

**MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
OPERATING PERMIT #OP2814-06 TECHNICAL REVIEW DOCUMENT**

**Permitting and Compliance Division
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WBI Energy Transmission, Inc.
Vida Compressor Station
North ½ Northeast ¼. Section 27, Township 25N Range 49 East McCone County
593 Montana Highway 201
Vida, MT 59274

The following table summarizes the air quality programs testing, monitoring, and reporting requirements applicable to this facility.

Facility Compliance Requirements	Yes	No	Comments
Source Tests Required	X		Portable Analyzer, Method 9
Ambient Monitoring Required		X	
COMS Required		X	
CEMS Required		X	
Schedule of Compliance Required		X	
Annual Compliance Certification and Semiannual Reporting Required	X		
Monthly Reporting Required		X	
Quarterly Reporting Required		X	
Applicable Air Quality Programs			
ARM Subchapter 7 – Montana Air Quality Permit (MAQP)	X		#2814-03
New Source Performance Standards (NSPS)		X	
National Emission Standards for Hazardous Air Pollutants (NESHAPS)		X	Except for 40 CFR 61, Subpart M
Maximum Achievable Control Technology (MACT)	X		40 CFR 63, Subpart ZZZZ
Major New Source Review (NSR) – includes Prevention of Significant Deterioration (PSD) and/or Non-attainment Area (NAA) NSR		X	
Risk Management Plan Required (RMP)		X	
Acid Rain Title IV		X	
Compliance Assurance Monitoring (CAM)		X	
State Implementation Plan (SIP)	X		General SIP

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SECTION I. GENERAL INFORMATION

A. Purpose

This document establishes the basis for the decisions made regarding the applicable requirements, monitoring plan, and compliance status of emissions units affected by the operating permit proposed for this facility. The document is intended for reference during review of the proposed permit by the Environmental Protection Agency (EPA) and the public. It is also intended to provide background information not included in the operating permit and to document issues that may become important during modifications or renewals of the permit. Conclusions in this document are based on information provided in the original Title V operating permit application submitted by WBI Energy Transmission, Inc. (WBI) on June 12, 1996, a renewal application received on February 13, 2003, September 23, 2008, June 5, 2014, and April 16, 2020, and the initial Montana Air Quality Permit (MAQP), the MAQP modification letter dated September 16, 2003, administrative amendment requests on December 10, 2012 and October 17, 2013.

B. Facility Location

WBI Energy Transmission, Inc. (WBI) owns and operates the Vida Compressor Station. This facility is located in the North ½ of the Northeast ¼ of Section 27, Township 25 North, Range 49 East, McCone County, Montana. McCone County is designated as an unclassifiable/attainment area for National Ambient Air Quality Standards (NAAQS) for all criteria pollutants. The Vida Compressor Station is located in a remote area eight miles northeast of Vida, Montana. The adjacent land is used for grain cropland and rangeland. The nearest residence is WBI employee housing located adjacent to the facility.

C. Facility Background Information

Montana Air Quality Permit

The Vida Compressor Station was constructed by the Montana Dakota Utilities Company (MDU), the predecessor of Williston Basin Interstate Pipeline Company (WBIPC) and WBI, beginning in 1978 and ending in 1979. This facility originally had two 600 horsepower (hp) Ajax DPC-600 engines with two additional 600 hp Ajax DPC-600 engines being added in 1979.

The Vida Compressor Station was constructed, as one planned project, but in two construction phases, between April 1978 and April 1979. MDU filed docket #CP75-154 with the Federal Energy Regulatory Commission (FERC) on November 20, 1974, which requested authority to construct and operate a natural gas compressor station for the transportation of natural gas from the Bowdoin Field near Saco to storage at the Cabin Creek, Montana storage area and to further sales destinations.

WBIPC was issued a FERC certificate on May 11, 1977, to construct and operate those facilities identified in docket #CP75-154. Originally, 3 - 1200 hp Solar Saturn compressor engines were proposed to be installed over a two-year period. Construction was to begin in 1976 near Richey, Montana, but the FERC certificate was not issued until May 11, 1977, and equipment contracts had not been initiated beforehand. For this reason the project was delayed and during this time the construction plans were changed.

During the delay, WBIPC determined that it could perform the required services with three

Ajax DPC-540 compressors and one Ajax DPC-360 compressor, for a total of 1980 hp. The proposed station was relocated from near Richey, Montana to Vida, Montana and the Vida station was planned to be built with the first two compressor engines being installed in 1978. In 1976, Ajax was marketing the DPC-540 compressor with a nameplate rating of 540 hp. Subsequent to 1976, and before WBIPC's order was placed, Ajax modified and updated the DPC-540 and it became the DPC-600 reciprocating internal combustion engines (RICE) with a nameplate rating of 600 hp. The DPC-540 was no longer offered or available. Due to this reason, two 600 hp Ajax DPC-600 RICE were ordered and installed as EU001 and EU002, instead of the originally planned compressor engines.

The purchase order for EU001 and EU002 was issued on September 13, 1977, with a no charge cancellation date of January 15, 1978. The actual on-site construction of the Vida station began on April 10, 1978, with the pouring of the concrete pads for all four compressor engines. The erection of the compressor building, installation of EU001 and EU002, and addition of the other associated equipment followed shortly thereafter. Work on phase one of this project was completed by October 27, 1978.

In the second construction phase the following year, two additional compressor engines were to be installed. In addition to the installation of the latter two engines, other construction activities on the mainline and at existing stations had to be completed to allow WBIPC to increase capacity on the mainline.

Installing all four compressor engines in 1978 would have been unproductive because the pipeline capacity was limited to the operating pressure of the existing pipeline and only two engines were required to achieve the potential pipeline capacity in 1978. Only after additional construction work upgrading certain pipeline segments and the installation of two additional compressor engines at Saco were Vida compressor engines EU003 and EU004 finally required. Due to the manufacturer's modification/upgrading of its 540 hp compressor engines, two 600 hp Ajax DPC-600 RICE were ordered and installed as EU003 and EU004, instead of the originally planned compressor engines.

The purchase order for EU003 and EU004 was issued on March 31, 1978, with no capital expenditure until April 1979. The actual installation of EU003 and EU004 was on April 20, 1979, and the entire project was completed by October 8, 1979. The completed Vida compressor station had estimated potential nitrogen oxides (NO_x) and carbon monoxide (CO) emissions of 300 and 70 tons per year, respectively. The completed Vida compressor station provided a capacity of 14 million cubic feet per day (MMCFD) in the summer and 17 MMCFD in the winter.

In May 1993, WBIPC had an emission source test conducted to determine the NO_x and CO emissions from EU002 compressor engine (Ajax DPC-600 RICE, Serial #75553). The results of the source test, based on averaging the 3 tests, were 11.87 pounds per hour (lb/hr) (10.323 grams per brake horsepower hour (g/bhp-hr)) for NO_x and 2.74 lb/hr (2.382 g/bhp-hr) for CO.

On June 21, 1994, WBIPC was issued **MAQP #2814-00** for the operation of the Vida Compressor Station and associated equipment.

On February 13, 2003, the Department of Environmental Quality (Department) received a request from WBIPC to modify Permit #2814-00 for the addition of low emission (LE)

packages to the four Ajax DPC-600 natural gas fired RICE.

The permit action added LE packages to the four Ajax DPC-600 Engines under the provisions of ARM 17.8.745(1). In addition, Permit #2841-02 was updated to reflect the new emission factors for Ajax DPC-600LE RICE and current Department permit format and permit language. **MAQP #2814-01** replaced MAQP #2814-00.

On September 16, 2003, the Department received a letter from WBIPC requesting to increase the CO limit for each of the Ajax DPC-600LE natural gas fired compressor engines from 1.59 lb/hr, proposed in error by WBIPC and established in Permitting Action #2814-01, to 2.44 lb/hr. Because the potential emission increase of CO emissions was less than 15 tons per year and because the existing limit was not established through Best Available Control Technology (BACT) the Department determined that the onetime increase in the CO emission limit was excluded from requiring a permit as described in ARM 17.8.745(1)(d). The de minimis action changed the CO limit for each of the Ajax DPC-600LE natural gas fired compressor engine from 1.59 lb/hr to 2.44 lb/hr and updated the permit to reflect current permit language and rule references used by the Department. **MAQP #2814-02** replaced MAQP #2814-01.

On December 10, 2012, the Department received an Administrative Amendment (AA) request from WBI to change the official name of the company from Williston Basin Interstate Pipeline Company to WBI Energy Transmission, Inc. **MAQP #2814-03** replaced MAQP #2814-02.

Title V Operating Permit

On June 12, 1996, the Department received a Title V Operating Permit application from WBIPC for the Vida Compressor Station. **Title V Operating Permit #OP2814-00** was issued final and effective on August 23, 1998.

On June 24, 2003, the Department received a Title V Operating Permit renewal application from WBIPC for the Vida Compressor Station. The application reflected the recent modification at the facility to retrofit the four Ajax DPC-600 natural gas-fired compressor engines with LE packages for the purposes of improving fuel economy and reducing the NO_x emissions. The permit application was deemed administratively complete on July 24, 2003 and technically complete on September 29, 2003. **Title V Operating Permit #OP2814-01** became final and effective on March 26, 2004 and replaced Title V Operating Permit #OP2814-00.

On September 23, 2008, the Department received a Title V Operating Permit renewal application from WBIPC for the Vida Compressor Station. The renewal stated that there were no substantive changes to emission unit descriptions, ancillary equipment, BACT determinations, air dispersion analyses, stack height changes, or compliance demonstration practices since the issuance of #OP2814-01. EU005 – Various Oil and Ethylene Glycol Tanks was changed from a significant emitting unit to an insignificant emitting unit because the equipment was not subject to an applicable requirement (other than general requirements) and WBIPC provided documentation that predicted the potential to emit less than five tons per year of any regulated pollutant. **Operating Permit #OP2814-02** replaced Operating Permit #OP2814-01.

On December 10, 2012, the Department received an Administrative Amendment (AA) request from WBI to change the official name of the company from Williston Basin Interstate Pipeline Company to WBI Energy Transmission, Inc. **Title V Operating Permit #OP2814-03**

replaced Operating Permit #OP2814-02.

On October 17, 2013, the Department received a letter from WBI requesting a Responsible Official change in which Mr. Marc Dempewolf replaces Mr. Scott Fradenburgh. Mr. Fradenburgh is now the Alternate Responsible Official for WBI facilities in the State of Montana. **Operating Permit #OP2814-04** replaced Operating Permit #OP2814-03.

On June 5, 2014, the Department received a renewal application for OP#2814-04. There were no substantive changes that occurred at the facility since the previous operating permit renewal. 40 CFR 63, Subpart ZZZZ became applicable to the engines at the facility and the operating permit was updated to reflect their status as affected units. **Operating Permit #OP2814-05** replaced Operating Permit #OP2814-04.

D. Current Permit Action

On April 16, 2020, the Department received a renewal application for OP#2814-05. There were no substantive changes that occurred at the facility since the previous operating permit renewal. **Operating Permit #OP2814-06** replaces Operating Permit #OP2814-05.

E. Taking and Damaging Analysis

HB 311, the Montana Private Property Assessment Act, requires analysis of every proposed state agency administrative rule, policy, permit condition or permit denial, pertaining to an environmental matter, to determine whether the state action constitutes a taking or damaging of private real property that requires compensation under the Montana or U.S. Constitution. As part of issuing an operating permit, the Department is required to complete a Taking and Damaging Checklist. As required by 2-10-101 through 2-10-105, MCA, the Department conducted the following private property taking and damaging assessment.

YES	NO	
X		1. Does the action pertain to land or water management or environmental regulation affecting private real property or water rights?
	X	2. Does the action result in either a permanent or indefinite physical occupation of private property?
	X	3. Does the action deny a fundamental attribute of ownership? (ex.: right to exclude others, disposal of property)
	X	4. Does the action deprive the owner of all economically viable uses of the property?
	X	5. Does the action require a property owner to dedicate a portion of property or to grant an easement? [If no, go to (6)].
X		5a. Is there a reasonable, specific connection between the government requirement and legitimate state interests?
X		5b. Is the government requirement roughly proportional to the impact of the proposed use of the property?
	X	6. Does the action have a severe impact on the value of the property? (consider economic impact, investment-backed expectations, character of government action)
	X	7. Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public generally?
	X	7a. Is the impact of government action direct, peculiar, and significant?
	X	7b. Has government action resulted in the property becoming practically inaccessible, waterlogged or flooded?
	X	7c. Has government action lowered property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?
	X	8. Takings or damaging implications? (Taking or damaging implications exist if YES is checked in response to question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if NO is checked in response to questions 5a or 5b; the shaded areas).

Based on this analysis, the Department determined there are no taking or damaging implications associated with this permit action.

F. Compliance Designation

The Department conducted an on-site inspection of the Vida Compressor Station on April 15, 2020. No outstanding compliance issues were identified at the time of the inspection. All emitting units at the facility appeared to be in compliance during the Field Compliance Inspection. In addition to the on-site inspection, the Department conducted a review of reports/records submitted by WBI during the period from Nov 16, 2016 through Apr 15, 2020, to encompass a Full Compliance Evaluation (FCE).

No warning or violation letters were issued and no air quality enforcement activities have occurred during the compliance monitoring time period. Based on findings at the time of the facility inspection and review of reports and records, the Department, determined that WBI was in compliance with applicable permit conditions.

SECTION II. SUMMARY OF EMISSIONS UNITS

A. Facility Process Description

The Vida Compressor Station serves as a natural gas pipeline booster station. This facility increases the capacity of the Saco to Cabin Creek pipeline section. Natural gas gathered from the Bowdoin Field near Saco is transferred to storage at the Cabin Creek storage area and on to further sales destinations. The Standard Industrial Classification (SIC) for this facility is Natural Gas Transmission which has an SIC Code of 4922.

B. Emissions Units and Pollution Control Device Identification

Emissions Unit ID	Description	Pollution Control Device/Practice
EU001	600 hp AJAX DPC-600LE Compressor Engine	Low Emission Packages
EU002	600 hp AJAX DPC-600LE Compressor Engine	Low Emission Packages
EU003	600 hp AJAX DPC-600LE Compressor Engine	Low Emission Packages
EU004	600 hp AJAX DPC-600LE Compressor Engine	Low Emission Packages

C. Categorically Insignificant Sources/Activities

ARM 17.8.1201(22)(a) defines an insignificant emissions unit as one that emits less than five tons per year of any regulated pollutant, has the potential to emit less than 500 pounds per year of lead or any Hazardous Air Pollutant (HAP), and is not regulated by any applicable requirement other than a generally applicable requirement.

Emissions Unit ID	Description
IEU01/MISC 1	0.130 MMBtu/hr Armstrong Model G31-130A Space Heater
IEU02/MISC 2	0.035 MMBtu/hr Warm Morning Model WFC-35A Space Heater
IEU03/MISC 3	0.030 MMBtu/hr Reliant 606 Water Heater
IEU04/FUG 1	Fugitive VOC sources consisting of 33 valves, 110 flanges, six open-ended lines, eight compressor seals, and five pressure relief valves
IEU05/FUG 2	Various oil and ethylene glycol tanks

SECTION III. PERMIT CONDITIONS

A. Emission Limits and Standards

Emission limits for the 600 hp Ajax DPC-600LE engines were established under the authority of ARM 17.8.749. As written in the Vida MAQP, the emission limits for the compressor engines are required by ARM 17.8.749. Subchapter 7 of the ARM has been incorporated into the State Implementation Plan (SIP). Since the conditions in the preconstruction permit are required by a rule that is included in the SIP, the limitations in the MAQP are federally enforceable. The Department's current Title V testing schedule policy for major source compressor engines requires semiannual portable analyzer testing. Since the Vida Compressor Station is a major source with federally enforceable limitations derived from the MAQP, the Department has required semiannual testing. The 600 hp Ajax DPC-600LE engines have an emission limit of 8.60 lb/hr NO_x, 2.44 lb/hr CO, and 2.44 lb/hr VOC.

The tanks that are permitted by #OP2814-06 are not subject to the NSPS because the tanks are relatively small. 40 CFR 60, Subparts K, Ka and Kb are not applicable to the tanks that are permitted at the Vida Compressor Station. Subparts K and Ka do not apply because they both excludes tanks that have a capacity of 40,000 gallons or less. Subpart Kb does not apply because it excludes tanks that have a capacity of 40 cubic meters or less. The remaining applicable standards that are listed in Operating Permit #OP2814-06 are consistent with other operating permits that have been issued by the Department. The emission units at this facility are not currently subject to any current NSPS. This facility is not subject to PSD regulations.

B. Monitoring Requirements

ARM 17.8.1212(1) requires that all monitoring and analysis procedures or test methods required under applicable requirements are contained in operating permits. In addition, when the applicable requirement does not require periodic testing or monitoring, periodic monitoring must be prescribed that is sufficient to yield reliable data from the relevant time period that is representative of the source's compliance with the permit.

The requirements for testing, monitoring, recordkeeping, reporting, and compliance certification sufficient to assure compliance do not require the permit to impose the same level of rigor for all emissions units. Furthermore, they do not require extensive testing or monitoring to assure compliance with the applicable requirements for emissions units that do not have significant potential to violate emission limitations or other requirements under normal operating conditions. When compliance with the underlying applicable requirement for an insignificant emissions unit is not threatened by lack of regular monitoring and when periodic testing or monitoring is not otherwise required by the applicable requirement, the status quo (i.e., no monitoring) will meet the requirements of ARM 17.8.1212(1). Therefore, the permit does not include monitoring for insignificant emissions units.

The permit includes periodic monitoring or recordkeeping for each applicable requirement. The information obtained from the monitoring and recordkeeping will be used by the permittee to periodically certify compliance with the emission limits and standards. However, the Department may request additional testing to determine compliance with the emission limits and standards.

C. Test Methods and Procedures

The operating permit may not require testing for all sources if routine monitoring is used to determine compliance, but the Department has the authority to require testing if deemed necessary to determine compliance with an emission limit or standard. In addition, the permittee may elect to voluntarily conduct compliance testing to confirm its compliance status.

D. Recordkeeping Requirements

The permittee is required to keep all records listed in the operating permit as a permanent business record for at least five years following the date of the generation of the record.

E. Reporting Requirements

Reporting requirements are included in the permit for each emissions unit and Section V of the operating permit *General Conditions* explains the reporting requirements. However, the permittee is required to submit semi-annual and annual monitoring reports to the Department and to annually certify compliance with the applicable requirements contained in the permit. The reports must include a list of all emission limit and monitoring deviations, the reason for any deviation, and the corrective action taken as a result of any deviation.

F. Public Notice

The Department is providing a 30-day public comment period on the draft operating permit from **DATE - DATE**. ARM 17.8.1232 requires the Department to keep a record of both comments and issues raised during the public participation process. The comments and issues received by **DATE** will be summarized, along with the Department responses, in the following table. All comments received during the public comment period will be promptly forwarded to WBI so they may have an opportunity to respond to these comments as well.

Summary of Public Comments

Person/Group Commenting	Comment	Department Response

G. Draft Permit Comments

Summary of Permittee Comments

Permit Reference	Permittee Comment	Department Response

Summary of EPA Comments

Permit Reference	EPA Comment	Department Response

SECTION IV. NON-APPLICABLE REQUIREMENT ANALYSIS

Section IV of Operating Permit #OP2814-06 *Non-Applicable Requirements* contains the requirements that the Department determined were non-applicable. The following paragraphs summarize the requirements that WBI identified as non-applicable and contains the reasons that the Department did not include these requirements as non-applicable in the permit.

40 CFR 60 Subpart JJJJ – *Standards of Performance for Stationary Spark Ignition Internal Combustion Engines* is not applicable to the engines at the Vida Compressor Station at this time because they were manufactured and installed before the applicable dates outlined in the subpart. However, future engine installations, replacements, or reconstructions may be subject to 40 CFR 60 Subpart JJJJ.

SECTION V. FUTURE PERMIT CONSIDERATIONS

A. MACT Standards

As of the issuance date of Draft Operating Permit #OP2814-06, the Department is unaware of any future MACT Standards that may be promulgated that will affect this facility.

B. NESHAP Standards

As of the issuance date of Draft Operating Permit #OP2814-06, the Department is unaware of any future NESHAP Standards that may be promulgated that will affect this facility.

C. NSPS Standards

As of the issuance date of the Decision Operating Permit #OP2814-06, The Vida Compressor Station is not subject to 40 CFR 60 Subpart JJJJ as the engines were manufactured and installed before the applicability dates outlined in the subpart. However, future engine installations, replacements, or reconstructions may be subject to 40 CFR 60 Subpart JJJJ.

D. Risk Management Plan

As of June 15, 2015, this facility does not exceed the minimum threshold quantities for any regulated substance listed in 40 CFR 68.115 for any facility process. Consequently, this facility is not required to submit a Risk Management Plan.

If a facility has more than a threshold quantity of a regulated substance in a process, the facility must comply with 40 CFR 68 requirements no later than June 21, 1999; three years after the date on which a regulated substance is first listed under 40 CFR 68.130; or the date on which a regulated substance is first present in more than a threshold quantity in a process, whichever is later.

E. CAM Applicability

An emitting unit located at a Title V facility that meets the following criteria listed in ARM 17.8.1503 is subject to Subchapter 15 and must develop a CAM Plan for that unit:

- The emitting unit is subject to an emission limitation or standard for the applicable regulated air pollutant (unless the limitation or standard that is exempt under ARM 17.8.1503(2));
- The emitting unit uses a control device to achieve compliance with such limit; and
- The emitting unit has potential pre-control device emission of the applicable regulated air pollutant that is greater than major source thresholds.

The emitting units at the Vida Compressor Station do not meet the criteria listed in ARM 17.8.1503 and therefore do not trigger CAM. The compressor engines do not use a control device to achieve compliance with their emission limitations or to reduce their cumulative potential emissions to a level less than that which would exclude them from being designated as a major source of emissions.

F. PSD and Title V Greenhouse Gas Tailoring Rule

On May 7, 2010, EPA published the *light duty vehicle rule* (Docket # EPA-HQ-OAR- 2009-0472, 75 FR 25324) controlling greenhouse gas (GHG) emissions from mobile sources, whereby GHG became a pollutant subject to regulation under the Federal and Montana Clean Air Act(s). On June 3, 2010, EPA promulgated the GHG *Tailoring Rule* (Docket # EPA-HQ-OAR-2009-0517, 75 FR 31514) which modified 40 CFR Parts 51, 52, 70, and 71 to specify which facilities are subject to GHG permitting requirements and when such facilities become subject to regulation for GHG under the PSD and Title V programs.

Under the Tailoring Rule, any PSD action (either a new major stationary source or a major modification at a major stationary source) taken for a pollutant or pollutants other than GHG that would become final on or after January 2, 2011, would be subject to PSD permitting requirements for GHG if the GHG increases associated with that action were at or above 75,000 TPY of carbon dioxide equivalent (CO₂e) and greater than 0 TPY on a mass basis. Similarly, if such action were taken, any resulting requirements would be subject to inclusion in the Title V Operating Permit. Facilities which hold Title V permits due to criteria pollutant emissions over 100 TPY would need to incorporate any GHG applicable requirements into their operating permits for any Title V action that would have a final decision occurring on or after January 2, 2011.

Starting on July 1, 2011, PSD permitting requirements would be triggered for modifications that were determined to be major under PSD based on GHG emissions alone, even if no other pollutant triggered a major modification. In addition, sources that are not considered PSD major sources based on criteria pollutant emissions would become subject to PSD review if their facility-wide potential emissions equaled or exceeded 100,000 TPY of CO₂e and 100 or 250 TPY of GHG on a mass basis depending on their listed status in ARM 17.8.801(22) and they undertook a permitting action with increases of 75,000 TPY or more of CO₂e and greater than 0 TPY of GHG on a mass basis. With respect to Title V, sources not currently holding a Title V permit that have potential facility-wide emissions equal to or exceeding 100,000 TPY of CO₂e and 100 TPY of GHG on a mass basis would be required to obtain a Title V Operating Permit.

Based on information provided by WBI, potential emissions for the Vida Compressor Station fall below the GHG major source threshold of 100,000 TPY of CO₂e for both Title V and PSD under the Tailoring Rule.

The Supreme Court of the United States (SCOTUS), in its *Utility Air Regulatory Group v. EPA* decision on June 23, 2014, ruled that the Clean Air Act neither compels nor permits EPA to require a source to obtain a PSD or Title V permit on the sole basis of its potential emissions of GHG. SCOTUS also ruled that EPA lacked the authority to tailor the Clean Air Act unambiguous numerical thresholds of 100 or 250 TPY to accommodate a CO₂e threshold of 100,000 TPY. SCOTUS upheld that EPA reasonably interpreted the Clean Air Act to require sources that would need PSD permits based on their emission of conventional pollutants to comply with BACT for GHG. As such, the Tailoring Rule has been rendered invalid and sources cannot become subject to PSD or Title V regulations based on GHG emissions alone. Sources that must undergo PSD permitting due to pollutant emissions other than PSD may still be required to comply with BACT for GHG emissions.