

Engineer	Jerry Williams, P.E.
Email Address	jerry.williams@wv.gov
Company Name	Concord Appalachian Transload Services, LLC
Company ID	107-00175
Facility Name	Parkersburg Facility
Permit Number	R13-3181A
County	Wood
Newspaper	<i>The Parkersburg News and Sentinel</i> 485-1891
Company Email and "Attention To:"	Veronica Creamer veronicacreamer@cem.concordenergy.com
Environmental Contact Email Address	None
Regional Office (if applicable)	NA
New or Modified Source?	modified
Construction, Modification, or Relocation?	modification
Type of Facility	natural gas liquids loading facility
"Located" or "To Be Located"?	located
Place where I can find electronic versions of your notice, engineering evaluation, and draft permit	Q:\AIR_QUALITY\Willi\3181A

publish Tues Nov 3 2015
30 day Thurs Dec 3 2015
email ok / ad will publish
10/30pm

INTERNAL PERMITTING DOCUMENT TRACKING MANIFEST

Company Name Concord Appalachian Transload Services, LLC

Permitting Action Number R13-3181A Total Days 55 DAQ Days 30

Permitting Action:

- | | | |
|---|------------------------------------|---|
| <input type="radio"/> Permit Determination | <input type="radio"/> Temporary | <input checked="" type="radio"/> Modification |
| <input type="radio"/> General Permit | <input type="radio"/> Relocation | <input type="radio"/> PSD (Rule 14) |
| <input type="radio"/> Administrative Update | <input type="radio"/> Construction | <input type="radio"/> NNSR (Rule 19) |

Documents Attached:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Engineering Evaluation/Memo | <input type="checkbox"/> Completed Database Sheet |
| <input checked="" type="checkbox"/> Draft Permit | <input type="checkbox"/> Withdrawal |
| <input checked="" type="checkbox"/> Notice | <input type="checkbox"/> Letter |
| <input type="checkbox"/> Denial | <input type="checkbox"/> Other (specify) _____ |
| <input type="checkbox"/> Final Permit/General Permit Registration | _____ |

Date	From	To	Action Requested
10/28/2015	Jerry 	Bev	Please review and approve to go to public notice.
10/30	Bev 	Jerry 	Costs Notice
	Jerry 	SANDIE 	APPROVED FOR NOTICE

NOTE: Retain a copy of this manifest for your records when transmitting your document(s).

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New or Modified Source?	modified
Construction, Modification, or Relocation?	modification
Type of Facility	natural gas liquids loading facility
"Located" or "To Be Located"?	located
Place where I can find electronic versions of your notice, engineering evaluation, and draft permit	Q:\AIR_QUALITY\J_Williams\3181A

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AIR QUALITY PERMIT NOTICE

Notice of Intent to Approve

On September 3, 2015, Concord Appalachian Transload Services, LLC applied to the WV Department of Environmental Protection, Division of Air Quality (DAQ) for a permit to modify a natural gas liquids loading facility located at 400 Buckeye Street, Parkersburg, Wood County, WV at latitude 39.2566 and longitude -81.5398. A preliminary evaluation has determined that all State and Federal air quality requirements will be met by the proposed facility. The DAQ is providing notice to the public of its preliminary determination to issue the permit as R13-3181A.

The following increase in potential emissions will be authorized by this permit action: Volatile Organic Compounds, 49.49 tons per year (TPY); Total Hazardous Air Pollutants, 0.65 TPY.

Written comments or requests for a public meeting must be received by the DAQ before 5:00 p.m. on (Day of Week, Month, Day, Year). A public meeting may be held if the Director of the DAQ determines that significant public interest has been expressed, in writing, or when the Director deems it appropriate.

The purpose of the DAQ's permitting process is to make a preliminary determination if the proposed construction will meet all state and federal air quality requirements. The purpose of the public review process is to accept public comments on air quality issues relevant to this determination. Only written comments received at the address noted below within the specified time frame, or comments presented orally at a scheduled public meeting, will be considered prior to final action on the permit. All such comments will become part of the public record.

Jerry Williams, P.E.
WV Department of Environmental Protection
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304
Telephone: 304/926-0499, ext. 1223
FAX: 304/926-0478

Additional information, including copies of the draft permit, application and all other supporting materials relevant to the permit decision may be obtained by contacting the engineer listed above. The draft permit and engineering evaluation can be downloaded at:

www.dep.wv.gov/daq/Pages/NSRPermitsforReview.aspx

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west virginia department of environmental protection

Division of Air Quality
601 57th Street SE
Charleston, WV 25304
Phone (304) 926-0475 • FAX: (304) 926-0479

Earl Ray Tomblin, Governor
Randy C. Huffman, Cabinet Secretary
www.dep.wv.gov

ENGINEERING EVALUATION / FACT SHEET

BACKGROUND INFORMATION

Application No.: R13-3181A
Plant ID No.: 107-00175
Applicant: Concord Appalachian Transload Services, LLC (Concord)
Facility Name: Parkersburg NGL Loading Facility
Location: Parkersburg, Wood County
NAICS Code: 482111
Application Type: Modification
Received Date: September 3, 2015
Engineer Assigned: Jerry Williams, P.E.
Fee Amount: \$1,000.00
Date Received: September 3, 2015
Complete Date: September 28, 2015
Due Date: December 27, 2015
Applicant Ad Date: September 22, 2015
Newspaper: *The Parkersburg News and Sentinel*
UTM's: Easting: 453.428 km Northing: 4,345.392 km Zone: 17
Description: This permitting action proposes a change in truck loading RACT from NSPS annual leak testing to DOT leak testing protocol.

DESCRIPTION OF PROCESS

The following modification process description was taken from Permit Application R13-3181A:

The Concord Energy LLC Natural Gas Liquid Trans-loading Facility transfers natural gas liquids (NGL) and condensate from tanker trucks to awaiting rail cars via a portable rail car tower. There will be a maximum of 21 trans-loading operations per day. There is a portable emergency flare used to evacuate any residual NGL prior to repair on any damaged rail cars.

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The NGL and condensate tanker trucks are connected to the rail cars via a 20 foot, two (2) inch diameter load line and a 20 foot, two (2) inch vapor recovery line. The transfer of the NGL and condensate from the tanker truck to the rail car is powered by hydraulic or mechanical pumps on the tanker trucks. Each tanker truck has the maximum volume of 9,200 gallons of NGL and/or condensate and requires one (1) hour for the complete transfer of the entire contents. Each rail car has a capacity of 30,000 gallons and is filled to a maximum of 90% of its total capacity each time it is loaded. It takes roughly three (3) NGL/condensate tanker trucks to fill the rail car to its 90% fill line. After each rail car is loaded to its 90% fill line, the operation is shut down, the tanker trailer valves are closed, the truck connection is broken, and the tank product line and vapor line are capped and sealed. A maximum of seven (7) rail cars will be filled with NGL/condensate each day, with three (3) tanker truck volume per rail car, for a maximum of 21 trans-loading operations per day.

The trans-loading operations are controlled by a vapor balance system. Each of the trucks and railcars are inspected per DOT leak test protocol. The overall reduction efficiency of the NGL trans-loading operation is 70%.

All rail cars are inspected prior to transfer of NGL/condensate. If a rail car is determined to be damaged or unfit for transfer of NGL/condensate, it is required to remove all residual NGL/condensate from the rail car prior to conducting repairs. It is assumed that there will be no more than five (5) residual NGL/condensate rail cars pending repairs. In order to facilitate the removal of the residual NGL/condensate, the rail car is connected to a portable flare. It will take a maximum of one (1) hour to remove residual NGL/condensate from the rail car. The quantity of vapors combusted by the flare is based on the assumption that the empty rail cars will contain no more than 5% residual NGL/condensate. It is also assumed that the flare will operate no more than six (6) hours per year. The portable flare has 98% destruction efficiency.

SITE INSPECTION

A site inspection was conducted by Douglas Hammell of the DAQ Enforcement Section on July 30, 2015. The facility was operating in compliance at that time.

Latitude: 39.2566
Longitude: -81.5398

Directions are as follows:

I-77 North to exit 173. Turn left onto Point Drive. Take the first left onto Camden Avenue. Travel 2.2 miles and turn right onto Buckeye Street. Proceed to 400 Buckeye Street.

Concord Appalachian Transload Services, LLC – Parkersburg Facility (R13-3181A)

Emission Point ID#	Source	NO _x		CO		VOC		PM-10/2.5		SO ₂		Formaldehyde		Total HAPs	
		lb/hr	ton/year	lb/hr	ton/year	lb/hr	ton/year	lb/hr	ton/year	lb/hr	ton/year	lb/hr	ton/year	lb/hr	ton/year
1S	Truck Loading	0.00	0.00	0.00	0.00	13.80	51.74	0.00	0.00	0.00	0.00	0.00	0.00	0.18	0.68
1E	Portable Emergency Flare	0.52	0.01	2.85	0.01	149.70	0.45	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01
Total Point Source		0.52	0.01	2.85	0.01	163.50	52.19	0.00	0.00	0.00	0.00	0.00	0.00	0.18	0.68
Fugitive	Component Leaks	0.00	0.00	0.00	0.00	NA	0.85	0.00	0.00	0.00	0.00	0.00	0.00	NA	0.01
Total Fugitive		0.00	0.00	0.00	0.00	0.19	0.85	0.00	0.00	0.00	0.00	0.00	0.00	<0.01	0.01
Total Sitewide		0.52	0.01	2.85	0.01	163.69	53.04	0.00	0.00	0.00	0.00	0.00	0.00	0.18	0.69

REGULATORY APPLICABILITY

The following rules apply to this permitting action:

45CSR6 (To Prevent and Control Air Pollution from the Combustion of Refuse)

The purpose of this rule is to prevent and control air pollution from combustion of refuse.

Concord has one (1) flare associated with this application. The flare is subject to section 4, emission standards for incinerators. The facility will demonstrate compliance by maintaining records of the amount of natural gas consumed by the flare and the hours of operation. The facility will also monitor the flame of the flare and record any malfunctions that may cause no flame to be present during operation.

45CSR13 (Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Administrative Updates, Temporary Permits, General Permits, and Procedures for Evaluation)

45CSR13 applies to this source due to the fact that Concord's proposed modification results in an emissions increase of volatile organic compounds above the emissions threshold. In addition, the flare is subject to a substantive requirement under 45CSR6. Concord has published the required Class I legal advertisement notifying the public of their permit application, and paid the appropriate application fee.

45CSR21 (Regulation to Prevent and Control Air Pollution from the Emission of Volatile Organic Compounds)

It is the intent of this rule all facilities engaged in the manufacture, mixing, storage, use or application of VOCs control the emission of VOCs through the application of reasonably available control technology (RACT). This regulation applies to sources located in Putnam County, Kanawha County, Cabell County, Wayne County, and Wood County.

This facility is located in Wood County. Furthermore, 45CSR21 Section 40 applies to any facility that has aggregate maximum theoretical emissions of 90.7 megagrams (mg) (100 tons) or more of volatile organic compounds (VOCs) per calendar year in the absence of control devices; provided that this section 40 applies to any source or sources within such facility other than those sources subject to regulation under sections 11. through 39. VOC emissions from sources regulated under sections 11. through 39., but which fall below the applicability thresholds of these sections, and thus are not subject to the emissions control standards of these sections, shall be included in the determination of maximum theoretical emissions for a facility but shall not be subject to the requirements of this section 40. Emissions from sources listed in section 40.1.d. shall not be included in the determination of maximum theoretical emissions for a facility.

Because the uncontrolled emissions from the proposed facility exceed 100 tons/year of VOC emissions, Concord is subject to this section. Therefore, Concord is subject to all applicable requirements under Section 40, part of which is submitting a RACT (Reasonably Available Control Technology) plan.

Concord examined four (4) options as part of their RACT Plan submittal, which are outlined below:

Plan A – No controls

Without controls, potential VOC emissions would exceed major source thresholds. This is not a reasonable option since there would be no emission reduction at the facility

Plan B – Vapor Balance System

This option involves the installation of a vapor balance system but does not include leak testing. The vapor balance system is used to transfer or balance displaced vapors during the loading or unloading of NGLs. Loading lines will be equipped with fittings that are vapor tight and that automatically and immediately close upon disconnection therefore limiting VOC emissions Section 5.2 of the EPA AP-42 regulation states a collection efficiency of 70 percent should be assumed for trucks using a vapor balance system but not passing an annual leak test.

Plan C - Vapor balance system with annual leak testing

This option involves the installation of a vapor balance system and includes annual leak testing. While similar to Plan B, an increased collection efficiency of 98.7 percent can be assumed for railcars using a vapor balance system that passes the New Source Performance Standard (NSPS) level annual leak test cited under EPA AP-42 Section 5.2 (not more than a 3-inch water column pressure change in 5 minutes after pressurizing to 18 inches water followed by pulling a vacuum of 6 inches water).

Plan D – Full-time flare operation

This option involves the installation and operation of a full-time flare at the facility. In this option all vapors would be routed to the flare in lieu of the vapor balance system. This option would cause NO_x and CO emissions, which are byproducts of the combustion process, to increase. Therefore, Concord is not pursuing Plan D.

The current permit requires Plan C. However, Concord does not have access to any railcars that pass NSPS level annual leak testing. Concord is dependent on the railcar operators. The railcars that are used pass leak testing per DOT standards. Therefore, Concord considers this DOT leak testing standard as RACT for this facility. There is no available scientific data on collection efficiencies for loading systems utilizing vapor balance and DOT leak testing. Due to the lack of data, a conservative collection efficiency of vapor balance (70%) will be utilized.

45CSR22 (Air Quality Management Fee Program)

This facility is a minor source and not subject to 45CSR30. Concord is required to keep their Certificate to Operate current.

The following rules do not apply to this permitting action:

40CFR60 Subpart 60.18 (General Control Device and Work Practice Requirements)

40CFR60 Subpart 60.18 contains requirements for control devices when they are used to comply with applicable subparts of 40CFR60 and 40CFR61. The flare that Concord has proposed is not used to comply with one of these rules. The purpose of the flare is to control emissions from the rail car maintenance activities that are routed to it. However, 40CFR60.18 regulates flares that are assisted, non-assisted, and steam assisted. The flare that Concord has proposed is a pressure assisted flare, therefore, they are not subject to this standard.

45CSR14 (Permits for Construction and Major Modification of Major Stationary Sources of Air Pollutants)

45CSR19 (Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution which Cause or Contribute to Nonattainment)

On September 30, 2013, EPA approved a redesignation request and State Implementation Plan (SIP) revision submitted by the State of West Virginia. The West Virginia Department of Environmental Protection (WVDEP) requested that the West Virginia portion of the Wheeling, WV–OH fine particulate matter (PM_{2.5}) nonattainment area (“Wheeling Area” or “Area”) be redesignated as attainment for the 1997 annual PM_{2.5} national ambient air quality standard (NAAQS).

The Parkersburg NGL Loading Station is located in Wood County, which is located in this metropolitan statistical area and is an attainment county for all pollutants. Therefore the Parkersburg NGL Loading Station is not subject to 45CSR19.

As shown in the following table, Concord is not a major source subject to 45CSR14 or 45CSR19 review. According to 45CSR14 Section 2.43.e, fugitive emissions are not included in the major source determination because it is not listed as one of the source categories in Table 1. Therefore, the fugitive emissions are not included in the PTE below.

Pollutant	PSD (45CSR14) Threshold (tpy)	NANSR (45CSR19) Threshold (tpy)	Parkersburg NGL Loading PTE (tpy)	45CSR14 or 45CSR19 Review Required?
Carbon Monoxide	250	NA	0.01	No
Nitrogen Oxides	250	NA	<0.01	No
Sulfur Dioxide	250	NA	<0.01	No
Particulate Matter 2.5	250	NA	<0.01	No
Ozone (VOC)	250	NA	52.19	No

TOXICITY OF NON-CRITERIA REGULATED POLLUTANTS

There will be small amounts of various non-criteria regulated pollutants emitted from the combustion of natural gas. However, due to the concentrations emitted, detailed toxicological information is not included in this evaluation.

AIR QUALITY IMPACT ANALYSIS

Modeling was not required of this source due to the fact that the facility is not subject to 45CSR14 (Permits for Construction and Major Modification of Major Stationary Sources of Air Pollutants) as seen in the table listed in the Regulatory Discussion Section.

SOURCE AGGREGATION

“Building, structure, facility, or installation” is defined as all the pollutant emitting activities which belong to the same industrial grouping, are located on one or more contiguous and adjacent properties, and are under the control of the same person.

The Parkersburg NGL Loading Station is located in Wood County and will be operated by Concord.

1. The Parkersburg NGL Loading Station will operate under SIC code 4011 (Line Haul Railways). There are no surrounding operations owned by Concord that share the same two-digit major SIC code of 40. Therefore, the Parkersburg NGL Loading Station does not share the same SIC code as other operations.
2. “Contiguous or Adjacent” determinations are made on a case by case basis. These determinations are proximity based, and it is important to focus on this and whether or not it meets the common sense notion of a plant. The terms “contiguous” or “adjacent” are not defined by USEPA. Contiguous has a dictionary definition of being in actual contact; touching along a boundary or at a point. Adjacent has a dictionary definition of not distant; nearby; having a common endpoint or border.

There are no Concord emission units located on contiguous or adjacent properties with the Parkersburg NGL Loading Station.

3. According to Concord they are not operating any other emission units, so there would be no ‘common control’ established.

Because the facilities do not share the same SIC code, are not considered to be on contiguous or adjacent properties, and are not under ‘common control’, the emissions from the Parkersburg NGL Loading Station should not be aggregated with other facilities in determining major source or PSD status.

MONITORING OF OPERATIONS

Concord will be required to perform the following monitoring:

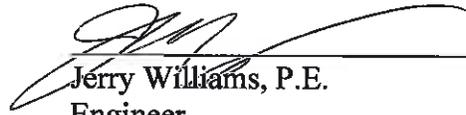
- Monitor and record quantity of residual NGL/condensate consumed in the flare.
- Monitor the flare that is operated per manufacturer's specifications.
- Monitor opacity from the flare.
- Monitor the natural gas liquids truck loading to ensure that vapor return is used.
- Monitor the presence of the flare pilot flame with a thermocouple or equivalent.

Concord will be required to perform the following recordkeeping:

- Maintain records of the hours of operation for the flare.
- Maintain records of the flare design evaluation.
- Maintain records of testing conducted in accordance with the permit. Said records shall be maintained on-site or in a readily accessible off-site location
- Maintain the corresponding records specified by the on-going monitoring requirements of and testing requirements of the permit.
- Maintain records of the visible emission opacity tests conducted per the permit.
- Maintain a record of all potential to emit (PTE) HAP calculations for the entire facility. These records shall include the natural gas compressor engines and ancillary equipment.
- The records shall be maintained on site or in a readily available off-site location maintained by Concord for a period of five (5) years.

RECOMMENDATION TO DIRECTOR

The information provided in the modification permit application indicates Concord's Parkersburg NGL Loading Station meets all the requirements of applicable regulations. Therefore, impact on the surrounding area should be minimized and it is recommended that the Wood County location should be granted a 45CSR13 modification permit for this proposed permitting action.



Jerry Williams, P.E.
Engineer

007-28, 2015

Date

This permit supersedes and replaces R13-3181 issued on August 12, 2014.

Facility Location: Parkersburg, Wood County, West Virginia
Mailing Address: 1401 17th Street, Suite 1500, Denver, CO 80202
Facility Description: Natural gas liquids loading facility
NAICS Code: 482111
UTM Coordinates: 453.427 km Easting • 4,345.392 km Northing • Zone 17
Permit Type: Modification
Description of Change: This permitting action results in a change in truck loading RACT from NSPS annual leak testing to DOT leak testing protocol.

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.

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
1S	1S	Natural Gas Liquids/Condensate Loading	2014	189,000 gal/day	Vapor Recovery
1C	1E	Portable Emergency Flare	2014	7.7 mmscfd	NA

1.1. Control Devices

Emission Unit	Pollutant	Control Device	Control Efficiency
Railcar Maintenance	Volatile Organic Compounds	Flare (1C)	98 %
	Total HAPs		98 %

DRAFT

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

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_{2.5}	Particulate Matter less than 2.5 µm in diameter
C.F.R. or CFR	Code of Federal Regulations	PM₁₀	Particulate Matter less than 10µm in diameter
CO	Carbon Monoxide	Ppb	Pounds per Batch
C.S.R. or CSR	Codes of State Rules	Pph	Pounds per Hour
DAQ	Division of Air Quality	Ppm	Parts per Million
DEP	Department of Environmental Protection	Ppm_v or ppmv	Parts per Million by Volume
dscm	Dry Standard Cubic Meter	PSD	Prevention of Significant Deterioration
FOIA	Freedom of Information Act	Psi	Pounds per Square Inch
HAP	Hazardous Air Pollutant	SIC	Standard Industrial Classification
HON	Hazardous Organic NESHAP	SIP	State Implementation Plan
HP	Horsepower	SO₂	Sulfur Dioxide
lbs/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
MDHI	Maximum Design Heat Input	USEPA	United States Environmental Protection Agency
MM	Million	UTM	Universal Transverse Mercator
MMBtu/hr or mmbtu/hr	Million British Thermal Units per Hour	VEE	Visual Emissions Evaluation
MMCF/hr or mmcf/hr	Million Cubic Feet per Hour	VOC	Volatile Organic Compounds
NA	Not Applicable	VOL	Volatile Organic Liquids
NAAQS	National Ambient Air Quality Standards		
NESHAPS	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 R13-3181 issued on August 12, 2014. 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 Applications R13-3181, R13-3181A 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 57th 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.

3.5.5. **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:

- 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.

4.1.2. **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:

- 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.

4.1.5. 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.

5.0. Source-Specific Requirements (Natural Gas Liquids Transfer Loading (1S))

5.1. Limitations and Standards

- 5.1.1. The Natural Gas Liquids Transfer Loading (1S) shall be operated in accordance with the plans and specifications filed in Permit Application R13-3181A. The system will employ a vapor return which shall be designed to achieve a minimum guaranteed capture efficiency of 70 % for VOC emissions. All trucks and railcars loading/unloading at 1S are required to be certified as meeting DOT leak testing protocol. Compliance with this requirement shall be demonstrated by keeping records of this certification for every truck and railcar loaded/unloaded.
- 5.1.2. The maximum daily quantity of NGL/Condensate that shall be loaded shall not exceed 189,000 gallons per day. Compliance with this limit shall be demonstrated using a thirty (30) day rolling average. A thirty (30) day rolling total shall mean the sum of the daily throughput at any given time during the previous thirty (30) consecutive calendar days.
- 5.1.3. The maximum annual quantity of NGL/Condensate that shall be loaded shall not exceed 68,985,000 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 (12) consecutive calendar months.
- 5.1.4. The maximum number of railcars that shall be loaded shall not exceed seven (7) railcars per day, with three (3) tanker truck volumes per railcar, for a maximum of 21 trans-loading operations per day.

5.2. Monitoring Requirements

- 5.2.1. The permittee shall monitor the NGL/Condensate throughput on a daily basis.

5.3. Recordkeeping Requirements

- 5.3.1. For the purpose of demonstrating compliance with sections 5.1.2-5.1.4 and 5.2.1, the permittee shall maintain records of the volumes of NGL/Condensate loaded from trucks on a daily basis.
- 5.3.2. For the purpose of demonstrating compliance with section 5.1.1, the permittee shall maintain records of the DOT leak testing of all trucks loaded with natural gas liquids at the facility.
- 5.3.3. 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.

6.0. Source-Specific Requirements (Pressure Assisted Flare, 1C)

6.1. Limitations and Standards

- 6.1.1. *Operation and Maintenance of Air Pollution Control Equipment.* The permittee shall, to the extent practicable, install, maintain, and operate the portable flare (1C) 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.]
- 6.1.2. The permittee shall maintain a portable pressure assisted flare, (1C). The vent steam pressure shall be used to promote mixing at the burner tip in lieu of air or steam. The flare (1C) will control emissions during railcar maintenance activities. If a railcar is determined to be damaged or unfit for transfer of NGL, the permittee is required to remove all residual NGL from the railcar prior to conducting repairs. The railcar shall be connected to the portable flare (1C) in order to facilitate the removal of residual NGL. The railcar being vented to the portable flare (1C) shall contain no more than 5% residual NGL.
- 6.1.3. **Maximum Annual Operational Limitation.** The maximum annual hours of operation of the portable flare shall not exceed 6 hours per year. Compliance with the Maximum Annual Operational Limitation shall be determined using a twelve month rolling total. A twelve month rolling total shall mean the sum of the monthly hours of operation at any given time during the previous twelve consecutive calendar months.
- 6.1.4. Maximum emissions from the flare (1C) shall not exceed the following limits for normal operation.

Pollutant	Maximum Hourly Emissions (lb/hr)	Maximum Annual Emissions (ton/year)
Nitrogen Oxides	0.52	0.01
Carbon Monoxide	2.85	0.01
Volatile Organic Compounds	149.70	0.45

- 6.1.5. The flare (1C) is subject to 45CSR6. The requirements of 45CSR6 include but are not limited to the following:
- i. No person shall cause, suffer, allow or permit particulate matter to be discharged from any incinerator into the open air in excess of the quantity determined by use of the following formula:
$$\text{Emissions (lb/hr)} = F \times \text{Incinerator Capacity (tons/hr)}$$

Where, the factor, F, is either 5.43 for an incinerator with a capacity of less than 15,000 lbs/hr or 2.72 for an incinerator with a capacity of 15,000 lbs/hr or greater. [45CSR6 §4.1]
 - ii. No person shall cause, suffer, allow or permit emission of smoke into the atmosphere from any incinerator which is twenty (20%) percent opacity or greater. [45CSR6 §4.3]
 - iii. The provisions of paragraph (ii) shall not apply to smoke which is less than forty (40%) percent opacity, for a period or periods aggregating no more than eight (8) minutes per startup.

[45CSR6 §4.4]

- iv. No person shall cause or allow the emission of particles of unburned or partially burned refuse or ash from any incinerator which are large enough to be individually distinguished in the open air. **[45CSR6 §4.5]**
 - v. Incinerators, including all associated equipment and grounds, shall be designed, operated and maintained so as to prevent the emission of objectionable odors. **[45CSR6 §4.6]**
 - vi. At such reasonable times as the Secretary may designate, the operator of any incinerator shall be required to conduct or have conducted stack tests to determine the particulate matter loading, by using 40 CFR Part 60, Appendix A, Method 5 or other equivalent U.S. EPA approved method approved by the Secretary, in exhaust gases. Such tests shall be conducted in such manner as the Secretary may specify and be filed on forms and in a manner acceptable to the Secretary. The Secretary may, at the Secretary's option, witness or conduct such stack tests. Should the Secretary exercise his or her option to conduct such tests, the operator will provide all the 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. **[45CSR6 §7.1]**
 - vii. The Secretary may conduct such other tests as the Secretary may deem necessary to evaluate air pollution emissions other than those noted above. **[45CSR6 §7.2]**
 - viii. Due to unavoidable malfunction of equipment, emissions exceeding those provided for in this rule may be permitted by the Director for periods not to exceed five (5) days upon specific application to the Director. Such application shall be made within twenty-four (24) hours of the malfunction. In cases of major equipment failure, additional time periods may be granted by the Director provided a corrective program has been submitted by the owner or operator and approved by the Director. **[45CSR6 §8.2]**
- 6.1.6. A pilot flame must be present at all times of operation. The presence of a pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.
 - 6.1.7. The flare (1C) shall be operated, with a flame present at all times whenever emissions may be vented to them, except during SSM (Startup, Shutdown, Malfunctions) events.
 - 6.1.8. The flare (1C) installed shall be a pressure-assisted flare operated and designed in accordance with the information filed in permit application R13-3181 to achieve a destruction efficiency of 98%.
 - 6.1.9. The inlet gas flow rate must be equal to or less than the maximum specified by the manufacturer.
 - 6.1.10. The permittee will comply with the requirements of Section 2.12 of this permit during emergency operation of the flare (1C).

6.2. Monitoring Requirements

- 6.2.1. In order to demonstrate compliance with the requirements of 6.1.2, 6.1.3, 6.1.4 and 6.1.5.i, the permittee shall monitor the throughput to the flare (1C) on a daily basis.
- 6.2.2. To demonstrate compliance with the flame requirements of 6.1.6 and 6.1.7, the presence of a flame shall be continuously monitored using a thermocouple or any other equivalent device to detect the presence of a flame.

6.3. Testing Requirements

- 6.3.1. In order to demonstrate compliance with the flare opacity requirements of 6.1.4.ii, the permittee shall conduct a Method 22 opacity test once per calendar year. The visible emission checks shall determine the presence or absence of visible emissions. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40 CFR part 60, appendix A, Method 22 or from the lecture portion of 40 CFR part 60, appendix A, Method 9 certification course. If the flare fails the visible emissions test, the permittee must follow manufacturer's repair instructions, if available, or best combustion engineering practice as outlined in the unit inspection and maintenance plan, to return the unit to compliant operation. All repairs and maintenance activities for the flare must be recorded in a maintenance and repair log and must be available for inspection. Following return to operation from maintenance or repair activity, each device must pass an EPA Method 22, 40 CFR part 60, appendix A, visual observation.

6.4. Recordkeeping Requirements

- 6.4.1. For the purpose of demonstrating compliance with section 6.1.2 and 6.1.8, the permittee shall maintain a record of the flare design evaluation. The flare design evaluation shall include, net heat value calculations, exit (tip) velocity calculations, and all supporting concentration calculations and other related information requested by the Director. The permittee shall maintain a record of the initial operational assurance test.
- 6.4.2. The permittee shall document and maintain the corresponding records specified by the on-going monitoring requirements of section 6.2 and testing requirements of section 6.3.
- 6.4.3. For the purpose of demonstrating compliance with section 6.1.5.ii, the permittee shall maintain records of the visible emission opacity tests conducted per Section 6.3.1.

6.5. Reporting Requirements

- 6.5.1. If permittee is required by the Director to demonstrate compliance with section 6.1.5.vi and 6.1.5.vii, then the permittee shall submit a testing protocol at least thirty (30) days prior to testing and shall submit a notification of the testing date at least fifteen (15) days prior to testing. The permittee shall submit the testing results within sixty (60) days of testing and provide all supporting calculations and testing data.
- 6.5.2. Any deviation(s) from the allowable visible emission requirement for any emission source discovered during observations using 40CFR Part 60, Appendix A, Method 9 or 22 shall be reported in writing to the Director of the Division of Air Quality as soon as practicable, but in any case within ten (10) calendar days of the occurrence and shall include at least the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.
- 6.5.3. Any deviation(s) from the flare design and operation criteria in Section 6.1.8 and permit application R13-3181, shall be reported in writing to the Director of the Division of Air Quality as soon as practicable, but no later than ten (10) calendar days of discovery of such deviation.
- 6.5.4. The permittee shall report to the Director, the time, cause of event, estimate of emissions and corrective actions taken when the flare was used for an emergency at the facility.

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.

Signature¹

(please use blue ink)

_____ Responsible Official or Authorized Representative

_____ Date

Name & Title

(please print or type)

_____ Name

_____ Title

Telephone No. _____

Fax No. _____

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.

Williams, Jerry

From: Williams, Jerry
Sent: Monday, September 28, 2015 1:36 PM
To: Veronica Creamer (Veronica.Creamer@cem.concordenergy.com)
Cc: McKeone, Beverly D; Adam Wiggins (Adam.Wiggins@cms.concordenergy.com); Marsha Sonderfan (msonderfan@ltenv.com)
Subject: WV DAQ NSR Permit Application Complete for Concord Appalachian Transload Services, LLC - Parkersburg NGL Facility

**RE: Application Status: Complete
Concord Appalachian Transload Services, LLC – Parkersburg NGL Loading
Facility
Permit Application R13-3181A
Plant ID No. 107-00175**

Ms. Creamer,

Your application for a modification permit for a NGL loading facility was received by this Division on September 3, 2015 and assigned to the writer for review. Upon review of said application, it was determined that the application was incomplete as submitted and additional information was requested. The requested information was received on September 28, 2015, therefore, the statutory review period commenced on September 28, 2015.

In the case of this application, the agency believes it will take approximately 90 days to make a final permit determination.

This determination of completeness shall not relieve the permit applicant of the requirement to subsequently submit, in a timely manner, any additional or corrected information deemed necessary for a final permit determination.

Should you have any questions, please contact Jerry Williams at (304) 926-0499 ext. 1223 or reply to this email.

Thanks,

Jerry Williams, P.E.
Engineer
WVDEP – Division of Air Quality
601 57th Street, SE
Charleston, WV 25304
(304) 926-0499 ext. 1223
jerry.williams@wv.gov

NON-CONFIDENTIAL



Please consider the environment before printing this email.

ID # 107-00175
Reg R13-3181A
Company CONCORD
Facility PARKERSBURG Initials JW

Williams, Jerry

From: Adam Wiggins <Adam.Wiggins@cms.concordenergy.com>
Sent: Monday, September 28, 2015 1:01 PM
To: Williams, Jerry
Subject: FW: Copy of invoice and affidavit
Attachments: Scanned from a Xerox Multifunction Printer.pdf

Importance: High

Hope this is what you needed Jerry. Obviously disregard the invoice as we will handle that portion. Thank you very much. Please let me know if you need anything else.

-----Original Message-----

From: Mary Buck [mailto:mbuck@newsandsentinel.com]
Sent: Monday, September 28, 2015 10:58 AM
To: Adam Wiggins
Subject: Re: Copy of invoice and affidavit
Importance: High

Please see attachments.

Thanks,

Mary Buck
Legal Advertising

Parkersburg Newspapers Inc.
PO Box 1787
Parkersburg WV 26102-1787

P: (304) 485-1891 Ext. 301
P: (800) 642-1997 Ext. 301
F: (304) 422-2660

-----Original Message-----

From: copier@newsandsentinel.com
To: "Buck, Mary " <mbuck@newsandsentinel.com>
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Reg RA3-3181A
Company CONCORD
Facility PARKERSBURG Initials NW

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The News and Sentinel

PO Box 1787
519 Juliana St
Parkersburg, WV
26101
(304) 485-1891

CONCORD ENERGY LLC

**1401 17TH ST SUITE 1500
DENVER, CO**

80202

09/22/2015 3:47:21PM

No: 138520

Phone: 303 468-1910

Ad No 138520	Customer No: L02729	Start Date 09-22-2015	Stop Date 09-22-2015	Category: Legals		Classification: Legals			
Order No	Rate: LE	Lines: 92	Words: 343	Inches: 9.20		Cost 61.80	Payments .00	Balance 61.80	
Publications ... Runs News Legals ... 1		Solicitor: MB	Origin: 10	Sales Rep: 114	Credit Card	Credit Card Number	Card Expire		
		<table border="1"> <tr> <th align="center">Identifier</th> </tr> <tr> <td> Concord Appalachian Transload Services, LLC Air Quality Permit Notice Notice of Application Parkersburg NGL Loading Facility </td> </tr> </table>						Identifier	Concord Appalachian Transload Services, LLC Air Quality Permit Notice Notice of Application Parkersburg NGL Loading Facility
Identifier									
Concord Appalachian Transload Services, LLC Air Quality Permit Notice Notice of Application Parkersburg NGL Loading Facility									
		*Extend Expiration Date							

Concord Appalachian
Transmission Services, LLC

Air Quality Permit Notice
Notice of Application
Parkersburg NGL Loading
Facility

Notice is given that Concord Appalachian Transmission Services, LLC (CATS) has applied to the West Virginia Department of Environmental Protection, Division of Air Quality, for a modification to their Construction Permit for the Parkersburg NGL Loading Facility located on 400 Buckeye Street, near Parkersburg, in Wood County, West Virginia. The latitude and longitude coordinates are 39.250316°, 81.629778°. CATS is requesting a change to the NSPS leak testing requirements previously required in the active permit. Alternatively, CATS will adhere to DOT leak testing protocol and estimate a 70% control efficiency as compared to the 58.7% control formerly specified.

The applicant estimates the potential to discharge the following Regulated Air Pollutants will be (Pollutants and associated amounts in tons per year): Nitrogen oxides (NOx) uncontrolled emissions are 0.00 tons per year (TPY). NOx controlled emissions are 0.00 TPY. Carbon monoxide (CO) uncontrolled emissions are 0.00 TPY. CO controlled emissions are 0.01 TPY. Volatile organic compounds (VOC) uncontrolled emissions are 195.77 TPY. VOC controlled emissions are 53.04 TPY. Total hazardous air pollutant (HAP) uncontrolled emissions are 2.27 TPY. Total HAP controlled emissions are 0.60 TPY. Particulate matter less than 10 microns (PM10) uncontrolled emissions are 0.00 TPY. PM10 controlled emissions are 0.00 TPY. Sulfur dioxide (SO2) uncontrolled emissions are 0.00 TPY. SO2 controlled emissions are 0.00 TPY. Carbon dioxide equivalents (CO2e) uncontrolled emissions are 0.13 TPY. CO2e controlled emissions are 0.01 TPY.

Startup of operation began on the 12th day of September 2014. Written comments will be received by the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street, SE, Charleston, West Virginia 25304, for at least 30 calendar days from the date of publication of this notice.

Any questions regarding this permit application should be directed to the DAS at (800) 455-0489, extension 1227. Congressional District 10.

Dated this 31st day of August 2016.

By: Concord Energy LLC
Veronica Cremer
NGL Marketing
707 17th St., Suite 3020
Denver, CO 80202

Form 22

.....MARY J BUCK.....

Being first duly sworn, says that the

"AIR QUALITY PERMIT NOTICE".....

Hereto attached was printed in the

..XX.. The Parkersburg News and Sentinel,

.....The Marietta AM,

A daily newspaper published in the City of Parkersburg,

Wood County, West Virginia, for ... ONE..... successive

Week(s), the first publication and posting thereon being on

the22ND.....day of ...SEPTEMBER... 2015.., and

subsequent publication on the

day (s) 2015....

Printer's Fee \$..59.80..

Notarized Signature \$2.00..

Additional Copy Fee \$.....

Total Due: \$... 61.80..

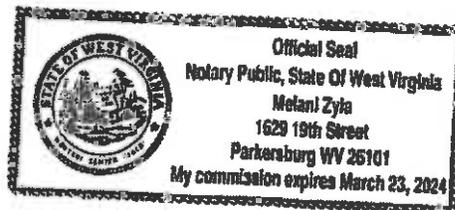
By: *Mary J Buck*

Subscribed and sworn to before me this

23rd day of *September* 2015.

Melani Zyla
Notary Public for Wood County, West Virginia

My commission expires *3-23-24*



Williams, Jerry

From: Marsha Sonderfan <msonderfan@ltenv.com>
Sent: Wednesday, September 09, 2015 11:14 AM
To: Williams, Jerry
Cc: Veronica Creamer; Karen Trantow Lim
Subject: Revised Loading Emissions
Attachments: Revised Loading Calculation.pdf

Hi Jerry,

I have attached a revised loading emissions calculation sheet for the Parkersburg NGL Loading Facility of Concord Appalachian Transload Services. As we discussed, we have calculated the maximum hours of loading based on the maximum annual gallons loaded and loading rate of gallons per hour. This reflects the limitation of loaded volume as in the current permit (Condition 5.1.2 and 5.1.3). This is used to estimate the maximum hourly emissions due to loading. Please let me know if this appropriately addresses your concern.

Thanks,
Marsha

Marsha Sonderfan
Project Air Quality Specialist



COMPLIANCE / ENGINEERING / REMEDIATION

LT Environmental, Inc.
4600 West 60th Avenue
Arvada, Colorado 80003
(303) 433-9788 office
(303) 962-5505 direct
(303) 704-6075 cell
(303) 433-1432 fax
www.ltenv.com
msonderfan@ltenv.com



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Please consider the environment before printing this e-mail.

ID # 107-00175
Reg R13-3181A
Company CONCORD
Facility PARKERSBURG Initials lw

**Concord Appalachian Transload Services, LLC
Parkersburg NGL Loading Facility
Loadout Emissions Detail Sheet**

Source Description	Truck to Rail Car Trans-Loading	Potential operation	8760 hr/yr
Source Usage	NGL Loading	Max. daily trans-loading rate	189,000 gallons - Assumption #1
Truck Loadouts Per Year	7,665	Annual Operation	68,985,000 gallons per year

Assumption #1

Fugitive Emissions	(See AP-42 Section 5.2)	Assumption #2
Overall Reduction Efficiency	70.0% Assumption #2	
Annual throughput, v	68,985 1000 gallons of Natural Gas Liquids	
Loading losses, L @ tank	5.00 lb/1000 gallons	Assumption #3
Annual uncontrolled losses @ tank, L ^v	344,925.00 lb/yr	
Annual controlled losses @ tank, L ^v	103,477.50 lb/yr	
Loading Rate per Truck	9,200 gallons	Provided by operator
Loading Rate	9,200 gallons/hr	(Annual Operation/Loading Rate)
	7498.4 hr loading/yr	

Based on AP-42 Table 5.2-5 - Assumption #3

Uncontrolled Emissions

Hourly VOC During Loading	46.00 lb/hr	Ratio of HAPs to VOC Emissions	(see "Representative Analysis" for weight fraction of each component)
Annual Uncontrolled VOC tpy during loading	172.46 tons/yr		
Annual HAPs tpy during loading	2.26 tons/yr		1.3085%
Annual Benzene tpy during loading	0.02 tons/yr		0.0143%
Annual Toluene tpy during loading	0.03 tons/yr		0.0147%
Annual Ethylbenzene tpy during loading	0.00 tons/yr		0.0002%
Annual Xylene tpy during loading	0.00 tons/yr		0.0020%
Annual n-Hexane tpy during loading	2.20 tons/yr		1.2772%
Annual Methane (CH4) tpy during loading	0.00 tons/yr		0.0002%
Annual Carbon Dioxide (CO ₂) tpy during loading	0.00 tons/yr		0.0022%

Controlled Emissions

Hourly VOC During Loading	13.80 lb/hr		
Annual Controlled VOC tpy during loading	51.74 tons/yr		
Annual HAPs tpy during loading	0.68 tons/yr		1.3085%
Annual Benzene tpy during loading	0.01 tons/yr		0.0143%
Annual Toluene tpy during loading	0.01 tons/yr		0.0147%
Annual Ethylbenzene tpy during loading	0.00 tons/yr		0.0002%
Annual Xylene tpy during loading	0.00 tons/yr		0.0020%
Annual n-Hexane tpy during loading	0.66 tons/yr		1.2772%
Annual Methane (CH4) tpy during loading	0.00 tons/yr		0.0002%
Annual Carbon Dioxide (CO ₂) tpy during loading	0.00 tons/yr		0.0022%

Williams, Jerry

From: Adkins, Sandra K
Sent: Friday, September 04, 2015 9:46 AM
To: veronica.creamer@cem.concordenergy.com
Cc: McKeone, Beverly D; Williams, Jerry
Subject: WV DAQ Permit Application Status for Concord Appalachian Transload Services LLC; Parkersburg

**RE: Application Status
Concord Appalachian Transload Services LLC
Parkersburg
Plant ID No. 107-00175
Application No. R13-3181A**

Dear Ms. Creamer,

Your application for a modification permit for the Parkersburg facility was received by this Division on September 3, 2015, and was assigned to Jerry Williams. The following item was not included in the initial application submittal:

Original affidavit for Class I legal advertisement not submitted.

**Please note to use the new phone extension 1250 for future legal ads.*

Legal ad has no emissions for NOx or CO yet source has a flare. Must republish.

This item is necessary for the assigned permit writer to continue the 30-day completeness review.

Within 30 days, you should receive a letter from Jerry stating the status of the permit application and, if complete, given an estimated time frame for the agency's final action on the permit.

Any determination of completeness shall not relieve the permit applicant of the requirement to subsequently submit, in a timely manner, any additional or corrected information deemed necessary for a final permit decision.

For future reference, electronic applications must include signatures.

Should you have any questions, please contact the assigned engineer, Jerry Williams, at 304-926-0499, extension 1223.

Permit No. 107-00175
Reg. R13-3181A
Company CONCORD
Facility PARKERSBURG Initials JW

R13-3181A

107-00175

Jerry
modification

45CSR13 Administrative Update, Construction, Modification, Relocation, Temporary Permit or General Permit Registration Incomplete Application

A complete application is demonstrated when all of the information required below is properly prepared, completed and attached. The items listed below are required information which must be submitted with a 45CSR13 permit application. Any submittal will be considered incomplete if the required information is not included. The applicant must submit a complete application in order to receive a 45CSR13 permit.

- Class I legal advertisement not published in a newspaper certified to accept legal advertisements and original affidavit submitted. *X1250 Legal Ad has no emissions for NOx or CO yet source has a flare. must Republish*
- Application fee AND/OR additional application fees not included:
 - \$250 Class I General Permit
 - \$300 Class II Administrative Update
 - \$1,000 Construction, Modification, Relocation or Temporary Permit
 - \$500 Class II General Permit
 - \$1,000 NSPS
 - \$2,500 NESHAP
 - \$2,500 45CSR27 Pollutant
 - \$5,000 Major Modification
 - \$10,000 Major Construction
- Original and two (2) copies of the application not submitted.
- File organization – application pages are not numbered or in correct order, application is not bound in some way, etc.
- Confidential Business Information is not properly identified.
- General application forms not completed and signed by a responsible official.
- Authority of Corporation form not included – required if application is signed by someone other than a responsible official.
- Applicant is not registered with the West Virginia Secretary of State's Office.
- Copy of current Business Registration Certificate not included.
- Process description, including equipment and emission point identification numbers, not submitted.
- Process flow diagram, including equipment and emission point identification numbers, not submitted.
- Plot plan, including equipment and emission point identification numbers, not submitted.
- Applicable technical forms not completed and submitted:
 - Emission Point Data Summary Sheets
 - Air Pollution Control Device Sheets
 - Emission Unit Data Sheets
 - Equipment List Form
- Emission calculations not included – emission factors, references, source identification numbers, etc.
- Electronic submittal diskette not included.