*** DRAFT PERMIT ***

Sent by Electronic Mail – Received Receipt Requested
dtarlton@transmontaigne.com

PERMITTEE

TransMontaigne Operating Company L.P.
1670 Broadway, Suite 3100
Denver, Colorado 80202

Authorized Representative:
Dudley Tarlton, Vice President
Environmental Safety & Occupational Health

Air Permit No. 0330139-019-AC
Permit Expires: Date

Pensacola Terminal
Minor Source Air Construction Permit
Ethanol Barge Loading and Vapor Combustion Unit

This is the final air construction permit, which authorizes construction of an ethanol barge loading system and vapor combustion unit. The proposed work will be conducted at the TransMontaigne Pensacola Terminal, which is a Wholesale - Petroleum Bulk Station and Terminal (Standard Industrial Classification No. 5171. The facility is located in Escambia County at 511 S. Clubbs Street in Pensacola, Florida. The UTM coordinates are Zone 16, 478.4 km East, and 3363.6 km North, Latitude: 30° 24' 15" North and Longitude: 87° 13' 30" West. As noted in the Final Determination provided with this final permit, (no changes / only minor changes and clarifications) were made to the draft permit.

This final permit is organized by the following sections.

Section 1. General Information

Section 2. Administrative Requirements

Section 3. Emissions Unit Specific Conditions

Section 4. Appendices

Because of the technical nature of the project, the permit contains numerous acronyms and abbreviations, which are defined in Appendix A of Section 4 of this permit.

This air pollution construction permit is issued under the provisions of: Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The Permittee is authorized to conduct the proposed work in accordance with the conditions of this permit. This project is subject to the general preconstruction review requirements in Rule 62-212.300, F.A.C., and is not subject to the preconstruction review requirements for major stationary sources in Rule 62-212.400, F.A.C., for the Prevention of Significant Deterioration (PSD) of Air Quality.

Upon issuance of this final permit, any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel (Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000) and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Pensacola, Florida

(DRAFT)

_____ _____

J. Charles Harp
Program Administrator
Waste Management/Air Resources
Northwest District

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Final Air Permit package (including the Final Determination and Final Permit) was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on _____ to the persons listed below.

Dudley Tarlton, Vice President - Environmental Safety and Occupational Health, TransMontaigne, dtarlton@transmontaigne.com
Paul Siler, Air Quality Compliance Manager, TransMontaigne, psiler@transmontaigne.com
Donnie J. Ellison, Terminal Manager, TransMontaigne, dellison@transmontaigne.com
Barry Andrews, P.E., Antea Group, barry.andrews@anteagroup.com

FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

(DRAFT)

_____ _____

Clerk Date

FACILITY AND PROJECT DESCRIPTION

Existing Facility

This facility is a petroleum products terminal consisting of barge/ship offloading, petroleum products, ethanol and additives storage tanks, truck loading rack, hydrocarbon vapor combustion unit and administrative offices. Gasoline, ethanol, gasoline/ethanol blends and diesel fuel are received by barge and stored in tanks. Gasoline and diesel are loaded by a bottom-loading multi-bay loading rack into tanker trucks for distribution. The gasoline is blended with ethanol and/or additives as it is loaded into tanker trucks. Loading rack VOC emissions are controlled by a ground flare.

Facility I.D. No. 0330139

I.D. No.	Emission Unit Description
001	Tanks No. 9 and No. 10 for storage of Gasoline, Ethanol, Blends and Distillate [non-NSPS]
002	Miscellaneous Small Tanks – gasoline proprietary additives, dyes, tank bottom water [non-NSPS]
003	Loading Rack/Vapor Combustion Unit (VCU) 1 [NSPS] - gasoline/distillate
011	Gasoline, Ethanol, Blend and Distillate Tanks [NSPS] Nos. 2R1, 11, 112, 113, 114, 15, and 16

Proposed Project

This project authorizes the construction of piping, valves, pumps and ancillary equipment necessary to receive ethanol via a pipeline, store it in existing tanks and pump it into barges for shipment to customers. The project also authorizes the construction of a vapor combustion unit (VCU2) to control the ethanol vapors emitted from the barge loading operation, and establishes limits for ethanol barge loading throughput to keep the facility a synthetic minor. The ethanol will be off-loaded from railcars off-site and piped to the facility through a pipeline. The off-site railcar off-loading and the pipeline are not within the scope of this permit.

Additionally, the gasoline storage tanks, gasoline loading rack and any equipment components in vapor or liquid gasoline service at the facility are subject to 40 CFR 63 Subpart BBBBBB - National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, as a bulk gasoline terminal area source. However, this federal regulation has not been adopted by the state of Florida at the time of this permit. The new ethanol loading system and VCU2 are not subject to NESHAP BBBBBB because it only applies to gasoline service.

The maximum allowable capacity is being updated in this construction permit from a facility throughput to individual throughputs for the existing loading rack (EU003 and the new ethanol barge loading (EU014) because the facility will now contain a second vapor combustion unit (VCU 2).

This project will add the following emissions unit.

Facility I.D. No. 0330139

I.D. No.	Emission Unit Description
014	Ethanol Barge Loading and Vapor Combustion Unit (VCU2)

FACILITY REGULATORY CLASSIFICATION

- The facility is not a major source of hazardous air pollutants (HAP).
- The facility has no units subject to the acid rain provisions of the Clean Air Act (CAA).
- The facility is not a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
- The facility is not a major stationary source in accordance with Rule 62-212.400(PSD), F.A.C.

1. Permitting Authority: The permitting authority for this project is the Northwest District Waste Management/Air Resources Program, Florida Department of Environmental Protection (Department). The District's mailing address is 160 W. Government Street, Suite 308, Pensacola, Florida 32502-5740. All documents related to applications for permits to operate an emissions unit shall be submitted to the District Office at the above address or epost_nwdwasteair@dep.state.fl.us.

2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the District Office at the above address or nwdair@dep.state.fl.us.

3. Appendices: The following Appendices are attached as part of this permit:
   a. Appendix A. Citation Formats and Glossary of Common Terms;
   b. Appendix B. General Conditions;
   c. Appendix C. Common Conditions; and
   d. Appendix D. Common Testing Requirements.
   e. Appendix E. NESHAP subpart A.
   f. Appendix F. NESHAP subpart BBBBBB.

4. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.

5. Asbestos: This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source. [40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

6. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]

7. Modifications: The permittee shall notify the Permitting and Compliance Authority upon commencement of construction. Notification may be submitted by electronic mail to nwdair@dep.state.fl.us and copied to the permitting authority at epost_nwdwasteair@dep.state.fl.us. No new emissions unit shall be constructed and no existing emissions unit shall be modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]

8. Source Obligation:

   (a) At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.

   (b) At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation)

solely by exceeding its projected actual emissions, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.

[Rule 62-212.400(12), F.A.C.]

9. Maximum Allowable Capacities. VOC and HAP emissions shall be controlled by proper operation and maintenance of the tank floating roofs, vapor collection systems and vapor combustion units, and by limiting the maximum throughput of petroleum fluids and ethanol through the facility. The maximum allowable annual (calendar) throughputs for emissions unit (EU) 003, Loading Rack/ VCU 1 are 270 MM gallons of gasoline, including ethanol and gasoline/ethanol blends, and 300 MM gallons of distillate. The maximum allowable annual (calendar) throughput for EU014, Ethanol Barge Loading and VCU 2, is 100 MM gallons of ethanol.

[Rules 62-4.070(3), 62-210.200(PTE), and 62-296.320(1), F.A.C., Permit AC17-268873, and Application No. 0330139-019-AC]

{Permitting Note: The maximum allowable capacity is being updated in this construction permit from a facility throughput to individual throughputs for the existing loading rack and the new ethanol barge loading because the facility will now contain a second vapor combustion unit.}

A. Ethanol Barge Loading Vapor Combustion Unit (VCU2)

This section of the permit addresses the following emissions unit.

I.D. No.	Emissions Unit Description
014	Ethanol Barge Loading and Vapor Combustion Unit (VCU2)

This emissions unit includes the ethanol barge loading equipment and VCU2 as described in the equipment specific conditions section below. VCU2 will not use an open flame and is not subject to the requirements of 40 CFR 60.18 as an "open flame" device, according to 40 CFR 60 Subpart XX (40 CFR 60.501) - EPA determinations (Control Number: 0000084).

This new emission unit for marine loading of ethanol is not subject to NESHAP subpart Y MACT because the facility is not a major source of HAPS, and is not subject to the NESHAP subpart Y RACT because gasoline or crude oil is not loaded.

EQUIPMENT

1. Ethanol Barge Loading Equipment: The permittee is authorized to install on-site piping, valves, couplings, pumps and ancillary equipment necessary to receive ethanol via pipeline, store it in existing tanks on site and pump it into barges for shipment to customers. The ethanol pipeline to transport ethanol to the facility from the remote railcar off-loading site and the remote railcar off-loading site are not within the scope of this permit. [Application No. 0330139-019-AC]

2. Ethanol Barge Loading Vapor Combustion Unit: The permittee is authorized to install a vapor combustion unit (VCU2) to control volatile organic compound emissions resulting from ethanol barge loading along with all ducting, piping, valves, couplings, pumps, and ancillary equipment related to the VCU2. [Application No. 0330139-019-AC]

PERFORMANCE RESTRICTIONS

3. Permitted Capacity: The maximum allowable throughput is 100,000,000 gallons of ethanol per year transferred to barges. [Rule 62-210.200(PTE), F.A.C., Application No. 0330139-019-AC]

4. Authorized Fuel: Ethanol shall be the only volatile organic liquid allowed to be handled by the Ethanol Barge Loading System. This facility is not authorized to load petroleum products, including gasoline or gasoline blends into marine tank vessels. [Rule 62-210.200(PTE), F.A.C., and Application No. 0330139-019-AC]

   {Permitting Note: Marine tank vessel loading operation means any operation under which a commodity is bulk loaded onto a marine tank vessel from a terminal, which may include the loading of multiple marine tank vessels during one loading operation. Marine tank vessel loading operations do not include refueling of marine tank vessels. Marine vessel or Marine tank vessel means any tank ship or tank barge that transports liquid product such as gasoline or crude oil in bulk}.

5. Restricted Operation: The hours of operation are not limited (8760 hours per year), as long as throughputs and emissions limits are observed. [Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.]

6. Operations Limited. The facility shall not operate the ethanol barge loading system without operating the vapor combustion unit (VCU2). The presence of a pilot flame shall be continuously monitored by a thermocouple or its equivalent. In the event of no pilot flame, the ethanol barge loading operation shall cease immediately and not be returned to operation until the enclosed flare is operating properly. [Rules 62-4.070(3), F.A.C., and Application No. 0330139-019-AC]

EMISSIONS STANDARDS

7. Volatile Organic Compounds (VOC). For testing purposes only, the VOC emissions are limited to no more than 2.17 mg/l of ethanol loaded into the barges. [Permit application 0330139-019-AC]

A. Ethanol Barge Loading Vapor Combustion Unit (VCU2)

{Permitting Note: VOC emissions are estimated at 0.91 tons per year based on VCU2 VOC emissions of 2.17 mg/l with a throughput of 100,000,000 gallons of ethanol per year. This volumetric VOC limit is for testing purposes to demonstrate reasonable assurance of proper operation and VOC and HAP control and to demonstrate the facility is able to remain below Title V thresholds.}

TESTING REQUIREMENTS

8. Initial Compliance Tests: VCU2 shall be tested to quantify actual emissions of VOC based on the emissions estimates provided in the application. The initial tests shall be conducted within 60 days after achieving permitted capacity, but not later than 180 days after initial operation of the unit. Notification of compliance testing and completed test reports may be submitted by electronic mail to nwdair@dep.state.fl.us. [Rules 62-4.070(3) and 62-297.310(7)(a)1, F.A.C., and Application No. 0330139-019-AC]

9. Subsequent Compliance Tests: VCU2 shall be tested once in the 5th year at least 105 days prior to expiration date of this permit to demonstrate the quantity of VOC emissions for reasonable assurance that the facility retains its status as a synthetic minor. Notification of compliance testing and completed test reports may be submitted by electronic mail to nwdair@dep.state.fl.us. [Rule 62-297.310(7)(a)3, F.A.C.]

10. Test Requirements: The Permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests. Notification may be sent via e-mail to nwdair@dep.state.fl.us. Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit. [Rule 62-297.310(7)(a)9, F.A.C]

11. Test Methods: Required tests shall be performed in accordance with the following reference methods.

Method	Description of Method and Comments
1-4	Traverse Points, Velocity and Flow Rate, Gas Analysis, and Moisture Content
25 or 25A	Determination of Total Gaseous Nonmethane Organic Emissions as Carbon - 40 CFR 60 Appendix A or Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer - 40 CFR 60 Appendix A

The above methods are described in Appendix A of 40 CFR 60 and are adopted by reference in Rules 62-204.800 and 62-297.401, F.A.C. No other methods may be used unless prior written approval is received from the Department. [Rules 62-204.800 and 62-297.401, F.A.C.; and Appendix A of 40 CFR 60]

RECORDS AND REPORTS

12. Recordkeeping. The permittee shall maintain records for all ethanol products received and loaded to show annual (calendar) throughputs. These records shall be used to estimate annual emissions for this emissions unit. These records and the annual operating report shall be used to demonstrate compliance with the Maximum Allowable Capacity for this emissions unit. [Rules 62-4.070(3) and 62-296.320(1), F.A.C., Permit AC17-268873 and Application No. 0330139-019-AC]

B. Common Maximum Capacity and NESHAP BBBBBB conditions

This section of the permit addresses the following emissions units.

ID No.	Emissions Unit Description
001	Tanks No. 9 and No.10 for storage of Gasoline, Ethanol, Blends and Distillate [non-NSPS]
002	Miscellaneous Tanks - gasoline proprietary additives, dyes, tank bottom water [non-NSPS]
003	Loading Rack/Vapor Combustion Unit (VCU) 1 [NSPS] - gasoline/distillate
011	Gasoline, Ethanol, Blend and Distillate Tanks [NSPS] Nos. 2R1, 11, 112, 113, 114, 15, and 16

The gasoline storage tanks, gasoline loading rack, vapor collection-equipped gasoline cargo tanks, and equipment components in vapor or liquid gasoline service are regulated by 40 CFR 63 Subpart BBBBBB - National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, as an area source bulk gasoline terminal. However, as of the date of this permit, Florida has not adopted NESHAP BBBBBB and is not the compliance authority.

The following specific conditions apply to the emissions unit(s) listed above:

1. Previous Permits: This permit supplements all previously issued air construction and operation permits for this emissions unit. Except for the change noted below, the unit remains subject to the conditions of all other legally binding air construction and operating permits. [Rules 62-4.070(3) and 62-210.300(1), F.A.C.]

2. Affected Source. The emission sources to which 40 CFR 63 subpart BBBBBB applies are the gasoline storage tanks, gasoline loading rack, vapor collection-equipped gasoline cargo tanks, and equipment components in vapor or liquid gasoline service that meet the criteria specified in Tables 1 through 3 to 40 CFR 63 subpart BBBBBB. [40 CFR 63.11082(a)]

PERFORMANCE RESTRICTIONS

3. Permitted Capacity: The maximum allowable gasoline, gasoline/ethanol blends and ethanol combined throughput total for these emissions units is 270 MM gallons per year and 300 MM gallons per year of distillate [Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.]

EMISSIONS STANDARDS

4. Emissions Standards:

   a. Gasoline Storage Tank Requirements. Each emission limit and management practice must be met in Table 1 to 40 CFR 63 subpart BBBBBB that applies to the gasoline storage tanks by the applicable dates specified in 40 CFR 63.11083, except that storage vessels equipped with floating roofs and not meeting the applicable requirements of Table 1 to 40 CFR 63 subpart BBBBBB must be in compliance at the first degassing and cleaning activity after January 10, 2011 or by January 10, 2018, whichever is first. [40 CFR 63.11087(a) & (b)]

   b. NSPS Kb compliance. If the gasoline storage tank is subject to, and complies with, the control requirements of 40 CFR part 60, subpart Kb, the storage tank will be deemed in compliance with 40 CFR 63.11087. This determination must be reported in the Notification of Compliance Status report under 40 CFR 63.11093(b). [40 CFR 63.11087(f)]

   c. Gasoline Loading Racks. Each emission limit and management practice must be met in Table 2 to 40 CFR 63 subpart BBBBBB that applies by the dates specified in 40 CFR 63.11083. [40 CFR 63.11088(a) & (c)]

TESTING REQUIREMENTS

5. Performance Tests: The emissions unit shall be tested to demonstrate initial compliance with the emissions standards for VOC. A performance test must be conducted on the vapor processing and collection systems according to either the test methods and procedures in 40 CFR 60.503, except a reading of 500 parts per million shall be used to determine the level of leaks to be repaired under 40 CFR 60.503(b); or alternative test methods and procedures can be used in accordance with the alternative test method requirements in 40 CFR 63.7(f)(2). If the gasoline loading rack is operated in compliance with an enforceable State, local, or tribal rule or permit that requires the loading rack to meet an emission limit of 80 milligrams (mg), or less, per liter of gasoline loaded (mg/l), the responsible official of the facility may submit a statement certifying the compliance status of the loading rack in lieu of the test required under paragraph (a)(1) of 40 CFR 63.11092. If performance testing has been conducted on the vapor processing and collection systems within 5 years prior to January 10, 2008, and the test is for the affected facility and is representative of current or anticipated operating processes and conditions, the results of such testing may be submitted in lieu of the test required under paragraph (a)(1) of 40 CFR 63.11092 provided the testing was conducted using the test methods and procedures in 40 CFR 60.503 of this chapter. [40 CFR 63.11092(a), Rules 62-4.070(3) and 62-297.310(7)(a)1, F.A.C.]

   {Permitting Note: The initial compliance test requirement has been met.}

6. Test Requirements: The permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests. Notification may be sent via e-mail to nwdair@dep.state.fl.us . Performance tests conducted for 40 CFR 63 subpart BBBBBB shall be conducted under such conditions as the Administrator specifies to the owner or operator, based on representative performance (*i.e.*, performance based on normal operating conditions) of the affected source. Upon request, the owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests. Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit. [40 CFR 63.11092(g) and Rule 62-297.310(7)(a)9, F.A.C.]

7. Test Methods: Required tests shall be performed in accordance with the following reference methods or alternative test methods and procedures can be used in accordance with the alternative test method requirements in 40 CFR 63.7(f).

Method	Description of Method and Comments
2A, 2B	Traverse Points, Velocity and Flow Rate, Gas Analysis
21	Determination of Volatile Organic Compound Leaks
22	Visual Determination of fugitive emissions from material sources and smoke emissions from flare
25A or 25B	Determination of Total Gaseous Organic Concentration

   The above methods are described in Appendix A of 40 CFR 60 and are adopted by reference in Rules 62-204.800 and 62-297.401, F.A.C. No other methods may be used unless prior written approval is received from the Department. [40 CFR 60.503(b) & (c), and Rules 62-204.800 and 62-297.401, F.A.C.; and Appendix A of 40 CFR 60]

MONITORING REQUIREMENTS

8. Minimizing Emissions. At all times, the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator, which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.11085(a)]

9. Monthly Leak Inspections. The owner or operator shall perform a monthly leak inspection of all equipment in gasoline service, as defined in 40 CFR 63.11100. For this inspection, detection methods incorporating sight, sound, and smell are acceptable. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except if the repair is not feasible within 15 days, then delay of repair of leaking equipment will be allowed, but must the reason and date of delayed repair must be included in semiannual report. [40 CFR 63.11089(a), (c) & (d)]]

10. Continuous Monitoring System (CMS). Each owner or operator shall install, calibrate, certify, operate, and maintain, according to the manufacturer's specifications, a continuous monitoring system (CMS) while gasoline vapors are displaced to the vapor processor systems, as specified in paragraphs (b)(1) through (5) of 40 CFR 63.11092. [40 CFR 63.11092(b)]

    {Permitting Note: Presence of thermal oxidation pilot flame is monitored with an UV scanner}

11. Operating Parameter Value. The presence of a thermal oxidation system pilot flame shall be monitored using a heat-sensing device, such as an ultraviolet beam sensor or a thermocouple, installed in proximity of the pilot light, to indicate the presence of a flame. The heat-sensing device shall send a positive parameter value to indicate that the pilot flame is on, or a negative parameter value to indicate that the pilot flame is off. During the performance test, continuously record the operating parameter as specified under paragraphs (b)(1)(iii) of 40 CFR 63.11092. [40 CFR 63.11092(b)(1) & (b)(1)(iii)(B)(*1*)]

12. Monitoring and Inspection Plan. A monitoring and inspection plan must be developed and submitted to the Administrator that describes the owner or operator's approach for meeting the following requirements:

    a. The thermal oxidation system shall be equipped to automatically prevent gasoline loading operations from beginning at any time that the pilot flame is absent.

    b. The owner or operator shall verify, during each day of operation of the loading rack, the proper operation of the assist-air blower and the vapor line valve. Verification shall be through visual observation, or through an automated alarm or shutdown system that monitors system operation. A manual or electronic record of the start and end of a shutdown event may be used.

    c. The owner or operator shall perform semi-annual preventive maintenance inspections of the thermal oxidation system, including the automated alarm or shutdown system for those units so equipped, according to the recommendations of the manufacturer of the system.

    d. The monitoring plan shall specify conditions that would be considered malfunctions of the thermal oxidation system during the inspections or automated monitoring performed above, describe specific corrective actions that will be taken to correct any malfunction, and define what the owner or operator would consider to be a timely repair for each potential malfunction.

    e. The owner or operator shall document any system malfunction, as defined in the monitoring and inspection plan, and any activation of the automated alarm or shutdown system with a written entry into a log book or other permanent form of record. Such record shall also include a description of the corrective action taken and whether such corrective actions were taken in a timely manner, as defined in the monitoring and inspection plan, as well as an estimate of the amount of gasoline loaded during the period of the malfunction.

    [40 CFR 63.11092(b)(1)(iii)(B)(2)]

    {Permitting Note: The monitoring and inspection plan was received on January 7, 2011.}

13. Operating Parameter Value Requirements.

    a. Operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the operating parameter value.

b. In cases where an alternative parameter pursuant to paragraph (b)(1)(iv) or paragraph (b)(5)(i) of 40 CFR 63.11092 is approved, each owner or operator shall operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the alternative operating parameter value.

c. Operation of the vapor processing system in a manner exceeding or going below the operating parameter value, as appropriate, shall constitute a violation of the emission standard in 40 CFR 63.11088(a), except as specified in paragraph (d)(4) of 40 CFR 63.11092.

d. For the monitoring and inspection, as required under paragraphs (b)(1)(i)(B)(*2*) and (b)(1)(iii)(B)(*2*) of 40 CFR 63.11092, malfunctions that are discovered shall not constitute a violation of the emission standard in 40 CFR 63.11088(a) if corrective actions as described in the monitoring and inspection plan are followed. The owner or operator must:

i. Initiate corrective action to determine the cause of the problem within 1 hour;

ii. Initiate corrective action to fix the problem within 24 hours;

iii. Complete all corrective actions need to fix the problem as soon as practicable consistent with good air pollution control practices for minimizing emissions;

iv. Minimize periods of start-up, shutdown, or malfunction; and

v. Take any necessary corrective actions to restore normal operation and prevent the recurrence of the cause of the problem.

[40 CFR 63.11092(d)]

14. Gasoline Storage Tank Inspections. If the gasoline storage tank is equipped with an internal floating roof, inspections of the floating roof system must be performed according to the requirements of 40 CFR 60.113b(a) if complying with option 2(b) in Table 1 to 40 CFR 63 subpart BBBBBB, or according to the requirements of 40 CFR 63.1063(c)(1) if complying with option 2(d) in Table 1 to 40 CFR 63 subpart BBBBBB. For a gasoline tank equipped with an external floating roof, inspections of the floating roof system must be performed according to the requirements of 40 CFR 60.113b(b) if complying with option 2(c) in Table 1 to 40 CFR 63 subpart BBBBBB, or according to the requirements of 40 CFR 63.1063(c)(2) if complying with option 2(d) in Table 1 to 40 CFR 63 subpart BBBBBB. [40 CFR 63.11092(e)]

RECORDS AND REPORTS

15. Throughput Records. Recordkeeping to document applicable throughput shall be kept for a period of 5 years. [40 CFR 63.11081(j)]

16. Change in Operating Parameter Value. For performance tests performed after the initial test, the owner or operator shall document the reasons for any change in the operating parameter value since the previous performance test. [40 CFR 63.11092(c)]

17. 40 CFR 63 subpart BBBBBB records. Records shall be kept as specified in 40 CFR 60.115b if complying with options 2(a), 2(b), or 2(c) in Table 1 to 40 CFR 63 subpart BBBBBB, except records shall be kept for at least 5 years. If complying with the requirements of option 2(d) in Table 1 to 40 CFR 63 subpart BBBBBB, records shall be kept as specified in 40 CFR 63.1065. Applicable records as specified under 40 CFR 63.11094(g) must also be kept. [40 CFR 63.11085(b), and 63.11094(a)]

18. Gasoline Cargo Tank Loading Test Result Records. Records of the test results for each gasoline cargo tank loading at the facility shall be kept as specified below:

a. Annual certification testing performed under 40 CFR 63.11092(f)(1) and periodic railcar bubble leak testing performed under 40 CFR 63.11092(f)(2).

b. The documentation file shall be kept up-to-date for each gasoline cargo tank loading at the facility. The documentation for each test shall include, as a minimum, the following information:

i. *Name of test:* Annual Certification Test-Method 27 or Periodic Railcar Bubble Leak Test Procedure.

ii. Cargo tank owner's name and address.

iii. Cargo tank identification number

iv. Test location and date

v. Tester name and signature

vi. *Witnessing inspector, if any:* Name, signature, and affiliation

vii. *Vapor tightness repair:* Nature of repair work and when performed in relation to vapor tightness testing.

viii. *Test results:* Test pressure; pressure or vacuum change, mm of water; time period of test; number of leaks found with instrument; and leak definition.

c. As an alternative to keeping records at the terminal of each gasoline cargo tank test result as required in paragraph (b) of this section, an owner or operator may comply with the following requirements:

i. An electronic copy of each record is instantly available at the terminal and is an exact duplicate image of the original paper record with certifying signatures and the Administrator is notified in writing that each terminal using this alternative is in compliance with paragraph (c)(1) of 40 CFR 63.11094, ***OR***

ii. For facilities that use a terminal automation system to prevent gasoline cargo tanks that do not have valid cargo tank vapor tightness documentation from loading (e.g., via a card lock-out system), a copy of the documentation is made available (e.g., via facsimile) for inspection by the Administrator's delegated representatives during the course of a site visit, or within a mutually agreeable time frame. The copy of each record must be an exact duplicate image of the original paper record with certifying signatures and the Administrator is notified in writing that each terminal using this alternative is in compliance with paragraph (c)(2) of 40 CFR 63.11094.

[40 CFR 63.11094(b) & (c)]

19. Gasoline Service Equipment Records/Instrument Program. Each owner or operator subject to the equipment leak provisions of 40 CFR 63.11089 shall prepare and maintain a record describing the types, identification numbers, and locations of all equipment in gasoline service. For facilities electing to implement an instrument program under 40 CFR 63.11089, the record shall contain a full description of the program. [40 CFR 63.11094(d)]

20. Inspection leak detection log book. A log book shall be used and shall be signed by the owner or operator at the completion of each inspection. A section of the log book shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility. Each detection of a liquid or vapor leak shall be recorded in the log book. Each owner or operator shall record in the log book for each leak that is detected the information specified below:

a. The equipment type and identification number.

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

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

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

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

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

g. The date of successful repair of the leak.

[40 CFR 63.11094(e)]

21. Monitoring and Malfunction Records.

    a. Keep an up-to-date, readily accessible record of the continuous monitoring data required under 40 CFR 63.11092(b) or 40 CFR 63.11092(e). This record shall indicate the time intervals during which loadings of gasoline cargo tanks have occurred or, alternatively, shall record the operating parameter data only during such loadings. The date and time of day shall also be indicated at reasonable intervals on this record.

    b. Keep an up-to-date, readily accessible copy of the monitoring and inspection plan required under 40 CFR 63.11092(b)(1)(i)(B)(*2*) or 40 CFR 63.11092(b)(1)(iii)(B)(*2*).

    c. Keep an up-to-date, readily accessible record of all system malfunctions, as specified in 40 CFR 63.11092(b)(1)(i)(B)(*2*)(*v*) or 40 CFR 63.11092(b)(1)(iii)(B)(*2*)(*v*). The malfunction records should include:

        i. Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.

        ii. Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.11085(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

    [40 CFR 63.11094(f)(1), (f)(3), & (f)(4), and 63.11094(g)]

22. Notifications. A Notification of Compliance Status must submitted as specified in 40 CFR 63.9(h). The Notification of Compliance Status must specify which of the compliance options included in Table 1 to 40 CFR 63 subpart BBBBBB is used. A Notification of Performance Test must be submitted, as specified in 40 CFR 63.9(e), prior to initiating testing required by 40 CFR 63.11092(a) or 40 CFR 63.11092(b). Additional notifications must be submitted as specified in 40 CFR 63.9, as applicable. [40 CFR 63.11093]

23. Record and report simultaneously with the Notification of Compliance Status required under 40 CFR 63.11093(b):

    a. All data and calculations, engineering assessments, and manufacturer's recommendations used in determining the operating parameter value under 40 CFR 63.11092(b) or 40 CFR 63.11092(e); and

    b. When using a flare under provisions of 40 CFR 63.11(b) to comply with 40 CFR 63.11087(a) include the flare design (i.e., steam-assisted, air-assisted, or non-assisted); and all visible emissions (VE) readings, heat content determinations, flow rate measurements, and exit velocity determinations made during the compliance determination required under 40 CFR 63.11092(e)(3).

24. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. [Rule 62-297.310(8), F.A.C.]

25. Alternative Request. If an owner or operator requests approval to use a vapor processing system or monitor an operating parameter other than those specified in 40 CFR 63.11092(b), the owner or operator shall submit a description of planned reporting and recordkeeping procedures. [40 CFR 63.11094(f)(5)]

26. Semiannual Compliance Report. The semiannual compliance report shall include the following:

    a. For storage vessels complying with options 2(a), 2(b), or 2(c) in Table 1 to 40 CFR 63 subpart BBBBBB, the information specified in 40 CFR 60.115b(a), 40 CFR 60.115b(b), or 40 CFR 60.115b(c), depending upon the control equipment installed, or if complying with option 2(d) in Table 1 to 40 CFR 63 subpart BBBBBB, the information specified in 40 CFR 63.1066.

b. For loading racks, each loading of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the facility.

c. For equipment leak inspections, the number of equipment leaks not repaired within 15 days after detection.

d. For storage vessels complying with 40 CFR 63.11087(b) after January 10, 2011, the storage vessel's Notice of Compliance Status information can be included in the next semi-annual compliance report in lieu of filing a separate Notification of Compliance Status report under 40 CFR 63.11093.

e. Excess Emissions Report. An excess emissions report shall be submitted to the Administrator at the time the semiannual compliance report is submitted that includes the following information:

i. Each instance of a non-vapor-tight gasoline cargo tank loading at the facility in which the owner or operator failed to take steps to assure that such cargo tank would not be reloaded at the facility before vapor tightness documentation for that cargo tank was obtained.

ii. Each reloading of a non-vapor-tight gasoline cargo tank at the facility before vapor tightness documentation for that cargo tank is obtained by the facility in accordance with 40 CFR 63.11094(b).

iii. Each exceedance or failure to maintain, as appropriate, the monitored operating parameter value determined under 40 CFR 63.11092(b). The report shall include the monitoring data for the days on which exceedances or failures to maintain have occurred, and a description and timing of the steps taken to repair or perform maintenance on the vapor collection and processing systems or the CMS.

iv. Each instance in which malfunctions discovered during the monitoring and inspections required under 40 CFR 63.11092(b)(1)(i)(B)(*2*) and (b)(1)(iii)(B)(*2*) were not resolved according to the necessary corrective actions described in the monitoring and inspection plan. The report shall include a description of the malfunction and the timing of the steps taken to correct the malfunction.

v. For each occurrence of an equipment leak for which no repair attempt was made within 5 days or for which repair was not completed within 15 days after detection.

(*A*) The date on which the leak was detected;
(*B*) The date of each attempt to repair the leak;
(*C*) The reasons why the repair was not feasible and the reason for the delay of repair; and
(*D*) The date of successful repair.

f. The number, duration, and a brief description of each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded shall be submitted in a semiannual report. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with 40 CFR 63.11085(a), including actions taken to correct a malfunction. The report may be submitted as a part of the semiannual compliance report, if one is required. Owners or operators of affected bulk plants and pipeline pumping stations are not required to submit reports for periods during which no malfunctions occurred.

[40 CFR 63.11089(d) and 63.11095]

27. 40 CFR 63 subpart BBBBBB requirements. These emissions units are subject to 40 CFR 63 subpart BBBBBB as an existing area source bulk gasoline terminal. The emission sources to which this subpart applies are the gasoline storage tanks, gasoline loading racks, vapor collection-equipped gasoline cargo tanks, and equipment components in vapor or liquid gasoline service. The date of compliance with the standards in 40 CFR 63 subpart BBBBBB was January 10, 2011. [40 CFR 63.11081(a)(1) and 63.11082(a) & (d) and 63.11083(b)]

C. Loading Rack/VCU 1 – gasoline/distillate

This section of the permit addresses the following emissions unit.

I.D. No.	Emissions Unit Description
003	Loading Rack/Vapor Combustion Unit (VCU) 1 - gasoline/distillate

The following specific conditions apply to the emissions unit(s) listed above:

1. Previous Permits: This permit supplements all previously issued air construction and operation permits for this emissions unit. Except for the change noted below, the unit remains subject to the conditions of all other legally binding air construction and operating permits. [Rules 62-4.070(3) and 62-210.300(1), F.A.C.]

EMISSIONS STANDARDS

2. Specific Condition of 0330139-018-AF shall be replaced with the following: The owner or operator shall act to assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck. Examples of actions to accomplish this include training drivers in the hookup procedures and posting visible reminder signs at the affected loading racks. [Rule 62-204.800(8)(b)56., F.A.C., and 40 CFR 60.502(g)]

{Permitting Note: The more detailed posting of operating instructions included in a. through f. of specific condition C.11. of Permit 0330139-018-AF are being replaced during this construction permit to reflect the exact language of 40 CFR 60.502(g).}