

# Permit to Modify



**R13- 3081**

*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 above-referenced facility is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.*

*Issued to:*

**CNX Gas Company, LLC**  
**Majorsville Station**  
**051-00143**

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*John A. Benedict*  
*Director*

*Issued: Draft • Effective: Draft*

*This permitting action supersedes and replaces R13-3069T issued on July 18, 2013.*

Facility Location: Majorsville, Marshall County, West Virginia  
Mailing Address: 200 Evergreen Drive, Waynesburg, PA 15370  
Facility Description: Natural gas compressor station  
NAICS Codes: 211111  
UTM Coordinates: 539.827 km Easting • 4,424.302 km Northing • Zone 17  
Permit Type: Modification  
Description of Change: This permitting action proposes the removal of one (1) temporary slop tank and two (2) condensate tanks and related flare, and the installation of six (6) storage tanks and vapor recovery unit (VRU) control device.

*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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*The source is not subject to 45CSR30.*

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### 1.0. Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
T06	VRU	Slop Tank	2013	21,000 gal	VRU (Vapor Recovery Unit)
T07	VRU	Stabilized Condensate Tank	2013	16,800 gal	VRU
T08	VRU	Stabilized Condensate Tank	2013	16,800 gal	VRU
T09	VRU	Unstabilized Condensate Tank	2013	16,800 gal	VRU
T10	VRU	Water Service Tank	2013	16,800 gal	VRU
T11	VRU	Condensate or Water Storage Tank	2013	16,800 gal	VRU
BLT01	VRU	Bulk Liquids Transfer Loading	2013	Batch Unloading	VRU

### 1.1. Control Devices

Emission Unit	Pollutant	Control Device	Control Efficiency
Product Tanks (T-01 – T-03)	Volatile Organic Compounds	VRU	99.5 %
	Hazardous Air Pollutants		99.5 %
NGL and Condensate Truck Loading (TL-1)	Volatile Organic Compounds	VRU	66.5 %

## 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 (45CSR§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

<b>CAAA</b>	Clean Air Act Amendments	<b>NO<sub>x</sub></b>	Nitrogen Oxides
<b>CBI</b>	Confidential Business Information	<b>NSPS</b>	New Source Performance Standards
<b>CEM</b>	Continuous Emission Monitor	<b>PM</b>	Particulate Matter
<b>CES</b>	Certified Emission Statement	<b>PM<sub>2.5</sub></b>	Particulate Matter less than 2.5 μm in diameter
<b>C.F.R. or CFR</b>	Code of Federal Regulations	<b>PM<sub>10</sub></b>	Particulate Matter less than 10μm in diameter
<b>CO</b>	Carbon Monoxide	<b>Ppb</b>	Pounds per Batch
<b>C.S.R. or CSR</b>	Codes of State Rules	<b>Pph</b>	Pounds per Hour
<b>DAQ</b>	Division of Air Quality	<b>Ppm</b>	Parts per Million
<b>DEP</b>	Department of Environmental Protection	<b>Ppm<sub>v</sub> or ppmv</b>	Parts per Million by Volume
<b>dscm</b>	Dry Standard Cubic Meter	<b>PSD</b>	Prevention of Significant Deterioration
<b>FOIA</b>	Freedom of Information Act	<b>Psi</b>	Pounds per Square Inch
<b>HAP</b>	Hazardous Air Pollutant	<b>SIC</b>	Standard Industrial Classification
<b>HON</b>	Hazardous Organic NESHAP	<b>SIP</b>	State Implementation Plan
<b>HP</b>	Horsepower	<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>lbs/hr</b>	Pounds per Hour	<b>TAP</b>	Toxic Air Pollutant
<b>LDAR</b>	Leak Detection and Repair	<b>TPY</b>	Tons per Year
<b>M</b>	Thousand	<b>TRS</b>	Total Reduced Sulfur
<b>MACT</b>	Maximum Achievable Control Technology	<b>TSP</b>	Total Suspended Particulate
<b>MDHI</b>	Maximum Design Heat Input	<b>USEPA</b>	United States Environmental Protection Agency
<b>MM</b>	Million	<b>UTM</b>	Universal Transverse Mercator
<b>MMBtu/hr or mmbtu/hr</b>	Million British Thermal Units per Hour	<b>VEE</b>	Visual Emissions Evaluation
<b>MMCF/hr or mmcf/hr</b>	Million Cubic Feet per Hour	<b>VOC</b>	Volatile Organic Compounds
<b>NA</b>	Not Applicable	<b>VOL</b>	Volatile Organic Liquids
<b>NAAQS</b>	National Ambient Air Quality Standards		
<b>NESHAPS</b>	National Emissions Standards for Hazardous Air Pollutants		

### **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 supersedes and replaces previously issued Permit R13-3069T. 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 other 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 R13-3081 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 -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 emissions, 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 45CSR11.  
[45CSR§11-5.2.]

#### 3.2. Monitoring Requirements

*[Reserved]*

#### 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. Said records shall be maintained on site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review. Any records submitted to the agency pursuant to a requirement of this permit or upon request by the Director shall be certified by a responsible official. 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) 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 57<sup>th</sup> Street  
Charleston, WV 25304-2345

**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

**3.5.4. Operating Fee**

3.5.4.1. In accordance with 45CSR22 – Air Quality Management Fee Program, the permittee shall not operate nor cause to operate the permitted facility or other associated facilities on the same or contiguous sites comprising the plant without first obtaining and having in current effect a Certificate to Operate (CTO). Such Certificate to Operate (CTO) shall be renewed annually, shall be maintained on the premises for which the certificate 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 45CSR22 – Air Quality Management Fee Program, enclosed with this permit is an Application for a Certificate to Operate (CTO), from the date of initial startup through the following June 30. Said application 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 Section 4.5 of 45CSR22. A copy of this schedule may be found on the reverse side of the Application for a Certificate to Operate (CTO).

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. **Record of Monitoring.** The permittee shall keep records of monitoring information that include the following:
- The date, place as defined in this permit, and time of sampling or measurements;
  - The date(s) analyses were performed;
  - The company or entity that performed the analyses;
  - The analytical techniques or methods used;
  - The results of the analyses; and
  - The operating conditions existing at the time of sampling or measurement.
- 4.1.2. **Minor Source of Hazardous Air Pollutants (HAP).** HAP emissions from the facility shall be less than 10 tons/year of any single HAP and 25 tons/year of any combination of HAPs. Compliance with this Section shall ensure that the facility is a minor HAP source.
- 4.1.3. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate the control devices listed in Section 1.1 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.]**
- 4.1.4. **Record of Malfunctions of Air Pollution Control Equipment.** For the control devices listed in Section 1.1, 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:
- The equipment involved.
  - Steps taken to minimize emissions during the event.
  - The duration of the event.
  - The estimated increase in emissions during the event.

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

- The cause of the malfunction.
- Steps taken to correct the malfunction.
- Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

## **5.0. Source-Specific Requirements (Tanks (T06-T11) and Bulk Liquids Transfer Unloading (BLT01) controlled by Vapor Recovery Unit (VRU))**

### **5.1. Limitations and Standards**

- 5.1.1. *Operation and Maintenance of Air Pollution Control Equipment.* The permittee shall, to the extent practicable, install, maintain, and operate the vapor recovery unit (VRU) 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.]**
- 5.1.2. The permittee shall route all VOC and HAP emissions from the Slop Tank (T06), Stabilized Condensate Tanks (T07, T08), Unstabilized Condensate Tank (T09), Water Service Tank (T10), and Condensate or Water Storage Tank (T11) to the vapor recovery unit (VRU). This vapor recovery unit (VRU) shall be designed to achieve a minimum guaranteed control efficiency of 99.5 % for volatile organic compound (VOC) and hazardous air pollutants (HAP) emissions. Emissions from these tanks will be collected and compressed by the vapor recovery unit (VRU) whereby the vapors are sufficiently compressed to be introduced into the inlet gas line and processed with the inlet gas. In addition, truck loading will take place with a vapor balance system in place, whereby vapors generated during the loading operation are routed back to the tanks and ultimately captured by the VRU.
- 5.1.3. The Bulk Liquids Transfer Unloading shall be operated in accordance with the plans and specifications filed in Permit Application R13-3081. The system will employ a vapor return which shall be designed to achieve a minimum guaranteed capture efficiency of 66.5 % for VOC emissions, followed by the vapor recovery unit required in Section 5.1.2.
- 5.1.4. The maximum quantity of condensate that shall be loaded shall not exceed 1,050,000 gallons per year. Compliance with this limit shall be demonstrated using a twelve month rolling total. A twelve month rolling total shall mean the sum of the monthly throughput at any given time during the previous twelve consecutive calendar months.
- 5.1.5. The maximum quantity of slop water that shall be loaded shall not exceed 1,400,000 gallons per year. Compliance with this limit shall be demonstrated using a twelve month rolling total. A twelve month rolling total shall mean the sum of the monthly throughput at any given time during the previous twelve consecutive calendar months.

### **5.2. Monitoring Requirements**

- 5.2.1. The permittee shall monitor the throughput to the VRU on a monthly basis.
- 5.2.2. To demonstrate compliance with section 5.1.3, the permittee shall monitor the VRU in accordance with the plans and specifications and manufacturer's recommendations.

### 5.3. Recordkeeping Requirements

- 5.3.1. For the purpose of demonstrating compliance with sections 5.1.4, 5.1.5, and 5.2.2, the permittee shall maintain records of the volumes of condensate and slop water loaded into trucks and the amount of vapors routed to the VRU on a monthly basis. In addition, the permittee shall maintain records of condensate sales and slop water sales on a monthly basis.
- 5.3.2. All records required under Section 5.3 shall be maintained on site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review. Any records submitted to the agency pursuant to a requirement of this permit or upon request by the Director shall be certified by a responsible official.
- 5.3.3. *Record of Maintenance of VRU.* The permittee shall maintain accurate records of the VRU equipment inspection and/or preventative maintenance procedures.
- 5.3.4. *Record of Malfunctions of VRU.* The permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the VRU 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.

### 5.4. Reporting Requirements

- 5.4.1. Upon request by the Director, the permittee shall report deviations within a requested time from of any occurrences when the control device was operated outside of the parameters defined in the monitoring plan.

## 6.0. Source-Specific Requirements (40CFR60 Subpart Kb Requirements, Slop Storage Tank (T06))

### 6.1. Limitations and Standards

- 6.1.1. The affected facility to which this subpart applies is each storage vessel with a capacity greater than or equal to 75 cubic meters ( $m^3$ ) that is used to store volatile organic liquids (VOL) for which construction, reconstruction, or modification is commenced after July 23, 1984.  
**[40CFR§60.110b, Slop Tank (T06)]**
- 6.1.2. The owner or operator of each storage vessel with a design capacity greater than or equal to 75  $m^3$  which contains a VOL that, as stored, has a maximum true vapor pressure greater than or equal to 76.6 kPa shall equip each storage vessel with the following:
- (1) A closed vent system and control device as specified in § 60.112b(a)(3).  
**[40CFR§60.112b(b)(1), Slop Tank (T06)]**
- 6.1.3. The permittee shall install a closed vent system and control device meeting the following specifications:
- (1) The closed vent system shall be designed to collect all VOC vapors and gases discharged from the storage vessel and operated with no detectable emissions as indicated by an instrument reading of less than 500 ppm above background and visual inspections, as determined in part 60, subpart VV, § 60.485(b).
- (2) The control device shall be designed and operated to reduce inlet VOC emissions by 95 percent or greater. If a flare is used as the control device, it shall meet the specifications described in the general control device requirements (§ 60.18) of the General Provisions.  
**[40CFR§60.112b(a)(3), Slop Tank (T06)]**

### 6.2. Testing and Procedures

- 6.2.1. The owner or operator of each storage vessel as specified in § 60.112b(a) 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 § 60.112b.
- (a) *Reserved;*
- (b) *Reserved;*
- (c) The owner or operator of each source that is equipped with a closed vent system and control device as required in § 60.112b (a)(3) or (b)(2) (other than a flare) is exempt from § 60.8 of the General Provisions and shall meet the following requirements.
- (1) Submit for approval by the Administrator as an attachment to the notification required by § 60.7(a)(1) or, if the facility is exempt from § 60.7(a)(1), as an attachment to the notification required by § 60.7(a)(2), an operating plan containing the information listed below.
- (i) Documentation demonstrating that the control device will achieve the required control efficiency during maximum loading conditions. This documentation is to include a description of the gas stream which enters the control device, including flow and VOC content under varying liquid level conditions (dynamic and static) and manufacturer's design specifications for the control device. If the control device

or the closed vent capture system receives vapors, gases, or liquids other than fuels from sources that are not designated sources under this subpart, the efficiency demonstration is to include consideration of all vapors, gases, and liquids received by the closed vent capture system and control device. If an enclosed combustion device with a minimum residence time of 0.75 seconds and a minimum temperature of 816 °C is used to meet the 95 percent requirement, documentation that those conditions will exist is sufficient to meet the requirements of this paragraph.

- (ii) A description of the parameter or parameters to be monitored to ensure that the control device will be operated in conformance with its design and an explanation of the criteria used for selection of that parameter (or parameters).

- 6.2.2. Operate the closed vent system and control device and monitor the parameters of the closed vent system and control device in accordance with the operating plan submitted to the Administrator in accordance with section 6.2.1 (c)(1), unless the plan was modified by the Administrator during the review process. In this case, the modified plan applies.

**[40CFR§60.113b, Slop Tank (T06)]**

### **6.3. Reporting and Recordkeeping Requirements**

- 6.3.1. The owner or operator of each storage vessel as specified in § 60.112b(a) 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 § 60.112b. The owner or operator shall keep copies of all reports and records required by this section, except for the record required by (c)(1), for at least 2 years. The record required by (c)(1) will be kept for the life of the control equipment.

(a) *Reserved;*

(b) *Reserved;*

(c) After installing control equipment in accordance with § 60.112b (a)(3) or (b)(1) (closed vent system and control device other than a flare), the owner or operator shall keep the following records.

- (1) A copy of the operating plan.

- (2) A record of the measured values of the parameters monitored in accordance with §60.113b(c)(2).

(d) *Reserved.*

**[40CFR§60.115b, Slop Tank (T06)]**

#### 6.4. Monitoring of Operations

- 6.4.1. The owner or operator shall keep copies of all records required by this section, except for the record required by section 6.4.2, for at least 2 years. The record required by section 6.4.2 will be kept for the life of the source.
- 6.4.2. The owner or operator of each storage vessel as specified in § 60.110b(a) shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel.
- 6.4.3. Except as provided in sections 6.4.5 and 6.4.6, the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m<sup>3</sup> storing a liquid with a maximum true vapor pressure greater than or equal to 3.5 kPa or with a design capacity greater than or equal to 75 m<sup>3</sup> but less than 151 m<sup>3</sup> storing a liquid with a maximum true vapor pressure greater than or equal to 15.0 kPa 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.
- 6.4.4 Available data on the storage temperature may be used to determine the maximum true vapor pressure as determined below.
- (1) For vessels operated above or below ambient temperatures, the maximum true vapor pressure is calculated based upon the highest expected calendar-month average of the storage temperature. For vessels operated at ambient temperatures, the maximum true vapor pressure is calculated based upon the maximum local monthly average ambient temperature as reported by the National Weather Service.
  - (2) For crude oil or refined petroleum products the vapor pressure may be obtained by the following:
    - (i) Available data on the Reid vapor pressure and the maximum expected storage temperature based on the highest expected calendar-month average temperature of the stored product may be used to determine the maximum true vapor pressure from nomographs contained in API Bulletin 2517 (incorporated by reference—see § 60.17), unless the Administrator specifically requests that the liquid be sampled, the actual storage temperature determined, and the Reid vapor pressure determined from the sample(s).
    - (ii) The true vapor pressure of each type of crude oil with a Reid vapor pressure less than 13.8 kPa or with physical properties that preclude determination by the recommended method is to be determined from available data and recorded if the estimated maximum true vapor pressure is greater than 3.5 kPa.
  - (3) For other liquids, the vapor pressure:
    - (i) May be obtained from standard reference texts, or
    - (ii) Determined by ASTM D2879-83, 96, or 97 (incorporated by reference—see § 60.17); or
    - (iii) Measured by an appropriate method approved by the Administrator; or
    - (iv) Calculated by an appropriate method approved by the Administrator.

- 6.4.5. The owner or operator of each vessel storing a waste mixture of indeterminate or variable composition shall be subject to the following requirements.
- (1) Prior to the initial filling of the vessel, the highest maximum true vapor pressure for the range of anticipated liquid compositions to be stored will be determined using the methods described in section 6.4.4.
  - (2) For vessels in which the vapor pressure of the anticipated liquid composition is above the cutoff for monitoring but below the cutoff for controls as defined in § 60.112b(a), an initial physical test of the vapor pressure is required; and a physical test at least once every 6 months thereafter is required as determined by the following methods:
    - (i) ASTM D2879-83, 96, or 97 (incorporated by reference—see § 60.17); or
    - (ii) ASTM D323-82 or 94 (incorporated by reference—see § 60.17); or
    - (iii) As measured by an appropriate method as approved by the Administrator.
- 6.4.6. The owner or operator of each vessel equipped with a closed vent system and control device meeting the specification of § 60.112b or with emissions reductions equipment as specified in 40 CFR 65.42(b)(4), (b)(5), (b)(6), or (c) is exempt from the requirements of section 6.4.3.  
**[40CFR§60.116b, Slop Tank (T06)]**

### 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<sup>1</sup> \_\_\_\_\_  
(please use blue ink) Responsible Official or Authorized Representative Date

Name & Title \_\_\_\_\_  
(please print or type) Name Title

Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

<sup>1</sup> 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 U.S. EPA); or
- d. The designated representative delegated with such authority and approved in advance by the Director.