



July 30, 2024

Ms. Gwen Ricco  
Office of Legal Services, MC-205  
Texas Commission on Environmental Quality  
12100 Park 35 Circle  
Austin, Texas 78753

RE: Proposed New Non-Rule Air Quality Standard Permit for  
Natural Gas Electric Generating Units

Thank you for the opportunity for Energy Transfer LP (ET) to provide comments to the Texas Commission on Environmental Quality (TCEQ) regarding its proposed new Non-Rule Air Quality Standard Permit for Natural Gas Electric Generating Units (NG EGU) under the Texas Clean Air Act, Texas Health and Safety Code, §382.05195, Standard Permit; 30 Texas Administrative Code Chapter 116, Subchapter F, Standard Permits; and Texas Government Code, Chapter 2001, Subchapter B (the "Proposed Standard Permit").

ET operates more than 1500 sites throughout the state under many subsidiaries. One of ET's subsidiaries, ET Genco LLC, owns several electric generating facilities that provide power to the State of Texas. ET appreciates TCEQ's continued efforts to provide applicants with flexibility in obtaining authorizations. However, ET questions the usefulness of the Proposed Standard Permit as written as many of the requirements would be impossible to meet thus rendering the rule inapplicable to most facilities. ET has summarized some of the issues identified below for your review and consideration. Please note that this list is not exhaustive and ET would appreciate the opportunity to further discuss its concerns with the Proposed Standard Permit provisions with TCEQ.

#### **Proposed Non-Rule Authorization**

Many of the requirements would prohibit any of ET's existing or proposed electric generating facility operations from seeking authorization under the Proposed Standard Permit.

#### **(d) General Requirements**

(1)(B) Limits the stack diameter to a maximum of 8 inches.

*Most engines used for the purposes of generating electricity have stack diameters equal to or greater than 1 foot and in some cases up to a 2-foot diameter.*

(1)(C) Minimum stack exit temperature shall be at least 961 degrees Fahrenheit...

*Only smaller horsepower (hp) lean-burn engines and rich burn engines have that high of exhaust temperatures. Typical lean-burn engines have exhaust temperatures that range from 800-850 degrees Fahrenheit.*

(1)(D) Exit velocity shall be at least 442 feet per second...

*Because the proposed limit for the stack diameter is so small, this forces the exhaust out at very high calculated velocities. This exit velocity is unusually high and is not typical exit velocities for engines. Restricting the flow to increase exit velocity also causes backpressure issues that can damage the engine.*

(2) Engines must be at least 25 feet from the nearest point on the property line. The maximum number of engines that may be authorized under this standard permit depends on the distance from the property line to the nearest engine but may not exceed six engines. The property line limitations are specified in Table 1...

*Table 1 shows minimum distance requirements of 600 and 900 feet for 4 and 6 engines respectively. These distances would require that the owner/operator of the facility obtain 35 acres (600-foot requirement) or 75 acres for the 900-foot requirement. Typical land leases for 4-6 engines only need 2-3 acres at most. These minimum distance limitations would waste of large sections of land for no reason and acquiring such swaths of land is cost prohibitive for such projects.*

#### **(e) Emission Limitations**

(1) Emissions from each engine shall not exceed the emission limitations in Table 2 and the emission standards listed in Table 3.

*The emissions limitations in these tables restrict the size of the engines to be authorized under this standard permit to about 1470 hp. This HP restriction is derived from the NOx and CO emission standards and the lb/hr emission limits in Table 2. Current installations in the state range in size from 1800-4000 hp. ET Genco's most recent project was the installation of four (4) Caterpillar G3520 engines that are rated at 3,628 hp each. Each unit meets the hourly emissions standards in Table 3.*

#### **(f) Operational Requirements**

(1) Emissions from each engine shall be limited to no more than 400 hours of operation per rolling 12-month period.

*Per the TCEQ's Technical Background document, the proposed standard permit would "authorize NG EGUs used to generate electricity for use by the owner or operator, and/or generate electricity to be sold to the electric grid." A limit of 400*

*hours per year does not provide sufficient time for facilities to justify the cost of installation, operation, and maintenance of EGUs.*

(5) Continuous Demonstration of Compliance

(A)(vii) Install and operate a monitoring device capable of recording the inlet flue gas temperature to the catalyst.

*This requirement goes far beyond normal operations of minor sources of emissions. Continuous parametric monitoring like this is only required for major sources of hazardous air pollutants under 40 CFR Part 63, Subpart ZZZZ for reciprocating engines. This is not only cost prohibitive but also inconsistent with normal recordkeeping and monitoring requirements for similar sources.*

In general, ET believes that many of the limitations, recordkeeping and monitoring requirements contained in this new proposed standard permit authorization limit its application to many facilities. As noted above, ET has not listed all issues that it has identified, but has provided a summary of several significant issues for consideration.

ET recommends utilizing the existing Non-Rule Oil & Gas Standard Permit, which has been used successfully for the past decade by the oil & gas industry, as a template for this authorization (i.e. consider the modeling tables, control technology, emission limits and other requirements in the existing Non-Rule Oil & Gas Standard Permit).

We appreciate your review and consideration of these comments and look forward to the opportunity to discuss further. If you have any questions, please contact me at 214-840-5251 or [jeff.weiler@energytransfer.com](mailto:jeff.weiler@energytransfer.com).

Sincerely,



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