



June 26, 2020

Via Electronic Submission

Docket No. EPA-HQ-OAR-2019-0307

EPA Docket Center (EPA/DC)
U.S. Environmental Protection Agency
1301 Constitution Avenue, NW
Washington, DC 20229

Re: Docket ID Number EPA-HQ-OAR-2019-0307, Environmental Protection Agency
Improvements for Heavy-Duty Engine and Vehicle Test Procedures, and Other Technical
Amendments; Proposed Rule

Dear Docket Clerk,

GPA Midstream Association (“GPA Midstream”) appreciates the opportunity to submit comments on the Environmental Protection Agency’s proposed rule: Improvements for Heavy-Duty Engine and Vehicle Test Procedures, and Other Technical Amendments; Proposed Rule (“Proposed Rule”). *See* 85 Fed. Reg. 28140 (May 12, 2020). GPA Midstream’s comments address proposed revisions that would affect spark ignition engines in 40 CFR Part 60, Subpart JJJJ. Specifically, GPA Midstream urges EPA not to adopt the proposed revised cross reference to what constitutes a “rebuild” under 40 C.F.R. § 60.4243(f), but to retain the existing regulatory language.

GPA Midstream has served the U.S. energy industry since 1921. GPA Midstream is composed of nearly 100 corporate members that are engaged in the gathering and processing of natural gas into merchantable pipeline gas, commonly referred to in the industry as “midstream activities.” Such processing includes the removal of impurities from the raw gas stream produced at the wellhead as well as the extraction for sale of natural gas liquid products (“NGLs”) such as ethane, propane, butane, and natural gasoline or in the manufacture, transportation, or further processing of liquid products from natural gas. GPA Midstream membership accounts for more than 90% of the NGLs produced in the United States from natural gas processing.

A key component of midstream processing plants and transmission pipelines is the natural gas compressor, which often are driven by Reciprocating Stationary Internal Combustion Engines (RICE) that are Spark Ignition (SI) or Compression Ignition (CI). Depending on various factors, RICE units may be subject to, among other requirements, NSPS Subparts IIII (Standards of Performance for Stationary Compression Ignition Internal Engines) or Subpart JJJJ (Standards of Performance for Stationary Spark Ignition Internal Combustion Engines), as well as NESHAP Subpart ZZZZ (Stationary Reciprocating Internal Combustion Engines).

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The Proposed Rule is primarily intended to address test procedures for heavy-duty highway engines and vehicles and reconcile certain regulatory citations. However, we support the concern raised by the American Petroleum Institute in their comment letter regarding the new cross-referenced citation in the Proposed Rule in EPA's proposed revised 40 C.F.R. § 60.4243(f) regarding the criteria that constitute "rebuilding" an engine.

Current text has proper scope for what is a rebuild. Currently, Subpart JJJJ provides that certain testing requirements apply to a stationary SI internal combustion engine that is "rebuilt" where a rebuilt engine means one that has been rebuilt as defined in §94.11(a). *See* 40 C.F.R. § 60.4243(f) ("A rebuilt stationary SI ICE means an engine that has been rebuilt *as that term is defined in 40 CFR 94.11(a)*") (emphasis added). Thus, currently, to be rebuilt, "means to overhaul an engine or to otherwise perform extensive service on the engine" which is "to disassemble the engine (or portion of the engine or engine system), inspect and/or replace many of the parts, and reassemble the engine (or portion of the engine or engine system) in such a manner that significantly increases the service life of the resultant engine." 40 C.F.R. § 94.11(a). This current approach to "rebuild" is reasonable, as it refers to major actions such as disassembling an engine and replacing multiple parts.

Proposed Rule would unduly expand scope of what is rebuild. In contrast, in the Proposed Rule, EPA proposes to cross reference 40 C.F.R. § 1068.120(b). *See* 85 Fed. Reg. at 28176, Proposed Rule §60.4243(f) (as proposed, "A rebuilt stationary SI ICE means an engine that has been rebuilt *as that term is defined in 40 CFR 1068.120(b)*") (emphasis added). That new cross reference would expand what would be considered a rebuild. Specifically, under 40 C.F.R. § 1068.120(b),

(b) The term "rebuilding" refers to a rebuild of an engine or engine system, including a major overhaul in which you replace the engine's pistons or power assemblies or make other changes that significantly increase the service life of the engine. It also includes replacing or rebuilding an engine's turbocharger or aftercooler or the engine's systems for fuel metering or electronic control so that it significantly increases the service life of the engine. For these provisions, rebuilding may or may not involve removing the engine from the equipment. Rebuilding does not normally include the following: (1) Scheduled emission-related maintenance that the standard-setting part allows during the useful life period (such as replacing fuel injectors). (2) Unscheduled maintenance that occurs commonly within the useful life period. For example, replacing a water pump is not rebuilding an engine.

Thus, 40 C.F.R. §1068(b) includes not only the major overhaul contemplated by 40 C.F.R. § 94.11(a), but lists relatively common actions that should be considered routine maintenance for stationary RICE. As such, the Proposed Rule would alter significantly what constitutes rebuilding an engine in Subpart JJJJ. Just as an example, replacing or rebuilding engine turbochargers is common. Such turbocharger maintenance is not conducted under a planned schedule, but is maintenance done to address an engine component subject to failure. Hence, these should be considered a routine maintenance activity - *not* an action that constitutes "rebuilding" an engine. For stationary RICE, such turbocharger maintenance is analogous to

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replacing a water pump, which is listed in §1068.120(b) as an action that does *not* constitute rebuilding.

The existing regulatory language should be retained – and the proposed revised cross-reference should not be adopted. We join API in expressing our concern that there are significantly larger implications that will occur if the proposed revision is adopted, as the proposed change categorizes relatively minor and routine maintenance (e.g., maintaining turbochargers, fuel meters, or electronic controls) as engine “rebuild” and such categorization is inappropriate. Engine maintenance should not be unduly burdened and compromised by additional regulatory requirements. Accordingly, the proposed change should not be adopted and the rebuilding criteria in §94.11(b) should be retained in §60.4243(f).

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GPA Midstream appreciates and welcomes the opportunity to provide these comments. If you have any questions regarding our comments, please contact Matthew Hite, Vice President of Government Affairs at mhite@gpamidstream.org.

Respectfully Submitted,



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GPA Midstream Association