



Notice of Open Comment Period

West Virginia Department of Environmental Protection Division of Air Quality

Public Input Period Opens: Friday, March 14, 2025

Public Input Period Closes: Thursday, April 10, 2025 at 5:00 pm.

Type of Notice: Open comments for draft new DAQ rule

Location: Statewide

Activity: DAQ Draft Legislative Rule 45CSR45 (new)

Project Description: Draft 45CSR45 (Standards of Performance for Existing Crude Oil and Natural Gas Facilities)

Request: The public and key stakeholders are requested to review the draft version of the West Virginia state rule which is being developed to implement and adopt the federal emissions guidelines, *Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review* published by the U.S. EPA March 8, 2024 (89 Fed. Reg. 16820) as required and in accordance with the federal implementation requirements found at 40CFR60, subpart Ba.

Background materials and information: In addition to the draft rule, the following background materials are provided to assist the public and key stakeholders in their review of the draft version of 45CSR45. On March 12, 2025, the Trump EPA announced a reconsideration of 40CFR60, subpart OOOOc and subsequent actions may influence the draft. Additional background materials may be found at EPA's website <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-operations>.

- 40CFR60, subpart OOOOc (Emissions Guidelines for Greenhouse Gas Emissions from Existing Crude Oil and Natural Gas Facilities)
- 40CFR60, subpart Ba (Adoption and Submittal of State Plans for Designated Facilities)
- U.S. EPA Summary of Requirements for Clean Air Act Section 111(d) State Plans for the Crude Oil and Natural Gas Source Category: Emissions Guidelines for Existing Sources 40 CFR Part 60, Subpart OOOOc (August 2024)

Location:

The DAQ draft rule and background information is available at:

- <https://dep.wv.gov/daq/Pages/default.aspx>

- If you do not have internet capability, please contact DAQ for alternatives.

Point of Contact: Laura Jennings (laura.m.jennings@wv.gov or 304-926-0475)

Written comments may be submitted at any time during the public input period as instructed below. Written comments received after the end of the public input period may not be accepted.

Written Comments:

- E-mail written comments to Laura.M.Jennings@wv.gov with “Draft DAQ Rule 45CSR45” in the subject line, or
- Mail hard copy comments to the attention of Laura Jennings at the WV Department of Environmental Protection, Division of Air Quality, 601 57th Street SE, Charleston, WV 25304.

Response to Comments:

This is not a formal public comment period; therefore, all comments will be considered in the development of the final draft and a response to comment document will not be prepared. Any comments received from this open comment period will be posted to the website.

Next Steps:

A formal proposed rule is expected to be filed with the West Virginia Secretary of State’s Office as part of a DAQ 2026 Proposed Rule Package. When the proposed rule is published, there will be a formal public comment period and hearing announced at that time.