

TCEQ Memorandum

To: All Interested Persons

Date: March 23, 2026

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Subject: Implementation Guidance for 40 Code of Federal Regulations (CFR) Part 60 Oil and Natural Gas Industry Sectors, Standards of Performance and Emission Guidelines for New, Reconstructed, Modified, and Existing Sources

Background

On March 8, 2024, the U.S. Environmental Protection Agency (EPA) finalized new and updated requirements which affect the Oil and Natural Gas industry sector in 40 CFR Part 60 New Source Performance Standards (NSPS)¹:

- 1) Revised Subpart OOOO Standards of Performance for New, Reconstructed, and Modified Sources constructed or modified after 8/23/2011 and on or before 9/18/2015 (NSPS OOOO);
- 2) Revised Subpart OOOOa Standards of Performance for New, Reconstructed, and Modified Sources constructed or modified after 9/18/2015 and on or before 12/6/2022 (NSPS OOOOa);
- 3) New Subpart OOOOb Standards of Performance for New, Reconstructed, and Modified Sources constructed after 12/6/2022 (NSPS OOOOb); and
- 4) New Subpart OOOOc Emissions Guidelines (EG) for Existing Sources constructed or modified on or before 12/6/2022 (EG OOOOc).

The NSPS regulations (referred to as the NSPS OOOO-series) were published on March 8, 2024, and have an effective date of May 7, 2024. Each of the regulations [cover different units/equipment](#) (see Attachment A) and various pollutants:

- 1) NSPS OOOO regulates volatile organic compounds (VOCs);
- 2) NSPS OOOOa regulates methane & VOCs;
- 3) NSPS OOOOb regulates methane & VOCs; and
- 4) EG OOOOc regulates methane.

EPA reviewed this industry segment, its equipment, operations, and controls; and [published their findings](#).

The changes to the federal requirements will ultimately require operational and physical changes at all oil and gas sites in Texas. As of May 7, 2024, these changes affect all “new” (constructed or modified after 12/6/2022) oil and gas equipment. After Texas’ state plan is approved and implemented all “existing” (constructed or modified on or before 12/6/2022) oil and gas equipment will also be required to meet many of the same requirements. The units and operations included in these federal rules include:

- Hydraulically fractured well completions
- Associated gas from oil wells
- Wet and dry seals centrifugal compressors
- Equipment leak fugitive emissions
- Natural gas pneumatic pumps
- Sweetening units
- Well closures
- Liquids unloading from gas wells
- Reciprocating compressors
- Natural gas pneumatic controllers
- Storage vessels (aggregated tank battery)
- Flare operations (with compliance assurance).

¹ Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review (89 FR 16820)

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Review of the technical justifications EPA relied upon to establish best system of emissions reductions (BSER) and the specific requirements promulgated in the NSPS show all the updated federal programs and rule requirements are equivalent to current TCEQ state requirements and standardized authorization mechanisms for Permit by Rule and Standard Permits.

It should be noted that EPA has also promulgated numerous other federal regulations which overlap the NSPS OOOO-series of sources and emissions. These regulations are coordinated from EPA's regulatory perspective and have direct and indirect effects on the implementation of the NSPS rules. Portions of the NSPS OOOO-series, and the related federal regulations, have not been delegated to states and are retained by EPA. This varying delegation and ongoing EPA alternative determinations will result in a need for ongoing communication between agencies regarding interpretations and enforcement.

TCEQ Authorization Mechanisms:

The scope of this memo covers the TCEQ air regulatory and standardized requirements applicable to oil and gas sites:

- 30 Texas Administrative Code (TAC) §115, Subchapter B, Division 7 – Oil and Gas Service in Ozone Nonattainment Areas;
- Permit by Rule (PBR) §106.352 Oil and Gas Handling and Production Facilities (and all applicable historical versions);
- PBR §106.353 Temporary Oil and Gas Facilities (and all historical versions);
- PBR §106.354 Iron Sponge Gas-Treating Units (and all historical versions);
- PBR §106.355 Pipeline Metering, Purging, and Maintenance (and all historical versions);
- PBR §106.359 Planned Maintenance, Startup, and Shutdown at Oil and Gas Handling and Production Facilities;
- Standard Permit 30 TAC §116.620 Installation and/or Modification of Oil and Gas Facilities; and
- Non-rule Standard Permit for Oil and Gas Handling and Production Facilities.

This memo does not supersede any requirements through a case-by-case permit authorization in 30 TAC Chapter 116 Subchapter B, C, or G.

Issue

Any changes to update state regulatory requirements and standardized authorization mechanisms will take time and resources to complete due to statutory constraints (Tex. Health & Safety Code §§382.05102, 382.051961-051964), placing regulated entities in a situation where NSPS and standardized authorizations include overlapping or conflicting requirements that may apply to various pieces of equipment and sites, causing confusion, and potentially resulting in unintentional deviations and violations.

Action

For permitting and compliance purposes, and until TCEQ is able to update state regulations, revise standardized authorization mechanisms, or develop alternative solutions, when an oil and gas site complies with all applicable updated federal NSPS requirements for a facility, the federal NSPS requirements will be considered to be equivalent and satisfy any state requirements in 30 TAC Chapter 115 or standardized authorization (registration or certification). For EPA-approved innovative technologies, each initial technology approval must be individually processed by a TCEQ Alternative Methods of Compliance (AMOC) evaluation to update the permit record. It should also be noted that complying with OOOOb/c does not supersede the requirements to obtain a TCEQ authorization, quantify emissions, or follow any applicable registration or application process.

As EPA publishes updated rules, owners and operators are expected to review and follow the notification requirements in NSPS OOOO-series of rules. Any owner or operator who voluntarily follows NSPS OOOOb rules should also notify the agencies by the following process:

1. For each site, provide a notification of compliance status:
 - a. The notification shall be submitted to the EPA Compliance and Emissions Data Reporting Interface (CEDRI) and associated with 40 CFR Part 60, the appropriate OOOO-series subpart, be associated with the "Notification Report" report type and report name, and must include the TCEQ Regulated Entity Number in the "State Facility ID" field. Please note the TCEQ Core Data Form will need to be submitted to TCEQ if a Regulated Entity Number is not available.
 - b. The notification must be signed by a responsible company official and acknowledge that the representations will become enforceable limitations for compliance demonstrations.
 - c. The contents of the notification should include:

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- i. Identifying the site(s) by Core Data (Customer Number and Regulated Entity Number) and (if applicable) Registration/Permit Nos.;
 - ii. Identifying the site(s) authorization mechanism(s) (i.e., PBR §106.352, 106.359);
 - iii. Listing all applicable units, equipment, and devices;
 - iv. Listing applicable NSPS requirements which will be met; and
 - v. A contact person (including name, title, mailing address, email, and phone number).
2. Title V reports and certifications should be completed, and reports should include any discrepancies between state and federal regulations. For more information, see the Title V Deviation Reporting and Permit Compliance Certification guidance published on TCEQ's website. Within one year of TCEQ and EPA finalizing regulatory and authorization updates, submit updated registrations and/or applications reflecting the changes.

If applicable, emissions inventory reporting must follow the most recent Emissions Inventory Guidelines published on TCEQ's webpage.

Customer Tools

TCEQ notes that all new federal regulations require electronic reporting and notification through EPA's database CEDRI. TCEQ is also developing several new electronic reporting tools for customer convenience and support through STEERS to continue to reduce the burden on regulated entities.

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Attachment A

**Oil and Natural Gas Sources Covered by EPA's
Final New Source Performance Standards (NSPS) and Emissions Guidelines, by Site**

| Location and Equipment or Process Covered | Required to Reduce Emissions under EPA Rules | Rules that Apply | | | |
|---|---|---------------------------------|--|--|---|
| | | 2012 NSPS for VOCs (OOOO) | 2016 NSPS for Methane & VOCs (OOOOa) | 2023 Final NSPS for Methane & VOCs (OOOOb) | 2023 Final Emissions Guidelines for Methane (OOOOc) |
| Oil and Natural Gas Well Sites | | | | | |
| Completions of hydraulically fractured wells | ✓ | ● | ● | ● | |
| Compressors at centralized tank batteries | ✓ | | | ● | ● |
| Fugitive emissions | ✓ | | ● | ● | ● |
| Liquids unloading | ✓ | | | ● | ● ¹ |
| Process controllers | ✓ | ● | ● | ● | ● |
| Process pumps | ✓ | | ● | ● | ● |
| Storage vessels | ✓ | ● | ● ³ | ● | ● |
| Sweetening units | ✓ | ● ² | ● ² | ● ² | ● ² |
| Associated gas from oil wells | ✓ | | | ● | ● |
| Natural Gas Gathering and Boosting Compressor Stations | | | | | |
| Compressors | ✓ | ● | ● | ● | ● |
| Fugitive emissions | ✓ | | ● | ● | ● |
| Process controllers | ✓ | ● | ● | ● | ● |
| Process pumps | ✓ | | ● | ● | ● |
| Storage vessels | ✓ | ● | ● ³ | ● | ● |
| Sweetening units | ✓ | ● ² | ● ² | ● ² | ● ² |
| Natural Gas Processing Segment | | | | | |
| Compressors | ✓ | ● | ● | ● | ● |
| Fugitive emissions | ✓ | | ● | ● | ● |
| Process controllers | ✓ | ● | ● | ● | ● |
| Process pumps | ✓ | | ● | ● | ● |
| Storage vessels | ✓ | ● | ● ³ | ● | ● |
| Sweetening units | ✓ | ● ² | ● ² | ● ² | ● ² |
| Transmission and Storage Segment | | | | | |
| Compressors | ✓ | | ● | ● | ● |
| Fugitive emissions | ✓ | | ● | ● | ● |
| Process controllers | ✓ | | ● | ● | ● |
| Process pumps | ✓ | | | ● | ● |
| Storage vessels | ✓ | ● | ● ³ | ● | ● |

Notes: All sources listed above are covered by EPA's Super Emitter Program
Process controllers and pumps are also called pneumatic controllers and pneumatic pumps

¹ Added in 2023 final rule.
² Covered for SO₂ only.
³ Covered for VOCs only.