**Section 245.900 Managing Natural Gas and Hydrocarbon Fluids During Production**

For wells regulated by this Part, *permittees shall be responsible for minimizing the emissions associated with venting of hydrocarbon fluids and natural gas during the production phase* to safely maximize resource recovery and minimize releases to the environment (Section 1-75(e)(4) of the Act).

a) Except for wells covered by subsection (i), *sand traps, surge vessels, separators, and tanks* must be employed *as soon as practicable during cleanout operations to safely maximize resource recovery and minimize releases to the environment.* (Section 1-75(e)(4)(B) of the Act)

b) Except for wells covered by subsection (i), *recovered* hydrocarbon *fluids* must be routed *into storage vessels*. (Section 1-75(e)(4)(A) of the Act)

c) Except for wells covered by subsection (i), recovered natural gas must be:

1) routed *into a gas gathering line* or *collection system, or to a generator for onsite energy generation;*

2) provided *to the surface* landowner *of the well site for use for heat or energy generation; or*

3) used for a lawful and useful purpose other than venting or flaring. (Section 1-75(e)(4)(A))

d) *If the permittee establishes that it is technically infeasible or economically unreasonable to minimize emissions associated with the venting of hydrocarbon fluids and natural gas during production using the methods specified in* subsections (b) and (c), *the Department*, in consultation with the Agency as the Department deems appropriate, *shall require the permittee to capture and direct any natural gas produced during the production phase to a flare.*

e) *In order to establish technical infeasibility under* subsection (d), *the permittee must demonstrate* to the Department's satisfaction, *for each well site on an annual basis, that taking the actions listed in* subsections (b) and (c) *are not cost effective based on a* well *site-specific analysis*, and that the technology listed in subsections (b) and (c) does not exist, cannot be installed at the well site, will not achieve the result intended, or is otherwise unavailable or ineffective. The permittee claiming economic unreasonableness shall provide the Department with the following:

1) The method the applicant used to determine it is economically unreasonable to implement the methods specified in subsection (b) or (c);

2) Applicant's experience in implementing the methods specified in subsection (b) or (c);

3) Estimated costs of implementing the methods specified in subsection (b) or (c) and sources for those estimates;

4) Anticipated rates (by day) and amounts (total for well) of fluids and/or gas to be directed to the flare; and

5) Any other information requested by the Department or that documents the economic unreasonableness claimed.

f) *Any flare used pursuant to this* Section *shall be equipped with* an auto-igniter and *a reliable continuous ignition source over the duration of production.* The manufacturer's specifications for all flares must be provided to the Department before operation of the flare begins, and the Department shall post the specifications to its website.

g) *Permittees that use a flare during the production phase for operations other than emergency conditions* shall visually inspect or monitor the flare on a regular basis to insure it is operating properly. The permittee *shall file an updated* well *site-specific analysis annually with the Department* on a form prescribed by the Department in consultation with the Agency. *The analysis shall*:

1) *be due one year from the date of the previous submission*;

2) report the dates and duration of any period during which the flare is not operating properly; and

3) *detail whether any changes have occurred that alter the technical infeasibility or economic unreasonableness of the permittee to reduce emissions in accordance with* subsections (b) and (c). (Section 1-75(e)(5) of the Act)

h) *On or after July 1, 2015, all flares used under* this Section *shall*:

1) *operate with a combustion efficiency of at least 98% and in accordance with 40 CFR 60.18;*

2) *be certified by the manufacturer of the device; and*

3) *be maintained and operated in accordance with manufacturer specifications*. (Section 1-75(e)(9) of the Act)

i) *For each wildcat well, delineation well, or low pressure well, permittees shall be responsible for minimizing the emissions associated with venting of hydrocarbon fluids and natural gas during the production phase by capturing and directing the emissions to a flare during the production phase, except in conditions that may result in a fire hazard or explosion, or where high heat emissions from a flare may negatively impact waterways. Flares shall be used during the production phase*. (Section 1-75(e)(8) of the Act)