



MEMO TO : Oil and Gas Operators

FROM : Terry L. O'Clair, P.E.  
Director  
Division of Air Quality *TLO*

RE : Bakken Pool Guidance Document

DATE : May 2, 2011

As an Oil and Gas Operator in the State of North Dakota, you are subject to Chapter 33-15-20 of the North Dakota Air Pollution Control Rules (NDAPCR). These rules require the owner or operator of any oil or gas well completed or recompleted on or after July 1, 1987, to submit a registration and gas analysis for production facilities to the North Dakota Department of Health (Department). An emission estimate is an important part of an acceptable registration. However, the recent development of the Bakken oil field in North Dakota has revealed unique requirements associated with the volatile organic compounds (VOC) emission calculations for these wells.

In cooperation with the Bakken VOC task force, the Department has developed the Bakken Pool Oil and Gas Production Facilities Air Pollution Control Permitting and Compliance Guidance (Guidance) for the oil and gas industry to address these requirements (found at: <http://www.ndhealth.gov/AQ/OilAndGasWells.htm>). The Guidance will assist with permitting and compliance issues related to Bakken VOC emissions including Chapters 33-15-07 and 33-15-20. The Guidance has been written to provide a greater level of certainty of compliance for the operators of these facilities. This Guidance will help operators with emission calculations, determining emission control requirements, and maintaining compliance with NDAPCR. In summary, for new Bakken wells (where the first date of production occurs on or after June 1, 2011), the Guidance requires the following:

1. Tanks are tied to a pit flare (at a minimum) on the first day of production to allow for initial operations.
2. Depending upon emission calculations, within 60 days of the first date of production, additional equipment must be installed to control emissions.
3. A registration packet must be submitted within 90 days of the first date of production. A Registration Packet includes a Registration Form, a gas analysis and the first two pages of the Guidance's workbook.

For existing facilities, (where the first date of production occurs prior to June 1, 2011), each operator with Bakken facilities will be mailed a separate letter detailing instructions on production facility information submissions, calculations and the controls required to be installed. The submittal process for these wells will be streamlined.

In summary, the Guidance was developed with the assistance of multiple partners from the Bakken VOC Task force and with significant feedback from other stakeholders. Proper registration and pollution control is critical to operating production facilities in North Dakota. Following the guidance is expected to ensure compliance with NDAPCR. The Department expects to take enforcement action in cases of noncompliance. All forms and the Guidance may be found on the Department's website at: <http://www.ndhealth.gov/AQ/OilAndGasWells.htm> . If you have any questions, please address them to Todd Peterson (tfpeterson@nd.gov) or Mark Dihle (mdihle@nd.gov), both are at phone number (701) 328-5188.

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