



# TCEQ Oil and Gas Emissions Events: Frequently Asked Questions

## Q. What agency has jurisdiction?

A. The Railroad Commission of Texas (RRC) regulates flaring and venting operations with respect to preventing the waste of natural resources through authorization by rule and exceptions (also known as permits) under its [Statewide Rule 32](#).

The TCEQ has jurisdiction over air emissions resulting from flaring and venting operations at oil and gas production and processing sites.

## Q. What is the difference between a *Routine Event* and an *Emissions Event*?

A. Upset events are defined in [30 TAC §101.1](#). Routine activities are those that are predictable or could be planned/anticipated. If the emissions were caused by routine maintenance, startup, or shutdown (MSS), are part of normal or routine operations, and/or were predictable and could be authorized, then the emissions should be considered a *routine* event. Emissions from these activities should be permitted through TCEQ with applicable control requirements or prevented from occurring. Lists of planned MSS activities included in the [Oil and Gas MSS Permit By Rule \(PBR\)](#) (30 TAC §106.359) and the [Oil and Gas Standard Permit](#) are not upsets (emissions events).

Examples include (but are not limited to) certain maintenance events at the facility, including:

Turbine washing

Scheduled equipment repair or replacement

Maintenance blow downs

Routine pigging activities

Any of the maintenance events listed above at dependent facilities that impact the ability to receive gas

Conversely, if the emissions were caused by an unavoidable breakdown, this is considered an upset and should be reported as an emissions event. Reportable emissions events are defined in [30 TAC §101.1](#).

## Q. When should I report an Emissions Event?

A. An initial notification to the TCEQ is required within 24 hours after: an emissions event is discovered, and the unauthorized emissions equaled or exceeded the reportable quantity in any 24-hour period.

**Q: For pipelines, sites without a permit, or sites authorized by a PBR without hourly limits how is RQ calculated?**

A: All emissions from an upset should be considered unauthorized when determining when an event must be reported,

The definition of Regulated Entity states: “Owners or operators of pipelines, gathering lines, and flowlines under common ownership or control in a particular county may be treated as a single regulated entity for purposes of assessment and regulation of emissions events.”

**Q: Do I only report unauthorized emissions?**

A: No, report total emissions.

**Q: How are non-reportable EEs handled during Title V investigations?**

A: A portion are reviewed against recordkeeping requirements to ensure the event didn't exceed an RQ.

**Q: Are the only emission limits that apply to emissions events those in New Source Review lb/hr limits?**

A: No, emission limits may be in permits, rules, or orders (see definition of unauthorized emissions in 30 TAC 101.1).

**Q: What about fugitive components and heat exchangers**

A: Emissions events may occur at fugitive components. Emissions from a fugitive component that are considered “leaks” are authorized under conditions of a permit or rules for leak detection and repair (LDAR). A complete failure of a component is not considered a leak under LDAR permit conditions or rules and would be considered upset emissions and subject to the emissions events rules. For example, if a pressure relief valve fails to reseal, this could be an emissions event.

Like fugitive components, heat exchangers may suffer a catastrophic failure and cause emissions from the exchanger or elsewhere such as a cooling tower. When this occurs, the facility owner or operator should follow the reporting and recordkeeping requirements for emissions events.

**Q: If an investigator determines an event met the [affirmative defense](#) criteria, can a violation still be cited?**

A: Yes. The emissions event affirmative defense criteria found in [30 TAC 101.222](#) apply only to state permits, rules, orders; violations may be cited for federal rules.

**Q: A divestiture separated two production units into two companies that share a flare. Who reports emissions events when the flare is the EPN?**

A: The company that holds the permit for the flare is responsible for reporting emissions from the EPN.

**Q. How should I report an Upset (Emissions Event)?**

A. Emissions Events should be reported through the State of Texas Electronic Environmental Reporting System ([STEERS](#)). Certain facilities meeting the definition of a small business may be able to submit the event using a paper form. Guidance is available on our [Oil and Gas Compliance Assistance Website](#). You can also call our confidential compliance hotline from 8am to 5pm Monday through Friday with the option to leave a voicemail outside of office hours at 800-447-2827 for assistance. See next question for a link to the reporting form.

<https://www3.tceq.texas.gov/steers/index.cfm?fuseaction=login.contactus>

**Q: What do I do if STEERS reporting is not available (off-line)?**

A: Fax your emissions event report to the [region](#) where your facility is located.

Reportable Event/Activity Notification/Reporting Form

[https://www.tceq.texas.gov/assets/public/compliance/field\\_ops/fod\\_forms/upset/form\\_10360.pdf](https://www.tceq.texas.gov/assets/public/compliance/field_ops/fod_forms/upset/form_10360.pdf)

TCEQ Instructions - Form 10360

[https://www.tceq.texas.gov/assets/public/compliance/field\\_ops/fod\\_forms/upset/eefguide.pdf](https://www.tceq.texas.gov/assets/public/compliance/field_ops/fod_forms/upset/eefguide.pdf)

**Q: Once I report an EE in STEERS, am I done?**

A: No, other reporting requirements may apply such as the emissions inventory ([30 TAC §101.10](#)) and deviation reporting ([30 TAC 122](#)). Also, create a final record of the event within two weeks of the end of the event. For events that exceeded an RQ, the final record should be reported through STEERS unless the event occurred at a small business using the reporting form.