West Virginia Department of Environmental Protection

Harold D. Ward
Cabinet Secretary

Permit to Operate

Pursuant to
Title V
of the Clean Air Act

Issued to:
MPLX Terminals LLC
Kenova-TriState Terminal
R30-09900022-2025

Laura M. Crowder
Director, Division of Air Quality

Issued: [Date of issuance] • *Effective: [Equals issue date plus two weeks]*
Expiration: [5 years after issuance date] • *Renewal Application Due: [6 months prior to expiration]*

Permit Number: **R30-09900022-2025**
Permittee: **MPLX Terminals LLC**
Facility Name: **Kenova-TriState Terminal**
Permittee Mailing Address: **539 South Main Street, Findlay, Ohio 45840**

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 - Requirements for Operating Permits. The permittee identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Facility Location:	Kenova, Wayne County, West Virginia
Facility Mailing Address:	539 South Main Street, Findlay, Ohio 45840
Telephone Number:	(606) 921-3137
Type of Business Entity:	LLC
Facility Description:	Bulk gasoline terminal: receives, stores, and transfers petroleum products
SIC Codes:	5171; 4491
UTM Coordinates:	361.323 km Easting • 4251.58 km Northing • Zone 17

Permit Writer: Robert Mullins

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.

Issuance of this Title V Operating Permit does not supersede or invalidate any existing permits under 45CSR13, 14 or 19, although all applicable requirements from such permits governing the facility's operation and compliance have been incorporated into the Title V Operating Permit.

Table of Contents

1.0. Emission Units and Active R13, R14, and R19 Permits

1.1. Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed/ Modified	Design Capacity	Control Device/Seals
TriState Tank Farm					
Tank 253	Tank 253	Internal Floating Roof Gasoline/ Distillate Fuel Storage Tank	1948/1992	2,444,040 gallons	Primary Shoe w/ Secondary Wiper
Tank 255	Tank 255	Fixed Cone Roof Distillate Fuel Storage Tank	1948	5,527,200 gallons	None
Tank 256	Tank 256	External Floating Roof Wastewater (with offspec petroleum liquid layer) Storage Tank	1949	2,280,600 gallons	Primary Shoe w/ Secondary Wiper
Tank 264	Tank 264	Internal Floating Roof Gasoline/ Distillate Fuel Storage Tank	1990	3,838,800 gallons	Mechanical Shoe w/ Secondary Wiper
Tank 265	Tank 265	Internal Floating Roof Gasoline/ Distillate Fuel Storage Tank	1991	1,377,600 gallons	Primary Foam Log w/ Secondary Wiper
Tank 266	Tank 266	Internal Floating Roof Gasoline/ Distillate Fuel Storage Tank	1993	1,810,200 gallons	Mechanical Shoe w/ Secondary Wiper
Tank 267	Tank 267	Internal Floating Roof Gasoline/ Distillate Fuel Storage Tank	1993	1,797,600 gallons	Primary Shoe w/ Secondary Wiper
Tank 268	Tank 268	Internal Floating Roof Gasoline/ Distillate Fuel Storage Tank	1993	1,793,400 gallons	Primary Shoe w/ Secondary Wiper
Kenova Tank Farm					
Tank 257	Tank 257	Internal Floating Roof Gasoline Storage Tank	1951/1995	4,653,600 gallons	Mechanical Shoe Primary Seal
Tank 258	Tank 258	Internal Floating Roof Gasoline Storage Tank	1951/1997	4,397,400 gallons	Mechanical Shoe Primary Seal
Tank 259	Tank 259	Internal Floating Roof Gasoline Storage Tank	1951/1994/ 2001	4,653,600 gallons	Mechanical Shoe Primary Seal
Tank 260	Tank 260	Internal Floating Roof Gasoline Storage Tank	1968/1993/ 2002	4,985,400 gallons	Mechanical Shoe Primary Seal
Tank 261	Tank 261	Fixed Cone Roof Distillate Storage Tank	1968/1992	6,631,800 gallons	None
Tank 262	Tank 262	Fixed Cone Roof Distillate Storage Tank	1971	6,631,800 gallons	None

Tank 270	Tank 270	Internal Floating Roof Gasoline/ Distillate Storage Tank	2001	2,377,200 gallons (1)	Mechanical Shoe Primary Seal
Tank 271	Tank 271	Internal Floating Roof Gasoline/ Distillate Storage Tank	2001	2,377,200 gallons (1)	Mechanical Shoe Primary Seal
Tank 272	Tank 272	Internal Floating Roof Gasoline/ Distillate Storage Tank	2001	2,377,200 gallons (1)	Mechanical Shoe Primary Seal
Tank 273	Tank 273	Cone Roof Storage Tank (Fixed Roof) - Biodiesel / Distillate	2011	957,600 gallons(1)	None
MVCU	MVCU	Marine Vapor Combustion Unit	2025	109.87 MMBtu/hr	None
Barge Loading Stations 1 through 8	Barge Loading Stations 1 through 8	Marine vessel loading operations (gasoline, distillate)	N/A	Maximum Simultaneous Loading 20,600 bbl/hr	VRU (when loading gasoline)
Dockside Emissions	Dockside Emissions	Barge moored at marine dock before and after loading	1948	N/A	N/A(2)
Hot Oil Heater #1	Hot Oil Heater #1	Hot Oil Heater for Tank 273	2012	2.499 MMBTU/hr	N/A
Engines					
Engine #4	Engine #4	Clarke Loaded Fleet Fire Pump Engine – emergency, diesel	2015	510 hp	N/A
Engine #5	Engine #5	Kenova Tank Farm Wastewater Lift Station Backup Pump Engine–non-emergency, diesel	2015	66 hp	N/A
Miscellaneous Units					
LDAR	LDAR	Fugitive Equipment Leaks	N/A	N/A	N/A
Oily Sewer System	Oily Sewer System	Oily Water Sewer System	N/A	N/A	N/A
Cooling Tower #1	Cooling Tower	Cooling Tower	N/A	400 gpm	N/A
Roadways	Roadways	Paved facility Roadways	N/A	N/A	N/A
Tank 300	Tank 300	Additive Storage Tank & Unload Rack	9/9/1999	3,780 gal	N/A

(1) This value refers to the shell capacity and not the working volume.
(2) No control devices are used on the ullage hatches opened during the QA/QC testing, but the permittee is required to depressurize the barges before testing pursuant to 5.1.6(a).

1.2. Active R13, R14, and R19 Permits

The underlying authority for any conditions from R13, R14, and/or R19 permits contained in this operating permit is cited using the original permit number (e.g. R13-1234). The current applicable version of such permit(s) is listed below.

Permit Number	Date of Issuance
R13-1352A	March 26, 2007
R13-2277G	March 31, 2025

2.0. General Conditions

2.1. Definitions

2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.

2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.

2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.39.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

2.1.4. Unless otherwise specified in a permit condition or underlying rule or regulation, all references to a "rolling yearly total" shall mean the sum of the monthly data, values or parameters being measured, monitored, or recorded, at any given time for the previous twelve (12) consecutive calendar months.

2.2. Acronyms

CAAA	Clean Air Act Amendments	**NO_x**	Nitrogen Oxides
CBI	Confidential Business Information	**NSPS**	New Source Performance Standards
CEM	Continuous Emission Monitor	**PM**	Particulate Matter
CES	Certified Emission Statement	**PM_{10}**	Particulate Matter less than 10µm in diameter
C.F.R. *or* CFR	Code of Federal Regulations		
CO	Carbon Monoxide	**pph**	Pounds per Hour
C.S.R. *or* CSR	Codes of State Rules	**ppm**	Parts per Million
DAQ	Division of Air Quality	**PSD**	Prevention of Significant Deterioration
DEP	Department of Environmental Protection	**psi**	Pounds per Square Inch
FOIA	Freedom of Information Act	**SIC**	Standard Industrial Classification
HAP	Hazardous Air Pollutant		
HON	Hazardous Organic NESHAP	**SIP**	State Implementation Plan
HP	Horsepower	**SO_2**	Sulfur Dioxide
lbs/hr *or* lb/hr	Pounds per Hour	**TAP**	Toxic Air Pollutant
LDAR	Leak Detection and Repair	**TPY**	Tons per Year
m	Thousand	**TRS**	Total Reduced Sulfur
MACT	Maximum Achievable Control Technology	**TSP**	Total Suspended Particulate
		USEPA	United States Environmental Protection Agency
mm	Million		
mmBtu/hr	Million British Thermal Units per Hour	**UTM**	Universal Transverse Mercator
		VEE	Visual Emissions Evaluation
$mmft^3$/hr *or* mmcf/hr	Million Cubic Feet Burned per Hour	**VOC**	Volatile Organic Compounds
NA *or* N/A	Not Applicable		
NAAQS	National Ambient Air Quality Standards		
NESHAPS	National Emissions Standards for Hazardous Air Pollutants		

2.3. Permit Expiration and Renewal

2.3.1. Permit duration. This permit is issued for a fixed term of five (5) years and shall expire on the date specified on the cover of this permit, except as provided in 45CSR§30-6.3.b. and 45CSR§30-6.3.c.
[45CSR§30-5.1.b.]

2.3.2. A permit renewal application is timely if it is submitted at least six (6) months prior to the date of permit expiration.
[45CSR§30-4.1.a.3.]

2.3.3. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 45CSR§30-6.2. and 45CSR§30-4.1.a.3.
[45CSR§30-6.3.b.]

2.3.4. If the Secretary fails to take final action to deny or approve a timely and complete permit application before the end of the term of the previous permit, the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time.
[45CSR§30-6.3.c.]

2.4. Permit Actions

2.4.1. This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[45CSR§30-5.1.f.3.]

2.5. Reopening for Cause

2.5.1. This permit shall be reopened and revised under any of the following circumstances:

a. Additional applicable requirements under the Clean Air Act or the Secretary's legislative rules become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 45CSR§§30-6.6.a.1.A. or B.

b. Additional requirements (including excess emissions requirements) become applicable to an affected source under Title IV of the Clean Air Act (Acid Deposition Control) or other legislative rules of the Secretary. Upon approval by U.S. EPA, excess emissions offset plans shall be incorporated into the permit.

c. The Secretary or U.S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

[45CSR§30-6.6.a.]

2.6. Administrative Permit Amendments

2.6.1. The permittee may request an administrative permit amendment as defined in and according to the procedures specified in 45CSR§30-6.4.
[45CSR§30-6.4.]

2.7. Minor Permit Modifications

2.7.1. The permittee may request a minor permit modification as defined in and according to the procedures specified in 45CSR§30-6.5.a.
[45CSR§30-6.5.a.]

2.8. Significant Permit Modification

2.8.1. The permittee may request a significant permit modification, in accordance with 45CSR§30-6.5.b., for permit modifications that do not qualify for minor permit modifications or as administrative amendments.
[45CSR§30-6.5.b.]

2.9. Emissions Trading

2.9.1. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit and that are in accordance with all applicable requirements.
[45CSR§30-5.1.h.]

2.10. Off-Permit Changes

2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:

a. The change must meet all applicable requirements and may not violate any existing permit term or condition.

b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.

c. The change shall not qualify for the permit shield.

d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.

e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.

f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

[45CSR§30-5.9.]

2.11. Operational Flexibility

2.11.1. The permittee may make changes within the facility as provided by § 502(b)(10) of the Clean Air Act. Such operational flexibility shall be provided in the permit in conformance with the permit application and applicable requirements. No such changes shall be a modification under any rule or any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) promulgated by the Secretary in accordance with Title I of the Clean Air Act and the change shall not result in a level of emissions exceeding the emissions allowable under the permit.
[45CSR§30-5.8]

2.11.2. Before making a change under 45CSR§30-5.8., the permittee shall provide advance written notice to the Secretary and to U.S. EPA, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall thereafter maintain a copy of the notice with the permit, and the Secretary shall place a copy with the permit in the public file. The written notice shall be provided to the Secretary and U.S. EPA at least seven (7) days prior to the date that the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to such unanticipated conditions, the permittee shall provide notice to the Secretary and U.S. EPA as soon as possible after learning of the need to make the change.
[45CSR§30-5.8.a.]

2.11.3. The permit shield shall not apply to changes made under 45CSR§30-5.8., except those provided for in 45CSR§30-5.8.d. However, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the change, provided that the permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The permit shield may be reinstated for emissions and operations affected by the change:

a. If subsequent changes cause the facility's operations and emissions to revert to those authorized in the permit and the permittee resumes compliance with the terms and conditions of the permit, or

b. If the permittee obtains final approval of a significant modification to the permit to incorporate the change in the permit.

[45CSR§30-5.8.c.]

2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.
[45CSR§30-2.40]

2.12. Reasonably Anticipated Operating Scenarios

2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.

a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.

b. The permit shield shall extend to all terms and conditions under each such operating scenario; and

c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.

[45CSR§30-5.1.i.]

2.13. Duty to Comply

2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
[45CSR§30-5.1.f.1.]

2.14. Inspection and Entry

2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;

d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

2.15. Schedule of Compliance

2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:

a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

[45CSR§30-5.3.d.]

2.16. Need to Halt or Reduce Activity not a Defense

2.16.1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.
[45CSR§30-5.1.f.2.]

2.17. Reserved

2.18. Federally-Enforceable Requirements

2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.
[45CSR§30-5.2.a.]

2.18.2. Those provisions specifically designated in the permit as “State-enforceable only” shall become “Federally-enforceable” requirements upon SIP approval by the USEPA.

2.19. Duty to Provide Information

2.19.1. The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall

directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.
[45CSR§30-5.1.f.5.]

2.20. Duty to Supplement and Correct Information

2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.
[45CSR§30-4.2.]

2.21. Permit Shield

2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.
[45 CSR§30-5.6.a.]

2.21.2. Nothing in this permit shall alter or affect the following:

a. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or

b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.

c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.

[45CSR§30-5.6.c.]

2.22. Credible Evidence

2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.
[45CSR§30-5.3.e.3.B.]

2.23. Severability

2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.
[45CSR§30-5.1.e.]

2.24. Property Rights

2.24.1. This permit does not convey any property rights of any sort or any exclusive privilege.
[45CSR§30-5.1.f.4]

2.25. Acid Deposition Control

2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.

a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.

b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.

c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

[45CSR§30-5.1.d.]

2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.
[45CSR§30-5.1.a.2.]

3.0. Facility-Wide Requirements

3.1. Limitations and Standards

3.1.1. **Open burning.** The open burning of refuse by any person is prohibited except as noted in 45CSR§6-3.1. **[45CSR§6-3.1.]**

3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause or allow any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible. **[45CSR§6-3.2.]**

3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them. **[40 C.F.R. §61.145(b) and 45CSR34]**

3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public. **[45CSR§4-3.1 State-Enforceable only.]**

3.1.5. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11. **[45CSR§11-5.2]**

3.1.6. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality. **[W.Va. Code § 22-5-4(a)(15)]**

3.1.7. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:

a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.

b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.

c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161.

[40 C.F.R. 82, Subpart F]

3.1.8. **Risk Management Plan.** Should this stationary source, as defined in 40 C.F.R. § 68.3, become subject to Part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in 40 C.F.R. § 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 C.F.R. Part 70 or 71.
[40 C.F.R. 68]

3.1.9. **MACT Subpart R.** Owners and operators shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:

a. Minimize gasoline spills;

b. Clean up spills as expeditiously as practicable;

c. Cover all open gasoline containers with a gasketed seal when not in use; and

d. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

[40 C.F.R. § 63.424(d); 45CSR34]

3.2. Monitoring Requirements

3.2.1. Each owner or operator of a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart shall implement a leak detection and repair program for all equipment in gasoline service according to the requirements in 40 C.F.R. §63.424(b) or (c) (conditions 3.2.2 or 3.2.3), as applicable in 40 C.F.R. §63.424(e) (condition 3.2.4) and minimize gasoline vapor losses according to 40 C.F.R. §63.424(d) (condition 3.1.9).
[40 C.F.R. § 63.424(a); 45CSR34]

3.2.2. Each owner or operator of a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart shall perform a monthly leak inspection of all equipment in gasoline service. For this inspection, detection methods incorporating sight, sound, and smell are acceptable. Each piece of equipment shall be inspected during the loading of a gasoline cargo tank

a. A logbook shall be used and shall be signed by the owner or operator at the completion of each inspection. A section of the log shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility.

b. Each detection of a liquid or vapor leak shall be recorded in the logbook. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided in 40 C.F.R. §63.424(b)(3) (condition 3.2.2.c).

c. Delay of repair of leaking equipment will be allowed upon a demonstration to the Administrator that repair within 15 days is not feasible. The owner or operator shall provide the reason(s) a delay is needed and the date by which each repair is expected to be completed.

d. As an alternative to compliance with the provisions in 40 C.F.R. §§63.424(b)(1) through (3) (conditions 3.2.2.a through 3.2.2.c), owners or operators may implement an instrument leak monitoring program that has been demonstrated to the Administrator as at least equivalent.

[40 C.F.R. § 63.424(b); 45CSR34]

3.2.3. Comply with the requirements in 40 C.F.R. §60.502a(j) except as provided below.

a. The frequency for optical gas imaging (OGI) monitoring shall be semiannually rather than quarterly as specified in § 60.502a(j)(1)(i).

b. The frequency for Method 21 monitoring of pumps and valves shall be semiannually rather than quarterly as specified in § 60.502a(j)(1)(ii)(A) and (B).

c. The frequency of monitoring of pressure relief devices shall be semiannually and within 5 calendar days after each pressure release rather than quarterly and within 5 calendar days after each pressure release as specified in § 60.502a(j)(4)(i).

[40 C.F.R. § 63.424(c); 45CSR34]

3.2.4. Compliance with the provisions of 40 C.F.R. §63.424 shall be achieved as expeditiously as practicable, but no later than the dates provided in 40 C.F.R. §63.424(e)(1) through (3).

a. For facilities that commenced construction on or before February 8, 1994, meet the requirements of conditions 3.2.2 and 3.1.9 no later than December 15, 1997. Beginning no later than May 8, 2027, condition 3.2.2 no longer applies and facilities shall meet the requirements in 3.2.3 and 3.1.9 no later than May 8, 2027.

b. For facilities that commenced construction after February 8, 1994, and on or before June 10, 2022, meet the requirements in 3.2.2 and 3.1.9 upon startup. Beginning no later than May 8, 2027, 3.2.2 no longer applies and facilities shall meet the requirements in 3.2.3 and 3.1.9 no later than May 8, 2027.

c. For facilities that commenced construction after June 10, 2022, meet the requirements in 3.2.3 and 3.1.9 upon startup or July 8, 2024, whichever is later.

[40 C.F.R. § 63.424(e)(1); 45CSR34]

3.3. Testing Requirements

3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in

such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.

b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit shall be revised in accordance with 45CSR§30-6.4 or 45CSR§30-6.5 as applicable.

c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

d. The permittee shall submit a report of the results of the stack test within 60 days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:

1. The permit or rule evaluated, with the citation number and language.

2. The result of the test for each permit or rule condition.

3. A statement of compliance or non-compliance with each permit or rule condition.

[WV Code §§ 22-5-4(a)(15-16) and 45CSR13]

3.4. Recordkeeping Requirements

3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:

a. The date, place as defined in this permit and time of sampling or measurements;

b. The date(s) analyses were performed;

c. The company or entity that performed the analyses;

d. The analytical techniques or methods used;

e. The results of the analyses; and

f. The operating conditions existing at the time of sampling or measurement.

[45CSR§30-5.1.c.2.A.]

3.4.2. **Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, application, or record creation date. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records.
[45CSR§30-5.1.c.2.B.]

3.4.3. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.
[45CSR§30-5.1.c. State-Enforceable only.]

3.4.4. Each owner or operator complying with the provisions of 40 C.F.R. §63.424(b) (condition 3.2.2) shall record the following information in the logbook for each leak that is detected:

a. The equipment type and identification number.

b. The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., sight, sound, or smell).

c. The date the leak was detected and the date of each attempt to repair the leak.

d. Repair methods applied in each attempt to repair the leak.

e. "Repair delayed" and the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak.

f. The expected date of successful repair of the leak if the leak is not repaired within 15 days.

g. The date of successful repair of the leak.

[40 C.F.R. § 63.428(f)(1); 45CSR34]

3.4.5. Each owner or operator complying with the provisions of 40 C.F.R. §63.424(c) (condition 3.2.3) or §60.503a(a)(2) shall keep records of the following information:

a. Types, identification numbers, and locations of all equipment in gasoline service.

b. For each leak inspection conducted under §63.424(c) or §60.503a(a)(2) of this chapter, keep the following records:

1. An indication if the leak inspection was conducted under §63.424(c) or §60.503a(a)(2) of this chapter.

2. Leak determination method used for the leak inspection.

c. For leak inspections conducted with Method 21 of appendix A-7 to part 60 of this chapter, keep the following additional records:

1. Date of inspection.

2. Inspector name.

3. Monitoring instrument identification.

4. Identification of all equipment surveyed and the instrument reading for each piece of equipment.

5. Date and time of instrument calibration and initials of operator performing the calibration.

6. Calibration gas cylinder identification, certification date, and certified concentration.

7. Instrument scale used.

8. Results of the daily calibration drift assessment.

d. For leak inspections conducted with OGI, keep the records specified in section 12 of appendix K to part 60 of this chapter.

e. For each leak that is detected during a leak inspection or by audio/visual/olfactory methods during normal duties, record the following information:

1. The equipment type and identification number.

2. The date the leak was detected, the name of the person who found the leak, nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., audio/visual/olfactory, Method 21 of appendix A-7 to part 60 of this chapter, or OGI).

3. The date of each attempt to repair the leak and the repair methods applied in each attempt to repair the leak.

4. The date of successful repair of the leak, the method of monitoring used to confirm the repair, and if Method 21 of appendix A-7 to part 60 of this chapter is used to confirm the repair, the maximum instrument reading measured by Method 21 of appendix A-7 to part 60. If OGI is used to confirm the repair, keep video footage of the repair confirmation.

5. For each repair delayed beyond 15 calendar days after discovery of the leak, record “Repair delayed”, the reason for the delay, and the expected date of successful repair. The owner or

operator (or designate) whose decision it was that repair could not be carried out in the 15-calendar day timeframe must sign the record.

6. For each leak that is not repairable, the maximum instrument reading measured by Method 21 of appendix A-7 to part 60 of this chapter at the time the leak is determined to be not repairable, a video captured by the OGI camera showing that emissions are still visible, or a signed record that the leak is still detectable via audio/visual/olfactory methods.

[40 C.F.R. §63.428(f)(2); 45CSR34]

3.5. Reporting Requirements

3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
[45CSR§§30-4.4. *and* 5.1.c.3.D.]

3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.
[45CSR§30-5.1.c.3.E.]

3.5.3. Except for the electronic submittal of the annual compliance certification and semi-annual monitoring reports to the DAQ and USEPA as required in 3.5.5 and 3.5.6 below, all notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class or by private carrier with postage prepaid to the address(es), or submitted in electronic format by e-mail as set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street SE
Charleston, WV 25304

US EPA:

Section Chief
U. S. Environmental Protection Agency, Region III
Enforcement and Compliance Assurance Division
Air, RCRA and Toxics Branch (3ED21)
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103-2852

DAQ Compliance and Enforcement[1]:
DEPAirQualityReports@wv.gov

[1]For all self-monitoring reports (MACT, GACT, NSPS, etc.), stack tests and protocols, Notice of Compliance Status reports, Initial Notifications, etc.

3.5.4. **Fees.** The permittee shall pay fees on an annual basis in accordance with 45CSR§30-8.
[45CSR§30-8.]

3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification. The annual certification shall be submitted in electronic format by e-mail to the following addresses:

DAQ:
DEPAirQualityReports@wv.gov

US EPA:
R3_APD_Permits@epa.gov

[45CSR§30-5.3.e.]

3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4. The semi-annual monitoring reports shall be submitted in electronic format by e-mail to the following address:

DAQ:
DEPAirQualityReports@wv.gov

[45CSR§30-5.1.c.3.A.]

3.5.7. **Reserved.**

3.5.8. **Deviations.**

a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:

1. Reserved.

2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or email. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.

3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.

4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

[45CSR§30-5.1.c.3.C.]

b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary. **[45CSR§30-5.1.c.3.B.]**

3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement. **[45CSR§30-4.3.h.1.B.]**

3.5.10. Prior to May 8, 2027, each owner or operator of a source subject to the requirements of this subpart shall submit reports as specified in 40 C.F.R. §§63.428((l)(1) through (5), as applicable.

a. The permittee shall report to the Director and USEPA a description of the types, identification numbers and locations of all equipment in gasoline service with the notification of compliance status required under 40 C.F.R. § 63.9(h). **[40 C.F.R. § 63.428(l)(1)(i); 45CSR34]**

b. The permittee shall submit in a semi-annual report to the Director and USEPA, the number of equipment leaks not repaired within 5 days of detection. **[40 C.F.R. § 63.428(l)(2)(iii); 45CSR34]**

c. For each occurrence of an equipment leak for which no repair attempt was made within 5 days or for which repair was not completed within 15 days after detection, each owner or operator shall include the following information in the excess emissions report required by 40 C.F.R. § 63.10(e)(3).

i. The date on which the leak was detected.

ii. The date of each attempt to repair the leak.

iii. The reasons for the delay of repair.

iv. The date of successful repair.

[40 C.F.R. § 63.428(l)(3)(iv); 45CSR34]

3.5.11. On or after May 8, 2027, you must submit to the Administrator semiannual reports with the applicable information in 40 C.F.R. §§63.428(m)(1) through (8) following the procedure specified in 40 C.F.R. §63.428(n).

a. Report the following general facility information:

1. Facility name.

2. Facility physical address, including city, county, and State.

3. Latitude and longitude of facility's physical location. Coordinates must be in decimal degrees with at least five decimal places.

4. The following information for the contact person:

   i. Name.

   ii. Mailing address.

   iii. Telephone number.

   iv. Email address.

5. The type of facility (bulk gasoline terminal or pipeline breakout station).

6. Date of report and beginning and ending dates of the reporting period. You are no longer required to provide the date of report when the report is submitted via CEDRI.

7. Statement by a responsible official, with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report. If your report is submitted via CEDRI, the certifier's electronic signature during the submission process replaces the requirement in this 40 C.F.R. §63.428(m)(1)(vii).

b. Report the following information for each leak inspection required and each leak identified under §63.424(c) and §60.503a(a)(2) of this chapter.

   1. For each leak detected during a leak inspection required under §63.424(c) and §60.503a(a)(2) of this chapter, report:

      i. The date of inspection.

      ii. The leak determination method (OGI or Method 21).

      iii. The total number and type of equipment for which leaks were detected.

      iv. The total number and type of equipment for which leaks were repaired within 15 calendar days.

      v. The total number and type of equipment for which no repair attempt was made within 5 calendar days of the leaks being identified.

      vi. The total number and types of equipment that were placed on the delay of repair, as specified in §60.502a(j)(8) of this chapter.

   2. For leaks identified under §63.424(c) by audio/visual/olfactory methods during normal duties report:

      i. The total number and type of equipment for which leaks were identified.

      ii. The total number and type of equipment for which leaks were repaired within 15 calendar days.

iii. The total number and type of equipment for which no repair attempt was made within 5 calendar days of the leaks being identified.

iv. The total number and type of equipment placed on the delay of repair, as specified in § 60.502a(j)(8) of this chapter.

3. The total number of leaks on the delay of repair list at the start of the reporting period.

4. The total number of leaks on the delay of repair list at the end of the reporting period.

5. For each leak that was on the delay of repair list at any time during the reporting period, report:

i. Unique equipment identification number.

ii. Type of equipment.

iii. Leak determination method (OGI, Method 21, or audio/visual/olfactory).

iv. The reason(s) why the repair was not feasible within 15 calendar days.

v. If applicable, the date repair was completed.

c. For each gasoline storage vessel subject to requirements in §63.423, report:

1. The information specified in §60.115b(a) or (b) of this chapter or deviations in measured parameter values from the plan specified in §60.115b(c) of this chapter, depending upon the control equipment installed, or, if applicable, the information specified in §63.1066(b).

2. If you are complying with § 63.423(b)(2), for each deviation in LEL monitoring, report:

i. Date and start and end times of the LEL monitoring, and the storage vessel being monitored.

ii. Description of the monitoring event, e.g., monitoring conducted concurrent with visual inspection required under §60.113b(a)(2) of this chapter or §63.1063(d)(2); monitoring that occurred on a date other than the visual inspection required under §60.113b(a)(2) or §63.1063(d)(2); re-monitoring due to high winds; re-monitoring after repair attempt.

iii. Wind speed in miles per hour at the top of the storage vessel on the date of LEL monitoring.

iv. The highest 5-minute rolling average reading during the monitoring event.

v. Whether the floating roof was repaired, replaced, or taken out of gasoline service. If the floating roof was repaired or replaced, also report the information in 40 C.F.R. §§63.428(m)(7)(ii)(A) through (D) for each re-monitoring conducted to confirm the repair.

d. If there were no deviations from the emission limitations, operating parameters, or work practice standards, then provide a statement that there were no deviations from the emission limitations, operating parameters, or work practice standards during the reporting period. If there were no periods during which a continuous monitoring system (including a CEMS or CPMS) was inoperable or

out-of-control, then provide a statement that there were no periods during which a continuous monitoring system was inoperable or out-of-control during the reporting period.

[40 C.F.R. §63.428(m)(1), (6), (7), & (8); 45CSR34]

3.5.12. Each owner or operator of an affected source under this subpart shall submit semiannual compliance reports with the information specified in 40 C.F.R. §63.428(l) or (m) to the Administrator according to the requirements in §63.13. Beginning on May 8, 2027, or once the report template for this subpart has been available on the CEDRI website (https://www.epa.gov/electronic-reporting-air-emissions/cedri) for one year, whichever date is later, you must submit all subsequent semiannual compliance reports using the appropriate electronic report template on the CEDRI website for this subpart and following the procedure specified in §63.9(k), except any medium submitted through mail must be sent to the attention of the Gasoline Distribution Sector Lead. The date report templates become available will be listed on the CEDRI website. Unless the Administrator or delegated State agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.
[40 C.F.R. §63.428(n); 45CSR34]

3.6. Compliance Plan

3.6.1. None.

3.7. Permit Shield

3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.

3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.

a. 45CSR21, Section 22: Not applicable because Kenova and TriState Terminals do not have gasoline tank truck loading facilities.

b. 45SCR§§21-27 & 28 - Not applicable to Tanks 202*, 255, 261, 262, and 273 per 45CSR§21-27.1.b.3-4 and 45CSR§21-28.1.b.3.

c. 40 C.F.R. 60, Subpart XX: Not subject because this facility does not have gasoline tank truck loading facilities.

d. 40 C.F.R. 60, Subpart Kb: Not applicable to Tanks 202, 255, 261, 262, and 273 per 40 C.F.R. §60.110b(b) due to vapor pressure of stored materials.

e. 40 C.F.R. 60, Subpart Kc: None of the Tanks at the facility have been constructed or modified after October 4, 2023 and are thus not affected sources per 40 C.F.R. §60.110c(a).

f. 40 C.F.R. 61, Subpart BB: Not subject because the loading of gasoline and petroleum distillates are specifically exempted per 40 C.F.R. § 61.300(a).

g. 40 C.F.R. 63, Subpart R - Not applicable to Tanks 202*, 255, 261, 262, and 273, since these tanks do not store gasoline.

h. 40 C.F.R. 63, Subpart EEEE: Not applicable to equipment in gasoline or distillate service per 40 C.F.R. § 63.2406. The definition of organic liquid excludes gasoline, kerosene, and diesel.

i. 40 C.F.R. 63, Subpart BBBBBB: The Kenova-TriState Terminal is subject to 40 C.F.R. 63, Subpart R. 40 C.F.R. 63, Subpart BBBBBB does not apply to the Kenova-TriState Terminal.

*Note: Tank 202 is considered an insignificant emission source. It was included in this section upon request of the permittee.

4.0. TriState Storage Tanks [emission point ID(s): 253, 256, 264, 265, 266, 267, 268]

4.1. Limitations and Standards

4.1.1. No owner or operator of a petroleum storage vessel with an external floating roof shall store petroleum liquid in that tank unless:

a. The tank has been fitted with a continuous secondary seal extending from the floating roof to the tank wall (rim-mounted secondary seal); or a closure or other device that controls VOC emissions with an effectiveness equal to or greater than a seal and is approved by the Secretary and the U.S. EPA; and

b. All seal closure devices must meet the following requirements: there are no visible holes, tears, or other openings in the seal(s) or seal fabric; the seal(s) are intact and uniformly in place around the circumference of the floating roof between the floating roof and the tank wall; For vapor-mounted primary seals, the accumulated area of gaps exceeding 0.32 centimeters (cm) (0.125 inches [in]) in width between the secondary seal and the tank wall shall not exceed 21.2 square centimeters per meter (cm^2/m) (1.0 square inches per foot [in^2/ft]) of tank diameter, as determined by the method in section 4.2.2. of this permit.; and

c. All openings in the external floating roof, except for automatic bleeder vents, rim space vents, and leg sleeves, are: Equipped with covers, seals, or lids in the closed position except when the openings are in actual use; Equipped with projections into the tank that remain below the liquid surface at all times; and

d. Automatic bleeder vents are closed at all times except when the roof is being floated off or being landed on the roof leg supports;

e. Rim vents are set to open when the roof is being floated off the leg supports or at the manufacturer's recommended setting; and

f. Emergency roof drains are provided with slotted membrane fabric covers or equivalent covers which cover at least 90 percent of the area of the opening.

[45CSR§21-27.3]*(Tank 256)*

4.1.2. No owner or operator of a petroleum liquid storage tank with a fixed roof shall store petroleum liquid in that tank unless:

a. The tank is equipped with an internal floating roof equipped with a closure seal or seals to close the space between the roof edge and tank wall; or an equally effective alternative control, approved by the Secretary and the U.S. EPA.

b. The tank is maintained such that there are no visible holes, tears, or other openings in the seal or any seal fabric or materials; and

c. All openings, except stub drains, are equipped with covers, lids, or seals such that the cover, lid, or seal is in the closed position at all times except when in actual use; automatic bleeder vents are closed at all times except when the roof is being floated off or being landed on the roof leg supports; and rim vents,

if provided, are set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting.

[45CSR§21-28.3 & 45CSR13– Permit No. R13-1352, Condition 4.1.4.]*(Tanks 253, 264, 265, 266, 267, 268)*

4.1.3. Emissions to the atmosphere of volatile organic compounds (VOC) from operations associated with the following tanks shall not exceed the following:

Tank	lb_m/hr	lb_m/yr
265	0.64	5614
266	0.63	5457
267	0.63	5457
268	0.63	5457

[45CSR13 – Permit No. R13-1352, Condition 4.1.5.]*(Tanks 265, 266, 267, 268)*

4.1.4. Annual throughput of gasoline through each of the four (4) permitted tanks (265, 266, 267, 268) shall not exceed 1134 x 10^6 gallons per year. For the purposes of this permit, a calendar year is defined as any one of a series of twelve consecutive months.
[45CSR13 – Permit No. R13-1352, Condition 4.1.6.]*(Tanks 265, 266, 267, 268)*

4.1.5. The owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m^3 containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa but less than 76.6 kPa or with a design capacity greater than or equal to 75 m^3 but less than 151 m^3 containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa but less than 76.6 kPa, shall equip each storage vessel with one of the following:

a. A fixed roof in combination with an internal floating roof meeting the following specifications:

1. The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.

2. Each internal floating roof shall be equipped with one of the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:

i. A foam- or liquid-filled seal mounted in contact with the liquid (liquid-mounted seal). A liquid-mounted seal means a foam- or liquid-filled seal mounted in contact with the liquid between the wall of the storage vessel and the floating roof continuously around the circumference of the tank.

ii. Two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor-mounted, but both must be continuous.

iii. A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.

3. Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.

4. Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use.

5. Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.

6. Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting.

7. Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.

8. Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.

9. Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

b. An external floating roof, defined as a pontoon-type or double-deck type cover that rests on the liquid surface in a vessel with no fixed roof, which meets the following specifications:

1. Each external floating roof shall be equipped with a closure device between the wall of the storage vessel and the roof edge. The closure device is to consist of two seals, one above the other. The lower seal is referred to as the primary seal, and the upper seal is referred to as the secondary seal. The primary seal shall be either a mechanical shoe seal or a liquid-mounted seal. Except as provided in Section 4.2.4.b.4. of this permit, the seal shall completely cover the annular space between the edge of the floating roof and tank wall. The secondary seal shall completely cover the annular space between the external floating roof and the wall of the storage vessel in a continuous fashion except as allowed in Section 4.2.4.b.4. of this permit.

2. Except for automatic bleeder vents and rim space vents, each opening in a noncontact external floating roof shall provide a projection below the liquid surface. Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof is to be equipped with

a gasketed cover, seal, or lid that is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. Automatic bleeder vents are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports. Rim vents are to be set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting. Automatic bleeder vents and rim space vents are to be gasketed. Each emergency roof drain is to be provided with a slotted membrane fabric cover that covers at least 90 percent of the area of the opening.

3. The roof shall be floating on the liquid at all times (i.e., off the roof leg supports) except during initial fill until the roof is lifted off leg supports and when the tank is completely emptied and subsequently refilled. The process of filling, emptying, or refilling when the roof is resting on the leg supports shall be continuous and shall be accomplished as rapidly as possible.

[45CSR13 – Permit No. R13-1352, Condition 4.1.1.; 45CSR16; 40 C.F.R. §§ 60.112b(a)(1) and (2)]*(Tanks 253, 264, 265, 266, 267, 268)*

4.1.6. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.
[45CSR§13-5.11.; 45CSR13 – Permit No. R13-1352, Condition 4.1.8.] ***(Tanks 265, 266, 267, 268)***

4.1.7. **Standards: Storage Vessels**

a. Each owner or operator of a bulk gasoline terminal shall equip each gasoline storage vessel according to the requirements in 40 C.F.R. §63.423(a)(1) or (2), as applicable in 40 C.F.R. §63.423(c).

1. Equip each gasoline storage vessel with a design capacity greater than or equal to 75 m^3 according to the requirements in 40 C.F.R. §§60.112b(a)(1) through (4), except for the requirements in 40 C.F.R. §§60.112b(a)(1)(iv) through (ix) and (a)(2)(ii).

2. Equip each gasoline external floating roof storage vessel with a design capacity greater than or equal to 75 m^3 according to the requirements in 40 C.F.R. §60.112b(a)(2)(ii) if such storage vessel does not currently meet the requirements in 40 C.F.R. §63.423(a)(1).

b. Each owner or operator of a bulk gasoline terminal shall equip each gasoline storage vessel according to the requirements in 40 C.F.R. §63.423(b)(1) and, if a floating roof is used, either 40 C.F.R. §63.423(b)(2) or (3), as applicable in 40 C.F.R. §63.423(c).

1. Equip, maintain, and operate each gasoline storage vessel with a design capacity greater than or equal to 75 m^3 according to the requirements in 40 C.F.R. §§60.112b(a)(1) through (4), except for the requirements in 40 C.F.R. §§60.112b(a)(1)(iv) through (ix). Alternatively, you may elect to equip, maintain, and operate each affected gasoline storage vessel with a design capacity greater than or equal to 75 m^3 according to the requirements in 40 C.F.R. 63 subpart WW as specified in 40 C.F.R. §60.110b(e)(5).

2. Equip, maintain, and operate each internal floating control system to maintain the vapor concentration within the storage vessel above the floating roof at or below 25 percent of the lower

explosive limit (LEL) on a 5-minute rolling average basis without the use of purge gas. This standard may require additional controls beyond those specified in 40 C.F.R. §63.423(b)(1). Compliance with this 40 C.F.R. §63.423(b)(2) shall be determined using the methods in 40 C.F.R. §63.425(j). A deviation of the LEL level is considered an inspection failure under 40 C.F.R. §60.113b(a)(2) or 40 C.F.R. §63.1063(d)(2) and must be remedied as such. Any repairs made must be confirmed effective through re-monitoring of the LEL and meeting the level in this 40 C.F.R. §63.423(b)(2) within the timeframes specified in 40 C.F.R. §60.113b(a)(2) or § 63.1063(e), as applicable.

3. Equip, maintain, and operate each gasoline external floating roof storage vessel with a design capacity greater than or equal to 75 m^3 with fitting controls as specified in 40 C.F.R. §60.112b(a)(2)(ii).

c, Each gasoline storage vessel at bulk gasoline terminals shall be in compliance with the requirements of this section as expeditiously as practicable, but no later than the dates provided in 40 C.F.R. §63.423(c)(1) through (3).

1. Beginning no later than May 8, 2027, 40 C.F.R. §63.423(a) no longer applies and each gasoline storage vessel shall meet the requirements in §63.423(b)(1) and (2) no later than May 8, 2027. If applicable, the fitting controls required in §63.423(b)(3) of this section must be installed the next time the storage vessel is completely emptied and degassed, or by May 8, 2034, whichever occurs first.

2. For facilities that commenced construction after February 8, 1994, and on or before June 10, 2022, each gasoline storage vessel shall meet the requirements in 40 C.F.R. §63.423(a) upon startup. Beginning no later than May 8, 2027, §63.423(a) no longer applies and each gasoline storage vessel shall meet the requirements in §63.423(b)(1) and (2) no later than May 8, 2027. If applicable, the fitting controls required in §63.423(b)(3) must be installed the next time the storage vessel is completely emptied and degassed, or by May 8, 2034, whichever occurs first.

3. For facilities that commenced construction after June 10, 2022, each owner or operator shall meet the requirements in §63.423(b) upon startup or July 8, 2024, whichever is later.

[45CSR13 – Permit No. R13-1352, Condition 4.1.3.; 45CSR34; 40 C.F.R. §63.423]*(Tanks 253, 264, 265, 266, 267, 268)*

4.2. Monitoring Requirements

4.2.1. The owner or operator of a petroleum liquid storage tank with an external floating roof shall perform routine inspections semiannually in order to ensure compliance with Section 4.1.1. of this permit (the inspections shall include a visual inspection of the secondary seal gap); and measure the secondary seal gap annually in accordance with Section 4.2.2. when the floating roof is equipped with a vapor molded primary seal.
[45CSR§21-27.4] ***(Tank 256)***

4.2.2. Compliance with Section 4.2.1. shall be determined by physically measuring the length and width of all gaps around the entire circumference of the secondary seal in each place where a 0.32 cm (0.125 inch) uniform diameter probe passes freely (without forcing or binding against the seal) between the seal and tank wall; and summing the area of the individual gaps.**[45CSR§21-27.6]** ***(Tank 256)***

4.2.3. The owner or operator of a petroleum liquid storage tank with a fixed roof shall perform routine, semi-annual, visual inspections of the internal floating roof and its closure seal or seals through roof hatches; and perform a complete inspection of cover and seal whenever the tank is emptied for non-operational reasons or at least every 5 years, whichever is more frequent.
[45CSR13–Permit No. R13-1352, Condition 4.2.1.; 45CSR§21-28.4] ***(Tanks 253, 264, 265, 266, 267, 268)***

4.2.4. The owner or operator of each storage vessel as specified in Section 4.1.5. of this permit shall meet the requirements of this section. The applicable paragraph for a particular storage vessel depends on the control equipment installed to meet the requirements of Section 4.1.5. of this permit.

a. After installing the control equipment required to meet 40 C.F.R. § 60.112b(a)(1) (condition 4.1.5.a) (permanently affixed roof and internal floating roof), each owner or operator shall:

1. Visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with VOL. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.

2. For vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in Section 4.5.4.a.3. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

3. For vessels equipped with a double-seal system as specified in Section 4.1.5.a.2.ii. of this permit:

i. Visually inspect the vessel as specified in paragraph 4 of this section at least every 5 years; or

ii. Visually inspect the vessel as specified in paragraph 2 of this section.

4. Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel with VOL. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as specified in 40 C.F.R. §§ 60.113b(a)(2) and

(a)(3)(ii) and at intervals no greater than 5 years in the case of vessels specified in 40 C.F.R. § 60.113b (a)(3)(i).

b. After installing the control equipment required to meet Section 4.1.5.b. (external floating roof), the owner or operator shall:

1. Determine the gap areas and maximum gap widths, between the primary seal and the wall of the storage vessel and between the secondary seal and the wall of the storage vessel according to the following frequency.

i. Measurements of gaps between the tank wall and the primary seal (seal gaps) shall be performed during the hydrostatic testing of the vessel or within 60 days of the initial fill with VOL and at least once every 5 years thereafter.

ii. Measurements of gaps between the tank wall and the secondary seal shall be performed within 60 days of the initial fill with VOL and at least once per year thereafter.

iii. If any source ceases to store VOL for a period of 1 year or more, subsequent introduction of VOL into the vessel shall be considered an initial fill for the purposes of paragraphs b.1.i. and b.1.ii. above.

2. Determine gap widths and areas in the primary and secondary seals individually by the following procedures:

i. Measure seal gaps, if any, at one or more floating roof levels when the roof is floating off the roof leg supports.

ii. Measure seal gaps around the entire circumference of the tank in each place where a 0.32-cm diameter uniform probe passes freely (without forcing or binding against seal) between the seal and the wall of the storage vessel and measure the circumferential distance of each such location.

iii. The total surface area of each gap described in paragraph b.2.ii. of this section shall be determined by using probes of various widths to measure accurately the actual distance from the tank wall to the seal and multiplying each such width by its respective circumferential distance.

3. Add the gap surface area of each gap location for the primary seal and the secondary seal individually and divide the sum for each seal by the nominal diameter of the tank and compare each ratio to the respective standards in paragraph b.4. of this section.

4. Make necessary repairs or empty the storage vessel within 45 days of identification in any inspection for seals not meeting the requirements listed in b.4.i. and ii. of this section:

i. The accumulated area of gaps between the tank wall and the mechanical shoe or liquid-mounted primary seal shall not exceed 212 cm2 per meter of tank diameter, and the width of any portion of any gap shall not exceed 3.81 cm. One end of the mechanical shoe is to extend into the stored liquid, and the other end is to extend a minimum vertical distance of

61 cm above the stored liquid surface. There are to be no holes, tears, or other openings in the shoe, seal fabric, or seal envelope.

ii. The secondary seal is to be installed above the primary seal so that it completely covers the space between the roof edge and the tank wall except as provided in paragraph b.2.iii. of this section. The accumulated area of gaps between the tank wall and the secondary seal shall not exceed 21.2 cm^2 per meter of tank diameter, and the width of any portion of any gap shall not exceed 1.27 cm. There are to be no holes, tears, or other openings in the secondary seal or seal fabric.

iii. If a failure that is detected during inspections required in Section 4.2.4.b.1 of this permit cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in Section 4.5.4.b.4. Such extension request must include a demonstration of unavailability of alternate storage capacity and a specification of a schedule that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

5. Notify the Administrator 30 days in advance of any gap measurements required by paragraph b.1. of this section to afford the Administrator the opportunity to have an observer present.

6. Visually inspect the external floating roof, the primary seal, secondary seal, and fittings each time the vessel is emptied and degassed.

i. If the external floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before filling or refilling the storage vessel with VOL.

ii. For all the inspections required by paragraph b.6. of this section, the owner or operator shall notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel to afford the Administrator the opportunity to inspect the storage vessel prior to refilling. If the inspection required by paragraph b.6. of this section is not planned and the owner or operator could not have known about the inspection 30 days in advance of refilling the tank, the owner or operator shall notify the Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Administrator at least 7 days prior to the refilling.

[45CSR13 – Permit No. R13-1352, Condition 4.2.2.; 45CSR16; 45CSR34; 40 C.F.R. § 60.113b(a) and (b); and 40 C.F.R. §§ 63.425(d) and 63.427(e)] ***(Tanks 253, 264, 265, 266, 267, 268)***

4.2.5. **LEL monitoring procedures.** Compliance with the vapor concentration below the LEL level for internal floating roof storage vessels at §63.423(b)(2) shall be determined based on the procedures specified in paragraphs (a) through (e) of this section. If tubing is necessary to obtain the measurements, the tubing must be non-crimping and made of Teflon or other inert material.

a. LEL monitoring must be conducted at least once every 12 months and at other times upon request by the Administrator. If the measurement cannot be performed due to wind speeds exceeding those specified in paragraph (c)(3) of this section, the measurement must be performed within 30 days of the previous attempt.

b. The calibration of the LEL meter must be checked per manufacturer specifications immediately before and after the measurements as specified in paragraphs (b)(1) and (2) of this section. If tubing will be used for the measurements, the tubing must be attached during calibration so that the calibration gas travels through the entire measurement system.

1. Conduct the span check using a calibration gas recommended by the LEL meter manufacturer. The calibration gas must contain a single hydrocarbon at a concentration corresponding to 50 percent of the LEL (e.g., 2.50 percent by volume when using methane as the calibration gas). The vendor must provide a Certificate of Analysis for the gas, and the certified concentration must be within ±2 percent (e.g., 2.45 percent—2.55 percent by volume when using methane as the calibration gas). The LEL span response must be between 49 percent and 51 percent. If the span check prior to the measurements does not meet this requirement, the LEL meter must be recalibrated or replaced. If the span check after the measurements does not meet this requirement, the LEL meter must be recalibrated or replaced, and the measurements must be repeated.

2. Check the instrumental offset response using a certified compressed gas cylinder of zero air or an ambient environment that is free of organic compounds. The pre-measurement instrumental offset response must be 0 percent LEL. If the LEL meter does not meet this requirement, the LEL meter must be recalibrated or replaced.

c. Conduct the measurements as specified in paragraphs (c)(1) through (4) of this section.

1. Measurements of the vapors within the internal floating roof storage vessel must be collected no more than 3 feet above the internal floating roof.

2. Measurements shall be taken for a minimum of 20 minutes, logging the measurements at least once every 15 seconds, or until one 5-minute average as determined according to paragraph (e)(2) of this section exceeds the level specified in §63.423(b)(2).

3. Measurements shall be taken when the wind speed at the top of the tank is 5 mph or less to the extent practicable, but in no case shall measurements be taken when the sustained wind speed at top of tank is greater than the annual average wind speed at the site or 15 mph, whichever is less.

4. Measurements should be conducted when the internal floating roof is floating with limited product movement (limited filling or emptying of the tank).

d. To determine the actual vapor concentration within the storage vessel, the percent of the LEL “as the calibration gas” must be corrected according to one of the following procedures. Alternatively, if the LEL meter used has correction factors that can be selected from the meter's program, you may enable this feature to automatically apply one of the correction factors specified in paragraphs (d)(1) and (2) of this section.

1. Multiply the measurement by the published gasoline vapor correction factor for the specific LEL meter and calibration gas used.

2. If there is no published correction factor for gasoline vapors for the specific LEL meter used, multiply the measurement by the published correction factor for butane as a surrogate for determining the LEL of gasoline vapors. The correction factor must correspond to the calibration gas used.

e. Use the calculation procedures in paragraphs (e)(1) through (3) of this section to determine compliance with the LEL level.

1. For each minute while measurements are being taken, determine the one-minute average reading as the arithmetic average of the corrected individual measurements (taken at least once every 15 seconds) during the minute.

2. (Starting with the end of the fifth minute of data, calculate a five-minute rolling average as the arithmetic average of the previous five one-minute readings determined under paragraph (e)(1) of this section. Determine a new five-minute average reading for every subsequent one-minute reading.

3. Each five-minute rolling average must meet the LEL level specified in §63.423(b)(2).

[45CSR34; 40 C.F.R. §§ 63.425(d) and (j)] ***(Tanks 253, 264, 265, 266, 267, 268)***

4.2.6. In addition to the performance testing and monitoring requirements specified in 40 C.F.R. 63, Subpart R, Table 1 "General Provisions Applicability to Subpart R," each owner or operator shall comply with the recordkeeping requirements in Section 4.4.4. of this permit.
[45CSR13 – Permit No. R13-1352, Condition 4.2.3.; 45CSR34; 40 C.F.R. § 63.427(e)] ***(Tanks 253, 264, 265, 266, 267, 268)***

4.3. Testing Requirements

4.3.1. See Facility-Wide Testing Requirements - Section 3.3.

4.4. Recordkeeping Requirements

4.4.1. The owner or operator of any petroleum liquid storage tank with a fixed roof or external floating roof shall maintain the following records in a readily accessible location for at least five (5) years and shall make copies of the records available to the Secretary upon verbal or written request:

1. Records of the types of petroleum liquids stored;

2. Records of the maximum true vapor pressure of the liquid as stored; and

3. Records of the results of the inspections performed in accordance with sections 4.2.1. and 4.2.3. of this permit.

[45CSR13 – Permit No. R13-1352, Condition 4.4.4.; 45CSR§§21-27.5 and 28.5] ***(Tanks 253, 256, 264, 265, 266, 267, 268)***

4.4.2. The permittee shall record the throughput of gasoline through associated tanks on a monthly and yearly basis. These records shall be maintained on site for a period of no less than five (5) years for inspection by the Director or a duly authorized representative of the Director.
[45CSR13 – Permit No. R13-1352, Condition 4.4.5.; 45CSR§30-5.1.c.] ***(Tanks 265, 266, 267, 268)***

4.4.3. Annual emissions shall be calculated by the fifteenth day of the subsequent month utilizing the equations listed in Section 7.1.3.2 of AP-42. A twelve month running total of emissions will be maintained to verify compliance with the long term emission limitations. Each month a new twelve month total shall be calculated using the previous twelve months data. Compliance with the hourly emission limits shall be demonstrated by dividing the monthly calculated annual emissions by the number of hours in a year to obtain an hourly average. Records indicating the hourly and twelve month rolling total emissions shall be maintained for a period of no less than five (5) years.
[45CSR13 – Permit No. R13-1352, Condition 4.4.6.; 45CSR§30-5.1.c.] ***(Tanks 265, 266, 267, 268)***

4.4.4. The permittee shall keep readily accessible records showing the dimensions of the storage vessel and an analysis showing the capacity of the storage vessel for the life of the source. In addition, the permittee shall maintain a record of the VOL stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period. These records shall be maintained for a period of no less than five (5) years.
[45CSR13 – Permit No. R13-1352, Condition 4.4.7.; 45CSR16; 45CSR34; 40 C.F.R. § 60.116b(b) and 40 C.F.R. § 60.116b(c) and 40 C.F.R. § 63.427(e)] (*Tanks 253, 264, 265, 266, 267, 268)*

4.4.5. Each owner or operator of storage vessels subject to the provisions of this subpart shall keep records as specified in 40 C.F.R. §60.115b, except records shall be kept for at least 5 years. Additionally, for each storage vessel complying with the provisions in §63.423(b)(2), keep records of each LEL monitoring event as specified in paragraphs (a) through (i) of this section.

a. Date and time of the LEL monitoring, and the storage vessel being monitored.

b. A description of the monitoring event (e.g., monitoring conducted concurrent with visual inspection required under §60.113b(a)(2) of this chapter or §63.1063(d)(2); monitoring that occurred on a date other than the visual inspection required under §60.113b(a)(2) or §63.1063(d)(2); re-monitoring due to high winds; re-monitoring after repair attempt).

c. Wind speed at the top of the storage vessel on the date of LEL monitoring.

d. The LEL meter manufacturer and model number used, as well as an indication of whether tubing was used during the LEL monitoring, and if so, the type and length of tubing used.

e. Calibration checks conducted before and after making the measurements, including both the span check and instrumental offset. This includes the hydrocarbon used as the calibration gas, the Certificate of Analysis for the calibration gas(es), the results of the calibration check, and any corrective action for calibration checks that do not meet the required response.

f. Location of the measurements and the location of the floating roof.

g. Each measurement (taken at least once every 15 seconds). The records should indicate whether the recorded values were automatically corrected using the meter's programming. If the values were not

automatically corrected, record both the raw (as the calibration gas) and corrected measurements, as well as the correction factor used.

h. Each 5-minute rolling average reading.

i. If the vapor concentration of the storage vessel was above 25 percent of the LEL on a 5-minute rolling average basis, a description of whether the floating roof was repaired, replaced, or taken out of gasoline service.

[45CSR34; 40 C.F.R. §§ 63.428(e)] ***(Tanks 253, 264, 265, 266, 267, 268)***

4.4.6. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.
[45CSR13 – Permit No. R13-1352, Condition 4.4.2.] ***(Tanks 265, 266, 267, 268)***

4.4.7. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

a. The equipment involved.

b. Steps taken to minimize emissions during the event.

c. The duration of the event.

d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

e. The cause of the malfunction.

f. Steps taken to correct the malfunction.

g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

[45CSR13 – Permit No. R13-1352, Condition 4.4.3.] ***(Tanks 265, 266, 267, 268)***

4.5. Reporting Requirements

4.5.1. The owner or operator of any facility containing sources subject to 45CSR§§21-27 and 28 shall comply with the requirements in section 4.5.2.
[45CSR13 – Permit No. R13-1352, Condition 4.5.1.; 45CSR§§21-27.7 and 28.6] ***(Tanks 253, 256, 264, 265, 266, 267, 268)***

4.5.2. The owner or operator shall, for each occurrence of excess emissions expected to last more than 7 days, within 1 business day of becoming aware of such occurrence, supply the Secretary by letter with the following information:

a. The name and location of the facility;

b. The subject sources that caused the excess emissions;

c. The time and date of first observation of the excess emissions; and

d. The cause and expected duration of the excess emissions.

e. For sources subject to numerical emission limitations, the estimated rate of emissions (expressed in the units of the applicable emission limitation) and the operating data and calculations used in determining the magnitude of the excess emissions; and

f. The proposed corrective actions and schedule to correct the conditions causing the excess emissions.

[45CSR13 – Permit No. R13-1352, Condition 4.5.3.; 45CSR§21-5.2.] ***(Tanks 253, 256, 264, 265, 266, 267, 268)***

4.5.3. The owner or operator shall notify the Director and USEPA in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by Section 4.2.4.a.1. and 4.2.4.a.4. of this permit to afford the Director and USEPA the opportunity to have an observer present. If the inspection required by Section 4.2.4.a.4. of this permit is not planned and the owner or operator could not have known about the inspection 30 days in advance or refilling the tank, the owner or operator shall notify the Director and USEPA at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Director and USEPA at least 7 days prior to the refilling.
[45CSR13 – Permit No. R13-1352, Condition 4.5.4.; 45CSR16; 45CSR34; 40 C.F.R. § 60.113b(a)(5) and 40 C.F.R. § 63.425(d)] ***(Tanks 253, 264, 265, 266, 267, 268)***

4.5.4. The owner or operator of each storage vessel as specified in Section 4.1.5. of this permit shall keep records and furnish reports as required by this section depending upon the control equipment installed to meet the requirements of 40 C.F.R. 60, subpart Kb. The owner or operator shall keep copies of all reports and records required by this section for at least 5 years.

a. After installing control equipment in accordance with Section 4.1.5.a. of this permit (fixed roof and internal floating roof), the owner or operator shall meet the following requirements.

1. Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of Sections 4.1.5.a. and 4.2.4.a.1. of this permit. Prior to October 15, 2024, this report shall be an attachment to the notification required by 40 C.F.R. §60.7(a)(3). Beginning October 15, 2024, the owner or operator must submit all subsequent reports in PDF format following the procedures specified in 40 C.F.R. §60.115b(e).

2. Keep a record of each inspection performed as required by Section 4.2.4.a.1., 4.2.4.a.2., 4.2.4.a.3., and 4.2.4.a.4. of this permit. Each record shall identify the storage vessel on which the inspection

was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

3. If any of the conditions described in Section 4.2.4.a.2. of this permit are detected during the annual required visual inspection, a report shall be furnished to the Administrator within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures specified in 40 C.F.R. §60.115b(e).

4. After each inspection required by Section 4.2.4.a.3. of this permit that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in Section 4.2.4.a.3.ii. of this permit, a report shall be furnished to the Administrator within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of Sections 4.1.5.a. or 4.2.4.a.3. of this permit and list each repair made. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures specified in 40 C.F.R. §60.115b(e).

b. After installing control equipment in accordance with Section 4.1.5.b. (external floating roof), the owner or operator shall meet the following requirements.

1. Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of Sections 4.1.5.b. and 4.2.4.b.2., 3., and 4. of this permit. Prior to October 15, 2024, this report shall be an attachment to the notification required by 40 C.F.R. §60.7(a)(3). Beginning October 15, 2024, the owner or operator must submit all subsequent reports in PDF format following the procedures specified in 40 C.F.R. §60.115b(e).

2. Within 60 days of performing the seal gap measurements required by Section 4.2.4.b.1. of this permit, furnish the Administrator with a report that contains the date of measurement, the raw data obtained in the measurement, and the calculations described in Section 4.2.4.b.2. and 3. of this permit. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures specified in 40 C.F.R. §60.115b(e).

3. Keep a record of each gap measurement performed as required by Section 4.2.4.b. of this permit. Each record shall identify the storage vessel in which the measurement was performed and shall contain the date of measurement, the raw data obtained in the measurement, and the calculations described in Section 4.2.4.b.2. and 3. of this permit.

4. After each seal gap measurement that detects gaps exceeding the limitations specified by Section 4.2.4.b.4. of this permit, submit a report to the Administrator within 30 days of the inspection. The report will identify the vessel and contain the information specified in paragraph b.2. of this section and the date the vessel was emptied or the repairs made and date of repair. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures specified in 40 C.F.R. §60.115b(e).

[45CSR13 – Permit No. R13-1352, Condition 4.5.5.; 45CSR16; 45CSR34, 40 C.F.R. § 60.115b and 40 C.F.R. § 63.428(e)] ***(Tanks 253, 264, 265, 266, 267, 268)***

4.5.5. The owner or operator of each storage vessel meeting the specifications of Section 4.1.5. of this permit shall notify the Administrator within thirty (30) days when the maximum true vapor pressure of the liquid exceeds the respective maximum true vapor pressure values for each volume range. Beginning October 15, 2024, all subsequent notifications must be submitted in PDF format following the procedures specified in 40 C.F.R. §60.115b(e).
[45CSR13 – Permit No. R13-1352, Condition 4.5.6.; 45CSR16; 45CSR34; 40 C.F.R. § 60.116b(d) and 40 C.F.R. § 63.427(e)] ***(Tanks 253, 264, 265, 266, 267, 268)***

4.6. Compliance Plan

4.6.1. None.

5.0. Kenova Storage Tanks [emission point ID(s): Tanks 257, 258, 259, 260, 261, 262, 270, 271, 272, 273]

5.1. Limitations and Standards

5.1.1. No owner or operator of a petroleum liquid storage tank with a fixed roof shall store petroleum liquid in that tank unless:

a. The tank is equipped with an internal floating roof equipped with a closure seal or seals to close the space between the roof edge and tank wall; or an equally effective control, approved by the Secretary and USEPA.

b. The tank is maintained such that there are no visible holes, tears, or other openings in the seal or any seal fabric or materials; and

c. All openings, except stub drains, are equipped with covers, lids, or seals such that the cover, lid, or seal is in the closed position at all times except when in actual use; automatic bleeder vents are closed at all times except when the roof is being floated off or being landed on the roof leg supports; and rim vents, if provided, are set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting.

[45CSR§21-28.3] ***(Tanks 257, 258, 259, 260, 270, 271, and 272)*****; and [45CSR13 - Permit R13-2277, Condition 4.1.8]** ***(Tanks 270, 271, and 272)***

5.1.2. a. The maximum emissions from the specified tanks shall not exceed the limitations as given in the following table:

Table 5.1.2(a): Tank Emission Limitations(1)

Pollutant	Emission Limitations (TPY)				
	Tank 273	Tank 270	Tank 271	Tank 272	Total
VOCs	10.85	4.72	4.72	4.72	25.01
Total HAPs	0.01	0.25	0.25	0.25	0.76

(1) Tank emissions based on emission factors using the methodology as given in AP-42, Chapter 7.1 (using TankESP® software) and the throughputs as limited in Table 5.1.2(b).

b. The maximum annual throughput for Tanks 273, 270, 271, and 272 shall not exceed the following:

Emission Unit ID	Maximum Annual Throughput	
	barrels/year	gallons/year
Tank 273(1)	1,551,596	65,167,019
Tank 270(2)	36,500,000	1,533,000,017
Tank 271(2)	36,500,000	1,533,000,017

Emission Unit ID	Maximum Annual Throughput	
	barrels/year	gallons/year
Tank 272(2)	36,500,000	1,533,000,017

(1) Only biodiesel or #2 diesel fuel shall be stored in Tank 273.
(2) Only gasoline or distillate shall be stored in Tanks 270, 271, and 272.

[45CSR13 - Permit R13-2277, Conditions 4.1.1. and 4.1.2.] ***(Tanks 273, 270, 271, and 272)***

5.1.3. a. The owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m^3 containing a volatile organic liquid (VOL) that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa but less than 76.6 kPa or with a design capacity greater than or equal to 75 m^3 but less than 151 m^3 containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa but less than 76.6 kPa, shall equip each storage vessel with one of the following:

1. A fixed roof in combination with an internal floating roof meeting the following specifications:

i. The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.

ii. Each internal floating roof shall be equipped with one of the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:

A. A foam- or liquid-filled seal mounted in contact with the liquid (liquid-mounted seal). A liquid-mounted seal means a foam- or liquid-filled seal mounted in contact with the liquid between the wall of the storage vessel and the floating roof continuously around the circumference of the tank.

B. Two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor-mounted, but both must be continuous.

C. A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.

iii. Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.

iv. Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float shall be bolted except when they are in use.

v. Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.

vi. Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting.

vii. Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.

viii. Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.

ix. Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

2. An external floating roof, defined as a pontoon-type or double-deck type cover that rests on the liquid surface in a vessel with no fixed roof, which meets the specifications listed in 40 C.F.R. §60.112b(a)(2).

3. A closed vent system and control device meeting the specifications of 40 C.F.R. § 60.112b(a)(3)(i) and (ii); or

4. A system equivalent to those described above as provided in Section 5.1.4. of this permit.

[40 C.F.R. § 60.112b(a); 45CSR16; and 45CSR13 - Permit R13-2277, Condition 4.1.9] ***(Tanks 257, 258, 259, 260, 270, 271, and 272)***

5.1.4. **Alternative means of emission limitation.**

a. If, in the Administrator's judgment, an alternative means of emission limitation will achieve a eduction in emissions at least equivalent to the reduction in emissions achieved by any requirement in 40 C.F.R. part 60, subpart Kb, the Administrator will publish in the Federal Register a notice permitting the use of the alternative means for purposes of compliance with that requirement.

b. Any notice under paragraph a. of this section will be published only after notice and an opportunity for a hearing.

c. Any person seeking permission under this section shall submit to the Administrator a written application including:

1. An actual emissions test that uses a full-sized or scale-model storage vessel that accurately collects and measures all VOC emissions from a given control device and that accurately simulates wind and accounts for other emission variables such as temperature and barometric pressure.

2. An engineering evaluation that the Administrator determines is an accurate method of determining equivalence.

d. The Administrator may condition the permission on requirements that may be necessary to ensure operation and maintenance to achieve the same emissions reduction as specified in 40 C.F.R. part 60, subpart Kb.

[40 C.F.R. § 60.114b.; 45CSR16]*(Tanks 257, 258, 259, 260, 270, 271, and 272)*

5.1.5. **Standards: Storage Vessels**

a. Each owner or operator of a bulk gasoline terminal shall equip each gasoline storage vessel according to the requirements in 40 C.F.R. §63.423 (a)(1) or (2), as applicable in 40 C.F.R. §63.423(c).

1. Equip each gasoline storage vessel with a design capacity greater than or equal to 75 m^3 according to the requirements in 40 C.F.R. §§60.112b(a)(1) through (4), except for the requirements in 40 C.F.R. §§60.112b(a)(1)(iv) through (ix) and (a)(2)(ii).

2. Equip each gasoline external floating roof storage vessel with a design capacity greater than or equal to 75 m^3 according to the requirements in 40 C.F.R. § 60.112b(a)(2)(ii) if such storage vessel does not currently meet the requirements in 40 C.F.R. §63.423(a)(1).

b. Each owner or operator of a bulk gasoline terminal shall equip each gasoline storage vessel according to the requirements in 40 C.F.R. §63.423(b)(1) and, if a floating roof is used, either 40 C.F.R. §63.423(b)(2) or (3)n, as applicable in 40 C.F.R. §63.423(c).

1. Equip, maintain, and operate each gasoline storage vessel with a design capacity greater than or equal to 75 m^3 according to the requirements in 40 C.F.R. §§60.112b(a)(1) through (4), except for the requirements in 40 C.F.R. §§60.112b(a)(1)(iv) through (ix). Alternatively, you may elect to equip, maintain, and operate each affected gasoline storage vessel with a design capacity greater than or equal to 75 m^3 according to the requirements in 40 C.F.R. 63 subpart WW of this part as specified in § 40 C.F.R. §60.110b(e)(5).

2. Equip, maintain, and operate each internal floating control system to maintain the vapor concentration within the storage vessel above the floating roof at or below 25 percent of the lower explosive limit (LEL) on a 5-minute rolling average basis without the use of purge gas. This standard may require additional controls beyond those specified in 40 C.F.R. § 63.423(b)(1). Compliance with this 40 C.F.R. §63.423(b)(2) shall be determined using the methods in 40 C.F.R. §63.425(j). A deviation of the LEL level is considered an inspection failure under 40 C.F.R. §60.113b(a)(2) or 40 C.F.R. §63.1063(d)(2) and must be remedied as such. Any repairs made must be confirmed effective through re-monitoring of the LEL and meeting the level in this 40 C.F.R. §63.423 (b)(2) within the timeframes specified in 40 C.F.R. § 60.113b(a)(2) or § 63.1063(e), as applicable.

3. Equip, maintain, and operate each gasoline external floating roof storage vessel with a design capacity greater than or equal to 75 m^3 with fitting controls as specified in 40 C.F.R. §60.112b(a)(2)(ii).

c. Each gasoline storage vessel at bulk gasoline terminals shall be in compliance with the requirements of this section as expeditiously as practicable, but no later than the dates provided in 40 C.F.R. §63.423(c)(1) through (3).

1. Beginning no later than May 8, 2027, 40 C.F.R. §63.423(a) no longer applies and each gasoline storage vessel shall meet the requirements in §63.423(b)(1) and (2) no later than May 8, 2027. If applicable, the fitting controls required in §63.423(b)(3) of this section must be installed the next time the storage vessel is completely emptied and degassed, or by May 8, 2034, whichever occurs first.

2. For facilities that commenced construction after February 8, 1994, and on or before June 10, 2022, each gasoline storage vessel shall meet the requirements in 40 C.F.R. §63.423(a) upon startup. Beginning no later than May 8, 2027, §63.423(a) no longer applies and each gasoline storage vessel shall meet the requirements in §63.423(b)(1) and (2) no later than May 8, 2027. If applicable, the fitting controls required in §63.423(b)(3) must be installed the next time the storage vessel is completely emptied and degassed, or by May 8, 2034, whichever occurs first.

3. For facilities that commenced construction after June 10, 2022, each owner or operator shall meet the requirements in §63.423(b) upon startup or July 8, 2024, whichever is later.

[40 C.F.R. § 63.423; 45CSR34; and 45CSR13 - Permit R13-2277, Condition 4.1.6 4.1.10] ***(Tanks 257, 258, 259, 260, 270, 271, and 272)***

5.1.6. **Dockside Operations**

The dockside quality assurance/quality control (QA/QC) testing operations shall be in accordance with the following:

a. Prior to any QA/QC testing (that involves opening deck ullage hatches) after barge loading or prior to barge unloading, the barge shall be depressurized to atmospheric pressure with the exhausted vapors being captured and sent via a closed vent system to the facility's vapor return unit (VRU) or, if the VRU is down, to the marine vapor combustion unit (MVCU);

b. The QA/QC testing shall be performed in as short a time as practicable to mitigate the release of barge vapors through the ullage hatch not to exceed a maximum of 30 minutes per test;

c. The maximum aggregate emissions from dockside QA/QC testing shall not exceed VOC emissions of 143.24 TPY and HAP emissions of 7.45 TPY;

d. Compliance with the emission limitations given under 5.1.6(c) shall be based on compliance with the following barge loading rate limitations:

Table 5.1.6(d): Barge Loading/Unloading Rate Limitations

Time Period	Maximum Loading Rates (bbls)	
	Gasoline	Distillate
September	4,562,500	45,625,000
May-August	18,225,000	
April	4,562,500	
October-March	27,300,000	

e. The maximum constituent HAP percentages of the gasoline and distillate sampled and tested during dockside operations, as averaged over the seasonal periods given under Table 5.1.6.d, shall not exceed the following limits:

Table 5.1.6(e): Material Constituent HAP Percentage Limits

HAP	Gasoline (%)	Distillate (%)
n-Hexane	1.60	0.01
Benzene	0.90	0.02
Cumene	0.01	0.01
Toluene	1.30	0.26
2,2,4-Trimethylpentane	0.80	0.00
Xylenes	0.50	0.69
Naphthalene	0.00	0.26
Ethylbenzene	0.10	0.04

[45CSR13 - Permit R13-2277, Condition 4.1.7]

5.1.7. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed for Tanks 270, 271, and 272 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.
[45CSR13 - Permit R13-2277, Condition 4.1.12] ***(Tanks 270, 271, 272)***

5.2. Monitoring Requirements

5.2.1. The owner or operator of a petroleum liquid storage tank with a fixed roof shall perform routine, semi-annual, visual inspections of the internal floating roof and its closure seal or seals through roof

hatches and perform a complete inspection of the cover and seal whenever the tank is emptied for non-operational reasons or at least every five (5) years, whichever is more frequent.
[45CSR§21-28.4] ***(Tanks 257, 258, 259, 260, 270, 271, 272)*****; [Consent Order #:CO-BGT-R21-94-11]** ***(Tanks 257, 258)***

5.2.2. The owner or operator of each storage vessel as specified in Section 5.1.3. of this permit shall meet the requirements of paragraph a., b., or c. of this section. The applicable paragraph for a particular storage vessel depends on the control equipment installed to meet the requirements of Section 5.1.3. of this permit.

a. After installing the control equipment required to meet 40 C.F.R § 60.112b(a)(1) (permanently affixed roof and internal floating roof), each owner or operator shall:

1. Visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with VOL. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.

2. For vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in Section 5.5.3.a.3. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

3. For vessels equipped with a double-seal system as specified in Section 5.1.3.a.1.ii.B. of this permit:

i. Visually inspect the vessel as specified in paragraph 4. of this section at least every 5 years; or

ii. Visually inspect the vessel as specified in paragraph 2. of this section.

4. Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel with VOL.

b. If an external floating roof tank is installed, the owner or operator shall meet the requirements listed in 40 C.F.R. § 60.113b(b).

c. The owner or operator of each source that is equipped with a closed vent system and control device as required in Section 5.1.3.a.3. (other than a flare) is exempt from 40 C.F.R. §60.8 of the General Provisions and shall meet the requirements listed in 40 C.F.R. § 60.113b(c)(1) and (2). If a closed vent system and control device are used to comply with the requirements of 40 C.F.R. § 63.423, the permittee shall also comply with the requirements of 40 C.F.R. § 63.425(b) and 40 C.F.R. § 63.427(a).

d. The owner or operator of each source that is equipped with a closed vent system and a flare to meet the requirements in Section 5.1.3.a.3. of this permit shall meet the requirements as specified in the general control device requirements, 40 C.F.R. §§60.18 (e) and (f).

[40 C.F.R. §60.113b; 40 C.F.R. §§ 63.425(d) and 63.427(e); 45CSR16; 45CSR34] ***(Tanks 257, 258, 259, 260, 270, 271, and 272)***

5.2.3. **LEL monitoring procedures.** Compliance with the vapor concentration below the LEL level for internal floating roof storage vessels at §63.423(b)(2) shall be determined based on the procedures specified in paragraphs (a) through (e) of this section. If tubing is necessary to obtain the measurements, the tubing must be non-crimping and made of Teflon or other inert material.

a. LEL monitoring must be conducted at least once every 12 months and at other times upon request by the Administrator. If the measurement cannot be performed due to wind speeds exceeding those specified in paragraph (c)(3) of this section, the measurement must be performed within 30 days of the previous attempt.

b. The calibration of the LEL meter must be checked per manufacturer specifications immediately before and after the measurements as specified in paragraphs (b)(1) and (2) of this section. If tubing will be used for the measurements, the tubing must be attached during calibration so that the calibration gas travels through the entire measurement system.

1. Conduct the span check using a calibration gas recommended by the LEL meter manufacturer. The calibration gas must contain a single hydrocarbon at a concentration corresponding to 50 percent of the LEL (e.g., 2.50 percent by volume when using methane as the calibration gas). The vendor must provide a Certificate of Analysis for the gas, and the certified concentration must be within ±2 percent (e.g., 2.45 percent—2.55 percent by volume when using methane as the calibration gas). The LEL span response must be between 49 percent and 51 percent. If the span check prior to the measurements does not meet this requirement, the LEL meter must be recalibrated or replaced. If the span check after the measurements does not meet this requirement, the LEL meter must be recalibrated or replaced, and the measurements must be repeated.

2. Check the instrumental offset response using a certified compressed gas cylinder of zero air or an ambient environment that is free of organic compounds. The pre-measurement instrumental offset response must be 0 percent LEL. If the LEL meter does not meet this requirement, the LEL meter must be recalibrated or replaced.

c. Conduct the measurements as specified in paragraphs (c)(1) through (4) of this section.

1. Measurements of the vapors within the internal floating roof storage vessel must be collected no more than 3 feet above the internal floating roof.

2. Measurements shall be taken for a minimum of 20 minutes, logging the measurements at least once every 15 seconds, or until one 5-minute average as determined according to paragraph (e)(2) of this section exceeds the level specified in §63.423(b)(2).

3. Measurements shall be taken when the wind speed at the top of the tank is 5 mph or less to the extent practicable, but in no case shall measurements be taken when the sustained wind speed at top of tank is greater than the annual average wind speed at the site or 15 mph, whichever is less.

4. Measurements should be conducted when the internal floating roof is floating with limited product movement (limited filling or emptying of the tank).

d. To determine the actual vapor concentration within the storage vessel, the percent of the LEL "as the calibration gas" must be corrected according to one of the following procedures. Alternatively, if the LEL meter used has correction factors that can be selected from the meter's program, you may enable this feature to automatically apply one of the correction factors specified in paragraphs (d)(1) and (2) of this section.

1. Multiply the measurement by the published gasoline vapor correction factor for the specific LEL meter and calibration gas used.

2. If there is no published correction factor for gasoline vapors for the specific LEL meter used, multiply the measurement by the published correction factor for butane as a surrogate for determining the LEL of gasoline vapors. The correction factor must correspond to the calibration gas used.

e. Use the calculation procedures in paragraphs (e)(1) through (3) of this section to determine compliance with the LEL level.

1. For each minute while measurements are being taken, determine the one-minute average reading as the arithmetic average of the corrected individual measurements (taken at least once every 15 seconds) during the minute.

2. Starting with the end of the fifth minute of data, calculate a five-minute rolling average as the arithmetic average of the previous five one-minute readings determined under paragraph (e)(1) of this section. Determine a new five-minute average reading for every subsequent one-minute reading.

3. Each five-minute rolling average must meet the LEL level specified in §63.423(b)(2).

[45CSR34; 40 C.F.R. §§ 63.425(d) and (j)] (Tanks 257, 258, 259, 260, 270, 271, and 272)

5.2.4. In addition to the performance testing and monitoring requirements as specified in 40 C.F.R. part 63, subpart R, Table 1 "General Provisions Applicability to Subpart R," each owner or operator shall comply with the recordkeeping requirements in Section 5.4.2. of this permit. If a closed vent system and control device are used, as specified in Section 5.1.3.a.3. of this permit, to comply with the requirements in 40 C.F.R. § 63.423, the owner or operator shall also comply with the requirements in paragraph (a) of 40 C.F.R. § 63.427.
[40 C.F.R. § 63.427(e) and 45CSR34 (Tanks 257, 258, 259, 260, 270, 271, and 272)]

5.2.5. **Storage Tank Throughputs**
For the purpose of determining compliance with the maximum throughput limits set forth in section 5.1.2.b the permittee shall monitor and record the annual throughput of each tank listed under Table 5.1.2.b.
[45CSR13 - Permit R13-2277, Condition 4.2.1.]

5.2.6. **Seasonal Loading Rates**
For the purpose of determining compliance with the maximum seasonal loading rates set forth in section 5.1.6, the permittee shall monitor and record the seasonal loading rate in total barrels of each material as listed under Table 5.1.6.d.
[45CSR13 - Permit R13-2277, Condition 4.2.2.]

5.2.7. **Material Constituent Percentages**
Compliance with the maximum material constituent percentage limits given under 5.1.6.e shall be based on applicable MSDS, certified product data sheets, or on approved testing data. The final percentages shall be averaged over each seasonal period given under Table 5.1.6.d. and weighted as based on the volume of liquid used at each percentage.
[45CSR13 - Permit R13-2277, Condition 4.2.3.]

5.2.8. **Applicable Rules**
The permittee shall meet all requirements applicable to the equipment and processes listed under Table 1.0, including those not specified above or below, as given under 45CSR21, 40 C.F.R. 60, Subpart Kb, 40 C.F.R. 63, Subpart R, and 40 C.F.R. 63, Subpart Y. Any final revisions made to the above rules will, where applicable, supercede those specifically cited in this permit.
[45CSR13 - Permit R13-2277, Condition 4.2.7.]

5.2.9. **Emission Limit Averaging Time.** Unless otherwise specified, compliance with all annual limits shall be based on a rolling twelve month total. A rolling twelve month total shall be the sum of the measured parameter of the previous twelve calendar months. Compliance with all hourly emission limits shall be based on the applicable NAAQS averaging times or, where applicable, as given in any approved performance test method.
[45CSR13 – Permit R13-2277, Condition 3.2.1] ***(Tanks 270, 271, 272, 273)***

5.3. Testing Requirements

5.3.1. At such reasonable time(s) as the Secretary may designate, in accordance with the provisions of 3.3 of this permit, the permittee shall conduct or have conducted test(s) to determine compliance with the emission limitations or other requirements established in this permit and/or applicable regulations.
[45CSR13 – Permit R13-2277, Condition 4.3.1.]

5.4. Recordkeeping Requirements

5.4.1. For the purpose of determining compliance with 45CSR21, 40 C.F.R. 60, Subpart Kb, and 40 C.F.R. 63, Subpart R, the facility shall maintain records for each tank of the volatile organic liquid stored, the period of storage, and the maximum true vapor pressure of the volatile organic liquid during the respected storage period. Records shall be maintained on site for a period of five (5) years. Certified copies of these records shall be made available to the Director or his duly authorized representative upon request.
[45CSR§21-28.5] ***(Tanks 257, 258, 259, 260, 270, 271, and 272)*****; [Consent Order #:CO-BGT-R21-94-11]** ***(Tanks 257, 258, 259 and 260)***

5.4.2. The permittee shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel for the life of the source. In addition, the permittee shall maintain a record of the volatile organic liquid stored, the period of storage, and the maximum true vapor pressure of that volatile organic liquid during the respected storage period. The maximum true vapor pressure shall be determined in accordance with 40 C.F.R. § 60.116b(e).
[40 C.F.R. § 60.116b(b), 40 C.F.R. § 60.116b(c) , and 40 C.F.R. § 63.427(e), 45CSR16, 45CSR34] ***(Tanks 257, 258, 259, 260, 270, 271, and 272)***

5.4.3. Each owner or operator of storage vessels subject to the provisions of this subpart shall keep records as specified in 40 C.F.R. §60.115b, except records shall be kept for at least 5 years. Additionally, for each storage vessel complying with the provisions in §63.423(b)(2), keep records of each LEL monitoring event as specified in paragraphs (a) through (i) of this section.

a. Date and time of the LEL monitoring, and the storage vessel being monitored.

b. A description of the monitoring event (e.g., monitoring conducted concurrent with visual inspection required under §60.113b(a)(2) of this chapter or §63.1063(d)(2); monitoring that occurred on a date other than the visual inspection required under §60.113b(a)(2) or §63.1063(d)(2); re-monitoring due to high winds; re-monitoring after repair attempt).

c. Wind speed at the top of the storage vessel on the date of LEL monitoring.

d. The LEL meter manufacturer and model number used, as well as an indication of whether tubing was used during the LEL monitoring, and if so, the type and length of tubing used.

e. Calibration checks conducted before and after making the measurements, including both the span check and instrumental offset. This includes the hydrocarbon used as the calibration gas, the Certificate of Analysis for the calibration gas(es), the results of the calibration check, and any corrective action for calibration checks that do not meet the required response.

f. Location of the measurements and the location of the floating roof.

g. Each measurement (taken at least once every 15 seconds). The records should indicate whether the recorded values were automatically corrected using the meter's programming. If the values were not automatically corrected, record both the raw (as the calibration gas) and corrected measurements, as well as the correction factor used.

h. Each 5-minute rolling average reading.

i. If the vapor concentration of the storage vessel was above 25 percent of the LEL on a 5-minute rolling average basis, a description of whether the floating roof was repaired, replaced, or taken out of gasoline service.

[45CSR34; 40 C.F.R. §§ 63.428(e)] (Tanks 257, 258, 259, 260, 270, 271, and 272)

5.4.4. **Record of Monitoring and Testing.** The permittee shall keep records of monitoring and testing information that include the following:

a. The date, place as defined in this permit and time of sampling or measurements;

b. The date(s) analyses were performed;

c. The company or entity that performed the analyses;

d. The analytical techniques or methods used;

e. The results of the analyses; and

f. The operating conditions existing at the time of sampling or measurement.

[45CSR13 - Permit R13-2277, Condition 4.4.1.]

5.4.5. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.
[45CSR13 - Permit R13-2277, Condition 4.4.2] ***(Tanks 270, 271, 272)***

5.4.6. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

a. The equipment involved.

b. Steps taken to minimize emissions during the event.

c. The duration of the event.

d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

e. The cause of the malfunction.

f. Steps taken to correct the malfunction.

g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

[45CSR13 - Permit R13-2277, Condition 4.4.3] ***(Tanks 270, 271, 272)***

5.5. Reporting Requirements

5.5.1. The owner or operator shall, for each occurrence of excess emissions expected to last more than 7 days, within 1 business day of becoming aware of such occurrence, supply the Secretary by letter with the following information:

a. The name and location of the facility;

b. The subject sources that caused the excess emissions;

c. The time and date of first observation of the excess emissions; and

d. The cause and expected duration of the excess emissions.

e. For sources subject to numerical emission limitations, the estimated rate of emissions (expressed in the units of the applicable emission limitation) and the operating data and calculations used in determining the magnitude of the excess emissions; and

f. The proposed corrective actions and schedule to correct the conditions causing the excess emissions.

[45CSR§§21-5.2., and 28.6] ***(Tanks 257, 258, 259, 260, 270, 271, and 272)*****; and [45CSR13 - Permit R13-2277, Condition 4.4.4]** ***(Tanks 270, 271, 272)***

5.5.2. The owner or operator shall notify the Director and USEPA in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by Section 5.2.2.a.1. or a.4. of this permit to afford the Director and USEPA the opportunity to have an observer present. If the inspection required by Section 5.2.2.a.4. of this permit is not planned and the owner or operator could not have known about the inspection 30 days in advance of refilling the tank, the owner or operator shall notify the Director and USEPA at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Director and USEPA at least 7 days prior to the refilling.
[40 C.F.R. § 60.113b(a)(5); 40 C.F.R. § 63.425(d); 45CSR16; 45CSR34] ***(Tanks 257, 258, 259, 260, 270, 271, and 272)***

5.5.3. The owner or operator of each storage vessel as specified in Section 5.1.3. of this permit shall keep records and furnish reports as required by paragraphs a., b., or c. of this section depending upon the control equipment installed to meet the requirements of 40 C.F.R. 60, Subpart Kb. The owner or operator shall keep copies of all reports and records required by this section, except for the record required by c., for at least 2 years. The record required by c. will be kept for the life of the control equipment.

a. After installing control equipment in accordance with Section 5.1.3.a.1. of this permit (fixed roof and internal floating roof), the owner or operator shall meet the following requirements.

1. Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of Sections 5.1.3.a.1. and 5.2.2.a.1 of this permit. Prior to October 15, 2024, this report shall be an attachment to the notification required by 40 C.F.R. §60.7(a)(3). Beginning October 15, 2024, the owner or operator must submit all subsequent reports in PDF format following the procedures specified in 40 C.F.R. §60.115b(e).

2. Keep a record of each inspection performed as required by Section 5.2.2.a.1., 2., 3., and 4. of this permit. Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

3. If any of the conditions described in Section 5.2.2.a.2. of this permit are detected during the annual required visual inspection, a report shall be furnished to the Administrator within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures in 40 C.F.R. §60.115b(e).

4. After each inspection required by Section 5.2.2.a.3. of this permit that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in Section 5.2.2.a.3.ii. of this permit, a report shall be furnished to the Administrator within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of Sections 5.1.3.a.1. or 5.2.2.a.3. of this permit and list each repair made. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures in 40 C.F.R. §60.115b(e).

b. If an external floating roof tank is installed, the owner or operator shall meet the requirements listed in 40 C.F.R. § 60.115b(b).

c. If the permittee installs control equipment in accordance with Section 5.1.3.a.3. (closed vent system and control device other than a flare), the owner or operator shall keep a copy of the operating plan and a record of the measured values of the parameters monitored in accordance with 40 C.F.R. §60.113b(c)(2).

d. After installing a closed vent system and flare to comply with 40 C.F.R. part 60, subpart Kb, the owner or operator shall meet the requirements listed in 40 C.F.R. § 60.115b(d)(1) through (3).

[40 C.F.R. § 60.115b, and 40 C.F.R. § 63.428(e), 45CSR16, 45CSR34] ***(Tanks 257, 258, 259, 260, 270, 271, and 272)***

5.5.4. The owner or operator of each storage vessel meeting the specifications of Section 5.1.3. of this permit shall notify the Administrator within thirty (30) days when the maximum true vapor pressure of the liquid exceeds the respective maximum true vapor pressure values for each volume range. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures in 40 C.F.R. §60.115b(e).
[40 C.F.R. § 60.116b(d); 40 C.F.R. § 63.427(e);45CSR16; 45CSR34] ***(Tanks 257, 258, 259, 260, 270, 271, and 272)***

5.6. Compliance Plan

5.6.1. None.

6.0. MACT Subpart Y Requirements [emission point ID(s): Barge Loading Stations 1 through 8]

6.1. Limitations and Standards

6.1.1. a. The emissions limitations in paragraphs b. and c. of this section apply during marine tank vessel loading operations.

b. *MACT standards*

1. i. *Vapor collection system of the terminal.* The owner or operator of an existing source with emissions of 10 or 25 tons shall equip each terminal with a vapor collection system that is designed to collect HAP vapors displaced from marine tank vessels during marine tank vessel loading operations and to prevent HAP vapors collected at one loading berth from passing through another loading berth to the atmosphere.

ii. *Ship-to-shore compatibility.* The owner or operator of an existing source with emissions of 10 or 25 tons shall limit marine tank vessel loading operations to those vessels that are equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.

iii. *Vapor tightness of marine vessels.* The owner or operator of an existing source with emissions of 10 or 25 tons shall limit marine tank vessel loading operations to those vessels that are vapor tight and to those vessels that are connected to the vapor collection system.

2. *MACT standards for existing sources with emissions of 10 or 25 tons.* The owner or operator of an existing source with emissions of 10 or 25 tons, shall reduce captured HAP emissions from marine tank vessel loading operations by 97 weight-percent, as determined using methods in Section 6.3.1.d. and 6.3.1.g. (VRU)

3. *Prevention of carbon adsorber emissions during regeneration.* The owner or operator shall prevent HAP emissions from escaping to the atmosphere from the regeneration of the carbon bed when using a carbon adsorber to control HAP emissions from marine tank vessel loading operations. (VRU)

4. The permittee may apply for approval for a maintenance allowance for loading berths as described in 40 C.F.R. § 63.562(b)(6).

5. *MACT standards for new sources.* The owner or operator of a new source with emissions less than 10 and 25 tons or a new source with emissions of 10 or 25 tons, except offshore loading terminals and the VMT, shall reduce HAP emissions from marine tank vessel loading operations by 98 weight-percent, as determined using methods in 6.3.1.d and 6.3.1.g. (MVCU)

[40 C.F.R. §§ 63.562(a) and (b)(1), (2), (3), (5), and (6); and 45CSR34]

c. RACT standards —

1. i. *Vapor collection system of the terminal.* The owner or operator of a source with throughput of 10 M barrels or 200 M barrels shall equip each terminal with a vapor collection system that is designed to collect VOC vapors displaced from marine tank vessels during loading and to

prevent VOC vapors collected at one loading berth from passing through another loading berth to the atmosphere.

ii. *Ship-to-shore compatibility.* The owner or operator of a source with throughput of 10 M barrels or 200 M barrels shall limit marine tank vessel loading operations to those vessels that are equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.

iii. *Vapor tightness of marine vessels.* The owner or operator of a source with throughput of 10 M barrels or 200 M barrels shall limit marine tank vessel loading operations to those vessels that are vapor-tight and to those vessels that are connected to the vapor collection system.

2. *RACT standard for sources with throughput of 10 M or 200 M barrels.* The owner or operator of a source with throughput of 10 M barrels or 200 M barrels, shall reduce captured VOC emissions from marine tank vessel loading operations by 98 weight-percent when using a combustion device or reduce captured VOC emissions by 95 weight-percent when using a recovery device, as determined using methods in Section 6.3.1.d.

3. The owner or operator of a source with throughput of 10 M barrels or 200 M barrels, may meet the requirements of Section 6.1.1.c.2. by reducing gasoline loading emissions to, at most, 1,000 ppmv outlet VOC concentration.

4. *Prevention of carbon adsorber emissions during regeneration.* The owner or operator of a source with throughput of 10 M barrels or 200 M barrels shall prevent HAP emissions from escaping to the atmosphere from the regeneration of the carbon bed when using a carbon adsorber to control HAP emissions from marine tank vessel loading operations.

5. The permittee may apply for approval for a maintenance allowance for loading berths as described in 40 C.F.R. § 63.562(c)(6).

[40 C.F.R. §§ 63.562(c)(2) through (6); and 45CSR34]

d. *Operation and maintenance requirements for air pollution control equipment and monitoring equipment for affected sources.* At all times, owners or operators of affected sources shall operate and maintain a source, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

1. The Administrator will determine compliance with design, equipment, work practice, or operational emission standards by evaluating an owner or operator's conformance with operation and maintenance requirements.

2. The owner or operator of an affected source shall develop a written operation and maintenance plan that describes in detail a program of corrective action for varying (i.e., exceeding baseline parameters) air pollution control equipment and monitoring equipment, based on monitoring requirements in Section 6.2., used to comply with these emissions standards. The plan shall also

identify all routine or otherwise predictable continuous monitoring system (thermocouples, pressure transducers, continuous emissions monitors (CEMS), etc.) variances.

i. The plan shall specify procedures (preventive maintenance) to be followed to ensure that pollution control equipment and monitoring equipment functions properly and variances of the control equipment and monitoring equipment are minimal.

ii. The plan shall identify all operating parameters to be monitored and recorded for the air pollution control device as indicators of proper operation and shall establish the frequency at which the parameters will be monitored.

iii. Owners or operators of affected sources shall incorporate a standardized inspection schedule for each component of the control device used to comply with the emissions standards in Sections 6.1.1.b. and 6.1.1.c. To satisfy the requirements of this paragraph, the owner or operator may use the inspection schedule recommended by the vendor of the control system or any other technical publication regarding the operation of the control system.

iv. Owners or operators shall develop and implement a continuous monitoring system (CMS) quality control program. The owner or operator shall develop and submit to the Administrator for approval upon request a site-specific performance evaluation test plan for the CMS performance evaluation required in 40 C.F.R. §63.8(e). Each quality control program shall include, at a minimum, a written protocol that describes procedures for initial and any subsequent calibration of the CMS; determination and adjustment of the calibration drift of the CMS; preventive maintenance of the CMS, including spare parts inventory; data recording, calculations, and reporting; and accuracy audit procedures, including sampling and analysis methods. The owner or operation shall maintain records of the procedures that are part of the quality control program developed and implemented for CMS.

3. Based on the results of the determination made under Section 6.1.1.d.2., the Administrator may require that an owner or operator of an affected source make changes to the operation and maintenance plan for that source. Revisions may be required if the plan:

i Does not address a variance of the air pollution control equipment or monitoring equipment that has occurred that increases emissions;

ii. Fails to provide for operation during a variance of the air pollution control equipment or the monitoring equipment in a manner consistent with safety and good air pollution control practices; or

iii. Does not provide adequate procedures for correcting a variance of the air pollution control equipment or monitoring equipment as soon as reasonable.

4. If the operation and maintenance plan fails to address or inadequately addresses a variance event at the time the plan was initially developed, the owner or operator shall revise the operation and maintenance plan within 45 working days after such an event occurs. The revised plan shall include procedures for operating and maintaining the air pollution control equipment or monitoring equipment during similar variance events and a program for corrective action for such events.

5. The operation and maintenance plan shall be developed by the source's compliance date. The owner or operator shall keep the written operation and maintenance plan on record to be made available for inspection, upon request, by the Administrator for the life of the source. In addition, if the operation and maintenance plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the plan on record to be made available for inspection upon request by the Administrator for a period of 5 years after each revision to the plan.

6. To satisfy the requirements of the operation and maintenance plan, the owner or operator may use the source's standard operating procedures (SOP) manual, an Occupational Safety and Health Administration (OSHA) plan, or other existing plans provided the alternative plans meet the requirements of this section and are made available for inspection when requested by the Administrator.

7. In response to an action to enforce the standards set forth in 40 C.F.R. 63, Subpart Y, the permittee may assert an affirmative defense to a claim for civil penalties for exceedances of such standards that are caused by a malfunction, as defined in 40 C.F.R. §63.2. Appropriate penalties may be assessed, however, if the respondent fails to meet its burden of proving all the requirements in the affirmative defense. The affirmative defense shall not be available for claims for injunctive relief.

    i. To establish the affirmative defense in any action to enforce such a limit, the permittee must timely meet the notification requirements of condition 6.1.1.d.7.ii., and must prove by a preponderance of evidence that:

        A. The excess emissions were caused by a sudden, infrequent, and unavoidable failure of air pollution control and monitoring equipment, or a process to operate in a normal and usual manner; and could not have been prevented through careful planning, proper design or better operation and maintenance practices; and did not stem from any activity or event that could have been foreseen and avoided, or planned for; and were not part of a recurring pattern indicative of inadequate design, operation, or maintenance;

        B. Repairs were made as expeditiously as possible when the applicable emission limitations were being exceeded. Off-shift and overtime labor were used, to the extent practicable to make these repairs;

        C. The frequency, amount and duration of the excess emissions (including any bypass) were minimized to the maximum extent practicable during periods of such emissions;

        D. If the excess emissions resulted from a bypass of control equipment or a process, then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

        E. All possible steps were taken to minimize the impact of the excess emissions on ambient air quality, the environment, and human health;

        F. All emissions monitoring and control systems were kept in operation if at all possible, consistent with safety and good air pollution control practices;

        G. All of the actions in response to the excess emissions were documented by properly signed, contemporaneous operating logs;

H. At all times, the affected facility was operated in a manner consistent with good practices for minimizing emissions; and

I. The owner or operator has prepared a written root cause analysis, the purpose of which is to determine, correct, and eliminate the primary causes of the malfunction and the excess emissions resulting from the malfunction event at issue. The analysis shall also specify, using the best monitoring methods and engineering judgment, the amount of excess emissions that were the result of the malfunction.

ii. Notification. The owner or operator of the facility experiencing an exceedance of its emission limit(s) during a malfunction shall notify the Administrator by telephone or facsimile (FAX) transmission as soon as possible, but no later than 2 business days after the initial occurrence of the malfunction, if it wishes to avail itself of an affirmative defense to civil penalties for that malfunction. The owner or operator seeking to assert an affirmative defense shall also submit a written report to the Administrator within 45 days of the initial occurrence of the exceedance of the standard in this subpart to demonstrate, with all necessary supporting documentation, that it has met the requirements set forth in condition 6.1.1.d.7.i. The owner or operator may seek an extension of this deadline for up to 30 additional days by submitting a written request to the Administrator before the expiration of the 45 day period. Until a request for an extension has been approved by the Administrator, the owner or operator is subject to the requirement to submit such report within 45 days of the initial occurrence of the exceedance.

[40 C.F.R. § 63.562(e); and 45CSR34]

6.1.2. a. The following procedures shall be used to determine compliance with the emissions limits under Sections 6.1.1.b.1. and 6.1.1.c.1.:

1. *Vent stream by-pass requirements for the terminal's vapor collection system.*

i. In accordance with Sections 6.1.1.b.1.i. and 6.1.1.c.1.i., each valve in the terminal's vapor collection system that would route displaced vapors to the atmosphere, either directly or indirectly, shall be secured closed during marine tank vessel loading operations either by using a car-seal or a lock-and-key type configuration, or the by-pass line from the valve shall be equipped with a flow indicator, except for those valves used for pressure/vacuum relief, analyzers, instrumentation devices, sampling, and venting for maintenance. Marine tank vessel loading operations shall not be performed with open by-pass lines.

ii. Repairs shall be made to valves, car-seals, or closure mechanisms no later than 15 days after a change in the position of the valve or a break in the car-seal or closure mechanism is detected or no later than prior to the next marine tank vessel loading operation, whichever is later.

2. *Ship-to-shore compatibility of vapor collection systems.* Marine tank vessel loading operations must be performed only if the marine tank vessel's vapor collection equipment is compatible to the terminal's vapor collection system; marine tank vessel loading operations must be performed only when the marine tank vessel's vapor collection equipment is connected to the terminal's vapor collection system, as required in Sections 6.1.1.b.1.ii. and 6.1.1.c.1.ii.

3. *Vapor -tightness requirements of the marine vessel*. The owner or operator of an affected source shall use the procedures in paragraphs i., ii., or iii. below to ensure that marine tank vessels are vapor tight, as required in Sections 6.1.1.b.1.iii. and 6.1.1.c.1.iii.

   i. *Pressure test documentation for determining vapor tightness of the marine vessel.* The owner or operator of a marine tank vessel shall provide a copy of the vapor-tightness pressure test documentation described in Section 6.4.1.f. for each marine tank vessel prior to loading. The date of the test listed in the documentation must be within the preceding 12 months, and the test must be conducted in accordance with the procedures in Section 6.3.1.c.1. Following the date on which the initial performance test is completed, the affected source must check vapor-tightness pressure test documentation for marine tank vessels loaded at positive pressure.

   ii. *Leak test documentation for determining vapor tightness of the marine vessel.* If no documentation of the vapor tightness pressure test as described in Section 6.1.2.a.3.i. is available, the owner or operator of a marine tank vessel shall provide the leak test documentation described in Section 6.4.1.f. for each marine tank vessel prior to loading. The date of the test listed in the documentation must be within the preceding 12 months, and the test must be conducted in accordance with the procedures in Section 6.3.1.c.2.. If the marine tank vessel has failed its most recent vapor-tightness leak test at that terminal, the owner or operator of the non-vapor-tight marine tank vessel shall provide documentation that the leaks detected during the previous vapor-tightness test have been repaired and documented with a successful vapor-tightness leak test described in Section 6.3.1.c.2. conducted during loading. If the owner or operator of the marine tank vessel can document that repair is technically infeasible without cleaning and gas freeing or dry-docking the vessel, the owner or operator of the affected source may load the marine tank vessel. Following the date on which the initial performance test is completed, an affected source must check the vapor-tightness leak test documentation for marine tank vessels loaded at positive pressure.

   iii. *Leak test performed during loading using Method 21 for determining vapor tightness of the marine vessel.* If no documentation of vapor tightness as described in Sections 6.1.2.a.3.i. or ii. is available, the owner or operator of a marine tank vessel shall perform a leak test of the marine tank vessel during marine tank vessel loading operation using the procedures described in Section 6.3.1.c.2.

      A. If no leak is detected, the owner or operator of a marine tank vessel shall complete the documentation described in Section 6.4.1.f. prior to departure of the vessel.

      B. If a leak is detected, the owner or operator of the marine tank vessel shall document the vapor-tightness failure for the marine tank vessel prior to departure of the vessel. The leaking component shall be repaired prior to the next marine tank vessel loading operation at a controlled terminal unless the repair is technically infeasible without cleaning and gas freeing or dry-docking the vessel. If the owner or operator of the vessel provides documentation that repair of such equipment is technically infeasible without cleaning and gas freeing or dry-docking the vessel, the equipment responsible for the leak will be excluded from future Method 21 tests until repairs are effected. A copy of this documentation shall be maintained by the owner or operator of the affected source. Repair of the equipment responsible for the leak shall occur the next time the vessel is cleaned and gas freed or dry-docked. For repairs that are technically feasible without

dry-docking the vessel, the owner or operator of the affected source shall not load the vessel again unless the marine tank vessel owner or operator can document that the equipment responsible for the leak has been repaired.

[40 C.F.R. § 63.563(a) and 45CSR34]

b. *Compliance determination for affected sources.* The following procedures shall be used to determine compliance with the emissions limits under Section 6.1.1.b. and c.

1. *Operation and maintenance inspections.* If the 3-hour or 3-cycle block average operating parameters in Sections 6.1.2.b.2., b.3., and b.5., outside the acceptable operating ranges, are measured and recorded, i.e., variances of the pollution control device or monitoring equipment, the owner or operator of the affected source shall perform an unscheduled inspection of the control device and monitoring equipment and review of the parameter monitoring data. The owner or operator of the affected source shall perform an inspection and review when total parameter variance time for the control device is greater than 10 percent of the operating time for marine tank vessel loading operations on a 30-day, rolling-average basis. The inspection and review shall be conducted within 24 hours after passing the allowable variance time of 10 percent. The inspection checklist from the requirements of Section 6.1.1.d.2.iii. and the monitoring data from requirements in Section 6.1.1.d.2.ii. and Section 6.2. should be used to identify any maintenance problems that may be associated with the variance. The unscheduled inspection should encompass all components of the control device and monitoring equipment that can be inspected while in operation. If any maintenance problem is identified during the inspection, the owner or operator of the affected source must take corrective action (e.g., adjustments to operating controls, etc.) as soon as practicable. If no immediate maintenance problems are identified from the inspection performed while the equipment is operating, a complete inspection in accordance with Section 6.1.1.d.2. must be conducted prior to the next marine tank vessel loading operation and corrective action (e.g., replacement of defective parts) must be taken as soon as practicable for any maintenance problem identified during the complete inspection.

[40 C.F.R. § 63.563(b)(3) and 45CSR34]

2. *Carbon adsorber.* The owner or operator shall comply with paragraph i. and ii. of this section.

i. *Compliance determination for carbon bed regeneration.* Desorbed hydrocarbons from regeneration of the off-line carbon bed shall be vented to the on-line carbon bed.

ii. *Baseline parameters for required percent recovery efficiency.*

A. *Outlet VOC concentration limit for required percent recovery efficiency.* The owner or operator shall establish as an operating parameter the baseline VOC concentration using the procedures described in Section 6.3.1.e. The facility shall be operated with a block average outlet VOC concentration as determined in Section 6.2.1.d.1. no more than 20 percent above the baseline VOC concentration.

[40 C.F.R. § 63.563(b)(6) and 45CSR34] ***(VRU)***

3. *Alternative control devices.* For sources complying with Sections 6.1.1.b.2., c.2. and c.3. with the use of a control technology other than the devices discussed in Section 6.1.2.b.2. of this permit, the owner or operator of an affected source shall provide to the Administrator information describing the design and operation of the air pollution control system, including recommendations for the operating parameter(s) to be monitored to indicate proper operation and maintenance of the air pollution control system. Based on this information, the Administrator shall determine the operating parameter(s) to be established during the performance test. The device shall achieve at least the percent destruction efficiency or recovery efficiency required under Section 6.1.1.b.2., c.2. and c.3. The owner or operator shall establish the operating parameter(s) approved by the Administrator. Following the date on which the performance test is complete, the facility shall operate either above or below a maximum or minimum operating parameter, as appropriate.
[40 C.F.R. § 63.563(b)(9) and 45CSR34]

4. *Emission estimation.* The owner or operator of a source subject to Section 6.1.1.b.2. shall use the emission estimation procedures in Section 6.3.1.i. to calculate HAP emissions.
[40 C.F.R. § 63.563(b)(10) and 45CSR34]

5. *Combustion device, except flare.* During the initial performance test required in 40 C.F.R. §63.563(b)(1), the owner or operator shall determine the efficiency of and/or the outlet VOC concentration from the combustion device used to comply with 40 C.F.R. §63.562(b)(3) using the test methods in 40 C.F.R. §63.565(d). The owner or operator shall comply with the following:

   i. Baseline temperature for required percent combustion efficiency. The owner or operator shall establish as an operating parameter the baseline temperature using the procedures described in 40 C.F.R. §63.565(f). Following the date on which the initial performance test is completed, the facility shall be operated with the block average temperature as determined in 40 C.F.R. §63.564 (e)(2) no more than 28 ºC (50 ºF)_below the baseline temperature.

   [40 C.F.R. §§ 63.563(b)(4) and (b)(4)(i) and 45CSR34] ***(MVCU)***

c. *Leak detection and repair for vapor collection systems and control devices.* The following procedures are required for all sources subject to Section 6.1.1.b. or c.:

   1. Annual leak detection and repair for vapor collection systems and control devices. The owner or operator of an affected source shall inspect and monitor all ductwork and piping and connections to vapor collection systems and control devices once each calendar year using Method 21.

   2. Ongoing leak detection and repair for vapor collection systems and control devices. If evidence of a potential leak is found by visual, audible, olfactory, or any other detection method, all ductwork and piping and connections to vapor collection systems and control devices shall be inspected to the extent necessary to positively identify the potential leak and any potential leaks shall be monitored within 5 days by Method 21. Each detection of a leak shall be recorded, and the leak shall be tagged until repaired.

   3. When a leak is detected, a first effort to repair the vapor collection system and control device shall be made within 15 days or prior to the next marine tank vessel loading operation, whichever is later.
   [40 C.F.R. § 63.563(c) and 45CSR34]

6.2. Monitoring Requirements

6.2.1. a. 1. The owner or operator of an affected source shall comply with the monitoring requirements in 40 C.F.R. §63.8, in accordance with Table 1 of 40 C.F.R. §63.560 and the monitoring requirements in this section.

2. Each owner or operator of an affected source shall monitor the parameters specified in this section. All monitoring equipment shall be installed such that representative measurements of emissions or process parameters from the source are obtained. For monitoring equipment purchased from a vendor, verification of the operational status of the monitoring equipment shall include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system.

3. Except for system breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level calibration drift adjustments, all continuous parametric monitoring systems (CPMS) and CEMS shall be in continuous operation while marine tank vessel loading operations are occurring and shall meet minimum frequency of operation requirements. Sources monitoring by use of CEMS and CPMS shall complete a minimum of one cycle of operation (sampling, analyzing, and/or data recording) for each successive 15-minute period.

4. The owner or operator of a CMS installed in accordance with these emissions standards shall comply with the performance specifications either in performance specification (PS) 8 in 40 C.F.R. part 60, appendix B for CEMS or in 40 C.F.R. §63.7(c)(6) for CPMS.

5. A CEMS is out of control when the measured values (i.e., daily calibrations, multipoint calibrations, and performance audits) exceed the limits specified in either PS 8 or in 40 C.F.R. §63.8(c)(7). The owner or operator of a CEMS that is out of control shall submit all information concerning out of control periods, including start and end dates and hours and descriptions of corrective actions taken, in the excess emissions and continuous monitoring system performance report required in Section 6.4.1.b.

[40 C.F.R. § 63.564(a) and 45CSR34]

b. *Vapor collection system of terminal.* Owners or operators of a source complying with Section 6.1.2.a.1. that uses a vapor collection system that contains valves that could divert a vent stream from a control device used to comply with the provisions of this subpart shall comply with paragraph b.1., 2., or 3. of this section.

1. Measure and record the vent stream flowrate of each by-pass line once every 15 minutes. The owner or operator shall install, calibrate, maintain, and operate a flow indicator and data recorder. The flow indicator shall be installed immediately downstream of any valve (i.e., entrance to by-pass line) that could divert the vent stream from the control device to the atmosphere.

2. Measure the vent stream flowrate of each by-pass line once every 15 minutes. The owner or operator shall install, calibrate, maintain, and operate a flow indicator with either an audio or visual alarm. The flow indicator and alarm shall be installed immediately downstream of any valve (i.e., entrance to bypass line) that could divert the vent stream from the control device to the

atmosphere. The alarm shall be checked every 6 months to demonstrate that it is functioning properly.

3. Visually inspect the seal or closure mechanism once during each marine tank vessel loading operation and at least once every month to ensure that the valve is maintained in the closed position and that the vent stream is not diverted through the by-pass line; record all times when the car seals have been broken and the valve position has been changed. Each by-pass line valve shall be secured in the closed position with a car-seal or a lock-and-key type configuration.

[40 C.F.R. § 63.564(b) and 45CSR34]

c. Pressure/vacuum settings for the marine tank vessel's vapor collection equipment. Owners or operators of a source complying with Section 6.1.2.a.3. shall measure continuously the operating pressure of the marine tank vessel during loading.

[40 C.F.R. § 63.564(c) and 45CSR34]

d. Carbon adsorber. For sources complying with Section 6.1.2.b.2., use of a carbon adsorber, the owner or operator shall comply with paragraph d.1. of this section.

1. Outlet VOC concentration. Monitor the VOC concentrations at the exhaust point of each carbon adsorber unit and record the output from the system. For sources monitoring the outlet VOC concentration established during the performance test, a data acquisition system shall record a concentration every 15 minutes and shall compute and record an average concentration each cycle (same time period or cycle as the performance test) and a 3-cycle block average concentration every third cycle. For sources monitoring the 1,000 ppmv VOC concentration for gasoline loading, a data acquisition system shall record a concentration every 15 minutes and shall compute and record an average concentration each hour and a 3-hour block average concentration every third hour. The owner or operator will install, calibrate, operate, and maintain a CEMS consistent with the requirements of PS 8 to measure the VOC concentration. The daily calibration requirements are required only on days when marine tank vessel loading operations occur.

[40 C.F.R. § 63.564(g) and 45CSR34] ***(VRU)***

e. *Combustion device, except flare.* For sources complying with 6.1.2.b.5, use of a combustion device except a flare, the owner or operator shall comply with the following:

1. *Operating temperature determined during performance testing.* If the baseline temperature was established during the performance test, the data acquisition system shall record the temperature every 15 minutes and shall compute and record an average temperature each cycle (same time period or cycle of the performance test) and a 3-cycle block average every third cycle.

2. *Temperature monitor.* The owner or operator shall install, calibrate, operate, and maintain a temperature monitor accurate to within ±5.6 ºC (± 10 ºF) or within 1 percent of the baseline temperature, whichever is less stringent, to measure the temperature. The monitor shall be installed at the exhaust point of the combustion device but not within the combustion zone. The owner or operator shall verify the accuracy of the temperature monitor once each calendar year with a reference temperature monitor (traceable to National Institute of Standards and Technology (NIST) standards or an independent temperature measurement device dedicated for this purpose).

During accuracy checking, the probe of the reference device shall be at the same location as that of the temperature monitor being tested.

[40 C.F.R. §§ 63.564(e)(2) and (e)(4) and 45CSR34] ***(MVCU)***

6.3. Testing Requirements

6.3.1. a. *Performance testing.* The owner or operator of an affected source in Section 6.1.1. shall comply with the performance testing requirements in 40 C.F.R. §63.7, in accordance with Table 1 of 40 C.F.R. §63.560 and the performance testing requirements in this section.
[40 C.F.R. § 63.565(a) and 45CSR34]

b. *Pressure/vacuum settings of marine tank vessel's vapor collection equipment.* For the purpose of determining compliance with 40 C.F.R. §63.563(a)(3)., the following procedures shall be used:

1. Calibrate and install a pressure measurement device (liquid manometer, magnehelic gauge, or equivalent instrument) capable of measuring up to the maximum relief set pressure of the pressure vacuum vents;

2. Connect the pressure measurement device to a pressure tap in the terminal's vapor collection system, located as close as possible to the connection with the marine tank vessel.

3. During the performance test required in 40 C.F.R. §63.563(b)(1), record the pressure every 5 minutes while a marine tank vessel is being loaded and record the highest instantaneous pressure and vacuum that occurs during each loading cycle.

[40 C.F.R. § 63.565(b) and 45CSR34]

c. Vapor-tightness test procedures for the marine tank vessel. When testing a vessel for vapor tightness to comply with the marine vessel vapor-tightness requirements of Section 6.1.2.a.3.i., the owner or operator of a source shall use the methods in either paragraph c.1. or 2. in this section.

1. Pressure test for the marine tank vessel.

i. Each product tank shall be pressurized with dry air or inert gas to no more than the pressure of the lowest pressure relief valve setting.

ii. Once the pressure is obtained, the dry air or inert gas source shall be shut off.

iii. At the end of one-half hour, the pressure in the product tank and piping shall be measured. The change in pressure shall be calculated using the following formula:

$P=P_i-P_f$

Where:

P=change in pressure, inches of water.

P_i=pressure in tank when air/gas source is shut off, inches of water.

P_f=pressure in tank at the end of one-half hour after air/gas source is shut off, inches of water.

iv. The change in pressure, P, shall be compared to the pressure drop calculated using the following formula:

PM=0.861 P_{ia} L/V

Where:

PM=maximum allowable pressure change, inches of water.

P_{ia}=pressure in tank when air/gas source is shut off, psia.

L=maximum permitted loading rate of vessel, barrels per hour.

V=total volume of product tank, barrels.

v. If P≤PM, the vessel is vapor tight.

vi. If P>PM, the vessel is not vapor tight and the source of the leak must be identified and repaired prior to retesting.

2. *Leak test for the marine tank vessel.* Each owner or operator of a source complying with Section 6.1.2.a.3.ii. or iii. shall use Method 21 as the vapor-tightness leak test for marine tank vessels. The test shall be conducted during the final 20 percent of loading of each product tank of the marine vessel, and it shall be applied to any potential sources of vapor leaks on the vessel.

[40 C.F.R. § 63.565(c) and 45CSR34]

d. Combustion (except flare) and recovery control device performance test procedures.

1. All testing equipment shall be prepared and installed as specified in the appropriate test methods.

2. All testing shall be performed during the last 20 percent of loading of a tank or compartment.

3. All emission testing intervals shall consist of each 5 minute period during the performance test. For each interval, the following shall be performed:

i. Readings. The reading from each measurement instrument shall be recorded.

ii. Sampling Sites. Method 1 or 1A of appendix A of part 60 of this chapter, as appropriate, shall be used for selection of sampling sites. Sampling sites shall be located at the inlet and outlet of the combustion device or recovery device except for owners or operators complying with the 1,000 ppmv VOC emissions limit for gasoline vapors under Section 6.1.2.b.2., where the sampling site shall be located at the outlet of the recovery device.

iii. Volume exhausted. The volume exhausted shall be determined using Method 2, 2A, 2C, or 2D of appendix A of part 60 of this chapter, as appropriate.

4. Combustion devices, except flares. The average VOC concentration in the vent upstream and downstream of the control device shall be determined using Method 25 of appendix A of part 60 of this chapter for combustion devices, except flares. The average VOC concentration shall correspond to the volume measurement by taking into account the sampling system response time. (MVCU)

5. Recovery devices. The average VOC concentration in the vent upstream and downstream of the control device shall be determined using Method 25A or 25B of appendix A-7 of part 60 of this chapter for recovery devices. The average VOC concentration shall correspond to the volume measurement by taking into account the sampling system response time. (VRU)

6. The VOC mass at the inlet and outlet of the recovery device during each testing interval shall be calculated as follows:

   $M_j = FKV_s\ CVOC$

   Where:

   M_j = mass of VOC at the inlet and outlet of the recovery device during testing interval j, kilograms (kg).

   F = 10^{-6} = conversion factor, (cubic meters VOC/cubic meters air)(1/ppmv) (m^3 VOC/m^3 air)(1/ppmv).

   K = density, kilograms per cubic meter (kg/m^3 VOC), standard conditions, 20 ºC and 760 mm Hg.

   V_s = volume of air-vapor mixture at the inlet and outlet of the recovery device, cubic meters (m^3) at standard conditions, 20 ºC and 760 mm Hg.

   CVOC = VOC concentration (as measured) at the inlet and outlet of the recovery device, ppmv, dry basis.

   s = standard conditions, 20 ºC and 760 mm Hg.

7. The VOC mass emission rates at the inlet and outlet of the recovery device shall be calculated as follows:

$$E_1 = \frac{\sum_{j=1}^{n} M_{ij}}{T}$$

$$E_0 = \frac{\sum_{j=1}^{n} M_{oj}}{T}$$

   Where:

E_i, E_o = mass flow rate of VOC at the inlet (i) and outlet (o) of the recovery device, kilogram per hour (kg/hr).

M_{ij}, M_{oj}=mass of VOC at the inlet (i) or outlet (o) during testing interval j, kg.

T=Total time of all testing intervals, hour.

n=number of testing intervals.

8. Where Method 25, 25A, or 25B, is used to measure the percent reduction in VOC, the percent reduction across the recovery device shall be calculated as follows:

$$R = \frac{E_i - E_o}{E_i}(100\%)$$

Where:

R=control efficiency of control device, percent.

Ei=mass flow rate of VOC at the inlet to the recovery device as calculated under paragraph (d)(6) of this section, kg/hr.

Eo=mass flow rate of VOC at the outlet of the recovery device, as calculated under paragraph (d)(6) of this section, kg/hr.

9. Repeat the procedures in paragraph d.1. through d.7. of this section 3 times. The arithmetic average percent efficiency of the three runs shall determine the overall efficiency of the control device.

10. Use of methods other than Method 25, 25A, or 25B, shall be validated pursuant to Method 301 of appendix A of part 63 of this chapter.

[40 C.F.R. §§ 63.565(d)(1)-(3) and (5)-(10); and 45CSR34]

e. *Baseline temperature.* The procedures in this paragraph shall be used to determine the baseline temperature required in 6.1.2.b.5 for combustion devices and to monitor the temperature as required in 6.2.1.e. The owner or operator shall comply with the following:

1. *Baseline temperature from performance testing.* The owner or operator shall establish the baseline temperature as the temperature at the outlet point of the unit averaged over three test runs from 6.3.1.d. Temperature shall be measured every 15 minutes.

[40 C.F.R. §§ 63.565(f) and (f)(1) and 45CSR34] ***(MVCU)***

f. *Baseline outlet VOC concentration.* The procedures in this paragraph shall be used to determine the outlet VOC concentration required in Section 6.1.2.b.2. for carbon adsorbers and to monitor the VOC concentration as required in Section 6.2.1.d.1. The owner or operator shall use the procedures outlined in Method 25A, or 25B. For the baseline VOC concentration, the arithmetic average of the outlet VOC concentration from three test runs from paragraph d. of this section shall be calculated for the control

device. The VOC concentration shall be measured at least every 15 minutes. Compliance testing of VOC CEMS shall be performed using PS 8.
[40 C.F.R. § 63.565(g) and 45CSR34] ***(VRU)***

g. *Emission estimation procedures.* For sources with emissions less than 10 or 25 tons and sources with emissions of 10 or 25 tons, the owner or operator shall calculate an annual estimate of HAP emissions from marine tank vessel loading operations. Emission estimates and emission factors shall be based on test data, or if test data is not available, shall be based on measurement or estimating techniques generally accepted in industry practice for operating conditions at the source.
[40 C.F.R. § 63.565(l) and 45CSR34]

6.4. Recordkeeping and Reporting Requirements

6.4.1. a. The owner or operator of an affected source shall fulfill all reporting and recordkeeping requirements in 40 C.F.R. §§63.9 and 63.10 in accordance with the provisions in Table 1 of 40 C.F.R. §63.560 and fulfill all reporting and recordkeeping requirements in this section. These reports will be made to the Administrator at the appropriate address identified in Section 3.5.3.

1. Reports required by 40 C.F.R. part 63, subpart A and Y may be sent by U.S. mail, facsimile (fax), or by another courier. Submittals sent by U.S. mail shall be postmarked on or before the specified date. Submittals sent by other methods shall be received by the Administrator on or before the specified date.

2. If acceptable to both the Administrator and the owner or operator of a source, reports may be submitted on electronic media.

[40 C.F.R. § 63.567(a) and 45CSR34]

b. *Summary reports and excess emissions and monitoring system performance reports—*

1. *Schedule for summary report and excess emissions and monitoring system performance reports.* Excess emissions and parameter monitoring exceedances are defined in Section 6.1.2.b. The owner or operator of a source subject to these emissions standards that is required to install a CMS shall submit an excess emissions and continuous monitoring system performance report and/or a summary report to the Administrator once each year, except, when the source experiences excess emissions, the source shall comply with a semi-annual reporting format until a request to reduce reporting frequency under paragraph b.2. of this section is approved.

2. *Request to reduce frequency of excess emissions and continuous monitoring system performance reports*. An owner or operator who is required to submit excess emissions and continuous monitoring system performance and summary reports on a semi-annual basis may reduce the frequency of reporting to annual if the following conditions are met:

i. For 1 full year the sources's excess emissions and continuous monitoring system performance reports continually demonstrate that the source is in compliance; and

ii. The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in 40 C.F.R. part 63, subpart Y and 40 C.F.R. part 63, subpart A.

3. The frequency of reporting of excess emissions and continuous monitoring system performance and summary reports required may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the 5-year recordkeeping prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation maintenance requirements. Such information may be used by the Administrator to make a judgement about the source's potential for noncompliance in the future. If the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

4. *Content and submittal dates for excess emissions and monitoring system performance reports.* All excess emissions and monitoring system performance reports and all summary reports, if required per paragraph b.5. and 6. of this section, shall be delivered or postmarked within 30 days following the end of each calendar year, or within 30 days following the end of each six month period, if appropriate. Written reports of excess emissions or exceedances of process or control system parameters shall include all information required in 40 C.F.R. §63.10(c)(5) through (13) as applicable in Table 1 of 40 C.F.R. §63.560 and information from any calibration tests in which the monitoring equipment is not in compliance with PS 8 or other methods used for accuracy testing of temperature, pressure, or flow monitoring devices. The written report shall also include the name, title, and signature of the responsible official who is certifying the accuracy of the report. When no excess emissions or exceedances have occurred or monitoring equipment has not been inoperative, repaired, or adjusted, such information shall be stated in the report. This information will be kept for a minimum of 5 years and made readily available to the Administrator or delegated State authority upon request.

5. If the total duration of excess emissions or control system parameter exceedances for the reporting period is less than 5 percent of the total operating time for the reporting period, and CMS downtime for the reporting period is less than 10 percent of the total operating time for the reporting period, only the summary report of 40 C.F.R. §63.10(e)(3)(vi) shall be submitted, and the full excess emissions and continuous monitoring system performance report of paragraph b.4. of this section need not be submitted unless required by the Administrator.

6. If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is 5 percent or greater of the total operating time for the reporting period, or the total CMS downtime for the reporting period is 10 percent or greater of the total operating time for the reporting period, both the summary report of 40 C.F.R. §63.10(e)(3)(vi) and the excess emissions and continuous monitoring system performance report of paragraph b.4. of this section shall be submitted.

[40 C.F.R. § 63.567(e) and 45CSR34]

c. *Vapor collection system of the terminal.* Each owner or operator of an affected source shall maintain in an accessible location on site an engineering report describing in detail the vent system, or vapor collection system, used to vent each vent stream to a control device. This report shall include all valves

and vent pipes that could vent the stream to the atmosphere, thereby bypassing the control device, and identify which valves are car-sealed opened and which valves are car-sealed closed.
[40 C.F.R. § 63.567(f) and 45CSR34]

d. If a vent system, or vapor collection system, containing valves that could divert the emission stream away from the control device is used, each owner or operator of an affected source shall keep for at least 5 years up-to-date, readily accessible continuous records of:

1. All periods when flow bypassing the control device is indicated if flow indicators are installed under Sections 6.1.2.a.1. and 6.2.1.b., and

2. All times when maintenance is performed on car-sealed valves, when the car-seal is broken, and when the valve position is changed (i.e., from open to closed for valves in the vent piping to the control device and from closed to open for valves that vent the stream directly or indirectly to the atmosphere bypassing the control device) if valves are monitored under Section 6.2.1.b.

[40 C.F.R. § 63.567(g) and 45CSR34]

e. The owner or operator of an affected source shall keep the vapor-tightness documentation required under Section 6.1.2.a.3. on file at the source in a permanent form available for inspection.
[40 C.F.R. § 63.567(h) and 45CSR34]

f. *Vapor tightness test documentation for marine tank vessels.* The owner or operator of an affected source shall maintain a documentation file for each marine tank vessel loaded at that source to reflect current test results as determined by the appropriate method in Sections 6.3.1.c.1. and 2. Updates to this documentation file shall be made at least once per year. The owner or operator shall include, as a minimum, the following information in this documentation:

1. Test title;

2. Marine vessel owner and address;

3. Marine vessel identification number;

4. Loading time, according to Section 6.1.2.a.3.ii. or iii., if appropriate;

5. Testing location;

6. Date of test;

7. Tester name and signature;

8. Test results from Section 6.3.1.c.1. or 2., as appropriate;

9. Documentation provided under Section 6.1.2.a.3.ii. or iii.B. showing that the repair of leaking components attributed to a failure of a vapor-tightness test is technically infeasible without dry-docking the vessel; and

10. Documentation that a marine tank vessel failing a pressure test or leak test has been repaired.

[40 C.F.R. § 63.567(i) and 45CSR34]

g. *Emission estimation reporting and recordkeeping procedures.* The owner or operator of each source complying with the emission limits specified in Section 6.1.1.b.2. or 6.1.1.b.5. shall comply with the following provisions:

1. Keep readily accessible records of the emission estimation calculations performed in Section 6.3.1.g. for 5 years; and

2. Submit an annual report of the source's HAP control efficiency calculated using the procedures specified in Section 6.3.1.g., based on the source's actual throughput.

3. Owners or operators of marine tank vessel loading operations shall retain records of the emissions estimates determined in Section 6.3.1.g. and records of their actual throughputs by commodity, for 5 years.

[40 C.F.R. § 63.567(j) and 45CSR34]

h. *Leak detection and repair of vapor collection systems and control devices.* When each leak of the vapor collection system, or vapor collection system, and control device is detected and repaired as specified in Section 6.1.2.c., the following information required shall be maintained for 5 years:

1. Date of inspection;

2. Findings (location, nature, and severity of each leak);

3. Leak determination method;

4. Corrective action (date each leak repaired, reasons for repair interval); and

5. Inspector name and signature.

[40 C.F.R. § 63.567(k) and 45CSR34]

i. The number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded shall be stated in a semiannual report. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with 40 C.F.R. §63.562(e), including actions taken to correct a malfunction. The report, to be certified by the owner or operator or other responsible official, shall be submitted semiannually and delivered or postmarked by the 30th day following the end of each calendar half.
[40 C.F.R. § 63.567(m) and 45CSR34]

j. 1. As of January 1, 2012 and within 60 days after the date of completing each performance test, as defined in 40 C.F.R. §63.2, and as required in 40 C.F.R. 63, Subpart Y, the permittee must submit performance test data, except opacity data, electronically to EPA's Central Data Exchange by using the ERT (see http://www.epa.gov/ttn/chief/ert/ert tool.html/) or other compatible electronic spreadsheet. Only data collected using test methods compatible with ERT are subject to this requirement to be submitted electronically into EPA's WebFIRE database.

2. All reports required by 40 C.F.R. 63, Subpart Y not subject to the requirements in condition 6.4.1.j.1. must be sent to the Administrator at the appropriate address listed in 40 C.F.R. §63.13. If acceptable to both the Administrator and the owner or operator of a source, these reports may be submitted on electronic media. The Administrator retains the right to require submittal of reports subject to condition 6.4.1.j.1. in paper format.

[40 C.F.R. § 63.567(n) and 45CSR34]

6.5. Compliance Plan

6.5.1. None.

7.0. Clarke Loaded Fleet Fire Pump Engine [emission point ID(s): Engine #4]

7.1. Limitations and Standards

7.1.1. The permittee must comply with the following emission standards in Table 4 to 40 C.F.R.60, Subpart IIII:

Table 4 to Subpart IIII of Part 60—Emission Standards for Stationary Fire Pump Engines

Maximum engine power	Model year(s)	NMHC + NO_X	CO	PM
225≤KW<450 (300≤HP<600)	2009 +	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)

[45CSR16; 40 C.F.R. §60.4205(c) and Table 4 to 40 C.F.R. 60 Subpart IIII]

7.1.2. Beginning October 1, 2010, owners and operators of stationary CI ICE subject to 40 C.F.R.60, Subpart IIII with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 C.F.R. §1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.
[45CSR16; 40 C.F.R. §60.4207(b)]

7.1.3. The permittee must operate and maintain stationary CI ICE that achieve the emission standards as required in Condition 7.1.1. over the entire life of the engine.
[45CSR16; 40 C.F.R. §60.4206]

7.1.4. The permittee must comply with the following compliance requirements from 40 C.F.R. 60, Subpart IIII:

a. The permittee must do all the following, except as permitted under paragraph (d) of this condition:

1. Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

2. Change only those emission-related settings that are permitted by the manufacturer; and

3. Meet the requirements of 40 C.F.R. part 1068, as they apply to you.

b. If the permittee is an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in 40 C.F.R. §§60.4204(b) or 60.4205(b), or if the permittee is an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to the permittee's fire pump engine power rating in Table 3 to 40 C.F.R.60, Subpart IIII and must comply with the emission standards specified in 40 C.F.R. §60.4205(c), the permittee must comply by purchasing an engine certified to the emission standards in 40 C.F.R. §60.4204(b), or 40 C.F.R. §60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in paragraph (d) of this condition.

c. If the permittee owns or operates an emergency stationary ICE, the permittee must operate the emergency stationary ICE according to the requirements in paragraphs (c)(1) through (3) of this

condition. In order for the engine to be considered an emergency stationary ICE under 40 C.F.R.60, Subpart IIII, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (c)(1) through (3) of this condition, is prohibited. If the permittee does not operate the engine according to the requirements in paragraphs (c)(1) through (3) of this condition, the engine will not be considered an emergency engine under 40 C.F.R.60, Subpart IIII and must meet all requirements for non-emergency engines.

1. There is no time limit on the use of emergency stationary ICE in emergency situations.

2. The permittee may operate the emergency stationary ICE for the purpose specified in paragraph (c)(2)(i) of this condition for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (c)(3) of this condition counts as part of the 100 hours per calendar year allowed by this paragraph (c)(2).

    i. Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

3. Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (c)(2) of this condition. Except as provided in paragraph (c)(3)(i) of this condition, the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

    i. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

        A. The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

        B. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

        C. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

        D. The power is provided only to the facility itself or to support the local transmission and distribution system.

        E. The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines

that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

d. If the permittee does not install, configure, operate, and maintain their engine and control device according to the manufacturer's emission-related written instructions, or the permittee changes emission-related settings in a way that is not permitted by the manufacturer, the permittee must demonstrate compliance as follows:

1. If the permittee is an owner or operator of a stationary CI internal combustion engine greater than 500 HP, the permittee must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the permittee must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after they change emission-related settings in a way that is not permitted by the manufacturer. The permittee must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards.

[45CSR16; 40 C.F.R. §§60.4211(a), (c), (f), (g)]

7.1.5. The permittee must comply with the following general requirements from 40 C.F.R.63, Subpart ZZZZ:

a. The permittee must be in compliance with the emission limitations, operating limitations, and other requirements in 40 C.F.R.63, Subpart ZZZZ at all times.

b. At all times the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[45CSR34; 40 C.F.R. §§63.6605(a) and (b)]

7.1.6. If the permittee owns or operates an emergency stationary RICE, you must operate the emergency stationary RICE according to the following requirements. In order for the engine to be considered an emergency stationary RICE under 40 C.F.R.63, Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, and operation in nonemergency situations for 50 hours per year, as described in the following paragraphs, is prohibited. If the permittee does not operate the engine according to the following requirements, the engine will not be considered an emergency engine under 40 C.F.R.63, Subpart ZZZZ and must meet all requirements for nonemergency engines.

a. There is no time limit on the use of emergency stationary RICE in emergency situations.

b. The permittee may operate the emergency stationary RICE for the purpose specified in paragraph (b)(1) of this condition for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (c) of this condition counts as part of the 100 hours per calendar year allowed by this paragraph (b).

1. Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.

c. Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in nonemergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in 40 C.F.R. §63.6640(f)(2). The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

[45CSR34; 40 C.F.R. §§63.6640(f)(1), (2), and (3)]

7.2. Monitoring Requirements

7.2.1. The permittee must install a non-resettable hour meter prior to startup of the engine.
[45CSR16; 40 C.F.R. §60.4209(a)]

7.3. Testing Requirements

7.3.1. Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to 40 C.F.R.60, Subpart IIII must do so according to the following paragraphs:

a. The performance test must be conducted according to the in-use testing procedures in 40 C.F.R. part 1039, subpart F, for stationary CI ICE with a displacement of less than 10 liters per cylinder, and according to 40 C.F.R. part 1042, subpart F, for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder. Alternatively, stationary CI ICE that are complying with Tier 2 or Tier 3 emission standards as described in 40 C.F.R. part 1039, appendix I, or with Tier 2 emission standards as described in 40 CFR part 1042, appendix I, may follow the testing procedures specified in § 60.4213, as appropriate.

b. Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 C.F.R. part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 C.F.R. §1039.101(e) and 40 C.F.R. §1039.102(g)(1), except as specified in 40 C.F.R. §1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 C.F.R. part 1039.

c. Exhaust emissions from stationary CI ICE subject to Tier 2 or Tier 3 emission standards as described in 40 C.F.R. part 1039, appendix I, or Tier 2 emission standards as described in 40 C.F.R. part 1042, appendix I, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard determined from the following equation:

NTE Requirement for Each Pollutant = (1.25) x (STD)

Where:

STD = The standard specified for that pollutant in 40 C.F.R. part 1039 or 1042, as applicable.

d. Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 C.F.R. part 1042 must not exceed the NTE standards for the same model year and maximum engine power as required in 40 C.F.R. §1042.101(c).

[45CSR16; 40 C.F.R. §§60.4212(a), (b), (c), (e)]

7.4. Recordkeeping Requirements

7.4.1. If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in Table 5 to 40 C.F.R.60, Subpart IIII, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.
[45CSR16; 40 C.F.R. §60.4214(b)]

7.5. Reporting Requirements

7.5.1. If the permittee is required to submit an Initial Notification but are otherwise not affected by the requirements of 40 C.F.R.63, Subpart ZZZZ, in accordance with 40 C.F.R. §63.6590(b), the notification should include the information in 40 C.F.R. §§63.9(b)(2)(i) through (v), and a statement that the stationary RICE has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE if it has a site rating of more than 500 brake HP located at a major source of HAP emissions).
[45CSR34; 40 C.F.R. §63.6645(f)]

7.5.2. If the permittee owns or operates an emergency stationary CI ICE with a maximum engine power more than 100 HP that operates for the purpose specified in 40 C.F.R. §60.4211(f)(3)(i), the permittee must submit an annual report according to the following requirements:

a. The report must contain the following information:

1. Company name and address where the engine is located.

2. Date of the report and beginning and ending dates of the reporting period.

3. Engine site rating and model year.

4. Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

5. Hours spent for operation for the purposes specified in §60.4211(f)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in §60.4211(f)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

b. The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.

c. The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (https://cdx.epa.gov/). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in 40 C.F.R. §60.4. Beginning on February 26, 2025, submit annual report electronically according to 40 C.F.R. §60.4214(g).

[45CSR16; 40 C.F.R. §60.4214(d)]

7.5.3. Beginning on February 26, 2025, within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test required under this section following the procedures specified in paragraphs (f)(1) and (2) of 40 C.F.R. §60.4214.

a. **Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website** (https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert) at the time of the test. Submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), according to paragraph (g) of 40 C.F.R. §60.4214. The data must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website.

b. **Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test.** The results of the performance test must be included as an attachment in the ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. Submit the ERT generated package or alternative file to the EPA via CEDRI according to paragraph (g) of 40 C.F.R. §60.4214.

[45CSR16; 40 C.F.R. §60.4214(f)]

7.5.4. If you are required to submit notifications or reports following the procedure specified in this 40 C.F.R. §60.4214(g), you must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (https://cdx.epa.gov/). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (g)(1)

and (2) of 40 C.F.R. §60.4214. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in 40 C.F.R. §60.4214(g).

a. The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov, and as described in paragraph (g) of 40 C.F.R. §60.4214, should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Stationary Compression Ignition Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email oaqpscbi@epa.gov to request a file transfer link.

b. If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711. ERT files should be sent to the attention of the Group Leader, Measurement Policy Group, and all other files should be sent to the attention of the Stationary Compression Ignition Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

[45CSR16; 40 C.F.R. §60.4214(g)]

7.5.5. If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (h)(1) through (7) of 40 C.F.R. §60.4214.

a. You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.

b. The outage must have occurred within the period of time beginning five business days prior to the date that the submission is due.

c. The outage may be planned or unplanned.

d. You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

e. You must provide to the Administrator a written description identifying:

i. The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

ii. A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;

iii. A description of measures taken or to be taken to minimize the delay in reporting; and

iv. The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

f. The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

g. In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.

[45CSR16; 40 C.F.R. §60.4214(h)]

7.5.6. If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (i)(1) through (5) of 40 C.F.R. §60.4214.

a. You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (e.g., hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (e.g., large scale power outage).

b. You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

c. You must provide to the Administrator:

i. A written description of the force majeure event;

ii. A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;

iii. A description of measures taken or to be taken to minimize the delay in reporting; and

iv. The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

d. The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

e. In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

[45CSR16; 40 C.F.R. §60.4214(i)]

7.5.7. Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.
[45CSR16; 40 C.F.R. §60.4214(j)]

7.6. Compliance Plan

7.6.1. None.

8.0. Godwin WW Liftstation Backup Pump [emission point ID(s): Engine #5]

8.1. Limitations and Standards

8.1.1. Owners and operators of 2007 model year and later non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the emission standards for new CI engines in §60.4201 for their 2007 model year and later stationary CI ICE, as applicable
[45CSR16; 40 C.F.R. §60.4204(b)]

8.1.2. Beginning October 1, 2010, owners and operators of stationary CI ICE subject to 40 C.F.R.60, Subpart IIII with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 C.F.R. §1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.
[45CSR16; 40 C.F.R. §60.4207(b)]

8.1.3. The permittee must operate and maintain stationary CI ICE that achieve the emission standards as required in Condition 8.1.1. over the entire life of the engine.
[45CSR16; 40 C.F.R. §60.4206]

8.1.4. The permittee must comply with the following compliance requirements from 40 C.F.R.60, Subpart IIII:

a. The permittee must do all the following, except as permitted under paragraph (a) of this condition:

1. Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

2. Change only those emission-related settings that are permitted by the manufacturer; and

3. Meet the requirements of 40 C.F.R. part 1068, as they apply to you.

b. If the permittee is an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in 40 C.F.R. §§60.4204(b) or 60.4205(b), or if the permittee is an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to the permittee's fire pump engine power rating in Table 3 to 40 C.F.R.60, Subpart IIII and must comply with the emission standards specified in 40 C.F.R. §60.4205(c), the permittee must comply by purchasing an engine certified to the emission standards in 40 C.F.R. §60.4204(b), or 40 C.F.R. §60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in paragraph (c) of this condition.

c. If the permittee does not install, configure, operate, and maintain their engine and control device according to the manufacturer's emission-related written instructions, or the permittee changes emission-related settings in a way that is not permitted by the manufacturer, the permittee must demonstrate compliance as follows:

1. If the permittee is an owner or operator of a stationary CI internal combustion engine with maximum engine power less than 100 HP, the permittee must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain

and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, if the permittee does not install and configure the engine and control device according to the manufacturer's emission related written instructions, or they change the emission-related settings in a way that is not permitted by the manufacturer, they must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of such action.

[45CSR16; 40 C.F.R. §§60.4211(a), (c), (g)]

8.2. Monitoring Requirements

8.2.1. None.

8.3. Testing Requirements

8.3.1. Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to 40 C.F.R.60, Subpart IIII must do so according to the following paragraphs:

a. The performance test must be conducted according to the in-use testing procedures in 40 C.F.R. part 1039, subpart F, for stationary CI ICE with a displacement of less than 10 liters per cylinder, and according to 40 C.F.R. part 1042, subpart F, for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder. Alternatively, stationary CI ICE that are complying with Tier 2 or Tier 3 emission standards as described in 40 C.F.R. part 1039, appendix I, or with Tier 2 emission standards as described in 40 C.F.R. part 1042, appendix I, may follow the testing procedures specified in § 60.4213, as appropriate.

b. Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 C.F.R. part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 C.F.R. §1039.101(e) and 40 C.F.R. §1039.102(g)(1), except as specified in 40 C.F.R. §1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 C.F.R. part 1039.

c. Exhaust emissions from stationary CI ICE subject to Tier 2 or Tier 3 emission standards as described in 40 C.F.R. part 1039, appendix I, or Tier 2 emission standards as described in 40 C.F.R. part 1042, appendix I, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard determined from the following equation:

NTE Requirement for Each Pollutant = (1.25) x (STD)

Where:

STD = The standard specified for that pollutant in 40 C.F.R. part 1039 or 1042, as applicable.

d. Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 C.F.R. part 1042 must not exceed the NTE standards for the same model year and maximum engine power as required in 40 C.F.R. §1042.101(c).

[45CSR16; 40 C.F.R. §§60.4212(a), (b), (c), (e)]

8.4. Recordkeeping Requirements

8.4.1. None.

8.5. Reporting Requirements

8.5.1. None.

8.6. Compliance Plan

8.6.1. None.

9.0. Hot Oil Heater #1 [emission point ID(s): Hot Oil Heater #1]

9.1. Limitations and Standards

9.1.1. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any fuel burning unit which is greater than ten (10) percent opacity based on a six minute block average.
[45CSR§2-3.1]

9.1.2. Boilers and process heaters in the units designed to burn gas 1 fuels subcategory with a heat input capacity of less than or equal to 5 million Btu per hour must complete a tune-up every 5 years as specified in 40 C.F.R. §63.7540.
[45CSR34; 40 C.F.R. §§63.7500(a) and (e) and Table 3, Item 1]

9.1.3. If your boiler or process heater has a continuous oxygen trim system that maintains an optimum air to fuel ratio, or a heat input capacity of less than or equal to 5 million Btu per hour and the unit is in the units designed to burn gas 1; units designed to burn gas 2 (other); or units designed to burn light liquid subcategories, or meets the definition of limited-use boiler or process heater in §63.7575, you must conduct a tune-up of the boiler or process heater every 5 years as specified in condition 9.1.5 to demonstrate continuous compliance. You may delay the burner inspection specified in condition 9.1.5 until the next scheduled or unscheduled unit shutdown, but you must inspect each burner at least once every 72 months. If an oxygen trim system is utilized on a unit without emission standards to reduce the tune-up frequency to once every 5 years, set the oxygen level no lower than the oxygen concentration measured during the most recent tune-up. Each 5 year tune-up must be conducted no more than 61 months after the previous tune-up.
[45CSR34; 40 C.F.R. §§63.7540(a)(12) and 63.7515(d)]

9.1.4. The permittee must conduct the tune-up while burning the type of fuel (or fuels in case of units that routinely burn a mixture) that provided the majority of the heat input to the boiler or process heater over the 12 months prior to the tune-up.

a. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may perform the burner inspection any time prior to the tune-up or delay the burner inspection until the next scheduled unit shutdown). At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment;

b. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;

c. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection;

d. Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any NOX requirement to which the unit is subject;

e. Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or

wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer; and

f. Maintain on-site and submit, if requested by the Administrator, a report containing the information in the following paragraphs:

1. The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater;

2. A description of any corrective actions taken as a part of the tune-up; and

3. The type and amount of fuel used over the 12 months prior to the tune-up, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel used by each unit.

[45CSR34; 40 C.F.R. §63.7540(a)(10)]

9.1.5. For new or reconstructed affected sources (as defined in 40 C.F.R. §63.7490), the permittee must demonstrate initial compliance with the applicable work practice standards in Table 3 to 40 C.F.R.63, Subpart DDDDD within the applicable annual, biennial, or 5-year schedule as specified in 40 C.F.R. §63.7515(d) following the initial compliance date specified in 40 C.F.R. §63.7495(a). Thereafter, the permittee is required to complete the applicable annual, biennial, or 5-year tune-up as specified in 40 C.F.R. §63.7515(d).
[45CSR34; 40 C.F.R. §63.7510(g)]

9.2. Monitoring Requirements

9.2.1. At such reasonable times as the Secretary may designate, the permittee shall conduct Method 9 emissions observations for the purpose of demonstrating compliance with permit condition 9.1.1. Method 9 shall be conducted in accordance with 40 C.F.R. 60 Appendix A. **[45CSR§30-5.1.c]**

9.3. Testing Requirements

9.3.1. Compliance with the visible emission requirements of condition 9.1.1 shall be determined in accordance with 40 C.F.R. Part 60, Appendix A, Method 9 or by using measurements from continuous opacity monitoring systems approved by the Secretary. The Secretary may require the installation, calibration, maintenance and operation of continuous opacity monitoring systems and may establish policies for the evaluation of continuous opacity monitoring results and the determination of compliance with the visible emission requirements of subsection 3.1. Continuous opacity monitors shall not be required on fuel burning units which employ wet scrubbing systems for emission control. **[45CSR§2-3.2]**

9.4. Recordkeeping Requirements

9.4.1. The permittee shall maintain records of all monitoring data required by permit condition 9.2.1 documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions (i.e. sunny, approximately 80oF, 6 - 10 mph NE

wind) during the visual emission check(s). Should a visible emission observation be required to be performed per the requirements specified in Method 9, the data records of each observation shall be maintained per the requirements of Method 9. **[45CSR§30-5.1.c]**

9.4.2. The permittee must keep records according to paragraph a. below.

a. A copy of each notification and report that you submitted to comply with 40 C.F.R., subpart DDDDD, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report that you submitted, according to the requirements in 40 C.F.R. §63.10(b)(2)(xiv).

[45CSR34; 40 C.F.R. §63.7555(a)(1)]

9.4.3. The permittee shall maintain records as follows:

a. Records must be in a form suitable and readily available for expeditious review, according to 40 C.F.R. §63.10(b)(1).

b. As specified in 40 C.F.R. §63.10(b)(1), the permittee must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

c. The permittee must keep each record on site, or they must be accessible from on site (for example, through a computer network), for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 C.F.R. §63.10(b)(1). The permittee may keep the records off site for the remaining 3 years.

[45CSR34; 40 C.F.R. §63.7560]

9.5. Reporting Requirements

9.5.1. As specified in 40 C.F.R. §63.9(b)(2), if you startup your affected source before January 31, 2013, you must submit an Initial Notification not later than 120 days after January 31, 2013, or no later than 120 days after the source becomes subject to this subpart, whichever is later.
[45CSR34; 40 C.F.R. §63.7545(b)]

9.5.2. If you are required to conduct an initial compliance demonstration as specified in 40 C.F.R. §63.7530, you must submit a Notification of Compliance Status according to 40 C.F.R. §63.9(h)(2)(ii). For the initial compliance demonstration for each boiler or process heater, you must submit the Notification of Compliance Status, including all performance test results and fuel analyses, before the close of business on the 60th day following the completion of all performance test and/or other initial compliance demonstrations for all boiler or process heaters at the facility according to 40 C.F.R. §63.10(d)(2). The Notification of Compliance Status report must contain all the information specified in paragraphs 1. and 2. below, as applicable. If you are not required to conduct an initial compliance demonstration as specified in 40 C.F.R. §63.7530(a), the Notification of Compliance Status must only contain the information specified in paragraphs 1. and 2. below and must be submitted within 60 days of the compliance date specified at 40 C.F.R. §63.7495(b).

1. A description of the affected unit(s) including identification of which subcategories the unit is in, the design heat input capacity of the unit, a description of the add-on controls used on the unit to comply

with 40 C.F.R. 63, subpart DDDDD, description of the fuel(s) burned, including whether the fuel(s) were a secondary material determined by you or the EPA through a petition process to be a non-waste under §241.3 of this chapter, whether the fuel(s) were a secondary material processed from discarded non-hazardous secondary materials within the meaning of §241.3 of this chapter, and justification for the selection of fuel(s) burned during the compliance demonstration.

2. In addition to the information required in 40 C.F.R. §63.9(h)(2), your notification of compliance status must include the following certification(s) of compliance, as applicable, and signed by a responsible official:

   i. "This facility completed the required initial tune-up for all of the boilers and process heaters covered by 40 C.F.R. part 63 subpart DDDDD at this site according to the procedures in 40 C.F.R. §63.7540(a)(10)(i) through (vi)."

   ii. "This facility has had an energy assessment performed according to 40 C.F.R. §63.7530(e)."

   iii. Except for units that burn only natural gas, refinery gas, or other gas 1 fuel, or units that qualify for a statutory exemption as provided in section 129(g)(1) of the Clean Air Act, include the following: "No secondary materials that are solid waste were combusted in any affected unit."

[45CSR34; 40 C.F.R. §§63.7545(e)(1) & (8)]

9.5.3. If you operate a unit designed to burn natural gas, refinery gas, or other gas 1 fuels that is subject to this subpart, and you intend to use a fuel other than natural gas, refinery gas, gaseous fuel subject to another subpart of this part, part 60, 61, or 65, or other gas 1 fuel to fire the affected unit during a period of natural gas curtailment or supply interruption, as defined in 40 C.F.R. §63.7575, you must submit a notification of alternative fuel use within 48 hours of the declaration of each period of natural gas curtailment or supply interruption, as defined in 40 C.F.R. §63.7575. The notification must include the following information:

1. Company name and address.

2. Identification of the affected unit.

3. Reason you are unable to use natural gas or equivalent fuel, including the date when the natural gas curtailment was declared or the natural gas supply interruption began.

4. Type of alternative fuel that you intend to use.

5. Dates when the alternative fuel use is expected to begin and end.

[45CSR34; 40 C.F.R. §63.7545(f)]

9.5.4. Unless the EPA Administrator has approved a different schedule for submission of reports under 40 C.F.R. §63.10(a), you must submit each report, according to 40 C.F.R. §63.7550(h), by the date in Table 9 to 40 C.F.R. 63 subpart DDDDD and according to the requirement in the paragraph below. For units that are subject only to a requirement to conduct subsequent 5-year tune-up according to 40 C.F.R. §63.7540(a)(12), and not subject to emission limits or Table 4 operating limits, you may submit only a 5-year compliance report, as specified in the paragraph below, instead of a semi-annual compliance report.

For each affected source that is subject to permitting regulations pursuant to part 70 or part 71 of this chapter, and if the permitting authority has established dates for submitting semiannual reports pursuant to 70.6(a)(3)(iii)(A) or 71.6(a)(3)(iii)(A), you may submit the first and subsequent compliance reports according to the dates the permitting authority has established in the permit instead of according to the dates in paragraphs (b)(1) through (4) of 40 C.F.R. §63.7550.

[45CSR34, 40 C.F.R. §§63.7550(b) and (b)(5)]

9.5.5. If the facility is subject to the requirements of a tune up you must submit a compliance report with the information in paragraphs i. through v. below.

i. Company and Facility name and address.

ii. Process unit information, emissions limitations, and operating parameter limitations.

iii. Date of report and beginning and ending dates of the reporting period.

iv. Include the date of the most recent tune-up for each unit subject to only the requirement to conduct a 5-year tune-up according to 40 C.F.R. §63.7540(a)(12). Include the date of the most recent burner inspection if it was not done on a 5-year period and was delayed until the next scheduled or unscheduled unit shutdown.

v. Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report.

[45CSR34, 40 C.F.R. §§63.7550(c)(1), (c)(5)(i) through (iii), (c)(5)(xiv), and (c)(5)(xvii)]

9.6. Compliance Plan

9.6.1. None.

10.0. MACT Subpart EEEE Requirements [emission point ID(s): Tank 300]

10.1. Limitations and Standards

10.1.1. None.

10.2. Monitoring Requirements

10.2.1. None.

10.3. Testing Requirements

10.3.1. None.

10.4. Recordkeeping Requirements

10.4.1. For each storage tank subject to this subpart having a capacity of less than 18.9 cubic meters (5,000 gallons) and for each transfer rack subject to this subpart that only unloads organic liquids (i.e., no organic liquids are loaded at any of the transfer racks), you must keep documentation that verifies that each storage tank and transfer rack identified in this paragraph (a) is not required to be controlled. The documentation must be kept up-to-date (i.e., all such emission sources at a facility are identified in the documentation regardless of when the documentation was last compiled) and must be in a form suitable and readily available for expeditious inspection and review according to §63.10(b)(1), including records stored in electronic form in a separate location. The documentation may consist of identification of the tanks and transfer racks identified in this paragraph (a) on a plant site plan or process and instrumentation diagram (P&ID).
[45CSR34, 40 C.F.R. §63.2343(a)]

10.5. Reporting Requirements

10.5.1. None.

10.6. Compliance Plan

10.6.1. None.

11.0. Marine Vapor Combustion Unit [emission point ID(s): MVCU]

11.1. Limitations and Standards

11.1.1. The maximum emissions from the marine vapor combustion unit (MVCU) shall not exceed the following limits:

Emission Unit	Pollutant	Emission Limits	
		lbs/hr	tons/year(1)
Marine Vapor Combustion Unit (MVCU)	NO_X	16.50	20.63
	CO	22.00	27.50
	VOC	0.26	0.33

(1) Limits are based on MVCU operating hour limit of 2,500 hours per year
[45CSR13 - Permit R13-2277, Condition 4.1.3.]

11.1.2. The MVCU shall not be operated more than 2,500 hours per year.
[45CSR13 - Permit R13-2277, Condition 4.1.4.]

11.1.3. The Marine Vapor Combustion Unit (MVCU) shall only be used as a back-up to the existing Vapor Recovery Unit (VRU) during planned and unplanned downtime for the VRU.
[45CSR§13-5.10; 45CSR13 - Permit R13-2277, Condition 4.1.5.]

11.1.4. The MVCU shall be operated with a 3-hour block average temperature no more than 50oF below the baseline temperature established by the performance testing requirements in section 11.3.1.
[40 C.F.R. §63.564(e); 45CSR34; 45CSR13 - Permit R13-2277, Condition 4.1.6.]

11.1.5. **40 C.F.R. 63, Subpart Y**
Marine Vapor Combustion Unit (MVCU) is subject to all applicable requirements under 40 C.F.R. 63, Subpart Y including the following:

a. The owner or operator of a new source with emissions less than 10 and 25 tons or a new source with emissions of 10 or 25 tons, except offshore loading terminals and the VMT source, shall reduce HAP emissions from marine tank vessel loading operations by 98 weight-percent, as determined using methods in §§ 63.565 (d) and (l).
[40 C.F.R. §63.562(b)(3)]

[45CSR34; 45CSR13 - Permit R13-2277, Condition 4.1.11.]

11.1.6. No person shall cause or allow particulate matter to be discharged from any incinerator into the open air in excess of the quantity determined by use of the following formula:

Emissions (lb/hr) = F x Incinerator Capacity (tons/hr)

Where, the factor, F, is as indicated in Table 45-6 below:

Table 45-6: Factor, F, for Determining Maximum Allowable Particulate Emissions.

Incinerator Capacity	Factor F
A. Less than 15,000 lbs/hr	5.43
B. 15,000 lbs/hr or greater	2.72

Note: The MVCU has a maximum inlet capacity of 8,400 lb/hr which results in a PM limit of 22.7 lb/hr. The MVCU potential-to-emit is estimated to be 0.0014 lb/hr PM which is less than the limit.

[45CSR§6-4.1]

11.1.7. No person shall cause or allow emission of smoke into the atmosphere from any incinerator which is 20% opacity or greater.
[45CSR§ 6-4.3]

11.2. Monitoring Requirements

11.2.1. The operating temperature of the MVCU shall be continuously monitored at the exhaust point with a temperature monitor and data acquisition system.
[40 C.F.R. §63.564(e); 45CSR34; 45CSR13 - Permit R13-2277, Condition 4.2.4.]

11.2.2. Annual Leak Detection and Repair monitoring shall be performed on the MVCU collection system components using Method 21.
[40 C.F.R. §63.563(d); 45CSR34; 45CSR13 - Permit R13-2277, Condition 4.2.5.]

11.2.3. The MVCU shall be equipped with an hour meter or the permittee shall develop and implement a plan to record the start and stop times to calculate the time that the MVCU is operated. The annual total operating hours of the MVCU shall be determined using a 12-month rolling total. Record of the determined annual operating hours shall be maintained on site.
[45CSR13 - Permit R13-2277, Condition 4.2.6.]

11.3. Testing Requirements

11.3.1. Initial performance testing of the MVCU shall be conducted in accordance with 40 C.F.R. §63.563(b), within 180 days of startup when startup is for a VRU maintenance event. The performance test shall determine a baseline temperature for the required 98% efficiency.
[40 C.F.R. §63.563(b); 45CSR13 - Permit R13-2277, Condition 4.3.2.]

11.4. Recordkeeping Requirements

11.4.1. **Record of Monitoring and Testing.** The permittee shall keep records of monitoring and testing information that include the following:

a. The date, place as defined in this permit and time of sampling or measurements;

b. The date(s) analyses were performed;

c. The company or entity that performed the analyses;

d. The analytical techniques or methods used;

e. The results of the analyses; and

f. The operating conditions existing at the time of sampling or measurement.

[45CSR13 - Permit R13-2277, Condition 4.4.1.]

11.4.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.
[45CSR13 - Permit R13-2277, Condition 4.4.2.]

11.4.3. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

a. The equipment involved.

b. Steps taken to minimize emissions during the event.

c. The duration of the event.

d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

e. The cause of the malfunction.

f. Steps taken to correct the malfunction.

g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

[45CSR13 - Permit R13-2277, Condition 4.4.3.]

11.5. Reporting Requirements

11.5.1. The permittee shall submit a semi-annual report per 40 C.F.R. §63.567(e).
[45CSR13 - Permit R13-2277, Condition 4.4.5.]

11.6. Compliance Plan

11.6.1. None.