

MEMORANDUM

TO: Terri Hilliard, Borger Station Plant Manager; Don Houser, Eastern Gas Transmission and Storage, Inc.

FROM: Stu Berg, Environmental Health Project Liaison; Elisa Evett, Mothers Out Front; and Katie Quinn-Jacobs, Town of Dryden Safety & Preparedness Advisory Committee (SPC)

RE: Applying New NYS DEC Proposal Requirements at Borger Station

CC: Dryden Town Board and Town Clerk

DATE: June 17, 2021

I. BACKGROUND FOR BORGER STATION:

The NYS DEC published proposed changes (6 NYCRR Part 200 and 203) in May, 2021 that will impact natural gas compressor stations as well as other sectors of the oil and gas industry. The changes are scheduled for full implementation by January 1, 2023. However, it is likely that implementation will be earlier since many parties will be pushing the DEC for an earlier implementation.

Some, but not all, of the proposed changes are included in the ongoing equipment upgrade project at Borger Station. This has raised questions in our community about how preparations for these proposed regulations will be applied at Borger Station. We have aggregated these questions and would like a written response prior to the next Dryden town board meeting on July 15, 2021.

Immediately below is a high-level overview of the DEC changes, where only Chapter III impacts Borger Station and is the focus of this memo. The next page starts the Express Terms Summary of Chapter III. Our questions are embedded in red within that summary.

The proposed NYS DEC regulations require methane (CH₄) and VOC emissions mitigation via changes to equipment, operations, measurement and LDAR from the oil and gas sector of NYS.

II. 6 NYCRR CHAPTER INDEX: NEW YORK'S ENVIRONMENTAL REGULATIONS:

All of DEC's regulations are found within [Title 6 of the New York Codes, Rules and Regulations \(NYCRR\)](#). Title 6 is divided into 10 Chapters, listed here:

6 NYCRR CHAPTER INDEX: NEW YORK'S ENVIRONMENTAL REGULATIONS:

- [Chapter I - Fish and Wildlife](#) (Parts 1-189)
- [Chapter II - Lands and Forests](#) (Parts 190-199)
- **[Chapter III- Air Resources \(Parts 200-317\)](#)**
- [Chapter IV- Quality Services](#) (Parts 320-492)

- [Chapter V - Resource Management Services](#) (Parts 500-614)
- [Chapter VI - General Regulations](#) (Parts 615-624)
- [Chapter VII - State Aid](#) (Parts 625-638)
- [Chapter VIII- Law Enforcement](#) (Parts 641-642)
- [Chapter IX - Independent Agencies within the Department](#) (Parts 645-648)
- [Chapter X - Division of Water](#) (Parts 649-941)
- [Appendices](#) (Appendix 2-55)

DEC is now proposing **changes and additions to Chapter III, [Subchapter A: Prevention and Control of Air Contamination and Air Pollution](#)**. Specifically, changes are proposed to [Part 200: General Provisions](#), and there is the addition of a **new Part 203**.

You may read the proposed changes at:

<https://www.dec.ny.gov/regulations/122829.html>

III. PUBLIC HEARINGS AND COMMENT PERIOD:

DEC has scheduled two virtual public hearings on the proposal at 2 p.m. and 6 p.m. on July 20.

The public comment period is currently open. Public comments deadline on the proposal is 5 p.m. on July 26, 2021.

We encourage community residents and the Dryden Town Board to attend a hearing and to submit written comments to the DEC.

6 NYCRR Part 203, Oil and Natural Gas

Sector 6 NYCRR Part 200, General

Provisions Express Terms Summary

This proposal applies to owners and operators of equipment and components that are associated with sources in the following oil and natural gas sectors:

- (1) Oil and natural gas production
- (2) Oil, condensate and produced water separation and storage
- (3) Natural gas storage
- (4) Natural gas gathering and boosting
- (5) Natural gas transmission and compressor stations
- (6) Natural gas metering and regulating stations

Measurements, abbreviations and acronyms are listed.

Definitions specific to this rule are listed.

For wells, gathering lines, transmission lines and compressor stations, storage vessels with a potential to emit greater than or equal to six (6) tons per year (tpy) of volatile organic compounds (VOC) must meet the following requirements:

- (1) Storage vessels installed prior to January 1, 2023 must have a vapor control efficiency of ninety-five (95) percent.
- (2) Storage vessels installed on or after January 1, 2023 must not vent to the atmosphere.

1. How many tons per year of VOCs does Borger Station emit?

2. If more than 6 tons, does Borger Station have a storage vapor control efficiency of 95 percent?

For wells, gathering lines, transmission lines and compressor stations, Natural Gas actuated Pneumatic Devices and Pumps have the following requirements:

- (1) Beginning January 1, 2023, continuous bleed natural gas pneumatic devices shall not vent natural gas to the atmosphere with few exceptions which are outlined in the full regulation.

(2) Intermittent bleed natural gas actuated pneumatic devices: Beginning January 1, 2023, intermittent bleed natural gas actuated pneumatic devices shall comply with the leak detection and repair (LDAR) requirements.

(3) Natural gas actuated pneumatic pumps: Beginning January 1, 2023, natural gas actuated pneumatic pumps shall not vent natural gas to the atmosphere and shall comply with the LDAR requirements.

3. For Natural Gas actuated Pneumatic Devices and Pumps, does Borger Station vent natural gas to the atmosphere?

4a. For intermittent bleed natural gas actuated pneumatic devices, does Borger Station currently comply with the future LDAR (Leak Detection and Repair) requirement, especially with the requirement for OGI (Optical Gas Imaging)? If so, how/when are these reported to DEC?

4b. In September of 2020 as part of the Town of Dryden SUP, Borger agreed to install "Pressurized hold" capability accomplished through the installation of electric-driven seal gas booster pumps on Units 4, 5, &6. When will these equipment upgrades be accomplished?

4c. In September of 2020 as part of the Town of Dryden SUP, Borger agreed to utilize portable compression which will be utilized to reduce the volume of methane vented to the atmosphere during planned station and pipeline maintenance, including the pigging of pipelines associated with Borger Station. How is this being accomplished and when will it be used?

Centrifugal Compressors have the following requirements (compressors that operate fewer than 200 hours over a rolling twelve (12) month period):

(1) Beginning January 1, 2023, centrifugal compressors with wet seals shall control the wet seal vent gas with the use of a vapor collection system as described in Subpart 203-8 or replaced with a dry seal.

(2) Beginning January 1, 2023, components on driver engines and compressors that use a wet seal or a dry seal shall comply with the LDAR requirements specified in Subpart 203-7, and;

(3) The compressor wet seal shall be measured annually by direct measurement (high volume sampling, bagging, calibrated flow measuring instrument) while the compressor is running at normal operating temperature in order to determine the wet seal emission flow rate using defined methods.

(4) A compressor with a wet seal emission flow rate greater than three (3) standard cubic feet per minute (scfm), or a combined flow rate greater than the number of wet seals multiplied by three (3) scfm, shall be successfully repaired within thirty (30) days of the initial flow rate measurement.

(5) If parts are not available to make the repairs, the wet seal shall be replaced with a dry seal no later than eighteen (18) months after the exceeding measurement is made.

5. Does Borger Station have Centrifugal Compressors now or in the future? If so, do any have wet seals? If so, do you currently meet the future LDAR requirements?

Reciprocating Compressors have the following requirements (compressors that operate fewer than 200 hours over a rolling twelve (12) month period):

(1) Beginning January 1, 2023, components on driver engines and compressors shall comply with the LDAR requirements specified in Subpart 203-7 with potential exceptions.

(2) The compressor rod packing or seal emission flow rate through the rod packing or seal vent stack shall be measured annually by direct measurement (high volume sampling, bagging, calibrated flow measuring instrument) while the compressor is running at normal operating temperature using defined methods.

(3) Beginning January 1, 2023, compressor vent stacks used to vent rod packing or seal emissions shall be controlled with the use of a vapor collection system as specified; or,

(4) A compressor with a rod packing or seal with a measured emission flow rate greater than two (2) scfm, or a combined rod packing or seal emission flow rate greater than the number of compression

cylinders multiplied by two (2) scfm, shall be successfully repaired within 30 days from the date of the initial emission flow rate measurement.

(a) An extension to the thirty (30) day deadline may be granted by the Department if the owner or operator can demonstrate that the parts or equipment required to make necessary repairs have been ordered and the owner or operator notifies the Department as specified in Section 203-10.3 to report the delay and provides an estimated time by which the repairs will be completed.

(5) A reciprocating natural gas compressor with a rod packing or seal emission flow rate measured above the standard specified as a critical component, shall be successfully repaired by the end of the next scheduled process shutdown or within twelve (12) months from the date of the initial flow rate measurement, whichever is sooner.

6. Does Borger Station have Reciprocating Compressors that operate fewer than 200 hours over a rolling twelve-month period? If so, do they currently comply with the future LDAR (Leak Detection and Repair) requirement, especially with the requirement for OGI (Optical Gas Imaging)?

Blowdown activity at compressor stations and transmission pipelines greater than ten thousand (10,000) feet cubed (ft³) have the following requirements:

(1) Planned blowdowns

(i) Provide notification to the Department and appropriate local authorities forty-eight (48) hours in advance of a blowdown event, the notification shall include, but not be limited to, the following information:

(‘a’) Location

(‘b’) Date

(‘c’) Time and duration

(‘d’) Contact person

(‘e’) Reason for blowdown

(‘f’) Estimated volume of release

(ii) If any of the information reported prior to the blowdown changed during or after the

blowdown, another notification to the Department and appropriate local authorities shall be made with the updates no later than forty-eight (48) hours after the end of the blowdown.

7a. How many blowdowns did Borger have in 2020 and 2021? How many were planned? How many unplanned?

7b. For planned blowdowns, Borger Station previously committed to notifying the local community via the Swift911 notification system. Local residents have reported lapses in the activation of the notification system and short lead times. What are Borger's SOPs for notifications of the Swift 911 system? Does Borger activate the Swift911 system for both stack and pigging station releases?

7c. Can Borger comply with the future regulations requiring a 48-hour advance notification now to accommodate local residents who would like to take precautions?

7d. Has Borger engaged in any efforts to increase public enrollment in Swift911? If so, what has been done? If not, would it consider doing so?

(2) Unplanned blowdowns

(i) Provide notification to the Department and appropriate local authorities within thirty (30) minutes of blowdown or as soon as it is safe to do so. The notification shall include, but not be limited to, the following information:

(‘a’) Location

(‘b’) Date

(‘c’) Time and duration

(‘d’) Contact person

(‘e’) Reason for blowdown

8. For unplanned blowdowns, when/how will you start notifying the community within 30 minutes after the blowdown?

(‘f’) Estimated volume of release

Pigging activity along natural gas pipelines are required to:

(1) Record and report pigging activities and estimated natural gas loss and report to the Department by March 31st of each year for the previous calendar year. The report shall include, but not be limited to:

- (i) Date of each activity
- (ii) Estimated volume of release for each activity

9a. For pigging activity at Borger Station, what was the natural gas volume loss for the last calendar year? What percentage of the total natural gas volume loss at Borger does pigging activity comprise?

9b. How many pigging stations are part of the Borger Station network? Where are they located?

Natural Gas Storage Monitoring Requirements

- (1) Applicability: The requirements of this section apply to natural gas underground storage facilities.
- (2) Natural gas underground storage facility sources are subject to the LDAR requirements as specified in Subpart 203-7.

City Gate Metering and Regulating

- (a) Applicability: The requirements of this section apply to all metering and regulating components at the City Gate.
- (b) Metering and regulating components are subject to the LDAR requirements in Subpart 203-7.

Provisions for Feasibility and Safety

- (a) A repair or replacement may not be delayed unless it results in the following:
 - (1) a vented blowdown,
 - (2) a gathering and boosting station shutdown,
 - (3) a well shutdown,
 - (4) a well shut-in,
 - (5) is deemed technically infeasible or unsafe by the New York State Department of Public Service or other federal or state regulatory agency.
- (b) The repair or replacement delay may be extended until the earliest event listed below.

- (1) the next compressor station shutdown,
- (2) the next gathering and boosting station shutdown,
- (3) well shutdown,
- (4) well shut-in,
- (5) the next unscheduled, planned or emergency vent blowdown, or
- (6) within one (1) year.

Reporting and Recordkeeping

(1) Baseline Report

- (a) Applicability: All sources as described in Section 203-1.1.
- (b) Owners or operators of components or processes subject to this Subpart must submit a report to the Department by March 31, 2023 or by March 31st the year following initiation of operation.
- (c) The report shall be in a format approved by the Department and shall include, but not be limited to, information on the following:
 - (1) separators
 - (2) storage vessels
 - (3) compressors
 - (4) gas drying systems
 - (5) pneumatic devices
 - (6) metering and regulating systems

(2) Recordkeeping

(a) Reciprocating Natural Gas Compressors

- (1) Maintain, for at least five (5) years from the date of each leak concentration measurement, a record of each rod packing leak concentration measurement found above the minimum leak threshold as defined in Section 203-4.4.

(2) Maintain, for at least five (5) years from the date of each emissions flow rate measurement, a record of each rod packing emission flow rate measurement.

(3) Maintain, for at least five (5) years a record that documents the date(s) and hours of operation a compressor is operated in order to demonstrate compliance with the rod packing leak concentration or emission flow rate measurement in the event that the compressor is not operating during a scheduled inspection.

(4) Maintain records that provide proof that parts or equipment required to make necessary repairs have been ordered.

(b) Centrifugal Natural Gas Compressors

(1) Maintain, for at least five (5) years from the date of each emissions flow rate measurement, a record of each wet seal emission flow rate measurement.

(2) Maintain, for at least five (5) years, a record that documents the date(s) and hours of operation a compressor is operated in order to demonstrate compliance with the wet seal emission flow rate measurement in the event that the compressor is not operating during a scheduled inspection.

(3) Maintain records that provide proof that parts or equipment required to make necessary repairs have been ordered.

(c) Natural Gas Actuated Pneumatic Devices

(1) Maintain, for at least five (5) years from the date of each emissions flow rate measurement, a record of the emission flow rate measurement

(d) Leak Detection and Repair

(1) Maintain, for at least five (5) years from each inspection, a record of each leak detection and repair inspection.

(2) Maintain, for at least five (5) years from the date of each inspection, component leak and repair documentation.

(3) Maintain records for at least five (5) years that provide proof that parts or equipment required to make necessary repairs have been ordered.

(4) Maintain gas service utility records for at least five (5) years that demonstrate that a system has been temporarily classified as critical to reliable public gas operation throughout the duration of the classification period.

(e) Vapor Collection System and Vapor Control Devices

(1) Maintain records for at least five (5) years that provide proof that parts or equipment required to make necessary repairs have been ordered and installed.

(3) Reporting submissions and retention

(a) Reports shall be delivered to both the:

(1) Bureau Director, Bureau of Air Quality Planning, Division of Air Resources, 625 Broadway, Albany NY 12233, and

(2) The Regional Air Pollution Control Engineer in the corresponding Department Region to the source.

(b) Source owners and operators must maintain reports for at least five (5) years and make them available to the Department upon request.

The Part 200 additions will incorporate by reference EPA Method 21, Volatile Organic Compound Leaks, found in Title 40 Code of Federal Regulations (CFR) Part 60, appendix A-7.

Severability: Each provision of this Part shall be deemed severable, and in the event that any provision of this Part is held to be invalid, the remainder of this Part shall continue in full force and effect