
40 C.F.R. § 60.5399a

What alternative fugitive emissions standards apply to the affected facility which is the collection of fugitive emissions components at a well site and the affected facility which is the collection of fugitive emissions components at a compressor station: Equivalency with state, local, and tribal programs?

This section provides alternative fugitive emissions standards based on programs under state, local, or tribal authorities for the collection of fugitive emissions components, as defined in § 60.5430a, located at well sites and compressor stations. Paragraphs (a) through (e) of this section outline the procedure for submittal and approval of alternative fugitive emissions standards. Paragraphs (f) through (n) provide approved alternative fugitive emissions standards. The terms “fugitive emissions components” and “repaired” are defined in § 60.5430a and must be applied to the alternative fugitive emissions standards in this section. The requirements for a monitoring plan as specified in § 60.5397a(c) and (d) apply to the alternative fugitive emissions standards in this section.

- (a) *Alternative fugitive emissions standards.* If, in the Administrator's judgment, an alternative fugitive emissions standard will achieve a reduction in methane and VOC emissions at least equivalent to the reductions achieved under § 60.5397a, the Administrator will publish, in the Federal Register, a notice permitting use of the alternative fugitive emissions standard for the purpose of compliance with § 60.5397a. The authority to approve alternative fugitive emissions standards is retained by the Administrator and shall not be delegated to States under section 111(c) of the CAA.
- (b) *Notice.* Any notice under paragraph (a) of this section will be published only after notice and an opportunity for public hearing.
- (c) *Evaluation guidelines.* Determination of alternative fugitive emissions standards to the design, equipment, work practice, or operational requirements of § 60.5397a will be evaluated by the following guidelines:
 - (1) The monitoring instrument, including the monitoring procedure;
 - (2) The monitoring frequency;
 - (3) The fugitive emissions definition;
 - (4) The repair requirements; and
 - (5) The recordkeeping and reporting requirements.
- (d) *Approval of alternative fugitive emissions standard.* Any alternative fugitive emissions standard approved under this section shall:
 - (1) Constitute a required design, equipment, work practice, or operational standard within the meaning of

section 111(h)(1) of the CAA; and

(2) Be made available for use by any owner or operator in meeting the relevant standards and requirements established for affected facilities under § 60.5397a.

(e) *Notification.* (1) An owner or operator must notify the Administrator of adoption of the alternative fugitive emissions standards within the first annual report following implementation of the alternative fugitive emissions standard, as specified in § 60.5420a(a)(3).

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