


MEMO TO : Oil Production Facility Operators and Interested Parties

FROM : James L. Semerad   
Director  
Division of Air Quality

RE : Control of Storage Tanks at Shut-In Upstream Production Facilities

DATE : August 23, 2021

Under normal operating conditions, volatile organic compound (VOC) emissions from storage tanks at upstream production facilities are required to be controlled by a flare or an equally effective control device under North Dakota Administrative Code (NDAC) 33.1-15-07-02.1.

Several upstream production companies have expressed concerns with operating control devices, flares in particular, to control emissions from the storage tanks associated with shut-in facilities due to the potential for oxygen to infiltrate the tanks, which may present an explosion hazard.

NDAC 33.1-15-07-02.1 states:

*“Minor sources, as determined by the department and not subject to New Source Performance Standards, may be granted exemptions to this subsection.”*

Once the entire facility has been shut-in and throughput to the tanks has ceased, VOC emissions from the storage tanks associated with the facility are expected to be minimal since the emissions will be almost entirely due to breathing losses. Given this, VOC emissions from storage tanks associated with shut-in facilities are considered to be a minor source of VOC emissions and control of VOC emissions is not required under NDAC 33.1-15-07-02.1.

The Department must be notified of any shut-in facility where emissions are not being controlled. The notification must be submitted within 15 days after control of emissions ceases via CERIS-ND. Within the site, select “Apps, Requests and Reports”, under the “Applications & Service Requests” header, select “Start New Form”. Submit the notification using the “Air General Notification” form.

Note that this policy only applies to controls required under NDAC 33.1-15-07-02.1. This policy does not affect other requirements of NDAC 33.1-15 including, but not limited to, NDAC 33.1-15-02 (Ambient Air Quality Standards), 33.1-15-12 (New Source Performance Standards) and NDAC 33.1-15-20 (Control of Emissions from Oil and Gas Well Production Facilities). In addition, if maximum expected VOC emissions from the storage tanks at the facility exceed 20 tons/year, the Department does not consider the emissions from the storage tanks to be a minor source of emissions and control of VOC emissions from the tanks is required. Any questions regarding this policy can be directed to Wyatt Peterson at 701.328.5184 or at [wyatt.peterson@nd.gov](mailto:wyatt.peterson@nd.gov).

JLS/CDT:saj