

Cherokee Nation Code Annotated

Title 27: Environmental Quality

Chapter 4: Air Quality

§ 414. Implementation and enforcement of federal emission standards—Oil and gas well and equipment emissions

Cite as: 27 CNCA § 414

A. The Commission shall have the authority to establish a program for the implementation and enforcement of the federal emission standards and other requirements under 42 U.S.C. § 7412 for hazardous air pollutants and for the prevention and mitigation of accidental releases of regulated substances under 42 U.S.C. § 7412(r). The Commission may promulgate rules which establish emission limitations for hazardous air pollutants which are more stringent than the applicable federal standards, upon a determination that more stringent standards are necessary to protect the public health or the environment.

B. The Commission shall have the authority to establish programs for control of the emission of toxic air contaminants not otherwise regulated by a final emission standard under 42 U.S.C. § 7412(d), and/or for the control of any other air contaminants, emissions or pollution.

C. Emissions from any oil or gas exploration or production well with its associated equipment, and emissions from any pipeline compressor or pump station may be aggregated with emissions from other similar units, whether or not such units are in a contiguous area or under common control, to determine whether such units or stations are major sources.

D. The Commission may list oil and gas production wells with their associated equipment as an area source category or may establish an area source category for oil and gas production wells located in any metropolitan statistical area or consolidated metropolitan statistical area with a population in excess of one million (1,000,000) if the Commission determines that emissions of hazardous air pollutants from such wells present more than a negligible risk of adverse effects to public health.

E. Nothing in this section shall be construed to limit authority established elsewhere in the Cherokee Nation Clean Air Act or other provisions of the Cherokee Nation Code.

Historical Data

LA 42-04, eff. November 23, 2004. Renumbered from 63 CNCA § 2-5-114.