west virginia department of environmental protection

Division of Air Quality
601 57th Street SE
Charleston, WV 25304
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Jim Justice, Governor
Austin Caperton, Cabinet Secretary
www.dep.wv.gov

April 3, 2017

Mr. Steve Cornelison, Director, Fleet Operations
West Virginia Oil Gathering, LLC
2017 SR 821, Building 21A
Marietta, OH 45750

RE: **Permit Issuance**
West Virginia Oil Gathering, LLC
Stockley Station
Permit No. R13-3359
Plant ID No. 085-00018

Dear Mr. Cornelison:

Your application for a permit as required by Section 5 of 45CSR13 - "Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permit, General Permit, and Procedures for Evaluation" has been approved. The enclosed permit R13-3359 is hereby issued pursuant to Subsection 5.7 of 45CSR13. Please be aware of the notification requirements in the permit which pertain to commencement of construction, modification, or relocation activities; startup of operations; and suspension of operations.

Please note, as a result of this permit, the source is a nonmajor or area source subject to 45CSR30. Therefore, the facility is not subject to the permitting requirements of 45CSR30 and is classified as a deferred source.

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.

Should you have any questions or comments, please contact me at (304) 926-0499, extension 1219.

Sincerely,

Joe Kessler, PE
Engineer

Enclosures

c: Robert.Douglas@enlink.com
Steve.Cornelison@enlink.com

*West Virginia Department of Environmental Protection*
*Division of Air Quality*

*Jim Justice*
*Governor*

*Austin Caperton*
*Cabinet Secretary*

# Permit to Construct

**R13-3359**

*This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45 C.S.R. 13 — Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation. The permittee identified at the facility listed below is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.*

Issued to:

**West Virginia Oil Gathering, LLC**
**Nutter Station**
**085-00018**

*William F. Durham*
*Director*

*Issued: April 3, 2017*

| | |
|---|---|
| Facility Location: | near Cairo, Ritchie County, West Virginia |
| Mailing Address: | 2017 SR 821, Building 21A, Marietta, OH 45750 |
| Facility Description: | Petroleum Liquids Storage and Transfer Station |
| SIC/NAICS Code: | 5171/424710 |
| UTM Coordinates: | 482.07 km Easting • 4,343.58 km Northing • Zone 17 |
| Latitude/Longitude: | 39.24134/-81.20777 |
| Permit Type: | Construction |
| Description: | After-the-Fact construction of a Petroleum Liquids Storage and Transfer Station. |

*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.*

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*As a result of this permit, the source is a nonmajor or area source subject to 45CSR30. Therefore, the facility is not subject to the permitting requirements of 45CSR30 and is classified as a deferred source.*

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## 1.0 Emission Units

| Emission Unit ID | Emission Point ID | Emission Unit Description | Year Installed | Design Capacity | Control Device[1] |
|---|---|---|---|---|---|
| OTK-1 | OTK-1 | Crude Oil Storage Tank | 1985 | 630,000 gallons | IFR |
| TL-1 | TL-1 | Crude Oil Truck Loading | 1985 | 16,000 gallons/hour | None |
| ENG-1 | ENG-1 | Cummins Model G855 4SRB SI ICE | 2008 | 188 hp | NSCR |
| n/a | n/a | Diesel Tank | 1985 | < 10,567 gallons | None |
| FUG | Fugitives | Component Leaks | 1985 | n/a | None |
| HR | Fugitives | Haulroads | 1985 | n/a | None |

(1) IFR = Internal Floating Roof (install, maintained, and operated according to the applicable provisions under 40 CFR 60, Subpart Kb).

# 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 such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45 CSR § 30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

## 2.2. Acronyms

| | |
|---|---|
| **CAAA** | Clean Air Act Amendments |
| **CBI** | Confidential Business Information |
| **CEM** | Continuous Emission Monitor |
| **CES** | Certified Emission Statement |
| **C.F.R. *or* CFR** | Code of Federal Regulations |
| **CO** | Carbon Monoxide |
| **C.S.R. *or* CSR** | Codes of State Rules |
| **DAQ** | Division of Air Quality |
| **DEP** | Department of Environmental Protection |
| **dscm** | Dry Standard Cubic Meter |
| **FOIA** | Freedom of Information Act |
| **HAP** | Hazardous Air Pollutant |
| **HON** | Hazardous Organic NESHAP |
| **HP** | Horsepower |
| **lbs/hr** | Pounds per Hour |
| **LDAR** | Leak Detection and Repair |
| **M** | Thousand |
| **MACT** | Maximum Achievable Control Technology |
| **MDHI** | Maximum Design Heat Input |
| **MM** | Million |
| **MMBtu/hr *or* mmbtu/hr** | Million British Thermal Units per Hour |
| **MMCF/hr *or* mmcf/hr** | Million Cubic Feet per Hour |
| **NA** | Not Applicable |
| **NAAQS** | National Ambient Air Quality Standards |
| **NESHAPS** | National Emissions Standards for Hazardous Air Pollutants |
| **$NO_x$** | Nitrogen Oxides |
| **NSPS** | New Source Performance Standards |
| **PM** | Particulate Matter |
| **$PM_{2.5}$** | Particulate Matter less than 2.5μm in diameter |
| **$PM_{10}$** | Particulate Matter less than 10μm in diameter |
| **Ppb** | Pounds per Batch |
| **pph** | Pounds per Hour |
| **ppm** | Parts per Million |
| **Ppmv or ppmv** | Parts per million by volume |
| **PSD** | Prevention of Significant Deterioration |
| **psi** | Pounds per Square Inch |
| **SIC** | Standard Industrial Classification |
| **SIP** | State Implementation Plan |
| **$SO_2$** | Sulfur Dioxide |
| **TAP** | Toxic Air Pollutant |
| **TPY** | Tons per Year |
| **TRS** | Total Reduced Sulfur |
| **TSP** | Total Suspended Particulate |
| **USEPA** | United States Environmental Protection Agency |
| **UTM** | Universal Transverse Mercator |
| **VEE** | Visual Emissions Evaluation |
| **VOC** | Volatile Organic Compounds |
| **VOL** | Volatile Organic Liquids |

## 2.3. Authority

This permit is issued in accordance with West Virginia Air Pollution Control Law W.Va. Code §§22-5-1 et seq. and the following Legislative Rules promulgated thereunder:

2.3.1. 45CSR13 – *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation.*

## 2.4. Term and Renewal

2.4.1. This permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any applicable legislative rule.

## 2.5. Duty to Comply

2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R13-3359 and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to;
**[45CSR§§13-5.11 and 13-10.3]**

2.5.2. 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;

2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;

2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses and/or approvals from other agencies; i.e., local, state and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

## 2.6. Duty to Provide Information

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 administratively updating, modifying, revoking or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records 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.

## 2.7. Duty to Supplement and Correct Information

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.

## 2.8. Administrative Update

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.
**[45CSR§13-4]**

## 2.9. Permit Modification

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.
**[45CSR§13-5.4.]**

## 2.10. Major Permit Modification

The permittee may request a major modification as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.
**[45CSR§13-5.1]**

## 2.11. Inspection and Entry

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.

## 2.12. Emergency

2.12.1. An "emergency" means any situation arising from sudden and reasonable unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission

limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

2.12.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of Section 2.12.3 are met.

2.12.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;

b. The permitted facility was at the time being properly operated;

c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and,

d. The permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice must contain a detailed description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

2.12.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

2.12.5. The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

## 2.13. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it should 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.

## 2.14. Suspension of Activities

In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

## 2.15. Property Rights

This permit does not convey any property rights of any sort or any exclusive privilege.

## 2.16. Severability

The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.

## 2.17. Transferability

This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13. **[45CSR§13-10.1]**

## 2.18. Notification Requirements

The permittee shall notify the Secretary, in writing, no later than thirty (30) calendar days after the actual startup of the operations authorized under this permit.

## 2.19. Credible Evidence

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 defense otherwise available to the permittee including, but not limited to, any challenge to the credible evidence rule in the context of any future proceeding.

# 3.0. Facility-Wide Requirements

## 3.1. Limitations and Standards

3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency 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, suffer, allow or permit 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.
**[40CFR§61.145(b) and 45CSR§34]**

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. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.
**[45CSR§13-10.5.]**

3.1.6. **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 45 C.S.R. 11.
**[45CSR§11-5.2.]**

## 3.2. Monitoring Requirements

3.2.1. **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.

## 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 in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as 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 may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 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 sixty (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; and,
3. A statement of compliance or noncompliance with each permit or rule condition.

**[WV Code § 22-5-4(a)(14-15) and 45CSR13]**

## 3.4. Recordkeeping Requirements

3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.

3.4.2. **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§4. *State-Enforceable only.*]**

## 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.

3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

3.5.3. **Correspondence.** 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 with postage prepaid to the address(es), or submitted in electronic format by email as set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

**If to the DAQ:**

Director
WVDEP
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304-2345

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

**If to the US EPA:**

Associate Director
Office of Air Enforcement and
Compliance Assistance
(3AP20)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

[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. **Operating Fee.**

3.5.4.1. In accordance with 45CSR30 – Operating Permit Program, the permittee shall submit a Certified Emissions Statement (CES) and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

3.5.4.2. In accordance with 45CSR30 – Operating Permit Program, enclosed with this permit is a Certified Emissions Statement (CES) Invoice, from the date of initial startup through the following June 30. Said invoice and the appropriate fee shall be submitted to this office no later than 30 days prior to the date of initial startup. For any startup date other than July 1, the permittee shall pay a fee or prorated fee in accordance with the Section 4.5 of 45CSR22. A copy of this schedule may be found attached to the Certified Emissions Statement (CES) Invoice.

3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

# 4.0. Source-Specific Requirements

## 4.1. Limitations and Standards

4.1.1. Only those emission units/sources as identified in Table 1.0, with the exception of any *de minimis* sources as identified under Table 45-13B of 45CSR13, are authorized at the permitted facility by this permit. In accordance with the information filed in Permit Application R13-3359, the emission units/sources identified under Table 1.0 of this permit shall be installed, maintained, and operated so as to minimize any fugitive escape of pollutants, shall not exceed the listed maximum design capacities, shall use the specified control devices, and comply with any other information provided under Table 1.0.

4.1.2. **Storage Tanks**
Use of the storage tanks, identified as OTK-1, shall be in accordance with the following:

a. Tank size and material stored shall be limited as specified under Table 1.0 of this permit;

b. The throughput of crude oil in OTK-1 shall not exceed a limit of 229,950,000 gallons/year;

c. **Cover Requirements**
The permittee shall comply with the following storage tank cover requirements:

(1) The cover and all openings on the cover (e.g., access hatches, sampling ports, pressure relief valves and gauge wells) shall form a continuous impermeable barrier over the entire surface area of the liquid in the storage vessel.

(2) Each cover opening shall be secured in a closed, sealed position (e.g., covered by a gasketed lid or cap) whenever material is in the unit on which the cover is installed except during those times when it is necessary to use an opening as follows:

(i) To add material to, or remove material from the unit (this includes openings necessary to equalize or balance the internal pressure of the unit following changes in the level of the material in the unit);

(ii) To inspect or sample the material in the unit;

(iii) To inspect, maintain, repair, or replace equipment located inside the unit; or

(iv) To vent liquids, gases, or fumes from the unit through a closed-vent system designed and operated in accordance with the requirements of this permit to a control device or to a process.

(3) Each storage vessel thief hatch shall be weighted and properly seated. The permittee shall select gasket material for the hatch based on composition of the fluid in the storage vessel and weather conditions.

d. **40 CFR 60, Subpart Kb**
The crude oil tank (OTK-1) shall meet all applicable requirements under 40 CFR 60, Subpart Kb including the following (any final revisions made to 40 CFR Subpart Kb will, where applicable, supercede those specifically cited in this permit):

a. The owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m3 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 m3 but less than 151 m3 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:
**[40 CFR§60.112b(a)]**

(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.
**[40 CFR§60.112b(a)(1)(i)]**

(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:
**[40 CFR§60.112b(a)(1)(ii)]**

(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.
**[40 CFR§60.112b(a)(1)(iii)]**

(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 well shall be bolted except when they are in use.
**[40 CFR§60.112b(a)(1)(iv)]**

(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.
**[40 CFR§60.112b(a)(1)(v)]**

(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.
**[40 CFR§60.112b(a)(1)(vi)]**

(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.
**[40 CFR§60.112b(a)(1)(vii)]**

(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.
**[40 CFR§60.112b(a)(1)(viii)]**

(ix) Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.
**[40 CFR§60.112b(a)(1)(ix)]**

4.1.3. **Truck Loadout**

The Truck Loading operations, identified as TL-1, shall be in accordance with the following requirements:

a. All trucks shall be loaded using the submerged-fill method. The "submerged-fill method" shall, for the purposes of this permit, mean either bottom-filling or filling by extending the pipe to near the bottom of the tank, and as soon as is practicable, below the level of liquid; and

b. The maximum loadout of crude oil into trucks from storage tank OTK-1 shall not exceed 2,299,500 gallons per year.

4.1.4. **Fugitive Emissions**

The permittee shall mitigate the release of fugitive emissions according to the following requirements:

a. The permittee shall not exceed the number and type of components (valves, pump seals, connectors, etc.) in gas/vapor or light liquid (as applicable) listed in Attachment N of Permit Application R13-3359; and

b. The permittee shall install, maintain, and operate all above-ground piping, valves, pumps, etc. that service lines in the transport of potential sources of regulated air pollutants to prevent any substantive fugitive escape of regulated air pollutants. Any above-ground piping, valves, pumps, etc. that shows signs of excess wear and that have a reasonable potential for substantive fugitive emissions of regulated air pollutants shall be replaced.

4.1.5. **Haulroads**

The permittee shall maintain plant premises where truck traffic is expected in such a manner so as to minimize the production of fugitive particulate matter.

4.1.6. **Engine**

The engine, identified as ENG-1, shall meet the following requirements:

a. The unit shall be a natural gas-fired Cummins Model G855 4SRB 188 hp engine and shall only be fired by pipeline-quality natural gas;

b. At all times each engine is in operation, a non-selective catalytic reduction (NSCR) device shall be used for emissions control;

c. The maximum emissions from the engine, as controlled by the NSCR specified under 4.1.2(b), shall not exceed the limits given in the following table:

**Table 4.1.2(c): Per-Compressor Engine Emission Limits**

| Pollutant | PPH | TPY |
|---|---|---|
| CO | 1.66 | 7.26 |
| $NO_x$ | 0.83 | 3.63 |
| VOC | 0.41 | 1.82 |
| Formaldehyde | 0.03 | 0.15 |

d. As the annual emissions are based on 8,760 hours of operation, there is no annual limit on hours of operation or natural gas combusted on an annual basis;

e. The emission limitations specified in Table 4.1.2(c) shall apply at all times except during periods of start-up and shut-down provided that the duration of these periods does not exceed 30 minutes per occurrence. The permittee shall operate the engine in a manner consistent with good air pollution control practices for minimizing emissions at all times, including periods of start-up and shut-down. The emissions from start-up and shut-down shall be included in the twelve (12) month rolling total of emissions. The permittee shall comply with all applicable start-up and shut-down requirements in accordance with 40 CFR Part 60, Subparts JJJJ.

f. **40 CFR 60, Subpart JJJJ**

Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards in Table 1 to this subpart for their stationary SI ICE.
**[40 CFR §60.4233(e)]**

**Table 1 to Subpart JJJJ of Part 60—$NO_X$, CO, and VOC Emission Standards for Stationary Non-Emergency SI Engines ≥100 HP (Except Gasoline and Rich Burn LPG), Stationary SI Landfill/Digester Gas Engines, and Stationary Emergency Engines >25 HP**

| Engine type and fuel | Maximum engine power | Manufacture date | Emission standards[a] | | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | g/HP-hr | | | ppmvd at 15% $O_2$ | | |
| | | | $NO_x$ | CO | VOC[d] | $NO_x$ | CO | VOC[d] |
| Non-Emergency SI Natural Gas[b] and Non-Emergency SI Lean Burn LPG[b] | 100≤HP≤500 | 7/1/2008 | 2.0 | 4.0 | 1.0 | 160 | 270 | 86 |

(a) Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/HP-hr or ppmvd at 15 percent $O_2$.
(d) For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.
**[40 CFR60, Subpart JJJJ, Table 1]**

g. **40 CFR 63, Subpart ZZZZ**
An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.
**[40 CFR §63.6590(c)]**

(1) A new or reconstructed stationary RICE located at an area source;
**[40 CFR §63.6590(c)(1)]**

4.1.7. **Oxidation Catalysts**
The permittee shall follow a written operation and maintenance plan that provides the periodic and annual maintenance requirements of the NSCR (this plan may be based on manufacturer's recommendations on operation and maintenance).

4.18. **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.]**

## 4.2. Monitoring, Compliance Demonstration, Recording and Reporting Requirements

4.2.1. For the purposes of demonstrating compliance with maximum throughput limit of crude oil set forth in 4.1.2, the permittee shall monitor and record the monthly and rolling twelve month total of crude oil (in gallons) throughput in the storage tank.

4.2.2. For the purposes of demonstrating compliance with the truck loadout limit set forth in 4.1.3(b), the permittee shall monitor and maintain monthly and rolling twelve month records of the amount of crude oil loaded into tanker trucks.

## 4.3. Testing Requirements

4.3.1. 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 established in this permit and/or applicable regulations.

4.3.2. The permittee shall meet all applicable performance testing requirements for ENG-1 as given under 40 CFR 60, Subpart JJJJ.

## 4.4. Recordkeeping Requirements

4.4.1. **Record of Monitoring.** 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.

4.4.2. **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.

4.4.3. **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.

## CERTIFICATION OF DATA ACCURACY

I, the undersigned, hereby certify that, based on information and belief formed after reasonable inquiry, all information contained in the attached _____, representing the period beginning _____ and ending _____, and any supporting documents appended hereto, is true, accurate, and complete.

Signature[1] _____ _____
(please use blue ink) Responsible Official or Authorized Representative Date

Name and Title _____ _____
(please print or type) Name Title

Telephone No._____ Fax No. _____

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[1] This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:

a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

(I) the facilities employ more than 250 persons or have a gross annual sales or expenditures exceeding $25 million (in second quarter 1980 dollars), or

(ii) the delegation of authority to such representative is approved in advance by the Director;

b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;

c. For a municipality, State, Federal, or other public entity: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of USEPA); or

d. The designated representative delegated with such authority and approved in advance by the Director.