

## FACT SHEET

### EPA's Proposed Federal Implementation Plan for Managing Emissions from Oil and Natural Gas Sources on Indian Country Lands within the Uintah and Ouray Indian Reservation in Utah

**Who:** This rule would apply to any person who owns or operates certain new, modified, or existing oil or natural gas production or natural gas processing facilities located on Indian country lands within the Uintah and Ouray Indian Reservation (U&O Reservation).

**What:** EPA Region 8 is proposing to promulgate a Federal Implementation Plan (FIP) under the Clean Air Act (CAA) specific to the U&O Reservation. In the FIP, the EPA proposes to regulate volatile organic compound (VOC) emissions from certain new, modified, and existing oil and natural gas facilities located on Indian country lands within the U&O Reservation.

**Why:** Ozone levels in the Uinta Basin have exceeded the EPA's 2008 and 2015 ozone standards numerous times in recent winters and represent a serious public health concern. On June 4, 2018, the EPA designated portions of the Uinta Basin, including both state and tribal jurisdiction, as nonattainment for the 2015 ozone standard. Within the Uinta Basin, approximately 98% of emissions of VOC — a driving precursor to ozone formation — are from existing oil and natural gas operations. Furthermore, approximately 70 percent of active producing oil and natural gas wells in the Uinta Basin are on Indian country lands within the U&O Reservation, and are largely unregulated, with no control obligations. This proposed U&O FIP will: (1) improve air quality by reducing VOC emissions from new and existing oil and natural gas facilities; (2) provide regulatory certainty and consistency for oil and natural gas facility across jurisdictions in the Basin; and (3) allow responsible economic oil and natural gas development on the U&O Reservation to continue through a streamlined approval process, including in the Uinta Basin Ozone Nonattainment Area.

**How:** The EPA proposes to establish federally enforceable requirements for owners and operators of certain new, modified and existing oil and natural gas facilities to reduce the VOC emissions released during the production and processing of hydrocarbon fluids. This rule will be implemented by us (or by the Ute Indian Tribe, if delegated the authority to do so) until replaced by an EPA-approved Tribal Implementation Plan (TIP).

The proposed rule requirements are generally consistent with Utah Division of Air Quality's requirements for existing, new, and modified oil and natural gas facilities in the Uinta Basin for crude oil, condensate, and produced water storage tanks, glycol dehydrators, pneumatic pumps, closed-vent systems, enclosed combustors and utility flares, pneumatic controllers, tank truck loading and unloading, and equipment leak detection and repair. The proposed control technologies are consistent with those in the federal New Source Performance Standards for the oil and natural gas sector at 40 CFR part 60, subparts OOOO and OOOOa.

**Status:** A pre-publication version of the Notice of Proposed Rulemaking (NPRM) is available at <https://www.epa.gov/air-quality-implementation-plans/proposed-fip-oil-and-natural-gas-sources-uintah-and-ouray-indian>. The NPRM is published in the Federal Register, and the notice and all supporting information used in development of the proposed rule are available in the official docket for the rulemaking at <http://www.regulations.gov> (Docket #EPA-R08-OAR-2015-0709). The 60-day period during which the EPA is accepting comments on the proposed rule is scheduled to end on March 23, 2020. A public hearing is scheduled on Thursday, February 6, 2020, at the Ute Indian Tribe Administration Offices Auditorium, 6964 East 1000 South, Fort Duchesne, Utah, 84026 from 1:00 p.m. until 5:00 p.m. and 6:00 p.m. – 8:00 p.m. (local time). The hearing will be held to accept oral comments on the proposed rule.

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