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MEMO TO : File

FROM : Mark Dihle  
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RE : Bakken Pool Oil and Gas Guidance Policy Method 22 clarification

DATE : October 10, 2011

In the NDDoH Bakken Pool Oil and Gas Production Facilities Air Pollution Control Permitting and Compliance Guidance (Guidance) that became effective June 1, 2011, it states that a Method 22 observation test for opacity must be performed to ensure flares and combustors are operating without visible emissions for compliance. The observation period is stated to be two hours and the Department did not state the required frequency of these tests. The guidance reads as follows:

*Method 22 of Appendix A shall be used to determine the compliance of flares with the visible emission provisions of this subpart. The observation is 2 hours and shall be used according to Method 22;*

To clarify the intent of the memo, the Department intended that the Method 22 does not need to be conducted every time the operator is on site. Later in the memo, it states:

*A properly operating flare should be virtually free of opacity and a minimum of a visual check of a flare for opacity should be done whenever an operator is on site. Improperly operating equipment should be thoroughly inspected and if necessary, repaired as soon as possible. Compliance with opacity requirements will be based on applicable EPA Reference Methods.*

The Department intended the 2 hours of Method 22 to be used when the device is initially put into service and when major repairs are made. At other times, the operator will do a visual check of a flare without a time requirement whenever they are on site.

MD:saj