The facilities are not otherwise Part 70 sources.

Facilities meeting the eligibility requirements may be subject to one or more of the area source NESHAPs (National Emission Standards for Hazardous Air Pollutants) under 40 CFR Part 63 and/or the NSPS (New Source Performance Standards) under 40 CFR Part 60.

The DEQ may not issue a Registration under this permit to an applicant that has not paid all money owed to the DEQ or that is not in substantial compliance with Oklahoma's Environmental Quality Code, DEQ rules, and the terms of any existing DEQ permits and orders. See OAC 252:004-7-15(a).

PERMIT CONTINUUM

Coverage under this permit is effective, and the permittee may commence construction, upon receipt of a registration request by the DEQ. Acceptable documentation of receipt of the registration is the earliest of (1) a legible dated U.S. Postal Service postmark (private metered postmarks are not acceptable); (2) a dated receipt from a commercial carrier or the U.S. Postal Service; or (3) a DEQ date-stamped application. **A registration letter is issued by the DEQ after confirming** that the application is administratively complete, the facility is eligible for coverage under the permit, and the proper fee has been received. An application for a registration to operate must be submitted within 180 days after facility start-up. **A registration letter is issued by the DEQ after** construction is completed and the facility has demonstrated that the source is capable of meeting applicable emissions limitations and air pollution control requirements. Alternatively, a facility may register simultaneously for both the construction and operation of the facility by submitting the appropriate forms and combined fees with the registration to construct application.

FACILITY MODIFICATIONS

The PBR is valid for the life of the facility. Modifications to a facility do not require a new PBR or notification provided the facility continues to meet the eligibility requirements of the PBR.

FEDERALLY ENFORCEABLE LIMITS

The PBR has been developed to allow facilities to limit the potential to emit for VOC storage vessels and/or to certify that certain tanks have PTE below 6 TPY. The applicant should request a tank specific limit utilizing Form 100-223-D. This form can also be utilized to add or remove the federally enforceable limit at any point after the facility has registered under the PBR. The addition or removal of the tank enforceable limit applies upon submittal of this form to DEQ as described under Permit Continuum.

TIER DETERMINATION

All registrations under PBRs for minor facilities are processed as Tier I applications under DEQ's "Uniform Permitting" system (see OAC 252:4). Tier I requirements include landowner notification. However, public notice is not required for registration under a PBR.

PERMIT FEES

Attach a check or money order (no cash accepted) payable to the DEQ Air Quality Division in the amount of \$250 for a Registration to Construct or \$100 for a Registration to Operate. Submittal of both fees with the initial Registration to Construct is acceptable. When paying both fees initially, a subsequent Registration to Operate submittal is not required. Construction may be commenced upon timely submittal of the Registration to Construct with fees. Please reference the facility name (or existing permit or application number) on the check.

APPLICATION CHECKLIST – A complete application form must include the items listed below:

	Form 100-223-A (Permit By Rule Registration)
	Form 100-810 (Landowner Notification Affidavit)
	Form 100-223-B (Notice of Compliance) – Optional
	Form 100-223-C (Facility Equipment)
	Form 100-223-D (Notice of Enforceability) – Optional
	Form 100-815 (classification of AQ Permit Applications & Application Fees)
	Appropriate fees (check payable to DEQ Air Quality Division)

SUBMIT TWO COPIES OF A COMPLETED REGISTRATION TO:

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
707 N. ROBINSON AVE., SUITE 4100
P.O. BOX 1677
OKLAHOMA CITY, OKLAHOMA 73101-1677

Note: NESHAP and NSPS notification and performance test requirements must be met in addition to any other permit requirements. Information requirements vary among individual NESHAPs & NSPS. Example Initial and Compliance Notifications for area source NESHAPs, along with other implementation tools are available on EPA's web site at:

<http://www.epa.gov/ttn/atw/area/arearules.html>

For all delegated NESHAPs and NSPS, a completed Registration to Construct may serve as the notifications required under 40 CFR § 63.9(b)(5) and 40 CFR § 60.7(a)(1)-(4), and a Registration to Operate may serve as the Notification of Compliance Status/Performance Test Results under 40 CFR § 63.9(h) and 40 CFR § 60.8(a), provided each Registration states specifically which NESHAP or NSPS applies, and it is supplemented with any additional information specified under the applicable NESHAP/NSPS and corresponding General Provisions. For NESHAPs and NSPS that have not been delegated, affected sources/facilities must submit all required notifications (within the specified times) to EPA, with a copy submitted to DEQ [see also 40 CFR §63.9(a)(3) & (4)].

ASSISTANCE AVAILABLE FROM:

DEQ Customer Assistance: 1-800-869-1400
Air Quality Division: (405) 702-4100
Web Page Address: <http://www.deq.ok.state.us>

PERMIT BY RULE (PBR) REGISTRATION OIL AND NATURAL GAS SECTOR

DEQ CUSTOMER ASSISTANCE: 1 - (800) 869-1400
 AIR QUALITY DIVISION: (405) 702-4100
 WEB PAGE ADDRESS: <http://www.deq.state.ok.us>

Please complete the following form to register to construct a new facility or to operate an existing facility that qualifies for the PBR. Note that you must obtain both a PBR to construct and PBR to operate (apply within 180 days after starting operation) a new facility. A check or money order for the applicable fee, made payable to the DEQ Air Quality Division, must accompany the Application Classification Fee (DEQ Form #100-815) along with the completed PBR application form.

Company Name							
Mailing Address							
City		State		Zip			
Phone		Fax					
Facility Name							
SIC Code(s)		NAICS Code(s)		API Number(s)			
Mailing Address							
City		State		Zip			
Phone		Fax					
Contact Person		Title		Phone			
Legal Description		Section		Township		Range	
Physical Address or Driving Directions							
City or Nearest Town						County	
Coordinates		Latitude (5 Decimal)		Longitude (5 Decimal)			
DATA SOURCE		GPS		DEQ Data Viewer		Web Viewer (Specify):	
Center of Township & Range Section or relevant subsection				Street Address (Conversion Program):			
Unknown		Other (Specify):					
REFERENCE POINT		Facility Entrance Point or First Gate of Lease Property (preferred above all other options)					
Center of Facility		Unknown		Other (Specify):			
Est. Date of Construction Start				Completion Date			
Operational Start-up Date							
List All Current Air Quality Permit Numbers At This Facility							
In accordance with OAC 252:100-7-60, I request that the permits listed above be terminated and the facility listed above be registered under the following: <input type="checkbox"/> Construction PBR; or <input type="checkbox"/> Operating PBR; or <input type="checkbox"/> Combined Construction/Operating PBR							
This application (including any appropriate attachments) serves as the notification of compliance status required under applicable NESHAP and/or NSPS, as indicated below and on Form 100-223-B and/or Form 100-223-C.							
Applicable NESHAP:				Applicable NSPS:			
<p>I certify that the facility listed above currently or following construction:</p> <p>(1) complies with/will comply with the indicated Permit By Rule,</p> <p>(2) has/will have emissions less than 40 tons per year (TPY) of each regulated pollutant, except Hazardous Air Pollutants (HAPs),</p> <p>(3) does not/will not have the potential to emit 10 TPY or more of any HAP, or 25 TPY or more of any combination of HAPs, or 100 TPY of any regulated air pollutant and</p> <p>(4) is not/will not be operated in conjunction with another facility or source that is subject to air quality permitting.</p>							
<p>Permit By Rule Registration: This application, including all attachments, has been submitted as required by OAC 252:100-7. I understand that I am responsible for assuring construction and operation of the above facility in accordance with this application, the terms of the permit by rule for this source category, and OAC 252:100. I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.</p>							
Responsible Official (signature)						Date	
Responsible Official (typed)		Phone		Fax			
Responsible Official Title		Email Address					
Street Address		City		State		Zip	

DEQ LANDOWNER NOTIFICATION AFFIDAVIT

Tier I, II or III permit applicants must provide notice to the landowner(s). The basis for this requirement is 27A Oklahoma Statute § 2-14-103(9) and OAC 252:4-7-13 (b).

Please note that you MUST fill out and return this affidavit even if you don't have to give any landowner notice.

A	NOTICE TO THE LANDOWNER(S) IS NOT REQUIRED because: (check one)
	My application does not involve any land.
	My application involves only land owned by me (or applicant business).
	I have a current lease given to accomplish the permitted purpose.
	I have a current easement given to accomplish the permitted purpose.

OR

B	NOTICE TO THE LANDOWNER(S) IS REQUIRED because the land is owned by someone other than myself or the applicant business AND I HAVE NOTIFIED the following (check one):	
	Landowner(s)	Lessor or Administrator or Executor of the land
METHOD OF DELIVERY (check one):		
	Actual notice, for which I have a signed and dated receipt	
	Service by Sheriff or private process server, for which I have an affidavit	
	Service by certified mail, restricted delivery, for which I have a signed return receipt	
	Legal publication, for which I have an affidavit of publication from the newspaper, because the landowners could not be located through due diligence	

LANDOWNER AFFIDAVIT CERTIFICATION			
I, as the applicant or an authorized representative of the applicant, hereby certify that I own the real property, have a current lease or easement which is given to accomplish the permitted purpose (per Option A above), or have provided legal notice to the landowner(s) (per Option B above) about the permit application for the facility described below.			
Company Name		Facility Name	
Facility Address or Legal Description.			
Responsible Official (signature)		Date Signed	
Responsible Official (typed)		Title	

If the landowner notice applies to your application (Option B above) you can send the following form to them as your notice:

NOTICE TO LANDOWNER OF FILING	
Dear Landowner: (Name) _____	
(Applicant name) _____ has filed a permit application with the Oklahoma Department of Environmental Quality for (Facility Name) _____ facility.	
This application involves the land owned by you located at:	
Address or Legal Description: _____	

Signed: _____	Date: _____

NOTICE OF COMPLIANCE PERMIT BY RULE: OIL AND NATURAL GAS SECTOR
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General Information					
Company Name:					
Facility Name:					
Contact Name for Owner or Operator:					
Title:					
Mailing Address:					
City:		State:		Zip Code:	
Telephone:		Fax:		Email:	

Gas Well Affected Facility (NSPS 40 CFR 60.5420(a)(2)(i))	
Notification of Well Completion	
American Petroleum Institute (API) well number:	
Anticipated date of well completion (MM/DD/YYYY):	
Well Latitude (5 Decimals) (NAD 1983):	
Well Longitude (5 Decimals) (NAD 1983):	
Planned date of the beginning of flowback (MM/DD/YYYY):	
Note: Notice of compliance shall be submitted no later than 2 days prior to the commencement of each well completion operation.	

Centrifugal and Reciprocating Compressor Affected Facility (NSPS 40 CFR 60.7 (a)(1)) and (NSPS 40 CFR 60.7(a)(3))	
Notification of Construction/Reconstruction and Startup	
Date construction/reconstruction commenced (MM/DD/YYYY):	
Date of initial startup (MM/DD/YYYY):	
Compressor Make:	Model:
Serial Number:	(or) Engine ID:
Note: Notification of the date construction/reconstruction commenced is due no later than 30 days after such date. Notification of the actual initial startup is due within 15 days after such date.	

Affected Facilities for Equipment Leaks Standards at Natural Gas Processing Plants (NSPS 40 CFR 60.7 (a)(1)) and (NSPS 40 CFR 60.7(a)(3)) Notification of Construction/Reconstruction and Startup	
Date construction/reconstruction commenced (MM/DD/YYYY):	
Date of initial startup (MM/DD/YYYY):	
Note: Notification of the date construction/reconstruction commenced is due no later than 30 days after such date. Notification of the actual initial startup is due within 15 days after such date.	

Sweetening Unit Affected Facilities at Natural Gas Processing Plants (NSPS 40 CFR 60.7 (a)(1)) and (NSPS 40 CFR 60.7(a)(3)) Notification of Construction/Reconstruction and Startup	
Date construction/reconstruction commenced (MM/DD/YYYY):	
Date of initial startup (MM/DD/YYYY):	
Note: Notification of the date construction/reconstruction commenced is due no later than 30 days after such date. Notification of the actual initial startup within 15 days after such date.	

<p>NOTICE OF ENFORCEABILITY PERMIT BY RULE: OIL AND NATURAL GAS SECTOR</p>

General Information					
Company Name:					
Facility Name:					
Contact Name for Owner or Operator:					
Title:					
Mailing Address:					
City:		State:		Zip Code:	
Telephone:		Fax:		Email:	

Tanks Not Subject to Federally Enforceable Limits	
	Tank Number(s)
The listed tanks have PTE below 6 TPY and do not require a specific federally enforceable limit	

Federally Enforceable Limits	
	Tank Number(s)
The listed tanks shall comply with OAC 252:100-7-60.5 (c)(1)	
The listed tanks shall comply with OAC 252:100-7-60.5 (c)(2)	

Removal of Federally Enforceable Limits	
	Tank Number(s)
The listed tanks are no longer required to comply with OAC 252:100-7-60.5 (c)(1)	
The listed tanks are no longer required to comply with OAC 252:100-7-60.5 (c)(2)	

Permit By Rule Registration: This form, including all attachments, has been submitted as required by OAC 252:100-7. I understand that I am responsible for assuring construction and operation of the above facility in accordance with this form, the terms of the permit by rule for this source category, and OAC 252:100. I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Responsible Official (signature)				Date	
Responsible Official (typed)				Phone	
Responsible Official Title			Email Address		
Street Address		City		State	Zip

AIR QUALITY DIVISION CLASSIFICATION OF AQ PERMIT APPLICATIONS & APPLICATION FEES	<i>Received Stamp (DEQ Use Only)</i>	Application Number (AQD Use Only)	

Company Name							
Facility Name							
Mailing Address		City		State		Zip	

This form is used to document both a preliminary determination of the Tier classification and any associated Application Fee.

Step 1: APPLICATION CLASSIFICATION AND TIER DETERMINATION

DEQ's "Uniform Permitting" system, under OAC 252:004, categorizes different types of applications as Tier I, II, or III, depending on their complexity and the amount of public interest. The main effect of a Tier classification is the amount of public review given the application. For Air Quality permits, Tier I basically includes minor facilities and most synthetic minor facilities. Tier II covers major sources, and Tier III covers only very large sources such as those requiring PSD review. Additional information to make a preliminary determination of the Tier classification is provided on the next page. This determination will be verified before permit issuance.

Note that all Tier II and III applications require public notice of the application in one newspaper local to the site or facility as soon after the filing date as possible. Other public participation requirements, such as notice of draft and proposed permit, and notice of public meeting may also be required. Contact our office for more information on these requirements.

TIER CLASSIFICATION		Tier I		Tier II		Tier III		N/A – AD only
FACILITY TYPE		Major		Minor		Synthetic Minor		Confirmed/Corrected by: (AQD Use Only)

Step 2: APPLICATION TYPE & FEE

Application fee may be determined according to the following schedule. The emissions level is based on the single criteria pollutant with the highest emissions rate. Fees are subject to change – please refer to OAC 252:100-7-3 or 252:100-8-1.7 for the latest fee schedule.

MAJOR SOURCE		Fee	MINOR OR SYNTHETIC MINOR SOURCE		Fee
	Applicability Determination (100734)	\$500		Applicability Determination (100922)	\$500
	GP- Authorization to Construct (100778)	\$900		PBR – Construct (100985)	\$250
	GP- Authorization to Operate (100788)	\$900		PBR – Operate (100989)	\$100
	Part 70 Construction (100150)	\$7,500		GP – Authorization to Construct (100826)	\$500
	Part 70 Construction Modification (100779)	\$5,000		GP – Authorization to Operate (100827)	\$500
	Part 70 Operation (100733)	\$7,500		Construction (100829)	\$2,000
	Part 70 Minor Modification (100781)	\$3,000		Permit Amendment – no emission increase (100830)	\$500
	Part 70 Significant Modification (100786)	\$6,000		Operating Permit (100831)	\$750
	Part 70 Renewal (100787)	\$7,500		Operating Permit Modification (100833)	\$750
	Part 70 Relocation (100782)	\$500		Relocation (100834)	\$250

Application Type Confirmed – (AQD Use Only)	
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GP or PBR Name (If Applicable):		Existing Permit Number (If Applicable)	
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PAYMENT INFORMATION

Please choose one payment type, and attach payment – payable to the Department of Environmental Quality (no cash can be accepted). Please reference the facility name (or existing permit or Authorization number) on the check or money order.

Payment Type		Check		Money order		Amount/ Receipt Confirmed by: (DEQ Use Only)	
Amount:	\$	Check or Money Order Number:		Date:			

TIER DETERMINATION INFORMATION

OAC 252:004-7 categorizes different types of Air Quality applications as Tier I, II, or III, depending on their complexity and the amount of public interest under DEQ's "Uniform Permitting" system. The Tier classification affects the amount of public review given the application. Applicants may use the following format as a checklist for determining Tier classification.

OAC 252:4-7-32. Air quality applications - Tier I

- _____ (1) New construction, operating and relocation permit for a minor facility.
- _____ (2) Modification of a construction permit for a minor facility that will remain minor after the modification.
- _____ (3) Modification of an operating permit that will not change the facility's classification from minor to major.
- _____ (4) Extension of expiration date of a minor facility construction permit.
- _____ (5) New construction permit for an existing Part 70 source for any facility change considered minor under OAC 252:100-8-7.2(b)(1).
- _____ (6) New operating permit for a Part 70 source that is based on a construction permit that was processed under Tier II or III, 252:100-8-8 and has conditions which do not differ from the construction permit's operating conditions in any way considered significant under OAC 252:100-8-7.2(b)(2).
- _____ (7) Modification of any Part 70 source operating permit condition that is based on the operating conditions of a construction permit that was processed under Tier II or Tier III and OAC 252:100-8-8, and does not differ from those construction permit conditions in any way considered significant under OAC 252:100-8-7.2(b)(2).
- _____ (8) A construction or operating permit modification that is minor under OAC 252:100-8-7.2(b)(1).
- _____ (9) Extension of expiration date of a Part 70 source's construction permit with no or minor modifications.
- _____ (10) New, modified and renewed individual authorizations under general operating permits for which a schedule of compliance is not required by OAC 252:100-8-5(e)(8)(B)(i).
- _____ (11) Burn approvals.
- _____ (12) Administrative amendments of all air quality permits and other authorizations.

OAC 252:4-7-33. Air quality applications - Tier II

- _____ (1) A minor facility seeking a permit for a facility modification that when completed would turn it into a Part 70 source.
- _____ (2) New construction permit for a new Part 70 source not classified under Tier III.
- _____ (3) New construction permit for an existing Part 70 source for any facility change considered significant under OAC 252:100-8-7.2(b)(2) and which is not classified under Tier III.
- _____ (4) New operating permit for a Part 70 source that did not have an underlying construction permit processed under Tier II or Tier III, and OAC 252:100-8-8.
- _____ (5) New operating permit for a Part 70 source with one or more conditions that differ from the underlying Tier II or Tier III construction permit's operating conditions in a way considered significant under OAC 252:100-8-7.2(b)(2).
- _____ (6) New acid rain permit that is independent of a Part 70 permit application.
- _____ (7) New temporary source permit under OAC 252:100-8-6.2.
- _____ (8) Significant modification, as described in OAC 252:100-8-7.2(b)(2), of a Part 70 operating permit that is not based on an underlying construction permit processed under Tier II or Tier III, and OAC 52:100-8-8.
- _____ (9) Modification of a Part 70 operating permit when the conditions proposed for modification differ from the underlying construction permit's operating conditions in a way considered significant under OAC 252:100-8-7.2(b)(2).
- _____ (10) A Part 70 construction permit modification considered significant under OAC 252:100-8-7.2(b)(2) and which is not classified under Tier III.
- _____ (11) Renewals of operating permits for Part 70 sources.
- _____ (12) New, modified and renewed general operating permits.
- _____ (13) Individual authorizations under any general operating permit for which a schedule of compliance is required by OAC 252:100-8-5(c)(8)(B)(i).
- _____ (14) Plant-wide emission plan approval under OAC 252:100-37-25(b) or OAC 252:100-39-46(j).
- _____ (15) Alternative emissions reduction authorizations.

OAC 252:4-7-34. Air quality applications - Tier III

(a) A construction permit for any new major stationary source listed in this subsection requires a Tier III application. For purposes of this section, "Major stationary source" means:

- _____ (1) Any of the following sources of air pollutants which emits, or has the PTE, 100 TPY or more of any pollutant subject to regulation:
 - _____ (A) carbon black plants (furnace process),
 - _____ (B) charcoal production plants,
 - _____ (C) chemical process plants,
 - _____ (D) coal cleaning plants (with thermal dryers),
 - _____ (E) coke oven batteries,
 - _____ (F) fossil-fuel boilers (or combustion thereof), totaling more than 250 million BTU per hour heat input,
 - _____ (G) fossil fuel-fired steam electric plants of more than 250 million BTU per hour heat input,
 - _____ (H) fuel conversion plants,
 - _____ (I) glass fiber processing plants,
 - _____ (J) hydrofluoric, sulfuric or nitric acid plants,
 - _____ (K) iron and steel mill plants,
 - _____ (L) kraft pulp mills,
 - _____ (M) lime plants,
 - _____ (N) incinerators, except where used exclusively as air pollution control devices,
 - _____ (O) petroleum refineries,
 - _____ (P) petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels,
 - _____ (Q) phosphate rock processing plant,
 - _____ (R) portland cement plants,
 - _____ (S) primary aluminum ore reduction plants,
 - _____ (T) primary copper smelters,
 - _____ (U) primary lead smelters,
 - _____ (V) primary zinc smelters,
 - _____ (W) secondary metal production plants,
 - _____ (X) sintering plants,
 - _____ (Y) sulfur recovery plants, or
 - _____ (Z) taconite ore processing plants, and

_____ (2) Any other source not specified in paragraph (1) of this definition which emits, or has the PTE, 250 TPY or more of any pollutant subject to regulation.

_____ (b) Existing incinerators. An application for any change in emissions or potential to emit, or any change in any permit condition, that would have caused an incinerator to be defined as a major stationary source when originally permitted shall require a Tier III application.

(c) Potential to emit. For purposes of this section, "potential to emit" means emissions resulting from the application of all enforceable permit limitations as defined in OAC 252:100-1-3.