



## OIL AND GAS HANDLING AND PRODUCTION FACILITIES

### OVERVIEW OF NEW 30 TAC §106.352

Effective February 27, 2011, oil and gas facilities that are constructed or modified may be authorized under the new permit by rule (PBR) 106.352. The new PBR is divided into sites located in the Barnett Shale<sup>1</sup> and sites located in all other counties. Oil and Gas sites (OGS) that have made changes to or constructed new facilities and are not located in the Barnett Shale can be authorized under §106.352(I) with no other requirements (see page 3). Brief summary tables of the PBR follow.

<b>Barnett Shale<sup>1</sup> – Oil and Gas Facilities</b>	
<b>Authorizes</b>	<b>Excludes</b>
Control Equipment Cooling Towers and Associates Exchangers Fugitive Components Separators Storage and Loading Temporary Facilities for MSS	Carbon Dioxide Hot Carbonate Processing Units Direct Contact Cooling Towers Loading or Unloading - Rail, Barge, or Ship Remediation Solid Waste Incinerators Sour Water Strippers or Sulfur Recovery Units Water Injection Facilities

<sup>1</sup> Barnett Shale area includes Archer, Bosque, Clay, Comanche, Cooke, Coryell, Dallas, Denton, Eastland, Ellis, Erath, Hill, Hood, Jack, Johnson, Montague, Palo Pinto, Parker, Shackelford, Stephens, Somervell, Tarrant, and Wise Counties.

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Barnett Shale – PBR Requirements at Existing Sites Only		
Site Action	Description	Requirements
Unchanged	<p>The site has not undertaken any of the following actions (defined as a “new project”):</p> <p>New facility at OGS (includes replacement)</p> <ul style="list-style-type: none"> <li>▪ Physical change that increases emissions, and</li> <li>▪ Operational change that increases emissions.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Authorize MSS by January 5, 2012.</li> <li>▪ Submit on-line notification by January 1, 2013.</li> </ul>
Replacement or Insignificant Project	<p>An <u>existing site</u> has undertaken one of the following actions that meet the requirements found in §106.352(c)(B):</p> <ul style="list-style-type: none"> <li>▪ New facility at OGS (includes replacement),</li> <li>▪ Physical change that increases emissions, and</li> <li>▪ Operational change that increases emissions.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Satisfy impacts evaluation for the change.</li> <li>▪ Comply with best management practices (BMP), maintenance, startup, and shutdown activities (MSS), and recordkeeping for the change.</li> <li>▪ Authorize MSS by January 5, 2012.</li> <li>▪ Submit on-line notification by January 1, 2013.</li> </ul>

Barnett Shale – PBR Requirements at Existing or New Sites		
Site Action	Description	Requirements
Level 0	Modification or installation of facilities typically found at Wellheads, Pump-Jacks, Christmas Trees, Metering Stations, etc. that meet the size and scope limits listed in §106.354(c)(4).	<ul style="list-style-type: none"> <li>▪ Comply with BMP and recordkeeping.</li> </ul>
Level 1 & 2	<p>A site (new or existing) has undertaken one of the following actions that can not meet the requirements found in §106.352(c)(B):</p> <ul style="list-style-type: none"> <li>▪ New facility at OGS (includes replacement),</li> <li>▪ Physical change that increases emissions, and</li> <li>▪ Operational change that increases emissions.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Submit notification prior to construction.</li> <li>▪ Register level 1 facilities within 180 days from start of operation.</li> <li>▪ Register level 2 facilities within 90 days from start of operation.</li> <li>▪ Impacts evaluation for increased emissions including MSS if represented.</li> <li>▪ Comply with BMP, MSS, and recordkeeping for the change.</li> <li>▪ Authorize MSS by January 5, 2012, if not represented in the registration.</li> </ul>

**Note:** Prior to April 1, 2011 OGS facilities that are constructed or modified can be authorized under §106.352(l). If there are no “new projects” these facilities will be subject to the requirements identified for “Unchanged” sites.

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Outside Barnett Shale – PBR Requirements		
Site Action	Description	Requirements
No Changes since February 27, 2011	<p>The site <u>has not</u> undertaken any of the following actions (defined as a “new project”):</p> <ul style="list-style-type: none"> <li>▪ New facility at OGS (includes replacement),</li> <li>▪ Physical change that increases emissions, and</li> <li>▪ Operational change that increases emissions.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Maintain current authorization (prior version of PBR or standard exemption).</li> <li>▪ Authorize MSS by January 5, 2012.</li> </ul>
Changes on or after February 27, 2011	<p>New site or an existing site that <u>has</u> undertaken one of the following actions:</p> <ul style="list-style-type: none"> <li>▪ New facility at OGS (includes replacement),</li> <li>▪ Physical change that increases emissions, and</li> <li>▪ Operational change that increases emissions.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Comply with §106.352(I); same requirements as previous version of §106.352.</li> <li>▪ Authorize MSS by January 5, 2012.</li> </ul>