

**BEFORE THE ADMINISTRATOR  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

IN THE MATTER OF	)	
	)	
Clean Air Act Final Renewed	)	
Title V Operating Permit	)	
	)	
Issued to Grand River Gathering, LLC	)	Title V Permit No. 05OPGA280
for the East Mamm Creek Compressor	)	
Station, Garfield County, Colorado	)	
	)	
Issued by the Colorado Department of	)	
Public Health and Environment, Air Pollution	)	
Control Division	)	

---

**PETITION TO OBJECT TO FINAL RENEWED TITLE V OPERATING PERMIT  
NO. 05OPGA280 FOR GRAND RIVER GATHERING’S EAST MAMM CREEK  
COMPRESSOR STATION**

---

Pursuant to Section 505(b)(2) of the Clean Air Act, 42 U.S.C. § 7661d(b)(2), and 40 C.F.R. § 70.8(d), the Center for Biological Diversity (“Center” or “Petitioner”) petitions the Administrator of the United States Environmental Protection Agency (“Administrator” or “EPA”) to object to the final renewed Title V Operating Permit (“Title V Permit”) issued by the Colorado Department of Public Health and Environment’s Air Pollution Control Division (“Division”) authorizing Grand River Gathering, LLC (hereafter “Grand River”) to operate the East Mamm Creek Compressor Station in Garfield County, Colorado.

The Center requests the EPA Administrator object on the basis that the Title V Permit fails to assure compliance with Title V requirements under the Clean Air Act.

The Division’s final Title V Permit and supporting Technical Review Document (“TRD”) were issued on May 1, 2025 and are attached as Exhibits 1 and 2, respectively.

**THE EAST MAMM CREEK COMPRESSOR STATION**

The East Mamm Creek Compressor Station is an oil and gas processing facility. The facility receives gas from nearby wells that is run through separators and dehydrators to remove oil and wastewater and compressed with several large engines for transport via pipeline and further processing by additional downstream processing facilities. Sources of air pollution at the East Mamm Creek Compressor Station include compressor engines, a dehydration unit, oil storage tanks, and routine gas venting from maintenance and blowdown activities.

The East Mamm Creek Compressor Station is a significant source of nitrogen oxide (“NO<sub>x</sub>”) and carbon monoxide (“CO”) emissions, which are released from the compressor engines, but is also a large source of harmful volatile organic compounds (“VOCs”) and other hazardous air pollutants (“HAPs”).

NO<sub>x</sub> emissions are a byproduct of combustion and include a number of gases known to be harmful to human health and the environment, including nitrogen dioxide. *See* EPA, “Basic information about NO<sub>2</sub>,” website available at <https://www.epa.gov/no2-pollution/basic-information-about-no2> (last accessed June 11, 2025). VOCs include a number of gases known to be extremely harmful to public health, including hazardous air pollutants like benzene, toluene, hexane, and xylene. *See* EPA, “Technical Overview of Volatile Organic Compounds,” website available at <https://www.epa.gov/indoor-air-quality-iaq/technical-overview-volatile-organic-compounds> (last accessed June 11, 2025). Both NO<sub>x</sub> and VOCs also react with sunlight to form ground-level ozone, a respiratory irritant and the key ingredient of smog. *See* EPA, “Ground-level Ozone Basics,” website available at <https://www.epa.gov/ground-level-ozone-pollution/ground-level-ozone-basics> (last accessed June 11, 2025).

Annually, the facility has the potential to emit up to 102.7 tons of NO<sub>x</sub>, 26.0 tons of CO, and 161.65 tons of VOCs. The primary source of NO<sub>x</sub> and CO are the facility’s compressor engines and flare and the primary source of VOCs at the East Mamm Creek Compressor Station include the engines, storage tanks, and gas venting.

## **PETITIONER**

The Center for Biological Diversity is a nonprofit, 501(c)(3) conservation organization. The Center’s mission is to ensure the preservation, protection, and restoration of biodiversity, native species, ecosystems, public lands and waters, and public health through science, policy, and environmental law. Based on the understanding that the health and vigor of human societies and the integrity and wildness of the natural environment are closely linked, the Center is working to secure a future for animals and plants hovering on the brink of extinction, for the ecosystems they need to survive, and for a healthy, livable future for all of us.

## **PROCEDURAL BACKGROUND**

The Center submitted comments on the draft renewed East Mamm Creek Compressor Station Title V Permit on February 5, 2025. *See* Exhibit 3, Center for Biological Diversity Comments on Draft Title V Permit (Feb. 5, 2025). The Division responded to the Center’s comments on February 25, 2025. *See* Exhibit 4, Colorado Air Pollution Control Division, “Response to Comments on Draft Operating Permit” (Feb. 25, 2025). The proposed permit was subsequently submitted to EPA for the agency’s 45-day review. According to EPA Region 8’s Title V petition deadline website, the EPA’s 45-day review period began on February 25, 2025 and ended on April 10, 2025. *See* Exhibit 5, EPA Region 8, “Title V Operating Permit Public Petition Deadlines in Region 8,” website available at <https://www.epa.gov/caa-permitting/title-v-operating-permit-public-petition-deadlines-region-8> (last accessed June 11, 2025). The EPA’s

EPA did not object to the proposed permit. According to EPA Region 8’s Title V petition deadline website, the 60-day deadline for filing a petition to object to the Title V Permit is June 11, 2025. *See Id.*

Pursuant to 42 U.S.C. § 7661d(b)(2), this petition is now timely submitted within 60 days following a lack of objection from the EPA during the agency’s 45-day review period.

## **GENERAL TITLE V PERMITTING REQUIREMENTS**

The Clean Air Act prohibits qualifying stationary sources of air pollution from operating without or in violation of a valid Title V permit, which must include conditions sufficient to “assure compliance” with all applicable Clean Air Act requirements. 42 U.S.C. §§ 7661c(a), (c); 40 C.F.R. §§ 70.6(a)(1), (c)(1). “Applicable requirements” include all standards, emissions limits, and requirements of the Clean Air Act, including all requirements in an applicable implementation plan, or state implementation plan (“SIP”). 40 C.F.R. § 70.2. Congress intended for Title V to “substantially strengthen enforcement of the Clean Air Act” by “clarify[ing] and mak[ing] more readily enforceable a source’s pollution control requirements.” S. Rep. No. 101-228, at 347, 348 (1990), *as reprinted in* A Legislative History of the Clean Air Act Amendments of 1990, at 8687, 8688 (1993). As EPA explained when promulgating its Title V regulations, a Title V permit should “enable the source, States, EPA, and the public to understand better the requirements to which the source is subject, and whether the source is meeting those requirements.” Operating Permit Program, Final Rule, 57 Fed. Reg. 32,250, 32,251 (July 21, 1992). Among other things, a Title V permit must include compliance certification, testing, monitoring, reporting, and recordkeeping requirements sufficient to assure compliance with the terms and conditions of the permit. 42 U.S.C. § 7661c(c); 40 C.F.R. §§ 70.6(a)(1), (c)(1).

Under the Clean Air Act, “any person” may petition EPA to object to a proposed permit “within 60 days after the expiration of [EPA’s] 45-day review period.” 42 U.S.C. § 7661d(b)(2); *see also* 40 C.F.R. § 70.8. Each objection in the petition must have been “raised with reasonable specificity during the public comment period provided for in § 70.7(h) of this part, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period.” 40 C.F.R. § 70.8(d). Any objection included in the petition “must be based on a claim that the permit, permit record, or permit process is not in compliance with applicable requirements or requirements [of 40 C.F.R. Part 70].” 40 C.F.R. § 70.12(a)(2).

Upon receipt of a petition, EPA “*shall* issue an objection within [60 days] if the petitioner demonstrates to the Administrator that the permit is not in compliance with the requirements of this chapter, including the requirements of the applicable implementation plan.” 42 U.S.C. § 7661d(b)(2) (emphasis added); *see also* 40 C.F.R. § 70.8(c) (“The Administrator will object to the issuance of any proposed permit determined by the Administrator not to be in compliance with applicable requirements or requirements under this part.”). When deciding whether a petitioner has met this demonstration requirement, EPA will evaluate the entirety of the permit record, including the statement of basis and response to comments. *See In re Valero Refining-Texas, L.P.*, Order on Petition No. VI-2021-8 (June 30, 2022). Indeed, EPA’s review of a Title

V petition is confined to the petition itself, including exhibits, the permitting record, and any final permit that may be available. *See* 40 C.F.R. § 70.13.

## **GROUND FOR OBJECTION**

For the reasons set forth below, the Title V Permit fails to comply with applicable requirements under the Clean Air Act. The issues discussed below were raised in comments on the draft Title V Permit for the East Mamm Creek Compressor Station.

### **I. The Title V Permit Does Not Assure Compliance With Applicable Requirements Related to Gas Venting**

Section II, Condition 6 of the Title V Permit establishes VOC and gas venting limits for “maintenance and blowdown activities” at the East Mamm Creek Compressor Station. The Condition limits VOC emissions from maintenance and blowdowns to 16.1 tons per year and gas venting to 4.6 MMscf per year. *See* Exhibit 1, Title V Permit at 78, Section II, Condition 6. This Condition, however, is not enforceable as a practical matter, does not assure compliance with actual applicable limits, and does not set forth sufficient monitoring that assures compliance with the applicable limits. The Center raised these issues with reasonable specificity on pages 3-4 of the technical comments attached to the February 5, 2025 comment letter.

#### **A. Background**

Emission limitations and standards within a Title V permit must be “enforceable.” 42 U.S.C. § 7661c(a). To be enforceable, terms and conditions must be enforceable as a practical matter. *See In the Matter of Plains Marketing LP, et al.*, Order on Petition Nos. IV-2023-1 and IV-2023-3 at 30 (Sept. 18, 2023). Inherent in this requirement is that limitations and standards must be unambiguous, understandable, and capable of informing regulators and the public as to what is actually required. *See e.g. In the Matter of West Elk Coal Mine*, Order on Petition VIII-2024-3 at 33 (May 24, 2024) (noting that ambiguity can render conditions unenforceable). Further, to be enforceable and assure compliance, a Title V permit must set forth monitoring that assures compliance with permits terms and conditions, including “periodic monitoring sufficient to yield reliable data from the relevant time period that are representative of the source’s compliance with the permit[.]” 40 C.F.R. § 70.6(a)(3)(i)(B); *see also* 42 U.S.C. § 7611c(c) and 40 C.F.R. § 70.6(c)(1); *see also In the Matter of XTO Energy Inc., Wildcat Compressor Station*, Order on Petition No. VI-2023-4 (Aug. 7, 2023) at 19-21 (objecting to permit that failed to set forth methodologies for demonstrating compliance with applicable limits).

#### **B. Section II, Condition 6 is Unenforceable as a Practical Matter**

To begin with, as the Center commented, it is not clear what specific activities are authorized to emit in accordance with Condition 6. The Condition states that emissions of VOCs and volume of vented gas must be limited from “all maintenance and blowdown activities,” but it

is not clear what specific activities this phrase refers to such that the applicable limits can actually be enforced. As the Center stated in its comments:

The term “maintenance” is not defined and as written appears that it could encompass a wide range of activities, some of which could be considered maintenance by some but not by others. Grand River Gathering may consider some activities to be “maintenance” when they are actually the result of negligence or deferred maintenance, a sign of improper operation and maintenance of the East Mamm Creek Compressor Station. The term ‘blowdown’ is also not defined and it is unclear what activities are specifically encompassed with this term.

Exhibit 3, Center Technical Comments at 3. In other words, the phrase “maintenance and blowdown activities” appears extremely broad and likely to encompass a number of potential activities at the East Mamm Creek Compressor Station, yet it is unclear exactly what all activities would be included.

As the Center noted in its comments, confusion over what is meant by the phrase “maintenance and blowdowns activities” in the Title V Permit is underscored by underlying applicable requirements and supporting materials. As the Center pointed out, the underlying Construction Permit referenced by Condition 6, Permit No. 12GA3170, specifically applies only to “blowdowns,” which are described in the permit as “equipment maintenance blowdowns.” Exhibit 6, Construction Permit No. 12GA3170, Issuance No. 1 (Jan. 27, 2014) at 1. Notably, the Construction Permit does not contain the phrase “maintenance and blowdown activities” or otherwise establish limits specifically applicable to “maintenance and blowdown activities.” Rather, the Permit appears to be narrowly applicable only to one activity, “equipment maintenance blowdowns.”

The application in support of Permit No. 12GA3170 appears to confirm that the underlying applicable requirements apply only to a narrow type of activity, namely blowdowns. The application further states that blowdown emissions come from a single “blowdown stack” at the facility, indicating that emissions are not just from a narrow type of activity, but are released from a specific, singular stack at the East Mamm Creek Compressor Station. *See* Exhibit 7, Grand River Gathering, LLC, “Permit Application Package, East Mamm Creek Compressor Station” (Nov. 26, 2012) at PDF page 5. This underscores the phrase “maintenance and blowdown activities” in the Title V Permit is ambiguous and overly broad and does not reflect applicable requirements.

To this end, even the 2020 Title V Permit renewal application submitted by Grand River Gathering, LLC only refers to “blowdowns” and discloses information only related to “blowdown emissions.” *See* Exhibit 8, Grand River Gathering LLC, “East Mamm Creek Compressor Station, 05OPGA280 Operating Permit Renewal” (Dec. 28, 2020) at PDF page 43. The application does not disclose information related to “maintenance and blowdown activities,” further underscoring that by referring to “maintenance and blowdown activities,” the Title V Permit does not reflect applicable requirements.

While this all indicates the Title V Permit does not assure compliance with applicable requirements due to its failure to narrowly specify what is meant by “maintenance and blowdown activities,” at minimum it underscores the existence of extreme inconsistency that further calls into question the practical enforceability of Condition 6.

In response to comments on this issue, the Division did not address the discrepancies between the Title V Permit and the underlying applicable requirements. Rather, the Division asserted, “These common operations and pieces of equipment do not need to be more explicitly defined in the Title V Permit[.]” Exhibit 4, Response to Comments at Unnumbered Page 4. In support of its response, the Division points to EPA’s July 10, 1995 “White Paper for Streamlined Development of Part 70 Permit Applications.” However, EPA’s 1995 White Paper does not support the Division’s assertion.

For one, the 1995 White Paper was intended to guide states in the development of streamlined Title V permit applications and does not speak to the development of the content of Title V permits themselves. The Division quotes one paragraph of EPA’s 1995 White Paper, which states that a description of emission units “can be quite general.” EPA White Paper at 8. This paragraph is from Part B, Section 2 of EPA’s White Paper, which refers to the type of information required to be included in Title V Permit applications. This paragraph does not refer to the required content of Title V permits or otherwise provide guidance on how states should draft permit content in relation to the need to ensure the description of emission units assures compliance with applicable requirements.

If anything, the EPA’s 1995 White Paper actually appears at odds with the Division. While acknowledging that certain emission activities may be generically grouped in Title V permit applications, such grouping of activities may occur only “where (1) the class of activities or emissions units subject to the requirement can be unambiguously defined in a generic manner and where (2) effective enforceability of that requirement does not require a specific listing of subject units or activities[.]” EPA White Paper at 10. Here, for the group of activities subject to Condition 6, the Title V Permit has not unambiguously defined the group of activities. Further, effective enforceability of Condition 6 requires a specific list of subject activities.

Regardless, the EPA’s 1995 White Paper does not stand for the proposition that the Division is allowed to include vague, ambiguous, or otherwise unenforceable permit terms in Title V permits that fail to assure compliance with applicable requirements. Here, Condition 6 does not provide any level of specificity to fully understand what activities are actually to Condition 6. As discussed above, the phrase “maintenance and blowdown activities” in Condition 6 is not sufficiently defined such that it is understood what all activities are specifically subject to Condition 6 for purposes of assessing compliance with applicable requirements.

The Division further responded that it:

explains justification and methodologies for permitting blowdown events from oil and natural gas operations in Permit Section Memo 20-04 “Routine or Predictable Gas Venting Emissions Calculation and Instructions on Permitting for Oil and Natural Gas

Operations” where many of the processes identified by the commenter are defined and clarified, including, but not limited to maintenance and blowdown emissions activities identified in section II, Condition 6 of the Operating Permit.

Exhibit 4, Response to Comments at Unnumbered Page 4. Generally referencing the Division’s Permit Section Memo, or PS Memo, 20-04 in response to the Center’s comments does not rectify the ambiguity in the Title V Permit or otherwise address the lack of specificity that undermines the enforceability of the Title V Permit.

For one, the Title V Permit does not reference or otherwise rely in any explicit way on PS Memo 20-04. Thus, even if PS Memo 20-04 may set forth some definitions or clarifications, these definitions or clarifications are not specifically referenced or set forth in the Title V Permit.

Additionally, PS Memo 20-04 is not a federally enforceable guidance memo. Rather it is a state-issued guidance document that at best is state-only enforceable (if the document is enforceable at all). It is unclear how a non-federally enforceable guidance memo can ensure the practical enforceability of Condition 6.

Finally, contrary to the Division’s assertion otherwise, PS Memo 20-04 does not provide the definitions or clarifications needed to specifically understand what the phrase “maintenance and blowdown activities” means in relation to operation of the East Mamm Creek Compressor Station such that it is understood how Grand River will demonstrate compliance and how Condition 6 will be enforced. The Memo, attached as Exhibit 9, presents only three specific definitions, neither of which are “maintenance” or “blowdown activities.” *See* Exhibit 9, PS Memo 20-04 (Nov. 6, 2020) at 8. While the memo provides numerous examples of what could constitute maintenance or blowdowns, including maintenance and blowdown emissions related to the operation of storage tanks, pigging, well maintenance, and general blowdowns, the Division cites to no specific section that provides any level of clarity. If anything, the Division’s broad reference to PS Memo 20-04 only reinforces that the phrase “maintenance and blowdown activities” could encompass myriad activities at the East Mamm Creek Compressor Station, necessitating a more specific definition and more clarity. Particularly given that underlying applicable requirements appear to apply only to blowdown emissions from a specific stack, the reference to PS Memo 20-04 is misplaced.

The Title V Permit is unenforceable as a practical matter as it is unclear what specific gas venting activities are subject to the applicable limits set forth at Section II, Condition 6. The broad and ambiguous phrase “maintenance and other activities” is not found in underlying applicable requirements and actually appears contrary to underlying applicable requirements, which narrowly apply only to specific blowdown venting activities that release emissions from a specific vent. The Administrator must object both over the ambiguity of Condition 6, but also over the failure of the Condition to assure compliance with applicable requirements.

**C. Section II, Condition 6 Does not Assure Compliance With the Applicable VOC Emission Limit**

Compounding the ambiguity around Condition 6 is that the Title V Permit does not assure compliance with the VOC limit actually applicable to the East Mamm Creek Compressor Station.

As the Center highlighted in its comments, according to Construction Permit No. 12GA3170, blowdown VOC emissions at the East Mamm Creek Compressor Station are limited to 8.4 tons per year, not 16.1 tons per year as set forth in the Title V Permit. *See* Exhibit 6. Noting that it appeared the applicable VOC limit may have been increased via minor permit modification procedures set forth at 40 C.F.R. § 70.7(e)(2) and Colorado Air Quality Control Commission (“AQCC”) Regulation No. 3, Part C, Section X, the Center stated, “the Division cannot use Title V permit minor modifications to alter applicable requirements. As 40 C.F.R. § 70.7(e)(2) states, minor permit modifications cannot be used for permit modifications that would ‘violate any applicable requirement.’ 40 C.F.R. § 70.7(e)(2)(i)(A)(1).” Exhibit 3, Center Technical Comments at 4.

In response to comments, the Division acknowledged that the VOC limit in the Title V Permit was increased via a minor permit modification approved on May 18, 2018, but asserted that “Permit limit increases may be processed through the Title V Minor Permit Modification procedures in accordance with Colorado Regulation No. 3, Part C, Section X.” Exhibit 4, Response to Comments at Unnumbered Page 5. While the Division may be correct that some permit limit increases may be processed through minor permit modification procedures, such increases cannot be processed as a minor permit modification if they would increase limits above applicable requirements, thereby violating applicable requirements.

Under Title V, applicable requirements include the terms and conditions of a preconstruction permit issued pursuant to Title I of the Clean Air Act. *See* 40 C.F.R. § 70.2. Here, Construction Permit No. 12GA3170 was issued by the Division pursuant to Title I of the Clean Air Act and it set forth terms and conditions applicable to blowdown activities at the East Mamm Creek Compressor Station, including a limitation on VOC emissions. Increasing this VOC limit via a minor permit modification would necessarily violate the applicable limit set forth in Permit No. 12GA3170, contrary to 40 C.F.R. § 70.7(e)(2)(i)(A)(1). Thus, Title V requirements prohibited the Division from increasing the applicable VOC limit via a minor permit modification.

Although the Division claimed in its response to comments that, “The request of an increase in an emission limit does not violate an applicable requirement,” where the requested increase would lead to a limit higher than an applicable requirement, it would violate an applicable requirement. While the Division has authority to increase applicable emission limits, these increases simply cannot be processed via minor permit modification procedures. Rather, such increases must occur pursuant to the Division’s procedures for either a construction permit modification pursuant to AQCC Regulation No. 3, Part B, Section III or a combined construction permit/Title V permit modification pursuant to AQCC Regulation No. 3, Part C, Section IV.



The EPA has addressed this very issue in its review of Title V permits and is clear that minor permit modification procedures cannot be used to increase applicable emission limits. Objecting to the issuance of a Title V permit for an aluminum manufacturing facility, the Administrator found that the permitting authority inappropriately increased an applicable coke sulfur content limit set forth in an underlying preconstruction permit via minor permit modification procedures. *See In the Matter of Century Aluminum of South Carolina, Inc.*, Order on Petition No. IV-2023-09 (Nov. 2, 2023) at 14-15 (“Century Aluminum Order”). The Administrator found the revised limit “violates the applicable requirements” in the underlying preconstruction permit. Finding that revised Title V permit incorporated this inappropriately modified limit, the EPA objected, holding the permit was not issued according to Title V permitting procedural requirements.

The Administrator further held that “unless and until title I permit terms are changed through the appropriate title I process, they remain ‘applicable requirements’ for title V purposes.” *Century Aluminum Order* at 15. Accordingly, the EPA ruled, “A title V permit that reduces the stringency of such an applicable requirement cannot be said to ‘assure compliance’ with the applicable requirement.” *Id.*

Here, the Administrator must object for virtually the same reasons. The Division improperly increased the applicable VOC limit set forth in Construction Permit No. 12GA3170 via minor permit modification procedures, warranting an objection. Further, because Permit No. 12GA3170 was never modified according to applicable permitting procedures, the 8.4 ton per year VOC limit remains an applicable requirement. The Administrator must object to the Title V Permit because it fails to assure compliance with this applicable requirement.

**D. Section II, Condition 6 Fails to Set Forth Sufficient Monitoring to Assure Compliance With Applicable Limits**

A Title V permit must set forth monitoring requirements to assure compliance with the permit terms and conditions. *See* 42 U.S.C. § 7661c(c). To this end, a Title V permit must contain “periodic monitoring sufficient to yield reliable data from the relevant time period that are representative of the source’s compliance with the permit[.]” 40 C.F.R. § 70.6(a)(3)(i)(B); *see also* 40 C.F.R. § 70.6(c)(1) (Title V permits must contain monitoring requirements “sufficient to assure compliance with the terms and conditions of the permit.”). Where a Title V permit fails to require sufficient monitoring to assure compliance, the permit cannot provide information necessary to determine whether a source is in compliance and therefore is unenforceable as a practical matter, contrary to Title V of the Clean Air Act. *See* 42 U.S.C. § 7661c(a) (stating that Title V permits shall include “enforceable emission limitations and standards”).

In the case of the East Mamm Creek Compressor Station, the Title V Permit fails to set forth sufficient monitoring to assure compliance with the applicable limits set forth in Condition 6. The Center raised this issue with reasonable specificity on page 4 of the technical comments attached to its February 5, 2025 comment letter.

To demonstrate compliance with the applicable emission limits, Condition 6.1 requires Grand River to calculate emissions based on an equation requiring the input of gas composition data and the volume of vented gas (i.e., “Vented Volume”). However, while Condition 6.1 requires Grand River to complete an extended gas analysis on an annual basis in order to ascertain gas composition data, the Title V Permit sets forth no actual procedures or methods for accurately monitoring and recording volume of gas vented during maintenance and blowdown activities.

In response to the Center’s comments, the Division incorporated additional language into Condition 6.2 “to clarify the potential parameters used to calculate the volume of gas released.” Exhibit 4, Response to Comments at Unnumbered Page 5. Although the Center appreciates the additional language, the Title V Permit still does not set forth any actual procedures or methods for accurately monitoring and recording the volume of gas vented during maintenance and blowdown activities.

Although Condition 6.2 states that the volume of gas vented must be calculated, the Condition states only that Grand River “shall record such parameters as necessary to calculate the volume of gas released including the unique physical volume between isolation valves and ambient and process pressures.” Exhibit 1, Title V Permit at 79, Section II, Condition 6.2. Although “unique physical volume between isolation valves” and “ambient and process pressures” may be useful for calculating volume, it is unclear how this parametric data is to reliably and accurately measured and ultimately how it will be used to accurately calculate the volume of gas vented. Further, the Condition indicates that additional parametric data may be necessary to accurately calculate volume, yet the Title V Permit does not explain what these potential parameters are or how they will be accurately measured to assure reliable calculations of volume.

In other Title V permits, the Division has established federally enforceable limits and monitoring of physical volume, temperature, and pressure to assure accurate monitoring of VOC emissions associated with gas venting at oil and gas production and processing facilities. In a Title V permit issued recently for another gas compressor station, the Division established a VOC limit for 20 different specific “blowdown events,” including blowdowns related to pigging and compressor units. Exhibit 10, Air Pollution Control Division Colorado Operating Permit, Rockies Express Pipeline LLC REX Cheyenne Hub Compressor Station, Permit No. 21OPWE480 (Jan. 1, 2025) at 48 and 50, Section II, Condition 3. To assure compliance with the applicable limits, the Title V permit established federally enforceable limits on the specific “unique physical volume between isolation valves” and required monitoring of temperature and pressure during each blowdown event. *See id.* REX Cheyenne Hub Compressor Station Title V Permit at 48-51, Section II, Conditions 3.1, 3.2, 3.3, and 3.4.

Given the Division’s practice in other Title V permits, it is clear that the Title V Permit for the East Mamm Creek Compressor Station does not set forth sufficient monitoring. The Permit does not set forth methodologies for accurately calculating unique physical volume or pressure during blowdown events, and does not set forth any requirement that temperature be measured during blowdowns to assure accurate calculations of volume.

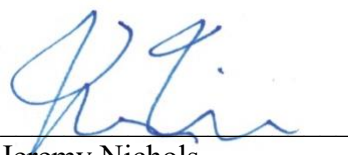
The EPA has already objected to virtually identical Title V permits setting forth gas venting limits at other oil and gas processing facilities. *See In the Matter of Lucid Energy Delaware, LLC, Frac Cat Compressor Station and Big Lizard Compressor Station*, Order on Petition Nos. VI-2022-05 and VI-2022-11 (Nov. 16, 2022) at 15-19; *In the Matter of XTO Energy Inc., Wildcat Compressor Station*, Order on Petition No. VI-2023-4 (Aug. 7, 2023) at 19-21 (“*Wildcat Order*”). While these permits established gas venting emission limits, they did not set forth sufficient monitoring to assure compliance with the limits. In objecting, the Administrator specifically held that because the Title V permits did not require permittees to follow any particular monitoring or recordkeeping methodology related to measuring the volume of vented gas the permits did not “set forth” monitoring sufficient to assure compliance. 42 U.S.C. § 7661c(c).” *Wildcat Order* at 20. Here, for the same reasons, EPA must object to the issuance of the Title V Permit for the East Mamm Creek Compressor Station.

## CONCLUSION

Pursuant to 42 U.S.C. § 7611d(b)(2) and 40 C.F.R. § 70.8(d), the EPA must object to the issuance of the Title V Permit for the East Mamm Creek Compressor Station in Garfield County, Colorado. As this Petition demonstrates, the Title V Permit does not assure compliance with Title V requirements. Accordingly, the Center requests the Administrator object to the Title V Permit and require the Division to revise and reissue the Permit in a manner that complies with the requirements of the Clean Air Act.

DATED: June 11, 2025

Respectfully submitted,



Jeremy Nichols  
Senior Advocate  
Environmental Health Program  
Center for Biological Diversity  
1536 Wynkoop St., Ste. 421  
Denver, CO 80202  
303-437-7663  
[jnichols@biologicaldiversity.org](mailto:jnichols@biologicaldiversity.org)

Pursuant to 40 C.F.R. § 70.8(d), copies of this petition have been concurrently transmitted to the following parties:

Michael Ogletree, Director  
Colorado Air Pollution Control Division  
4300 Cherry Creek Drive South  
Denver, CO 80246

Summit Midstream Partners, LP  
910 Louisiana Street, Suite 4200  
Houston, TX 77002

## **TABLE OF EXHIBITS**

### Exhibit

1. Final East Mamm Creek Compressor Station Title V Permit
2. Final East Mamm Creek Compressor Station Title V Permit Technical Review Document
3. Comments of the Center for Biological Diversity on the draft renewed Title V Permit for the East Mamm Creek Compressor Station
4. Colorado Air Pollution Control Division Response to Center for Biological Diversity Comments
5. EPA Region 8, “Title V Operating Permit Public Petition Deadlines in Region 8,”
6. Construction Permit No. 12GA3170, Issuance No. 1 (Jan. 27, 2014)
7. Grand River Gathering, LLC, “Permit Application Package, East Mamm Creek Compressor Station” (Nov. 26, 2012)
8. Grand River Gathering LLC, “East Mamm Creek Compressor Station, 05OPGA280 Operating Permit Renewal” (Dec. 28, 2020)
9. PS Memo 20-04 (Nov. 6, 2020)
10. Air Pollution Control Division Colorado Operating Permit, Rockies Express Pipeline LLC REX Cheyenne Hub Compressor Station, Permit No. 21OPWE480 (Jan. 1, 2025)