# Florida Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary


*Electronically Sent- Received Receipt Requested*
**bparedes@transmontaigne.com**

Karl Bernard, Director of Operations
Transmontaigne Operating Company, L.P.
P.O. Box 103076
Roswell, GA 30076-9076

Re: Title V Air Operation Permit Revision
**REVISED DRAFT** Title V Project No.: 0090029-012-AV
Cape Canaveral Terminal

Dear Mr. Bernard:

One copy of the REVISED DRAFT Permit for a Title V Air Operation Permit Revision for the Cape Canaveral Terminal, located at 8954 N. Atlantic Ave., Cape Canaveral, Brevard County, is enclosed. The permitting authority's "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" and the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" are also included.

An electronic version of the REVISED DRAFT Permit will be posted on the Division of Air Resources Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is:
http://www.dep.state.fl.us/air/eproducts/ards/default.asp.

The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit revision pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Jeff Rustin, P.E., at the above letterhead address. If you have any other questions, please contact Jeff Rustin, P.E., at 407/897-2930.

Sincerely,

Caroline D. Shine — 7/5/11
Caroline D. Shine — Date
District Air Program Administrator
Central District

CS/jr/tla

In the Matter of an
Application for Permit by:

Transmontaigne Operating Co.
P.O. Box 103076
Roswell, GA 30076-9076

**REVISED DRAFT** Permit Project No.: 0090029-012-AV
Cape Canaveral Terminal
Brevard County

## INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

The Florida Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Revision (copy of REVISED DRAFT Permit attached) for the Title V source detailed in the application specified above, for the reasons stated below.

The applicant, Transmontaigne Operating Company, L.P., applied on September 23, 2010 to the permitting authority for a Title V Air Operation Permit Revision for the Cape Canaveral Terminal located at 8954 N. Atlantic Ave., Cape Canaveral, Brevard County.

Title V Air Operation Permit Revision No.: 0090029-012-AV will incorporate the terms and conditions of construction permit No. 0090029-011-AC, which allowed the installation of a boiler.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-213. This source is not exempt from Title V permitting procedures. The permitting authority has determined that a Title V Air Operation Permit is required to commence or continue operations at the described facility.

The permitting authority intends to issue this Title V Air Operation Permit Revision based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Florida Department of Environmental Protection, 3319 Maguire Boulevard, Suite 232, Orlando, Florida, 32803 [Telephone: 407/897-4100, Facsimile: 850/412-0455], within 7 (seven) days of publication. Failure to publish the notice and provide

proof of publication may result in the denial of the permit renewal pursuant to Rule 62-110.106(11), F.A.C.

The permitting authority will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with the conditions of the attached REVISED DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed permit revision issuance action for a period of 30 (thirty) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION." Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this REVISED DRAFT Permit, the permitting authority shall issue a second REVISED DRAFT Permit and require, if applicable, another Public Notice.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, FL 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;

(c) A statement of how and when each petitioner received notice of the agency action or proposed action;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;
(f) A statement of the specific rules or statures the petitioner contends require reversal or modification of the agency's proposed action; and,
(g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the permitting authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation will not be available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

(a) The name, address, and telephone number of the petitioner;
(b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
(c) Each rule or portion of a rule from which a variance or waiver is requested;
(d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
(e) The type of action requested;
(f) The specific facts that would justify a variance or waiver for the petitioner;
(g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and,
(h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any Title V permit. Any petition shall be based only on objections to the Title V permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any Title V permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Caroline D. Shine

Caroline D. Shine
District Air Program Administrator
Central District

## CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION (including the PUBLIC NOTICE and the REVISED DRAFT Permit Package) and all copies were sent by certified mail or electronically (with Received Receipt) before the close of business on July 5, 2011 to the person(s) listed:

Karl Bernard, Director of Operations **(bparedes@transmontaigne.com)**
Transmontaigne Operating Company, L.P.
1670 Broadway, Suite 3100
Denver, CO 80202

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION (including the PUBLIC NOTICE and REVISED DRAFT Permit) were sent by U.S. mail or electronically (with Received Receipt) on the same date to the person(s) listed or as otherwise noted:

Barry Andrews, P.E, Consulting Engineer, LT Environmental **(BANDREWS@LTENV.COM)**
Paul Siler, P.E., Air Quality Compliance Manager **(PSiler@transmontaigne.com)**
Rex Thompson, Terminal Manager **(rthompson@transmontaigne.com)**

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION (including the REVISED DRAFT Permit package) were sent by U.S. mail or electronically (with Received Receipt) on the same date to the person(s) listed:

Barbara Friday, BAR **[Barbara.Friday@dep.state.fl.us]** (for posting with Region 4, U.S. EPA)

Clerk Stamp

Filed on this date, pursuant to Section 120.52, F. S.
with the designated Department Clerk, receipt of which
is hereby acknowledged.

(Clerk) 7/5/11 (Date)

# PUBLIC NOTICE OF INTENT TO ISSUE A TITLE V AIR OPERATION PERMIT REVISION

Florida Department of Environmental Protection
Central District

**REVISED DRAFT** Title V Air Operation Permit No.: 0090029-012-AV

Transmontaigne Operating Company, L.P.
Cape Canaveral Terminal
Brevard County

The Florida Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Revision to Transmontaigne Operating Company, L.P. for the existing Cape Canaveral Terminal, located at 8954 N. Atlantic Ave., Cape Canaveral, Brevard County, Florida. The applicant's name and address are: Transmontaigne Operating Company, L.P., P.O. Box 103076, Roswell, GA 30076-9076, Attention: Karl Bernard, Director of Operations.

Title V Air Operation Permit Revision No.: 0090029-012-AV will incorporate the terms and conditions of construction permit No. 0090029-011-AC, which allowed the installation of a boiler.

The permitting authority will issue the PROPOSED permit, and subsequent FINAL Permit, in accordance with the conditions of the REVISED DRAFT Title V Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the REVISED DRAFT Title V Air Operation Permit Revision for a period of 30 (thirty) days from the date of publication of this Public Notice. Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 30-day period, by the Permitting Authority at the Florida Department of Environmental Protection, 3319 Maguire Blvd., Suite 232, Orlando, Florida 32803 (telephone: 407/897-4100, facsimile: 850/412-0455). As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at http://faw.dos.state.fl.us/ and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the REVISED DRAFT Title V Air Operation Permit Revision, the Permitting Authority shall issue a second REVISED DRAFT Title V Air Operation Permit Revision and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 of the

Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, FL 32399-3000, Telephone: 850/245-2242, Fax: 850/245-2303. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within 14 (fourteen) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the applicable time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;
(b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
(c) A statement of how and when each petitioner received notice of the agency decision;
(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; including an explanation of how the alleged facts relate to the specific rules or statutes; and,
(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the permitting authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application(s) have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any Title V permit. Any petition shall be based only on objections to the Title V permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at U.S. EPA, 401 M. Street SW, Washington, D.C. 20460.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Permitting Authority:
Florida Department of Environmental Protection
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803
Telephone: 407/897-4100
Fax: 850/412-0455

The complete project file includes the Preliminary Determination and associated DRAFT Title V Air Operation Permit Revision, the application(s), and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Jeff Rustin, P.E., at the above address or call 407/897-2930 for additional information.

# TECHNICAL EVALUATION
# &
# PRELIMINARY DETERMINATION

## APPLICANT

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

Cape Canaveral Terminal

Facility ID No. 0090029

## PROJECT

Project No. 0090029-012-AV
Application for Title V Air Operation Permit
Project Name: Title V Air Operation Permit Revision

## COUNTY

Brevard County, Florida

## PERMITTING AUTHORITY

Florida Department of Environmental Protection
Air Resource Management
Central District Office
3319 Maguire Blvd., Ste. 232, Orlando, FL 32803-3767

April 18, 2011
Revised June 29, 2011

Prepared by Jeffrey Rustin, P.E.

## GENERAL PROJECT INFORMATION

### Air Pollution Regulations

Projects at stationary sources with the potential to emit air pollution are subject to the applicable environmental laws specified in Section 403 of the Florida Statutes (F.S.). The statutes authorize the Department of Environmental Protection (Department) to establish regulations regarding air quality as part of the Florida Administrative Code (F.A.C.), which includes the following applicable chapters: 62-4 (Permits); 62-204 (Air Pollution Control - General Provisions); 62-210 (Stationary Sources - General Requirements); 62-212 (Stationary Sources - Preconstruction Review); 62-213 (Operation Permits for Major Sources of Air Pollution); 62-296 (Stationary Sources - Emission Standards); and 62-297 (Stationary Sources - Emissions Monitoring). Specifically, air construction permits are required pursuant to Rules 62-4, 62-210 and 62-212, F.A.C.

In addition, the U. S. Environmental Protection Agency (EPA) establishes air quality regulations in Title 40 of the Code of Federal Regulations (CFR). Part 60 specifies New Source Performance Standards (NSPS) for numerous industrial categories. Part 61 specifies National Emission Standards for Hazardous Air Pollutants (NESHAP) based on specific pollutants. Part 63 specifies NESHAP based on the Maximum Achievable Control Technology (MACT) for numerous industrial categories. The Department adopts these federal regulations on a quarterly basis in Rule 62-204.800, F.A.C.

### Glossary of Common Terms

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

I. Project Description:

A. Applicant:

Mr. Karl Bernard, Director of Operations
TransMontaigne Operating Company
P.O. Box 103076
Roswell, GA 30076-9076

B. Professional Engineer:

Mr. Barry Andrews, P.E.
LT Environmental
1518 Preston Trail
Fort Collins, CO 80525

C. Project Location:

Transmontaigne Terminals, LLC (Cape Canaveral Terminal)
8952 North Atlantic Avenue
Cape Canaveral, FL 32920

D. Project Summary:

The applicant applied on September 23, 2010 to the Department for a Title V air operation permit revision. The revision incorporates the terms and conditions of air construction permit, No. 0090029-011-AC, for the No. 3 boiler and the emergency generator.

E. Application Information:

Application Received on: September 23, 2010
Additional Information Request: November 22, 2010
Additional Information Response received: February 4, 2011
Application Complete: February 4, 2011

II. PSD Applicability for Project

The approximate facility potential to emit for VOC emissions is 146.28 tons/yr. The project is replacement of a boiler and adding a backup generator. The project potential emission rates are not significant; the project is not subject to PSD preconstruction review.

III. Rule Applicability

This project is subject to the preconstruction review requirements of Chapter 403, Florida Statutes and Chapters 62-204 through 62-297, Florida Administrative Code (F.A.C.), as indicated below.

| Subject to: | Y/N | Comments |
|---|---|---|
| **Rule 62-210.300, F.A.C.** - Project Not Subject to Prevention of Significant Deterioration or Nonattainment Requirements, F.A.C. | Y | Not exempt from general permitting requirements |
| **Rule 62-212.400, F.A.C.** - Prevention of Significant Deterioration | N | Facility is not a PSD major source. |
| **Rule 62-296.320(4), F.A.C.** - General Particulate Emission Limiting Standards | Y | Facility is a source of unconfined particulate matter emissions. |
| **Rules 62-296.320(1) and (2), F.A.C.** - General | Y | Facility is a source of VOC and |

| Subject to: | Y/N | Comments |
|---|---|---|
| Pollutant Emission Limiting Standards (VOCs and Odor) | | odors. |
| **Rule 62-296.500, F.A.C.** - Reasonably Available Control Technology (VOC) | N | Brevard County is an attainment area for ozone. |
| **Rule 62-296.700, F.A.C.** - Reasonably Available Control Technology (PM) | N | There is no applicable source category. |
| **Rule 62-204.800, F.A.C.** - Standards of Performance for New Stationary Sources | Y | Facility is subject to 40 CFR 60, Subparts A, Dc, Kb, K, and XX. |
| **Rule 62-204.800, F.A.C.** National Emission Standard for Hazardous Air Pollutants (NESHAPS – 40 CFR 61) | N | There is no applicable source category. |
| **Rule 62-204.800, F.A.C.** National Emission Standard for Hazardous Air Pollutants for Source Categories a.k.a. MACT (NESHAPS – 40 CFR 63) | Y | Facility is subject to 40 CFR 63, Subparts A and BBBBBB. Amendment 01/24/11 for BBBBBB. |
| **Chapter 62-213, F.A.C.** - Operation Permits for Major Sources of Air Pollution | Y | Facility is a Title V major source. |
| **Rule 62-297.310, F.A.C.** - General Compliance Test Requirements, F.A.C. | Y | The South Loading Rack shall demonstrate compliance with its emission limit and performance standards in accordance with EPA Methods 2A, 2B, 10, 21, 22, 25A, 25B, and 205. |

IV. Summary of Emissions

| Pollutant | EU No. and brief description | Potential Emissions (tpy) | Allowable Emissions (tpy) |
|---|---|---|---|
| VOC | All | **146.28** | **Emissions to the atmosphere from vapor collection and processing systems due to loading of gasoline cargo tanks shall not exceed 35 milligrams of total organic compounds per liter of gasoline loaded. Potential VOC emissions from the facility include emissions from storage tanks such as standing losses and facility fugitive emissions.** |

| | | | |
|---|---|---|---|
| HAPs | All | **8.54** | **Less than 25.0 (total)/ less than 10.0 (individual)** |
| $SO_2$ | All | **46.814** | **Sulfur percent - No. 2 fuel for asphalt heaters - 0.5 %; Sulfur percent - No. 2 fuel for No. 3 Boiler - 0.05 %; Sulfur percent - No. 2 fuel for emergency generator - 0.0015 %** |
| PM | All | **3.117** | **N/A** |
| $NO_X$ | All | **3.0** | **N/A** |
| CO | All | **1.762** | **N/A** |

V. Federal NSPS and/or NESHAP Provisions

A. 40 CFR 60, Subpart A - General Provisions;
B. 40 CFR 60 Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional steam Generating Units;
C. 40 CFR 60, Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984;
D. 40 CFR 60, Subpart K - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978;
E. 40 CFR Part 60, Subpart XX - Standards of Performance for Bulk Gasoline Terminals;
F. 40 CFR Part 63, Subpart A - General Provisions; and
G. 40 CFR Part 63, Subpart BBBBBB - National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.

The emergency generator, Emission Unit No. 29, is a portable, emergency generator that is moved around between TransMontaigne's Florida Terminals. As it is portable, it is not subject to 40 CFR 60 Subpart IIII or 40 CFR 63 Subpart ZZZZ.

VI. Conclusions

The emission limits proposed by the applicant will meet all of the requirements of Chapters 62-204 through 297, F.A.C.

The General and Specific Conditions listed in the proposed permit (attached) will assure compliance with all the applicable requirements of Chapters 62-204 through 297, F.A.C.

VII. Preliminary Determination

The Department makes a preliminary determination that the proposed project will comply with all applicable state and federal air pollution regulations as conditioned by the draft permit. This determination is based on a technical review of the complete application, reasonable assurances provided by the applicant, and the conditions specified in the draft permit. Additional details of this analysis may be obtained by contacting the project engineer at the Florida Department of Environmental Protection Air Resource Management, Central District, 3319 Maguire Blvd., Ste. 232, Orlando, FL 32803-3767.

Pursuant to Section 403.087, Florida Statutes and Section 62-4.070, Florida Administrative Code, the Department hereby gives notice of its intent to issue a permit to operate the aforementioned air pollution source in accordance with the draft permit and its conditions as stipulated (see attached).

## STATEMENT OF BASIS

TransMontaigne Operating Company, L.P.
Cape Canaveral Terminal
**Facility ID No.:** 0090029
Brevard County

Title V Air Operation Permit Revision
**REVISED DRAFT Permit No.:** 0090029-012-AV

This Title V Air Operation Permit Revision is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-213. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

The subject of this permit is for the revision of Title V Air Operation Permit, which incorporated the terms and conditions of air construction permit, No. 0090029-011-AC, for the No. 3 boiler and the emergency generator. This facility is a bulk gasoline terminal which contains the following emission units:

a) Steam Boiler No. 3 – Sellers-Ygnis (4.2 MMBTU/hr)
b) Asphalt Heaters No. 5 and No. 6 – First Thermal Systems (10.2 MMBTU/hr each)
c) Sixteen Petroleum Storage Tanks {subject to Rule 62-296.320(1), F.A.C.} as follows:

| Tank # | Worst-Case Product | Shell Capacity (bbl) | **Roof Type** | NSPS | NESHAP |
|---|---|---|---|---|---|
| 1 | #6/Asphalt | 80,265 | FR | None | None |
| 2 | #2/Asphalt | 55,778 | FR | None | None |
| 3 | Asphalt | 33,607 | FR | None | None |
| 4 | Asphalt | 20,109 | FR | None | None |
| 5 | Asphalt | 1,214 | FR | None | None |
| 6 | Asphalt | 20,097 | FR | None | None |
| 7 | #2 Fuel Oil | 65,270 | FR | None | None |
| 9 | Gasoline | 33,741 | IFR | None | BBBBBB |
| 10 | Asphalt | 3,010 | FR | None | None |
| 11 | Asphalt | 3,009 | FR | None | None |
| 12 | Gasoline | 8,955 | IFR | None | BBBBBB |
| 13 | Gasoline | 8,048 | IFR | None | BBBBBB |
| 14 | Asphalt | 1,497 | FR | None | None |
| 15 | Gasoline | 54,919 | EFR w/dome | None | BBBBBB |
| 19 | Additive | 247 | FR | None | None |
| 23 | Additive | 242 | FR | None | None |

d) Three Petroleum Storage Tanks {subject to NSPS Subpart Kb or K} as follows:

| Tank # | Primary Seal / Secondary Seal | Worst-Case Product | Shell Capacity (bbl) | Roof Type | NSPS | NESHAP |
|---|---|---|---|---|---|---|
| 8 | Mechanical Shoe None | Gasoline | 121,838 | IFR | Kb | BBBBBB |
| 17 | Vapor-Mounted Rim-Mounted | Gasoline | 99,388 | IFR | K | BBBBBB |
| 18 | Vapor-Mounted Rim-Mounted | Gasoline | 98,317 | IFR | K | BBBBBB |

e) South Gasoline Loading Rack (SLR) {subject to NSPS Subpart XX} with nine gasoline loading arms and three diesel loading arms and equipped with a John Zink Vapor Combustion Unit which provides a VOC reduction efficiency of approximately 98 percent. Per the permit renewal received 11/26/08, an ethanol loading riser was added.

f) North Loading Rack (NLR) with one #2 fuel oil loading position and one #6 fuel oil loading position. / Asphalt Loading Rack (ALR) with one asphalt loading position and one anti-strip loading position. /Marine Loading/Unloading and Vessel Bunkering/ Fugitive Emissions

g) emergency generator (RICE Engine – 157 HP)

The applicable emission limitations are as follows:

a) One Steam Boiler and Two Asphalt Heaters - VE limit per Rule 62-296.406(1), F.A.C.; BACT per Rule 62-296.406(2)&(3), F.A.C.; excess emissions per Rule 62-210.700(1), (2), (3)&(4), F.A.C.; annual PM, NOX, & SO2 limits per construction permit; (heaters only) 40 CFR Part 60, NSPS Subpart Dc

b) Sixteen Petroleum Storage Tanks - general VOC standard per Rule 62-296.320(1)(a), F.A.C.

c) Three Petroleum Storage Tanks - 40 CFR Part 60, NSPS Subpart Kb or K

d) South Gasoline Loading Rack (SLR) - 40 CFR Part 60, NSPS Subpart XX and emission limit of 35 milligrams of total organic compounds per liter of gasoline

e) North Loading Rack (NLR) with one #2 fuel oil loading position and one #6 fuel oil loading position. / Asphalt Loading Rack (ALR) with one asphalt loading position and one anti-strip loading position. / Marine Loading/Unloading and Vessel Bunkering. / Fugitive Emissions from valves, flanges, fittings, pumps, etc. - general VOC standard per Rule 62-296.320(1)(a), F.A.C.

f) Emergency Generator - V/E limit of 20 percent opacity - Rule 62-296.320(4)(b)1., F.A.C.

The facility is subject to NESHAP, 40 CFR 63, Subpart BBBBBB with a compliance date of January 10, 2011. Therefore, Subpart BBBBBB is included in the permit. Also included in this permit are miscellaneous insignificant emission units and/or activities. Based on the Title V Air Operation Permit Revision application received on September 23, 2010, this facility is not a major source of hazardous air pollutants (HAPs).

TransMontaigne Operating Company, L.P.
Cape Canaveral Terminal
Facility ID No.: 0090029
Brevard County

Title V Air Operation Permit Revision

**REVISED DRAFT** Permit No.: 0090029-012-AV
Revision to Title V Air Operation Permit No.: 0090029-010-AV


Permitting and Compliance Authority:
Florida Department of Environmental Protection
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803
Telephone: 407/897-2928
Fax: 850/412-0455

Title V Air Operation Permit Revision

**REVISED DRAFT Permit No.: 0090029-012-AV**
**Revision to Title V Air Operation Permit No.: 0090029-010-AV**

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# Florida Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary


**Permittee:**
TransMontaigne Operating Company
P.O. Box 103076
Roswell, GA 30076-9076
Attention: Karl Bernard,
Director of Operations

**REVISED DRAFT Permit No.:** 0090029-012-AV
**Facility ID No.:** 0090029
**SIC Nos.:** 51, 5171
**Project:** Title V Air Operation Permit Revision

This permit is being issued for the purpose of incorporating the terms and conditions of air construction permit, No. 0090029-011-AC, for the No. 3 boiler and the emergency generator. The Cape Canaveral Terminal is located at 8952 North Atlantic Avenue, Cape Canaveral, Brevard County; UTM Coordinates: Zone 17, 538.86 km East and 3142.13 km North; Latitude: 28° 24' 17.80" North and Longitude: 80° 36' 11.75" West.

This Title V Air Operation Permit Revision is issued under the provisions of Chapter 403, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-213. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

**Referenced attachments made a part of this permit:**
Appendix CAM
Appendix I-1, LIST of INSIGNIFICANT EMISSION UNITS and/or ACTIVITIES
Appendix SS-1 Stack Sampling Facilities; Appendix TV-6, TITLE V CONDITIONS
Appendix 60-A: NSPS Subpart A, General Prov. (Mod. for Subparts Dc, Kb, K, & XX)
Appendix 63-A: NESHAP Subpart A, General Provisions
Appendix BBBBBB: NESHAP Subpart BBBBBB; Appendix Dc: NSPS Subpart Dc
Appendix Kb: NSPS Subpart Kb; Appendix K: NSPS Subpart K;
Appendix XX, NSPS Subpart XX; Table 297.310-1, Calibration Schedule

**Effective Date:** **TBD**
**Renewal Application Due Date:** **September 17, 2013**
**Expiration Date:** **April 30, 2014**

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

**REVISED DRAFT PERMIT**

_____

Caroline D. Shine
District Air Program Administrator
Central District

CS/jr/tla

## Section I. Facility Information.

### Subsection A. Facility Description.

This facility is a bulk petroleum terminal which contains the following emission units:

a) Steam Boiler No. 3 – Sellers-Ygnis (4.2 MMBTU/hr)
b) Asphalt Heaters No. 5 and 6 - First Thermal Systems (10.2 MMBTU/hr each)
c) Sixteen Petroleum Storage Tanks {subject to Rule 62-296.320(1), F.A.C.} as follows:
**(Six (6) tanks in Tank Farm are not included because they are part of the insignificant emission units Appendix I-1.)**

| Tank # | Worst-Case Product | Shell Capacity (bbl) | **Roof Type** | NSPS | NESHAP |
|---|---|---|---|---|---|
| 1 | #6/Asphalt | 80,265 | FR | None | None |
| 2 | #2/Asphalt | 55,778 | FR | None | None |
| 3 | Asphalt | 33,607 | FR | None | None |
| 4 | Asphalt | 20,109 | FR | None | None |
| 5 | Asphalt | 1,214 | FR | None | None |
| 6 | Asphalt | 20,097 | FR | None | None |
| 7 | #2 Fuel Oil | 65,270 | FR | None | None |
| 9 | Gasoline | 33,741 | IFR | None | BBBBBB |
| 10 | Asphalt | 3,010 | FR | None | None |
| 11 | Asphalt | 3,009 | FR | None | None |
| 12 | Gasoline | 8,955 | IFR | None | BBBBBB |
| 13 | Gasoline | 8,048 | IFR | None | BBBBBB |
| 14 | Asphalt | 1,497 | FR | None | None |
| 15 | Gasoline | 54,919 | EFR w/dome | None | BBBBBB |
| 19 | Additive | 247 | FR | None | None |
| 23 | Additive | 242 | FR | None | None |

e) Three Petroleum Storage Tanks {subject to NSPS Subpart Kb or K} as follows:

| Tank # | Primary Seal / Secondary Seal | Worst-Case Product | Shell Capacity (bbl) | Roof Type | NSPS | NESHAP |
|---|---|---|---|---|---|---|
| 8 | Mechanical Shoe Rim-Mounted | Gasoline | 121,838 | IFR | Kb | BBBBBB |
| 17 | Vapor-Mounted Rim-Mounted | Gasoline | 99,388 | IFR | K | BBBBBB |
| 18 | Vapor-Mounted Rim-Mounted | Gasoline | 98,317 | IFR | K | BBBBBB |

f) South Gasoline Loading Rack (SLR){subject to NSPS Subpart XX} with nine gasoline loading arms and three diesel loading arms and equipped with a John Zink Vapor Combustion Unit which provides a VOC reduction efficiency of approximately 98%. An ethanol loading riser is included to allow loading of ethanol with thermal oxidizer.

{*Permit Note: Worst-case product is defined as the product that is expected to result in the highest emission of volatile organic compounds. It does not limit the storage of lower vapor products (e.g. storage tanks that identify gasoline as the worst-case product are also authorized to store ethanol).*}

g) North Loading Rack (NLR) with one #2 fuel oil loading position and one #6 fuel oil loading position. / Asphalt Loading Rack (ALR) with one asphalt loading position and one anti-strip loading position. / Marine Loading/Unloading and Vessel Bunkering / Fugitive Emissions

Also included in this permit are miscellaneous insignificant emission units and/or activities.

Based on the Title V Air Operation Permit Revision application received on September 23, 2010, this facility is not a major source of hazardous air pollutants (HAPs).

**Subsection B. Summary of Emissions Unit ID No(s). and Brief Description(s).**

**E.U. ID No./Brief Description**

028 Steam Boiler No. 3
024 Asphalt Heaters No. 5 and 6
025 Sixteen Petroleum Storage Tanks
026 Three Petroleum Storage Tanks
006 South Loading Rack with Thermal Oxidizer, with Ethanol Loading Capacity, and Fugitive Emissions
019 North Loading Rack, Asphalt Loading Rack, Marine Loading/Unloading and Vessel Bunkering, and Fugitive Emissions
029 Emergency Generator (RICE engine)

Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s) on all correspondence, test report submittals, applications, etc.

**Subsection C. Relevant Documents.**

The documents listed below are not a part of this permit, however, are specifically related to this permitting action.

These documents are provided to the permittee for information purposes only:
Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers
Appendix H-1, Permit History/ID Number Changes
Statement of Basis

These documents are on file with permitting authority:
Revision Title V Permit Application received September 23, 2010.
Request for Additional Information on November 22, 2010.
Additional Information received on February 4, 2011.

**Subsection D. Miscellaneous.**

The use of "Permitting Notes" throughout this permit are for informational purposes only and are not permit conditions.

## Section II. Facility-wide Conditions.

**The following conditions apply facility-wide:**

**1.** APPENDIX TV-6, TITLE V CONDITIONS, is a part of this permit.

**2.** General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.
[Rule 62-296.320(2), F.A.C.]

**3.** General Particulate Emission Limiting Standards. General Visible Emissions Standard. Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number I on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Rule 62-297, F.A.C.
[Rule 62-296.320(4)(b)1. & 4., F.A.C.]
*{Permitting Note: Though the permittee is not required to perform a visible emissions compliance test to demonstrate compliance with the facility-wide limitation annually or before renewal, when the Department believes that the general visible emissions standard is being violated, the Department may require that the owner or operator perform a visible emissions compliance test per Chapter 62-297.310(7)(b), Special Compliance Tests, F.A.C.; or Department personnel who are certified to perform visible emissions test may determine compliance with the general visible emission standard. }*

**4.** Prevention of Accidental Releases (Section 112(r) of CAA).
a. The permittee shall submit its Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center when, and if, such requirement becomes applicable. Any Risk Management Plans, original submittals, revisions or updates to submittals, should be sent to:

*RMP Reporting Center*
*P.O. Box 10162*
*Fairfax, VA 22038*
*Telephone: 703/227-7650*

and,

b. The permittee shall submit to the permitting authority Title V certification forms or a compliance schedule in accordance with Rule 62-213 .440(2), F.A.C. [40 CFR 68]

**5.** General Pollutant Emission Limiting Standards. Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions. The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. To comply, procedures to minimize pollutant emissions shall include the following:

a) tightly cover or close all VOC containers when they are not in use,

b) tightly cover, where possible, all open troughs, basins, baths, tanks, etc. when they are not in use,
c) maintain all piping, valves, fittings, etc. in good operating condition,
d) prevent excessive air turbulence across exposed VOC's,
e) immediately confine and clean up VOC spills and make sure certain wastes are placed in closed containers for reuse, recycling or proper disposal.

[Rule 62-296.320(1), F.A.C.]

**6.** When appropriate, any recordings, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines day one. [Rule 62-213.440, F.A.C.]

**7.** The permittee shall submit all compliance related notifications and reports required of this permit to the Department of Environmental Protection's Central District office:

Florida Department of Environmental Protection
3319 Maguire Blvd., Suite 232
Orlando, Florida 32803
Telephone: 407/897-2928
Fax: 850/412-0455

**8.** Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to:

United States Environmental Protection Agency
Region 4
Air, Pesticides & Toxics Management Division
Air & EPRCA Enforcement Branch, Air Enforcement Section
61 Forsyth Street
Atlanta, Georgia 30303-8960
Telephone: 404/562-9155; Fax: 404/562-9163

*{Permitting Note: This condition implements the requirements of Rules 62-210.370(3) F.A.C. (see Condition 24. Of APPENDIX TV-6, TITLE V CONDITIONS.)}*

**9.** Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information.
[Rule 62-213.420(4), F.A.C.]

**10.** The required test reports shall be filed with the air compliance section of this office as soon as practical but no later than 45 days after the last test is completed.
[Rule 62-297.310(8)(b), F.A.C.]

**11.** At least 225 days prior to the expiration date of this operation permit, the permittee shall submit to this office four copies of the air permit application, DEP Form No. 62-210.900(1).
[Rule 62-213.420(1)(a)2., F.A.C.]

## Annual Statements

**12.** The owner or operator shall complete DEP Form No. 62-210.900(5), F.A.C., "Annual Operating Report for Air Pollutant Emitting Facility," for each calendar year and submit it either electronically using the latest Department Annual Operating Report software or by hard copy to the air compliance section of this office **by April 1** of the following year in accordance with Rule 62-210.370(3), F.A.C. The emissions shall be computed in accordance with the provisions of Rule 62-210.370(2), F.A.C., for the purposes of the annual operating report.
[Rule 62-217.370(3), F.A.C.]

*{Permitting Note: This condition implements the requirements of Rules 62-210.370(3) F.A.C. (see Condition 24. Of APPENDIX TV-6, TITLE V CONDITIONS.)}*

**13.** Annual Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3)(a)2., F.A.C., shall be submitted to the Department and EPA within 60 (sixty) days after the end of the calendar year using DEP Form No. 62-213.900(7), F.A.C. The required elements of the compliance certification are listed in 40 C.F.R. Part 70.6(c)(5)(iii) as indicated in Condition Number 51 of Appendix TV-6, Title V Conditions.
[Rules 62-213.440(3) and 62-213.900, F.A.C.]
*{Permitting Note: This condition implements the requirements of Rules 62-213.440(3)(a)2. & 3., FAC. (see Condition 51. of APPENDIX TV-6, TITLE V CONDITIONS.)}*

**14.** Annual Emissions Fee Form and Fee. The annual Title V emissions fees are due (postmarked) by March 1st of each year. The completed form and calculated fee shall be submitted to: Major Air Pollution Source Annual Emissions Fee, P.O. Box 3070, Tallahassee, Florida 32315-3070. The forms are available for download by accessing the web site: http://www.dep,state.fl.us/air/emission/tvfee.htm.
[Rule 62-213.205, F.A.C.]

**15.** Facility-Wide Emissions Limits: The maximum facility-wide total HAP emissions are limited to less than 25.0 tons per consecutive twelve months and each HAP emission is limited to less than 10.0 tons per consecutive twelve months. [Rule 62-210.200, (Potential to Emit), F.A.C.]

## *NESHAP Conditions*

**16.** The facility is subject to 40 CFR Part 63, Subpart A and 40 CFR Part 63, Subpart BBBBBB. See attached Appendix BBBBBB. The compliance date is January 10, 2011. The conditions are incorporated into this permit (attached and part of this permit and listed below).

Subpart BBBBBB—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities

**Source:** 73 FR 1933, Jan. 10, 2008, unless otherwise noted.

What This Subpart Covers

§ 63.11080 What is the purpose of this subpart?

This subpart establishes national emission limitations and management practices for hazardous air pollutants (HAP) emitted from area source gasoline distribution bulk terminals, bulk plants, and pipeline facilities. This subpart also establishes requirements to demonstrate compliance with the emission limitations and management practices.

63.11081 Am I subject to the requirements in this subpart?

(a) The affected source to which this subpart applies is each area source bulk gasoline terminal, pipeline breakout station, pipeline pumping station, and bulk gasoline plant identified in paragraphs (a)(1) through (4) of this section. You are subject to the requirements in this subpart if you own or operate one or more of the affected area sources identified in paragraphs (a)(1) through (4) of this section.

(1) A bulk gasoline terminal that is not subject to the control requirements of 40 CFR part 63, subpart R (§§63.422, 63.423, and 63.424) or 40 CFR part 63, subpart CC (§§63.646, 63.648, 63.649, and 63.650).

(2) A pipeline breakout station that is not subject to the control requirements of 40 CFR part 63, subpart R (§§63.423 and 63.424).

(3) A pipeline pumping station.

(4) A bulk gasoline plant.

(b) If you are an owner or operator of affected sources, as defined in (a)(1) through (4) of this section, you are not required to meet the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71 as a result of being subject to this subpart. However, you are still subject to the requirement to apply for and obtain a permit under 40 CFR part 70 or 40 CFR part 71 if you meet one or more of the applicability criteria found in 40 CFR 70.3(a) and (b) or 40 CFR part 71.3(a) and (b).

(c) Gasoline storage tanks that are located at affected sources identified in paragraphs (a)(1) through (a)(4) of this section, and that are used only for dispensing gasoline in a manner consistent with tanks located at a gasoline dispensing facility as defined in §63.11132, are not subject to any of the requirements in this subpart. These tanks must comply with subpart CCCCCC of this part.

(d) The loading of aviation gasoline into storage tanks at airports, and the subsequent transfer of aviation gasoline within the airport, is not subject to this subpart.

(e) The loading of gasoline into marine tank vessels at bulk facilities is not subject to this subpart.

(f) If your affected source's throughput ever exceeds an applicable throughput threshold in the definition of "bulk gasoline terminal" or in item 1 in Table 2 to this subpart, the affected source will remain subject to the requirements for sources above the threshold, even if the affected source throughput later falls below the applicable throughput threshold.

(g) For the purpose of determining gasoline throughput, as used in the definition of bulk gasoline plant and bulk gasoline terminal, the 20,000 gallons per day threshold throughput is the maximum calculated design throughout for any day, and is not an average. An enforceable State, local, or Tribal permit limitation on throughput, established prior to the applicable compliance date, may be used in lieu of the 20,000 gallons per day design capacity throughput threshold to determine whether the facility is a bulk gasoline plant or a bulk gasoline terminal.

(h) Storage tanks that are used to load gasoline into a cargo tank for the on-site redistribution of gasoline to another storage tank are subject to this subpart.

(i) For any affected source subject to the provisions of this subpart and another Federal rule, you may elect to comply only with the more stringent provisions of the applicable subparts. You must consider all provisions of the rules, including monitoring, recordkeeping, and reporting. You must identify the affected source and provisions with which you will comply in your Notification of Compliance Status required under §63.11093. You also must demonstrate in your Notification of Compliance Status that each provision with which you will comply is at least as stringent as the otherwise applicable requirements in this subpart. You are responsible for making accurate determinations concerning the more stringent provisions; noncompliance with this rule is not excused if it is later determined that your determination was in error, and, as a result, you are violating this subpart. Compliance with this rule is your responsibility, and the Notification of Compliance Status does not alter or affect that responsibility.

(j) For new or reconstructed affected sources, as specified in §63.11082(b) and (c), recordkeeping to document applicable throughput must begin upon startup of the affected source. For existing sources, as specified in §63.11082(d), recordkeeping to document applicable throughput must begin on January 10, 2008. Records required under this paragraph shall be kept for a period of 5 years.

[73 FR 1933, Jan. 10, 2008, as amended at 76 FR 4176, Jan. 24, 2011]

§ 63.11082 What parts of my affected source does this subpart cover?

(a) The emission sources to which this subpart applies are gasoline storage tanks, gasoline loading racks, 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 this subpart.

(b) An affected source is a new affected source if you commenced construction on the affected source after November 9, 2006, and you meet the applicability criteria in §63.11081 at the time you commenced operation.

(c) An affected source is reconstructed if you meet the criteria for reconstruction as defined in §63.2.

(d) An affected source is an existing affected source if it is not new or reconstructed.

§ 63.11083 When do I have to comply with this subpart?

(a) If you have a new or reconstructed affected source, you must comply with this subpart according to paragraphs (a)(1) and (2) of this section.

(1) If you start up your affected source before January 10, 2008, you must comply with the standards in this subpart no later than January 10, 2008.

(2) If you start up your affected source after January 10, 2008, you must comply with the standards in this subpart upon startup of your affected source.

(b) If you have an existing affected source, you must comply with the standards in this subpart no later than January 10, 2011.

(c) If you have an existing affected source that becomes subject to the control requirements in this subpart because of an increase in the daily throughput, as specified in option 1 of Table 2 to this subpart, you must comply with the standards in this subpart no later than 3 years after the affected source becomes subject to the control requirements in this subpart.

[73 FR 1933, Jan. 10, 2008, as amended at 76 FR 4176, Jan. 24, 2011]

Emission Limitations and Management Practices

§ 63.11085 What are my general duties to minimize emissions?

Each owner or operator of an affected source under this subpart must comply with the requirements of paragraphs (a) and (b) of this section.

(a) You must, at all times, 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.

(b) You must keep applicable records and submit reports as specified in §63.11094(g) and §63.11095(d).

[76 FR 4177, Jan. 24, 2011]

§ 63.11086 What requirements must I meet if my facility is a bulk gasoline plant?

Each owner or operator of an affected bulk gasoline plant, as defined in §63.11100, must comply with the requirements of paragraphs (a) through (i) of this section.

(a) Except as specified in paragraph (b) of this section, you must only load gasoline into storage tanks and cargo tanks at your facility by utilizing submerged filling, as defined in §63.11100, and as specified in paragraphs (a)(1), (a)(2), or (a)(3) of this section. The applicable distances in paragraphs (a)(1) and (2) of this section shall be measured from the point in the opening of the submerged fill pipe that is the greatest distance from the bottom of the storage tank.

(1) Submerged fill pipes installed on or before November 9, 2006, must be no more than 12 inches from the bottom of the tank.

(2) Submerged fill pipes installed after November 9, 2006, must be no more than 6 inches from the bottom of the tank.

(3) Submerged fill pipes not meeting the specifications of paragraphs (a)(1) or (a)(2) of this section are allowed if the owner or operator can demonstrate that the liquid level in the gasoline storage tank is always above the entire opening of the fill pipe. Documentation providing such demonstration must be made available for inspection by the Administrator's delegated representative during the course of a site visit.

(b) Gasoline storage tanks with a capacity of less than 250 gallons are not required to comply with the control requirements in paragraph (a) of this section, but must comply only with the requirements in paragraph (d) of this section.

(c) You must perform a monthly leak inspection of all equipment in gasoline service according to the requirements specified in §63.11089(a) through (d).

(d) You must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:

(1) Minimize gasoline spills;

(2) Clean up spills as expeditiously as practicable;

(3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;

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

(e) You must submit an Initial Notification that you are subject to this subpart by May 9, 2008 unless you meet the requirements in paragraph (g) of this section. The Initial Notification must contain the information specified in paragraphs (e)(1) through (4) of this section. The notification must be submitted to the applicable EPA Regional Office and the delegated State authority, as specified in §63.13.

(1) The name and address of the owner and the operator.

(2) The address (i.e., physical location) of the bulk plant.

(3) A statement that the notification is being submitted in response to this subpart and identifying the requirements in paragraphs (a), (b), (c), and (d) of this section that apply to you.

(4) A brief description of the bulk plant, including the number of storage tanks in gasoline service, the capacity of each storage tank in gasoline service, and the average monthly gasoline throughput at the affected source.

(f) You must submit a Notification of Compliance Status to the applicable EPA Regional Office and the delegated State authority, as specified in §63.13, by the compliance date specified in §63.11083 unless you meet the requirements in paragraph (g) of this section. The Notification of Compliance Status must be signed by a responsible official who must certify its accuracy and must indicate whether the source has complied with the requirements of this subpart. If your facility is in compliance with the requirements of this subpart at the time the Initial Notification required under paragraph (e) of this section is due, the Notification of Compliance Status may be submitted in lieu of the Initial Notification provided it contains the information required under paragraph (e) of this section.

(g) If, prior to January 10, 2008, you are operating in compliance with an enforceable State, local, or tribal rule or permit that requires submerged fill as specified in §63.11086(a), you are not required to submit an Initial Notification or a Notification of Compliance Status under paragraph (e) or paragraph (f) of this section.

(h) You must comply with the requirements of this subpart by the applicable dates specified in §63.11083.

(i) You must keep applicable records and submit reports as specified in §63.11094(d) and (e) and §63.11095(c).

[73 FR 1933, Jan. 10, 2008, as amended at 76 FR 4177, Jan. 24, 2011]

§ 63.11087 What requirements must I meet for gasoline storage tanks if my facility is a bulk gasoline terminal, pipeline breakout station, or pipeline pumping station?

(a) You must meet each emission limit and management practice in Table 1 to this subpart that applies to your gasoline storage tank.

(b) You must comply with the requirements of this subpart by the applicable dates specified in §63.11083, except that storage vessels equipped with floating roofs and not meeting the requirements of paragraph (a) of this section must be in compliance at the first degassing and cleaning activity after January 10, 2011 or by January 10, 2018, whichever is first.

(c) You must comply with the applicable testing and monitoring requirements specified in §63.11092(e).

(d) You must submit the applicable notifications as required under §63.11093.

(e) You must keep records and submit reports as specified in §§63.11094 and 63.11095.

(f) If your gasoline storage tank is subject to, and complies with, the control requirements of 40 CFR part 60, subpart Kb of this chapter, your storage tank will be deemed in compliance with this section. You must report this determination in the Notification of Compliance Status report under §63.11093(b).

§ 63.11088 What requirements must I meet for gasoline loading racks if my facility is a bulk gasoline terminal, pipeline breakout station, or pipeline pumping station?

(a) You must meet each emission limit and management practice in Table 2 to this subpart that applies to you.

(b) As an alternative for railcar cargo tanks to the requirements specified in Table 2 to this subpart, you may comply with the requirements specified in §63.422(e).

(c) You must comply with the requirements of this subpart by the applicable dates specified in §63.11083.

(d) You must comply with the applicable testing and monitoring requirements specified in §63.11092.

(e) You must submit the applicable notifications as required under §63.11093.

(f) You must keep records and submit reports as specified in §§63.11094 and 63.11095.

§ 63.11089 What requirements must I meet for equipment leak inspections if my facility is a bulk gasoline terminal, bulk plant, pipeline breakout station, or pipeline pumping station?

(a) Each owner or operator of a bulk gasoline terminal, bulk plant, pipeline breakout station, or pipeline pumping station subject to the provisions of this subpart shall perform a monthly leak inspection of all equipment in gasoline service, as defined in §63.11100. For this inspection, detection methods incorporating sight, sound, and smell are acceptable.

(b) 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.

(c) Each detection of a liquid or vapor leak shall be recorded in the log book. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided in paragraph (d) of this section.

(d) Delay of repair of leaking equipment will be allowed if the repair is not feasible within 15 days. The owner or operator shall provide in the semiannual report specified in §63.11095(b), the reason(s) why the repair was not feasible and the date each repair was completed.

(e) You must comply with the requirements of this subpart by the applicable dates specified in §63.11083.

(f) You must submit the applicable notifications as required under §63.11093.

(g) You must keep records and submit reports as specified in §§63.11094 and 63.11095.

Testing and Monitoring Requirements

§ 63.11092 What testing and monitoring requirements must I meet?

(a) Each owner or operator of a bulk gasoline terminal subject to the emission standard in item 1(b) of Table 2 to this subpart must comply with the requirements in paragraphs (a) through (d) of this section.

(1) Conduct a performance test on the vapor processing and collection systems according to either paragraph (a)(1)(i) or paragraph (a)(1)(ii) of this section.

(i) Use the test methods and procedures in §60.503 of this chapter, except a reading of 500 parts per million shall be used to determine the level of leaks to be repaired under §60.503(b) of this chapter.

(ii) Use alternative test methods and procedures in accordance with the alternative test method requirements in §63.7(f).

(2) If you are operating your gasoline loading rack in compliance with an enforceable State, local, or tribal rule or permit that requires your loading rack to meet an emission limit of 80 milligrams (mg), or less, per liter of gasoline loaded (mg/l), you may submit a statement by a responsible official of your facility certifying the compliance status of your loading rack in lieu of the test required under paragraph (a)(1) of this section.

(3) If you have conducted performance testing 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, you may submit the results of such testing in lieu of the test required under paragraph (a)(1) of this section, provided the testing was conducted using the test methods and procedures in §60.503 of this chapter. Should the Administrator deem the prior test data unacceptable, the facility is still required to meet the requirement to conduct an initial performance test within 180 days of the compliance date specified in §63.11083; thus, previous test reports should be submitted as soon as possible after January 10, 2008.

(4) The performance test requirements of §63.11092(a) do not apply to flares defined in §63.11100 and meeting the flare requirements in §63.11(b). The owner or operator shall demonstrate that the flare and associated vapor collection system is in compliance with the requirements in §63.11(b) and 40 CFR 60.503(a), (b), and (d).

(b) Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart 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 this section. For each facility conducting a performance test under paragraph (a)(1) of this section, and for each facility utilizing the provisions of paragraphs (a)(2) or (a)(3) of this section, the CMS must be installed by January 10, 2011.

(1) For each performance test conducted under paragraph (a)(1) of this section, the owner or operator shall determine a monitored operating parameter value for the vapor processing system using the procedures specified in paragraphs (b)(1)(i) through (iv) of this section. During the performance test, continuously record the operating parameter as specified under paragraphs (b)(1)(i) through (iv) of this section.

(i) Where a carbon adsorption system is used, the owner or operator shall monitor the operation of the system as specified in paragraphs (b)(1)(i)(A) or (B) of this section.

(A) A continuous emissions monitoring system (CEMS) capable of measuring organic compound concentration shall be installed in the exhaust air stream.

(B) As an alternative to paragraph (b)(1)(i)(A) of this section, you may choose to meet the requirements listed in paragraph (b)(1)(i)(B)( 1 ) and ( 2 ) of this section.

( 1 ) Carbon adsorption devices shall be monitored as specified in paragraphs (b)(1)(i)(B)( 1 )( i ),( ii ), and ( iii ) of this section.

( i ) Vacuum level shall be monitored using a pressure transmitter installed in the vacuum pump suction line, with the measurements displayed on a gauge that can be visually observed. Each carbon bed shall be observed during one complete regeneration cycle on each day of operation of the loading rack to determine the maximum vacuum level achieved.

( ii ) Conduct annual testing of the carbon activity for the carbon in each carbon bed. Carbon activity shall be tested in accordance with the butane working capacity test of the American Society for Testing and Materials (ASTM) Method D 5228-92 (incorporated by reference, see §63.14), or by another suitable procedure as recommended by the manufacturer.

( iii ) Conduct monthly measurements of the carbon bed outlet volatile organic compounds (VOC) concentration over the last 5 minutes of an adsorption cycle for each carbon bed, documenting the highest measured VOC concentration. Measurements shall be made using a portable analyzer, or a permanently mounted analyzer, in accordance with 40 CFR part 60, Appendix A-7, EPA Method 21 for open-ended lines.

( 2 ) Develop and submit to the Administrator a monitoring and inspection plan that describes the owner or operator's approach for meeting the requirements in paragraphs (b)(1)(i)(B)( 2 )( i ) through ( v ) of this section.

( i ) The lowest maximum required vacuum level and duration needed to assure regeneration of the carbon beds shall be determined by an engineering analysis or from the manufacturer's recommendation and shall be documented in the monitoring and inspection plan.

( ii ) The owner or operator shall verify, during each day of operation of the loading rack, the proper valve sequencing, cycle time, gasoline flow, purge air flow, and operating temperatures. 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.

( iii ) The owner or operator shall perform semi-annual preventive maintenance inspections of the carbon adsorption system, including the automated alarm or shutdown system for those units so equipped, according to the recommendations of the manufacturer of the system.

( iv ) The monitoring plan developed under paragraph ( 2 ) of this section shall specify conditions that would be considered malfunctions of the carbon adsorption system during the inspections or automated monitoring performed under paragraphs (b)(1)(i)(B)( 2 )( i ) through ( iii ) of this section, 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.

( v ) The owner or operator shall document the maximum vacuum level observed on each carbon bed from each daily inspection and the maximum VOC concentration observed from each carbon bed on each monthly inspection as well as 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.

(ii) Where a refrigeration condenser system is used, a continuous parameter monitoring system (CPMS) capable of measuring temperature shall be installed immediately downstream from the outlet to the condenser section. Alternatively, a CEMS capable of measuring organic compound concentration may be installed in the exhaust air stream.

(iii) Where a thermal oxidation system other than a flare is used, the owner or operator shall monitor the operation of the system as specified in paragraphs (b)(1)(iii)(A) or (B) of this section.

(A) A CPMS capable of measuring temperature shall be installed in the firebox or in the ductwork immediately downstream from the firebox in a position before any substantial heat exchange occurs.

(B) As an alternative to paragraph (b)(1)(iii)(A) of this section, you may choose to meet the requirements listed in paragraphs (b)(1)(iii)(B)( 1 ) and ( 2 ) of this section.

( 1 ) 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.

( 2 ) Develop and submit to the Administrator a monitoring and inspection plan that describes the owner or operator's approach for meeting the requirements in paragraphs (b)(1)(iii)(B)( 2 )( i ) through ( v ) of this section.

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

( ii ) 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.

( iii ) 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.

( iv ) The monitoring plan developed under paragraph ( 2 ) of this section shall specify conditions that would be considered malfunctions of the thermal oxidation system during the inspections or automated monitoring performed under paragraphs (b)(1)(iii)(B)( 2 )( ii ) and ( iii ) of this section, 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.

( v ) 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.

(iv) Monitoring an alternative operating parameter or a parameter of a vapor processing system other than those listed in paragraphs (b)(1)(i) through (iii) of this section will be allowed upon demonstrating to the Administrator's satisfaction that the alternative parameter demonstrates continuous compliance with the emission standard in §63.11088(a).

(2) Where a flare meeting the requirements in §63.11(b) is used, a heat-sensing device, such as an ultraviolet beam sensor or a thermocouple, must be installed in proximity to the pilot light to indicate the presence of a flame.

(3) Determine an operating parameter value based on the parameter data monitored during the performance test, supplemented by engineering assessments and the manufacturer's recommendations.

(4) Provide for the Administrator's approval the rationale for the selected operating parameter value, monitoring frequency, and averaging time, including data and calculations used to develop the value and a description of why the value, monitoring frequency, and averaging time demonstrate continuous compliance with the emission standard in §63.11088(a).

(5) If you have chosen to comply with the performance testing alternatives provided under paragraph (a)(2) or paragraph (a)(3) of this section, the monitored operating parameter value may be determined according to the provisions in paragraph (b)(5)(i) or paragraph (b)(5)(ii) of this section.

(i) Monitor an operating parameter that has been approved by the Administrator and is specified in your facility's current enforceable operating permit. At the time that the Administrator requires a new performance test, you must determine the monitored operating parameter value according to the requirements specified in paragraph (b) of this section.

(ii) Determine an operating parameter value based on engineering assessment and the manufacturer's recommendation and submit the information specified in paragraph (b)(4) of this section for approval by the Administrator. At the time that the Administrator requires a new performance test, you must determine the monitored operating parameter value according to the requirements specified in paragraph (b) of this section.

(c) For performance tests performed after the initial test required under paragraph (a) of this section, the owner or operator shall document the reasons for any change in the operating parameter value since the previous performance test.

(d) Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall comply with the requirements in paragraphs (d)(1) through (4) of this section.

(1) Operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the operating parameter value for the parameters described in paragraph (b)(1) of this section.

(2) In cases where an alternative parameter pursuant to paragraph (b)(1)(iv) or paragraph (b)(5)(i) of this section 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.

(3) 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 §63.11088(a), except as specified in paragraph (d)(4) of this section.

(4) For the monitoring and inspection, as required under paragraphs (b)(1)(i)(B)( 2 ) and (b)(1)(iii)(B)( 2 ) of this section, malfunctions that are discovered shall not constitute a violation of the emission standard in §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 needed 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.

(e) Each owner or operator subject to the emission standard in §63.11087 for gasoline storage tanks shall comply with the requirements in paragraphs (e)(1) through (3) of this section.

(1) If your gasoline storage tank is equipped with an internal floating roof, you must perform inspections of the floating roof system according to the requirements of §60.113b(a) if you are complying with option 2(b) in Table 1 to this subpart, or according to the requirements of §63.1063(c)(1) if you are complying with option 2(d) in Table 1 to this subpart.

(2) If your gasoline storage tank is equipped with an external floating roof, you must perform inspections of the floating roof system according to the requirements of §60.113b(b) if you are complying with option 2(c) in Table 1 to this subpart, or according to the requirements of §63.1063(c)(2) if you are complying with option 2(d) in Table 1 to this subpart.

(3) If your gasoline storage tank is equipped with a closed vent system and control device, you must conduct a performance test and determine a monitored operating parameter value in accordance with the requirements in paragraphs (a) through (d) of this section, except that the applicable level of control specified in paragraph (a)(2) of this section shall be a 95-percent reduction in inlet total organic compounds (TOC) levels rather than 80 mg/l of gasoline loaded.

(f) The annual certification test for gasoline cargo tanks shall consist of the test methods specified in paragraphs (f)(1) or (f)(2) of this section. Affected facilities that are subject to subpart XX of 40 CFR part 60 may elect, after notification to the subpart XX delegated authority, to comply with paragraphs (f)(1) and (2) of this section.

(1) EPA Method 27, Appendix A-8, 40 CFR part 60. Conduct the test using a time period (t) for the pressure and vacuum tests of 5 minutes. The initial pressure ($P_i$) for the pressure test shall be 460 millimeters (mm) of water (18 inches of water), gauge. The initial vacuum ($V_i$) for the vacuum test shall be 150 mm of water (6 inches of water), gauge. The maximum allowable pressure and vacuum changes ($\Delta$ p, $\Delta$ v) for all affected gasoline cargo tanks is 3 inches of water, or less, in 5 minutes.

(2) Railcar bubble leak test procedures. As an alternative to the annual certification test required under paragraph (1) of this section for certification leakage testing of gasoline cargo tanks, the owner or operator may comply with paragraphs (f)(2)(i) and (ii) of this section for railcar cargo tanks, provided the railcar cargo tank meets the requirement in paragraph (f)(2)(iii) of this section.

(i) Comply with the requirements of 49 CFR 173.31(d), 49 CFR 179.7, 49 CFR 180.509, and 49 CFR 180.511 for the periodic testing of railcar cargo tanks.

(ii) The leakage pressure test procedure required under 49 CFR 180.509(j) and used to show no indication of leakage under 49 CFR 180.511(f) shall be ASTM E 515-95, BS EN 1593:1999, or another bubble leak test procedure meeting the requirements in 49 CFR 179.7, 49 CFR 180.505, and 49 CFR 180.509.

(iii) The alternative requirements in this paragraph (f)(2) may not be used for any railcar cargo tank that collects gasoline vapors from a vapor balance system and the system complies with a Federal, State, local, or tribal rule or permit. A vapor balance system is a

piping and collection system designed to collect gasoline vapors displaced from a storage vessel, barge, or other container being loaded, and routes the displaced gasoline vapors into the railcar cargo tank from which liquid gasoline is being unloaded.

(g) Conduct of performance tests. Performance tests conducted for this subpart 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.

[73 FR 1933, Jan. 10, 2008 as amended at 73 FR 12276, Mar. 7, 2008; 76 FR 4177, Jan. 24, 2011]

Notifications, Records, and Reports

§ 63.11093 What notifications must I submit and when?

(a) Each owner or operator of an affected source under this subpart must submit an Initial Notification as specified in §63.9(b). If your facility is in compliance with the requirements of this subpart at the time the Initial Notification is due, the Notification of Compliance Status required under paragraph (b) of this section may be submitted in lieu of the Initial Notification.

(b) Each owner or operator of an affected source under this subpart must submit a Notification of Compliance Status as specified in §63.9(h). The Notification of Compliance Status must specify which of the compliance options included in Table 1 to this subpart is used to comply with this subpart.

(c) Each owner or operator of an affected bulk gasoline terminal under this subpart must submit a Notification of Performance Test, as specified in §63.9(e), prior to initiating testing required by §63.11092(a) or §63.11092(b).

(d) Each owner or operator of any affected source under this subpart must submit additional notifications specified in §63.9, as applicable.

§ 63.11094 What are my recordkeeping requirements?

(a) Each owner or operator of a bulk gasoline terminal or pipeline breakout station whose storage vessels are subject to the provisions of this subpart shall keep records as specified in §60.115b of this chapter if you are complying with options 2(a), 2(b), or 2(c) in Table 1 to this subpart, except records shall be kept for at least 5 years. If you are complying with the requirements of option 2(d) in Table 1 to this subpart, you shall keep records as specified in §63.1065.

(b) Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall keep records of the test results for each gasoline cargo tank loading at the facility as specified in paragraphs (b)(1) through (3) of this section.

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

(2) 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.

(3) If you are complying with the alternative requirements in §63.11088(b), you must keep records documenting that you have verified the vapor tightness testing according to the requirements of the Administrator.

(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 requirements in either paragraph (c)(1) or paragraph (c)(2) of this section.

(1) An electronic copy of each record is instantly available at the terminal.

(i) The copy of each record in paragraph (c)(1) of this section is an exact duplicate image of the original paper record with certifying signatures.

(ii) The Administrator is notified in writing that each terminal using this alternative is in compliance with paragraph (c)(1) of this section.

(2) 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.

(i) The copy of each record in paragraph (c)(2) of this section is an exact duplicate image of the original paper record with certifying signatures.

(ii) The Administrator is notified in writing that each terminal using this alternative is in compliance with paragraph (c)(2) of this section.

(d) Each owner or operator subject to the equipment leak provisions of §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 §63.11089, the record shall contain a full description of the program.

(e) Each owner or operator of an affected source subject to equipment leak inspections under §63.11089 shall record in the log book for each leak that is detected the information specified in paragraphs (e)(1) through (7) of this section.

(1) The equipment type and identification number.

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

(3) The date the leak was detected and the date of each attempt to repair the leak.

(4) Repair methods applied in each attempt to repair the leak.

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

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

(7) The date of successful repair of the leak.

(f) Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall:

(1) Keep an up-to-date, readily accessible record of the continuous monitoring data required under §63.11092(b) or §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.

(2) Record and report simultaneously with the Notification of Compliance Status required under §63.11093(b):

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

(ii) The following information when using a flare under provisions of §63.11(b) to comply with §63.11087(a):

(A) Flare design (i.e., steam-assisted, air-assisted, or non-assisted); and

(B) All visible emissions (VE) readings, heat content determinations, flow rate measurements, and exit velocity determinations made during the compliance determination required under §63.11092(e)(3).

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

(4) Keep an up-to-date, readily accessible record of all system malfunctions, as specified in §63.11092(b)(1)(i)(B)( 2 )( v ) or §63.11092(b)(1)(iii)(B)( 2 )( v ).

(5) If an owner or operator requests approval to use a vapor processing system or monitor an operating parameter other than those specified in §63.11092(b), the owner or operator shall submit a description of planned reporting and recordkeeping procedures.

(g) Each owner or operator of an affected source under this subpart shall keep records as specified in paragraphs (g)(1) and (2) of this section.

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

(2) Records of actions taken during periods of malfunction to minimize emissions in accordance with §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.

[73 FR 1933, Jan. 10, 2008, as amended at 76 FR 4178, Jan. 24, 2011]

§ 63.11095 What are my reporting requirements?

(a) Each owner or operator of a bulk terminal or a pipeline breakout station subject to the control requirements of this subpart shall include in a semiannual compliance report to the Administrator the following information, as applicable:

(1) For storage vessels, if you are complying with options 2(a), 2(b), or 2(c) in Table 1 to this subpart, the information specified in §60.115b(a), §60.115b(b), or §60.115b(c) of this chapter, depending upon the control equipment installed, or, if you are complying with option 2(d) in Table 1 to this subpart, the information specified in §63.1066.

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

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

(4) For storage vessels complying with §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 §63.11093.

(b) Each owner or operator of an affected source subject to the control requirements of this subpart shall submit an excess emissions report to the Administrator at the time the semiannual compliance report is submitted. Excess emissions events under this subpart, and the information to be included in the excess emissions report, are specified in paragraphs (b)(1) through (5) of this section.

(1) 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.

(2) 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 §63.11094(b).

(3) Each exceedance or failure to maintain, as appropriate, the monitored operating parameter value determined under §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.

(4) Each instance in which malfunctions discovered during the monitoring and inspections required under §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.

(5) 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:

(i) The date on which the leak was detected;

(ii) The date of each attempt to repair the leak;

(iii) The reasons for the delay of repair; and

(iv) The date of successful repair.

(c) Each owner or operator of a bulk gasoline plant or a pipeline pumping station shall submit a semiannual excess emissions report, including the information specified in paragraphs (a)(3) and (b)(5) of this section, only for a 6-month period during which an excess emission event has occurred. If no excess emission events have occurred during the previous 6-month period, no report is required.

(d) Each owner or operator of an affected source under this subpart shall submit a semiannual report including 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. 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 §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.

[73 FR 1933, Jan. 10, 2008 as amended at 73 FR 12276, Mar. 7, 2008; 76 FR 4178, Jan. 24, 2011]

Other Requirements and Information

§ 63.11098 What parts of the General Provisions apply to me?

Table 3 to this subpart shows which parts of the General Provisions apply to you.

§ 63.11099 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by the U.S. EPA or a delegated authority such as the applicable State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if implementation and enforcement of this subpart is delegated to a State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under subpart E of this part, the authorities specified in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or tribal agency.

(c) The authorities that cannot be delegated to State, local, or tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to the requirements in §§63.11086 through 63.11088 and §63.11092. Any owner or operator requesting to use an alternative means of emission limitation for storage vessels in Table 1 to this subpart must follow either the provisions in §60.114b of this chapter if you are complying with options 2(a), 2(b), or 2(c) in Table 1 to this subpart, or the provisions in §63.1064 if you are complying with option 2(d) in Table 1 to this subpart.

(2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.

§ 63.11100 What definitions apply to this subpart?

As used in this subpart, all terms not defined herein shall have the meaning given them in the Clean Air Act (CAA), in subparts A, K, Ka, Kb, and XX of part 60 of this chapter, or in subparts A, R, and WW of this part. All terms defined in both subpart A of part 60 of this chapter and subparts A, R, and WW of this part shall have the meaning given in subparts A, R, and WW of this part. For purposes of this subpart, definitions in this section supersede definitions in other parts or subparts.

*Administrator* means the Administrator of the United States Environmental Protection Agency or his or her authorized representative (e.g., a State that has been delegated the authority to implement the provisions of this subpart).

*Bulk gasoline plant* means any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, or cargo tank, and subsequently loads the gasoline into gasoline cargo tanks for transport to gasoline dispensing facilities, and has a gasoline throughput of less than 20,000 gallons per day. Gasoline throughput shall be the maximum calculated design throughput as may be limited by compliance with an enforceable condition under Federal, State, or local law, and discoverable by the Administrator and any other person.

*Bulk gasoline terminal* means any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, or cargo tank and has a gasoline throughput of 20,000 gallons per day or greater. Gasoline throughput shall be the maximum calculated design throughput as may be limited by compliance with an enforceable condition under Federal, State, or local law and discoverable by the Administrator and any other person.

*Equipment* means each valve, pump, pressure relief device, sampling connection system, open-ended valve or line, and flange or other connector in the gasoline liquid transfer and vapor collection systems. This definition also includes the entire vapor processing system except the exhaust port(s) or stack(s).

*Flare* means a thermal oxidation system using an open (without enclosure) flame.

*Gasoline* means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kilopascals or greater, which is used as a fuel for internal combustion engines.

*Gasoline cargo tank* means a delivery tank truck or railcar which is loading gasoline or which has loaded gasoline on the immediately previous load.

*Gasoline storage tank or vessel* means each tank, vessel, reservoir, or container used for the storage of gasoline, but does not include:

(1) Frames, housing, auxiliary supports, or other components that are not directly involved in the containment of gasoline or gasoline vapors;

(2) Subsurface caverns or porous rock reservoirs;

(3) Oil/water separators and sumps, including butane blending sample recovery tanks, used to collect drained material such that it can be pumped to storage or back into a process; or

(4) Tanks or vessels permanently attached to mobile sources such as trucks, railcars, barges, or ships.

*In gasoline service* means that a piece of equipment is used in a system that transfers gasoline or gasoline vapors.

*Monthly* means once per calendar month at regular intervals of no less than 28 days and no more than 35 days.

*Operating parameter value* means a value for an operating or emission parameter of the vapor processing system (e.g., temperature) which, if maintained continuously by itself or in combination with one or more other operating parameter values, determines that an owner or operator has complied with the applicable emission standard. The operating parameter value is determined using the procedures specified in §63.11092(b).

*Pipeline breakout station* means a facility along a pipeline containing storage vessels used to relieve surges or receive and store gasoline from the pipeline for re-injection and continued transportation by pipeline or to other facilities.

*Pipeline pumping station* means a facility along a pipeline containing pumps to maintain the desired pressure and flow of product through the pipeline, and not containing gasoline storage tanks other than surge control tanks.

*Submerged filling* means, for the purposes of this subpart, the filling of a gasoline cargo tank or a stationary storage tank through a submerged fill pipe whose discharge is no more than the applicable distance specified in §63.11086(a) from the bottom of the tank. Bottom filling of gasoline cargo tanks or storage tanks is included in this definition.

*Surge control tank or vessel* means, for the purposes of this subpart, those tanks or vessels used only for controlling pressure in a pipeline system during surges or other variations from normal operations.

*Vapor collection-equipped gasoline cargo tank* means a gasoline cargo tank that is outfitted with the equipment necessary to transfer vapors, displaced during the loading of gasoline into the cargo tank, to a vapor processor system.

*Vapor-tight gasoline cargo tank* means a gasoline cargo tank which has demonstrated within the 12 preceding months that it meets the annual certification test requirements in §63.11092(f). [73 FR 1933, Jan. 10, 2008, as amended at 76 FR 4178, Jan. 24, 2011]

Table 1 to Subpart BBBBBB of Part 63—Applicability Criteria, Emission Limits, and Management Practices for Storage Tanks

| If you own or operate . . . | Then you must . . . |
|---|---|
| 1. A gasoline storage tank meeting either of the following conditions:<br>(i) a capacity of less than 75 cubic meters ($m^3$); or<br>(ii) a capacity of less than 151 $m^3$and a gasoline throughput of 480 gallons per day or less. Gallons per day is calculated by summing the current day's throughput, plus the throughput for the previous 364 days, and then dividing that sum by 365 | Equip each gasoline storage tank with a fixed roof that is mounted to the storage tank in a stationary manner, and maintain all openings in a closed position at all times when not in use. |
| 2. A gasoline storage tank with a capacity of greater than or equal to 75 $m^3$and not meeting any of the criteria specified in item 1 of this Table | Do the following:<br>(a) Reduce emissions of total organic HAP or TOC by 95 weight-percent with a closed vent system and control device, as specified in §60.112b(a)(3) of this chapter; or |
| | (b) Equip each internal floating roof gasoline storage tank according to the requirements in §60.112b(a)(1) of this chapter, except for the secondary seal requirements under §60.112b(a)(1)(ii)(B) and the requirements in §60.112b(a)(1)(iv) through (ix) of this chapter; and |
| | (c) Equip each external floating roof gasoline storage tank according to the requirements in §60.112b(a)(2) of this chapter, except that the requirements of §60.112b(a)(2)(ii) of this chapter shall only be required if such storage tank does not currently meet the requirements of §60.112b(a)(2)(i) of this chapter; or |
| | (d) Equip and operate each internal and external floating roof gasoline storage tank according to the applicable requirements in §63.1063(a)(1) and (b), except for the secondary seal requirements under §63.1063(a)(1)(i)(C) and (D), and equip each external floating roof gasoline storage tank according to the requirements of §63.1063(a)(2) if |

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| | such storage tank does not currently meet the requirements of §63.1063(a)(1). |
| 3. A surge control tank | Equip each tank with a fixed roof that is mounted to the tank in a stationary manner and with a pressure/vacuum vent with a positive cracking pressure of no less than 0.50 inches of water. Maintain all openings in a closed position at all times when not in use. |

[76 FR 4179, Jan. 24, 2011]

Table 2 to Subpart BBBBBB of Part 63—Applicability Criteria, Emission Limits, and Management Practices for Loading Racks

| If you own or operate . . . | Then you must . . . |
|---|---|
| 1. A bulk gasoline terminal loading rack(s) with a gasoline throughput (total of all racks) of 250,000 gallons per day, or greater. Gallons per day is calculated by summing the current day's throughput, plus the throughput for the previous 364 days, and then dividing that sum by 365 | (a) Equip your loading rack(s) with a vapor collection system designed to collect the TOC vapors displaced from cargo tanks during product loading; and<br>(b) Reduce emissions of TOC to less than or equal to 80 mg/l of gasoline loaded into gasoline cargo tanks at the loading rack; and<br>(c) Design and operate the vapor collection system to prevent any TOC vapors collected at one loading rack or lane from passing through another loading rack or lane to the atmosphere; and<br>(d) Limit the loading of gasoline into gasoline cargo tanks that are vapor tight using the procedures specified in §60.502(e) through (j) of this chapter. For the purposes of this section, the term "tank truck" as used in §60.502(e) through (j) of this chapter means "cargo tank" as defined in §63.11100. |
| 2. A bulk gasoline terminal loading rack(s) with a gasoline throughput (total of all racks) of less than 250,000 gallons per day. Gallons per day is calculated by summing the current day's throughput, plus the throughput for the previous 364 days, and then dividing that sum by 365 | (a) Use submerged filling with a submerged fill pipe that is no more than 6 inches from the bottom of the cargo tank; and<br>(b) Make records available within 24 hours of a request by the Administrator to document your gasoline throughput. |

[76 FR 4179, Jan. 24, 2011]

Table 3 to Subpart BBBBBB of Part 63—Applicability of General Provisions

| Citation | Subject | Brief description | Applies to |
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| | | | subpart BBBBBB |
|---|---|---|---|
| §63.1 | Applicability | Initial applicability determination; applicability after standard established; permit requirements; extensions, notifications | Yes, specific requirements given in §63.11081. |
| §63.1(c)(2) | Title V permit | Requirements for obtaining a title V permit from the applicable permitting authority | Yes, §63.11081(b) of subpart BBBBBB exempts identified area sources from the obligation to obtain title V operating permits. |
| §63.2 | Definitions | Definitions for part 63 standards | Yes, additional definitions in §63.11100. |
| §63.3 | Units and Abbreviations | Units and abbreviations for part 63 standards | Yes. |
| §63.4 | Prohibited Activities and Circumvention | Prohibited activities; circumvention, severability | Yes. |
| §63.5 | Construction/Reconstruction | Applicability; applications; approvals | Yes. |
| §63.6(a) | Compliance with Standards/Operation & Maintenance Applicability | General Provisions apply unless compliance extension; General Provisions apply to area sources that become major | Yes. |
| §63.6(b)(1)-(4) | Compliance Dates for New and Reconstructed Sources | Standards apply at effective date; 3 years after effective date; upon startup; 10 years after construction or reconstruction commences for CAA section 112(f) | Yes. |
| §63.6(b)(5) | Notification | Must notify if commenced construction or reconstruction after proposal | Yes. |

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| §63.6(b)(6) | [Reserved] | | |
| §63.6(b)(7) | Compliance Dates for New and Reconstructed Area Sources that Become Major | Area sources that become major must comply with major source standards immediately upon becoming major, regardless of whether required to comply when they were an area source | No. |
| §63.6(c)(1)-(2) | Compliance Dates for Existing Sources | Comply according to date in this subpart, which must be no later than 3 years after effective date; for CAA section 112(f) standards, comply within 90 days of effective date unless compliance extension | No, §63.11083 specifies the compliance dates. |
| §63.6(c)(3)-(4) | [Reserved] | | |
| §63.6(c)(5) | Compliance Dates for Existing Area Sources that Become Major | Area sources that become major must comply with major source standards by date indicated in this subpart or by equivalent time period (e.g., 3 years) | No. |
| §63.6(d) | [Reserved] | | |
| 63.6(e)(1)(i) | General duty to minimize emissions | Operate to minimize emissions at all times; information Administrator will use to determine if operation and maintenance requirements were met | No. *See* §63.11085 for general duty requirement. |
| 63.6(e)(1)(ii) | Requirement to correct malfunctions as soon as possible | Owner or operator must correct malfunctions as soon as possible | No. |
| §63.6(e)(2) | [Reserved] | | |
| §63.6(e)(3) | Startup, Shutdown, and Malfunction (SSM) plan | Requirement for SSM plan; content of SSM plan; actions during SSM | No. |
| §63.6(f)(1) | Compliance Except During SSM | You must comply with emission standards at all times except during SSM | No. |

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| §63.6(f)(2)-(3) | Methods for Determining Compliance | Compliance based on performance test, operation and maintenance plans, records, inspection | Yes. |
| §63.6(g)(1)-(3) | Alternative Standard | Procedures for getting an alternative standard | Yes. |
| §63.6(h)(1) | Compliance with Opacity/VE Standards | You must comply with opacity/VE standards at all times except during SSM | No. |
| §63.6(h)(2)(i) | Determining Compliance with Opacity/VE Standards | If standard does not State test method, use EPA Method 9 for opacity in appendix A of part 60 of this chapter and EPA Method 22 for VE in appendix A of part 60 of this chapter | No. |
| §63.6(h)(2)(ii) | [Reserved] | | |
| §63.6(h)(2)(iii) | Using Previous Tests to Demonstrate Compliance with Opacity/VE Standards | Criteria for when previous opacity/VE testing can be used to show compliance with this subpart | No. |
| §63.6(h)(3) | [Reserved] | | |
| §63.6(h)(4) | Notification of Opacity/VE Observation Date | Must notify Administrator of anticipated date of observation | No. |
| §63.6(h)(5)(i), (iii)-(v) | Conducting Opacity/VE Observations | Dates and schedule for conducting opacity/VE observations | No. |
| §63.6(h) (5)(ii) | Opacity Test Duration and Averaging Times | Must have at least 3 hours of observation with 30 6-minute averages | No. |
| §63.6(h)(6) | Records of Conditions During Opacity/VE Observations | Must keep records available and allow Administrator to inspect | No. |
| §63.6(h)(7)(i) | Report Continuous Opacity Monitoring System (COMS) Monitoring Data from Performance Test | Must submit COMS data with other performance test data | No. |
| §63.6(h)(7)(ii) | Using COMS Instead of EPA Method 9 | Can submit COMS data instead of EPA Method 9 | No. |

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| | | results even if rule requires EPA Method 9 in appendix A of part 60 of this chapter, but must notify Administrator before performance test | |
| §63.6(h)(7)(iii) | Averaging Time for COMS During Performance Test | To determine compliance, must reduce COMS data to 6-minute averages | No. |
| §63.6(h)(7)(iv) | COMS Requirements | Owner/operator must demonstrate that COMS performance evaluations are conducted according to §63.8(e); COMS are properly maintained and operated according to §63.8(c) and data quality as §63.8(d) | No. |
| §63.6(h)(7)(v) | Determining Compliance with Opacity/VE Standards | COMS is probable but not conclusive evidence of compliance with opacity standard, even if EPA Method 9 observation shows otherwise. Requirements for COMS to be probable evidence-proper maintenance, meeting Performance Specification 1 in appendix B of part 60 of this chapter, and data have not been altered | No. |
| §63.6(h)(8) | Determining Compliance with Opacity/VE Standards | Administrator will use all COMS, EPA Method 9 (in appendix A of part 60 of this chapter), and EPA Method 22 (in appendix A of part 60 of this chapter) results, as well as information about operation and maintenance to determine compliance | No. |
| §63.6(h)(9) | Adjusted Opacity Standard | Procedures for Administrator to adjust an opacity standard | No. |

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| §63.6(i)(1)-(14) | Compliance Extension | Procedures and criteria for Administrator to grant compliance extension | Yes. |
| §63.6(j) | Presidential Compliance Exemption | President may exempt any source from requirement to comply with this subpart | Yes. |
| §63.7(a)(2) | Performance Test Dates | Dates for conducting initial performance testing; must conduct 180 days after compliance date | Yes. |
| §63.7(a)(3) | Section 114 Authority | Administrator may require a performance test under CAA section 114 at any time | Yes. |
| §63.7(b)(1) | Notification of Performance Test | Must notify Administrator 60 days before the test | Yes. |
| §63.7(b)(2) | Notification of Re-scheduling | If have to reschedule performance test, must notify Administrator of rescheduled date as soon as practicable and without delay | Yes. |
| §63.7(c) | Quality Assurance (QA)/Test Plan | Requirement to submit site-specific test plan 60 days before the test or on date Administrator agrees with; test plan approval procedures; performance audit requirements; internal and external QA procedures for testing | Yes. |
| §63.7(d) | Testing Facilities | Requirements for testing facilities | Yes. |
| 63.7(e)(1) | Conditions for Conducting Performance Tests | Performance test must be conducted under representative conditions | No, §63.11092(g) specifies conditions for conducting performance tests. |
| §63.7(e)(2) | Conditions for Conducting Performance Tests | Must conduct according to this subpart and EPA test methods unless | Yes. |

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| | | Administrator approves alternative | |
| §63.7(e)(3) | Test Run Duration | Must have three test runs of at least 1 hour each; compliance is based on arithmetic mean of three runs; conditions when data from an additional test run can be used | Yes, except for testing conducted under §63.11092(a). |
| §63.7(f) | Alternative Test Method | Procedures by which Administrator can grant approval to use an intermediate or major change, or alternative to a test method | Yes. |
| §63.7(g) | Performance Test Data Analysis | Must include raw data in performance test report; must submit performance test data 60 days after end of test with the notification of compliance status; keep data for 5 years | Yes. |
| §63.7(h) | Waiver of Tests | Procedures for Administrator to waive performance test | Yes. |
| §63.8(a)(1) | Applicability of Monitoring Requirements | Subject to all monitoring requirements in standard | Yes. |
| §63.8(a)(2) | Performance Specifications | Performance specifications in appendix B of 40 CFR part 60 apply | Yes. |
| §63.8(a)(3) | [Reserved] | | |
| §63.8(a)(4) | Monitoring of Flares | Monitoring requirements for flares in §63.11 apply | Yes. |
| §63.8(b)(1) | Monitoring | Must conduct monitoring according to standard unless Administrator approves alternative | Yes. |
| §63.8(b)(2)–(3) | Multiple Effluents and Multiple Monitoring Systems | Specific requirements for installing monitoring systems; must install on each affected source or after combined with another | Yes. |

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| | | affected source before it is released to the atmosphere provided the monitoring is sufficient to demonstrate compliance with the standard; if more than one monitoring system on an emission point, must report all monitoring system results, unless one monitoring system is a backup | |
| §63.8(c)(1) | Monitoring System Operation and Maintenance | Maintain monitoring system in a manner consistent with good air pollution control practices | Yes. |
| §63.8(c)(1)(i) | Operation and Maintenance of CMS | Must maintain and operate each CMS as specified in §63.6(e)(1) | No. |
| §63.8(c)(1)(ii) | Operation and Maintenance of CMS | Must keep parts for routine repairs readily available | Yes. |
| §63.8(c)(1)(iii) | Operation and Maintenance of CMS | Requirement to develop SSM Plan for CMS | No. |
| §63.8(c) (2)-(8) | CMS Requirements | Must install to get representative emission or parameter measurements; must verify operational status before or at performance test | Yes. |
| §63.8(d) | CMS Quality Control | Requirements for CMS quality control, including calibration, etc.; must keep quality control plan on record for 5 years; keep old versions for 5 years after revisions | No. |
| §63.8(e) | CMS Performance Evaluation | Notification, performance evaluation test plan, reports | Yes. |
| §63.8(f) (1)-(5) | Alternative Monitoring Method | Procedures for Administrator to approve alternative monitoring | Yes. |
| §63.8(f)(6) | Alternative to Relative Accuracy Test | Procedures for Administrator to approve | Yes. |

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| | | alternative relative accuracy tests for CEMS | |
| §63.8(g) | Data Reduction | COMS 6-minute averages calculated over at least 36 evenly spaced data points; CEMS 1 hour averages computed over at least 4 equally spaced data points; data that cannot be used in average | Yes. |
| §63.9(a) | Notification Requirements | Applicability and State delegation | Yes. |
| §63.9(b) (1)-(2), (4)-(5) | Initial Notifications | Submit notification within 120 days after effective date; notification of intent to construct/reconstruct, notification of commencement of construction/reconstruction, notification of startup; contents of each | Yes. |
| §63.9(c) | Request for Compliance Extension | Can request if cannot comply by date or if installed best available control technology or lowest achievable emission rate | Yes. |
| §63.9(d) | Notification of Special Compliance Requirements for New Sources | For sources that commence construction between proposal and promulgation and want to comply 3 years after effective date | Yes. |
| §63.9(e) | Notification of Performance Test | Notify Administrator 60 days prior | Yes. |
| §63.9(f) | Notification of VE/Opacity Test | Notify Administrator 30 days prior | No. |
| §63.9(g) | Additional Notifications When Using CMS | Notification of performance evaluation; notification about use of COMS data; notification that exceeded criterion for relative accuracy alternative | Yes, however, there are no opacity standards. |
| §63.9(h)(1)-(6) | Notification of Compliance | Contents due 60 days after | Yes, except as |

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| | Status | end of performance test or other compliance demonstration, except for opacity/VE, which are due 30 days after; when to submit to Federal vs. State authority | specified in §63.11095(a)(4); also, there are no opacity standards. |
| §63.9(i) | Adjustment of Submittal Deadlines | Procedures for Administrator to approve change when notifications must be submitted | Yes. |
| §63.9(j) | Change in Previous Information | Must submit within 15 days after the change | Yes. |
| §63.10(a) | Record-keeping/Reporting | Applies to all, unless compliance extension; when to submit to Federal vs. State authority; procedures for owners of more than one source | Yes. |
| §63.10(b)(1) | Record-keeping/Reporting | General requirements; keep all records readily available; keep for 5 years | Yes. |
| §63.10(b)(2)(i) | Records related to SSM | Recordkeeping of occurrence and duration of startups and shutdowns | No. |
| §63.10(b)(2)(ii) | Records related to SSM | Recordkeeping of malfunctions | No. *See* §63.11094(g) for recordkeeping of (1) occurrence and duration and (2) actions taken during malfunction. |
| §63.10(b)(2)(iii) | Maintenance records | Recordkeeping of maintenance on air pollution control and monitoring equipment | Yes. |
| §63.10(b)(2)(iv) | Records Related to SSM | Actions taken to minimize emissions during SSM | No. |
| §63.10(b)(2)(v) | Records Related to SSM | Actions taken to minimize emissions during SSM | No. |

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| §63.10(b)(2)(vi)-(xi) | CMS Records | Malfunctions, inoperative, out-of-control periods | Yes. |
| §63.10(b)(2)(xii) | Records | Records when under waiver | Yes. |
| §63.10(b)(2)(xiii) | Records | Records when using alternative to relative accuracy test | Yes. |
| §63.10(b)(2)(xiv) | Records | All documentation supporting initial notification and notification of compliance status | Yes. |
| §63.10(b)(3) | Records | Applicability determinations | Yes. |
| §63.10(c) | Records | Additional records for CMS | No. |
| §63.10(d)(1) | General Reporting Requirements | Requirement to report | Yes. |
| §63.10(d)(2) | Report of Performance Test Results | When to submit to Federal or State authority | Yes. |
| §63.10(d)(3) | Reporting Opacity or VE Observations | What to report and when | No. |
| §63.10(d)(4) | Progress Reports | Must submit progress reports on schedule if under compliance extension | Yes. |
| §63.10(d)(5) | SSM Reports | Contents and submission | No. *See* §63.11095(d) for malfunction reporting requirements. |
| §63.10(e)(1)-(2) | Additional CMS Reports | Must report results for each CEMS on a unit; written copy of CMS performance evaluation; 2-3 copies of COMS performance evaluation | No. |
| §63.10(e)(3)(i)-(iii) | Reports | Schedule for reporting excess emissions | Yes, note that §63.11095 specifies excess emission |

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| | | | events for this subpart. |
| §63.10(e)(3)(iv)-(v) | Excess Emissions Reports | Requirement to revert to quarterly submission if there is an excess emissions and parameter monitor exceedances (now defined as deviations); provision to request semiannual reporting after compliance for 1 year; submit report by 30th day following end of quarter or calendar half; if there has not been an exceedance or excess emissions (now defined as deviations), report contents in a statement that there have been no deviations; must submit report containing all of the information in §§63.8(c)(7)-(8) and 63.10(c)(5)-(13) | Yes, §63.11095 specifies excess emission events for this subpart. |
| §63.10(e)(3)(vi)-(viii) | Excess Emissions Report and Summary Report | Requirements for reporting excess emissions for CMS; requires all of the information in §§63.8(c)(7)-(8) and 63.10(c)(5)-(13) | Yes. |
| §63.10(e)(4) | Reporting COMS Data | Must submit COMS data with performance test data | Yes. |
| §63.10(f) | Waiver for Recordkeeping/Reporting | Procedures for Administrator to waive | Yes. |
| §63.11(b) | Flares | Requirements for flares | Yes, the section references §63.11(b). |
| §63.12 | Delegation | State authority to enforce standards | Yes. |
| §63.13 | Addresses | Addresses where reports, notifications, and requests are sent | Yes. |
| §63.14 | Incorporations by Reference | Test methods incorporated by reference | Yes. |

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| §63.15 | Availability of Information | Public and confidential information | Yes. |

## Section III. Emissions Unit(s) and Conditions.

**Subsection A. This section addresses the following emissions unit(s).**

**E.U. ID No./ Brief Description**

028 Steam Boiler No. 3
024 Asphalt Heaters No. 5 and No. 6

{Permitting note: The asphalt heaters are regulated under NSPS - 40 CFR 60, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units and Subpart A, General Provisions, adopted and incorporated by reference in Rule 62-204.800(8), F.A.C.. The boiler and heaters are subject to Rule 62-296.406(2)&(3), F.A.C., Best Available Control Technology (BACT) Determination}

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

### Essential Potential to Emit (PTE) Parameters

**A1.** Capacity. The maximum hourly heat input rates averaged monthly are as follows:

a) steam boiler no. 3 - 4.2 MMBTU/hr.
b) asphalt heater no. 5 - 10.2 MMBTU/hr.
c) asphalt heater no. 6 - 10.2 MMBTU/hr.

[Rule 62-210.200, (PTE), F.A.C. and construction permits 0090029-001-AC and 0090029-011-AC]

**A2.** Methods of Operation. The boiler will be fired with natural gas as the primary fuel with no. 2 fuel utilized as a backup or emergency fuel. Each heater is allowed to fire natural gas or no. 2 fuel oil only.
[Rule 62.210.200, (PTE), F.A.C. and construction permits 0090029-001-AC and 0090029-011-AC]

**A3.** Emissions Unit Operating Rate Limitation After Testing.
See Section IV, Specific Condition 3. [Rule 62-297.310(2), F.A.C.]

### Emission Limitations and Standards

**A4.** BACT for each Asphalt Heater Determined by DEP:

The amount of particulate and sulfur dioxide emissions from each asphalt heater while firing no. 2 oil will be limited by the firing of new no. 2 fuel oil having a sulfur content not to exceed 0.5 percent, by weight. The term "new" means oil which has been refined from crude oil and has not been used.
[Rule 62-296.406(2)&(3), F.A.C., construction permit 0090029-001-AC, and 40 CFR 60.42c(d)]

**A5.** BACT for Boiler No. 3 Determined by DEP:

The amount of particulate and sulfur dioxide emissions from the boiler while firing no. 2 oil will be limited by the firing of new no. 2 fuel oil having a sulfur content not to exceed **0.05 percent, by weight.** The term "new" means oil which has been refined from crude oil and has not been used. [Rule 62-296.406(2)&(3), F.A.C. and construction permit 0090029-011-AC]

**A6.** Visible Emissions. Visible emissions shall not exceed 20% opacity except for one two-minute period per hour during which opacity shall not exceed 40%.
[Rule 62-296.406(1), F.A.C.]

## Testing Requirements

**A7.** Annual Compliance Tests: The boiler (Steam Boiler No. 3) and asphalt heaters (No. 5 and No. 6) **are not** required to be tested for visible emissions **annually** if the boiler or asphalt heater burns liquid and/or solid fuel, other than during startup, for a total of 400 hours or less during each federal fiscal year (October 1st to September 30th). If the boiler or asphalt heater burns liquid and/or solid fuel, other than during startup, for a total of more than 400 hours during a federal fiscal year (October 1st to September 30th), the emissions units (Steam Boiler No. 3 or Asphalt Heater No. 5 and No. 6) **are** required to be tested to demonstrate compliance with the emissions standards for visible emissions prior to September 30 of the federal fiscal year when the boiler burned liquid and/or solid fuel, other than during startup, for a total of more than 400 hours.
[Rule 62-297.310(7)(a)4, F.A.C.]

**A8.** Test Requirements: The permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests. 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.]

**A9.** Test Methods: Required tests shall be performed in accordance with the following reference method.

| Method | Description of Method and Comments |
|---|---|
| DEP 9 | Visual Determination of Opacity of Emissions from Stationary Sources. The observation period is 30 minutes for Steam Boiler No. 3 and the asphalt heaters. |

No other method may be used unless prior written approval is received from the Department.
[Rule 62-297.401(9), F.A.C. and Appendix A of 40 CFR 60]

**A10.** Sulfur Dioxide - Sulfur Content. The permittee shall demonstrate compliance with the liquid fuel sulfur limit by providing a fuel analysis upon each fuel delivery to the boiler/heater fuel supply tank.
[Rules 62-213.440 and 62-296.406(3), F.A.C.]

**A11.** The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using one of ASTM D2622-94, ASTM D4294-90(95), ASTM 1552-95, ASTM D1266-91, or both ASTM D4057-88 and ASTM D129-91 or latest editions.
[Rules 62-213.440, 62-296.406(3) and 62-297.440(1), F.A.C.]

## Records and Reports

**A12.** Operational Data: In order to demonstrate compliance with Condition No. **A1.**, **A2.**, **A4.**, and **A5.**, the permittee shall maintain records at the facility for a period of at least 5 years from the date the data is recorded. The records shall contain the following:

Monthly
a) month
b) fuel type
c) heat input rate
d) certification from the fuel oil supplier of the no. 2 fuel oil sulfur content
[Rules 62-4.070(3) and 62-213.440(1)(b)2., F.A.C.]

## NSPS Conditions - Asphalt Heater Only

**A13.** The asphalt heaters are subject to 40 CFR Part 60, Subpart A, General Provisions and 40 CFR Part 60, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. See attached Appendix 60-A and Appendix Dc for Small Industrial-Commercial-Institutional Steam Generating Units. The conditions are incorporated into this permit (attached and part of this permit).

[Rule 62-204.800(8), F.A.C. and 40 CFR Part 60, Subpart A and Subpart Dc]

**Subsection B. This section addresses the following emissions unit(s).**

**E.U. ID No./ Brief Description**

025 Sixteen Petroleum Storage Tanks {subject to Rule 62-296.320(1), F.A.C.}

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

**Essential Potential to Emit (PTE) Parameters**

**B1.** Capacity. Individual tanks are permitted as follows:

| Tank # | Worst-Case Product | Shell Capacity (bbl) | **Roof Type** | NSPS | NESHAP |
|---|---|---|---|---|---|
| 1 | #6/Asphalt | 80,265 | FR | None | None |
| 2 | #2/Asphalt | 55,778 | FR | None | None |
| 3 | Asphalt | 33,607 | FR | None | None |
| 4 | Asphalt | 20,109 | FR | None | None |
| 5 | Asphalt | 1,214 | FR | None | None |
| 6 | Asphalt | 20,097 | FR | None | None |
| 7 | #2 Fuel Oil | 65,270 | FR | None | None |
| 9 | Gasoline | 33,741 | IFR | None | BBBBBB |
| 10 | Asphalt | 3,010 | FR | None | None |
| 11 | Asphalt | 3,009 | FR | None | None |
| 12 | Gasoline | 8,955 | IFR | None | BBBBBB |
| 13 | Gasoline | 8,048 | IFR | None | BBBBBB |
| 14 | Asphalt | 1,497 | FR | None | None |
| 15 | Gasoline | 54,919 | EFR w/dome | None | BBBBBB |
| 19 | Additive | 247 | FR | None | None |
| 23 | Additive | 242 | FR | None | None |

[Rule 62-210.200, (PTE), F.A.C. and construction permit 0090029-001-AC]

*Permit Note: Worst-case product is defined as the product that is expected to result in the highest emission of volatile organic compounds. It does not limit the storage of lower vapor products (e.g. storage tanks that identify gasoline as the worst-case product are also authorized to store ethanol).*

**B2.** No person shall circumvent any pollution control device or allow the emissions of air pollutants without the applicable air pollution control device operating properly. [Rule 62-210.200, (PTE), F.A.C. and Rule 62-210.650, F.A.C.]

## Recordkeeping and Reporting Requirements

**B3.** In order to demonstrate compliance with condition no. B1, the permittee shall maintain records at the facility for a period of at least 5 years from the date the data is recorded. The records shall contain the following:

Monthly
petroleum type and tank capacity
[Rules 62-4.070(3), and 62-213.440(1)(b)2., F.A.C.]

**Subsection C. This section addresses the following emissions unit(s).**

**E.U. ID No./ Brief Description**

026 One Petroleum Storage Tank {subject to NSPS Subpart Kb} and
Two Petroleum Storage Tanks {subject to NSPS Subpart K}

*{Permitting note: This emission unit is regulated under NSPS - 40 CFR 60, Subpart Kb, Standards of Performance for Volatile Organic Liquid Storage Vessels for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984 or 40 CFR 60, Subpart K, Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced after June 11, 1973, and Prior to May 19, 1978, and Subpart A, General Provisions, adopted and incorporated by reference in Rule 62-204.800(8), F.A.C.}*

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

**Essential Potential to Emit (PTE) Parameters**

**C1.** Capacity. Individual tanks are permitted as follows:

| Tank # | Primary Seal / Secondary Seal | Worst-Case Product | Shell Capacity (bbl) | Roof Type | NSPS | NESHAP |
|---|---|---|---|---|---|---|
| 8 | Mechanical Shoe Rim-Mounted | Gasoline | 121,838 | IFR | Kb | BBBBBB |
| 17 | Vapor-Mounted Rim-Mounted | Gasoline | 99,388 | IFR | K | BBBBBB |
| 18 | Vapor-Mounted Rim-Mounted | Gasoline | 98,317 | IFR | K | BBBBBB |

[Rule 62-210.200, (PTE), F.A.C. and construction permit 0090029-001-AC]

*Permit Note: Worst-case product is defined as the product that is expected to result in the highest emission of volatile organic compounds. It does not limit the storage of lower vapor products (e.g. storage tanks that identify gasoline as the worst-case product are also authorized to store ethanol).*

**Recordkeeping and Reporting Requirements**

**C2.** In order to demonstrate compliance with Condition No. **C1.**, the permittee shall maintain records at the facility for a period of at least 5 years from the date the data is recorded. The records shall contain the following:

Monthly
petroleum type and tank capacity
[Rules 62-4.070(3), and 62-213.440(1)(b)2., F.A.C.]

**NSPS Conditions**

**C3.** Each tank is subject to 40 CFR Part 60, Subpart A, General Provisions. See attached Appendix 60-A. [Rule 62-204.800(8), F.A.C. and 40 CFR Part 60, Subpart A]

**C4.** Tank 8 is subject to **Rule 62-204.800(8)(b)16., F.A.C. and 40 CFR Part 60, Subpart Kb**, for Volatile Organic Liquid Storage Vessels and Tanks 17 and 18 are subject to **Rule 62-204.800(8)(b)14., F.A.C. and 40 CFR Part 60, Subpart K**, for Petroleum Liquid Storage Vessels. See attached Appendix Kb and Appendix K.
[Rule 62-204.800(8), F.A.C. and 40 CFR Part 60, Subpart Kb and Subpart K]

**Subsection D. This section addresses the following emissions unit(s).**

**E.U. ID No./ Brief Description**
006 South Gasoline Loading Rack with ethanol loading capacity (with Thermal Oxidizer) {subject to NSPS Subpart XX}

*{Permitting note: This emission unit is regulated under NSPS - 40 CFR 60, Subpart XX, Standards of Performance for Bulk Gasoline Terminals, and Subpart A, General Provisions, adopted and incorporated by reference in Rule 62-204.800(8), F.A.C.}*

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

**Essential Potential to Emit (PTE) Parameters**

**D1.** Capacity. The maximum throughput rate for the South Loading Rack is 315,000,000 gallons of gasoline per consecutive twelve months and 100,800,000 gallons of diesel fuel per consecutive twelve months.
[Rule 62-210.200, (PTE), F.A.C. and construction permit 0090029-001-AC as revised 10/30/98]

**D2.** No person shall circumvent any pollution control device or allow the emissions of air pollutants without the applicable air pollution control device operating properly.
[Rule 62-210.200, (PTE), F.A.C. and Rule 62-210.650, F.A.C.]

**D3.** Emissions Unit Operating Rate Limitation After Testing. See Section IV, Specific Condition No 3. [Rule 62-297.310(2), F.A.C.]

**Emission Limitations and Standards**

**D4.** Emissions to the atmosphere from the vapor collection and processing systems due to loading of gasoline cargo tanks shall not exceed 35 milligrams of total organic compounds per liter of gasoline loaded.
[Rule 62-204.800(8)(b)54., F.A.C. and construction permit 0090029-001-AC]

**Test Methods and Procedures**

**D5.** The emission unit shall demonstrate compliance with its emission limit and performance standards in accordance with EPA Methods 2A, 2B, 10, 21, 22, 25A, 25B, and 205 prior to permit expiration date.
[Rules 62-297.401(2)(a), 62-297.401(21), 62-297.401(22), 62-297.401(25)(a)&(b), and 62-204.800(8)(b)54., F.A.C.]

**D6.** The permittee shall comply with the requirements contained in APPENDIX SS-1, Stack Sampling Facilities, attached to this permit. [Rule 62-297.310(6), F.A.C.]

## Monitoring of Operations

**D7.** Determination of Process Variables.
(a) Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
(b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.
[Rule 62-297.310(5), F.A.C.]

## Recordkeeping and Reporting Requirements

**D8.** In order to demonstrate compliance with condition no. D1, the permittee shall maintain records at the facility for a period of at least 5 years from the date the data is recorded. The records shall contain the following:

Monthly
a) month
b) consecutive 12 month
total of:
- petroleum type and throughput rates

[Rules 62-4.070(3), and 62-213.440(1)(b)2., F.A.C.]

**D9.** Supporting documentation, such as Material Safety Data Sheets, purchase orders, etc., shall be kept which includes sufficient information to determine compliance. The documents shall be kept at the facility for at least 5 years and made available to the Department. Daily logs shall be completed within 7 business days and the monthly logs shall be completed by the end of the following month.
[Rules 62-4.070(3), and 62-213.440(1)(b)2.b., F.A.C.]

## NSPS Conditions

**D10.** This emission unit is subject to 40 CFR Part 60, Subpart A, General Provisions. See attached Appendix 60-A.
[Rule 62-204.800(8), F.A.C. and 40 CFR Part 60, Subpart A]

**D11.** This emission unit is subject to **Rule 62-204.800(8)(b)54., F.A.C. and 40 CFR Part 60, Subpart XX**, for Bulk Gasoline Terminals. See Appendix XX. [Rule 62-204.800(8), F.A.C. and 40 CFR Part 60, Subpart XX]

## Compliance Assurance Monitoring

**D12.** This emissions unit is subject to the Compliance Assurance Monitoring (CAM) requirements contained in the attached Appendix CAM. Failure to adhere to the monitoring requirements specified does not necessarily indicate an exceedance of a specific emissions limitation; however, it may constitute good reason to require compliance testing pursuant to Rule 62-297.310(7)(b), F.A.C.
[40 CFR 64; Rules 62-204.800 and 62-213.440(1)(b)1.a., F.A.C.]

**Subsection E. This section addresses the following emissions unit(s).**

**E.U. ID No./ Brief Description**

019 North Loading Rack, Asphalt Loading Rack, Marine Loading/Unloading and Vessel Bunkering, Ethanol Loading, and Fugitive Emissions.

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

**Essential Potential to Emit (PTE) Parameters**

**E1. Hours of Operation.** The maximum hours of operation are 8760 hours per consecutive twelve months.
[Rule 62-210.200, (PTE), F.A.C. and construction permit 0090029-001-AC]

**Subsection F. This section addresses the following emissions unit(s).**

**E.U. ID No./ Brief Description**

029 Emergency Generator

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

**Essential Potential to Emit (PTE) Parameters**

**F1.** Restricted Operation: The hours of operation of the back-up generator **at this facility** shall not exceed 500 hours per consecutive twelve months. [Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.]

**F2.** Methods of Operation: The sulfur content shall not exceed **0.0015 percent, by weight**. The sulfur content shall be determined using one of the ASTM methods listed in Specific Condition **F8.** of this permit. [Rules 62-4.070(3) and 62-210.200, (PTE), F.A.C.; and 40 CFR 80, Subpart I]

**Emission Limitations and Standards**

**F3.** Visible Emissions. Visible emissions from the back-up generator shall not exceed 20 percent opacity. [Rule 62-296.320(4)(b)1., F.A.C.]

**F4.** Performance Standards: The Back-Up generator is **not** subject to 40 CFR 60, Subpart IIII or 40 CFR 63 Subpart ZZZZ.
[Rule 62-4.070(3), F.A.C.]

*{Permitting Note: This is a portable, emergency generator that is moved around between TransMontaigne's Florida Terminals. As it is portable, it is not subject to 40 CFR 60 Subpart IIII or 40 CFR 63 Subpart ZZZZ.}*

**Testing Requirements**

**F5.** Test Requirements: There is no test requirement for the back-up generator unless the Department, after investigation, has good reason to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated. [Rules 62-4.070(3) and 62-297.310(7), F.A.C.]

**Monitoring Requirements**

**F6. Maintenance Log: Maintain a log recording maintenance activity performed on back-up generator according to the manufacturer's written instructions or procedures over the life of the engine. A copy of the manufacturer's written instructions or procedures must be on site and available upon request by a DEP Inspector.**

**F7.** Sulfur Dioxide - Sulfur Content. The permittee shall demonstrate compliance with the liquid fuel sulfur limit by providing a fuel analysis upon each fuel delivery to the fuel supply tank. [Rules 62-213.440 and 62-296.406(3), F.A.C.]

**F8.** The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using one of ASTM D2622-94, ASTM D4294-90(95), ASTM 1552-95, ASTM D1266-91, or both ASTM D4057-88 and ASTM D129-91 or latest editions.
[Rules 62-213.440, 62-296.406(3) and 62-297.440(1), F.A.C.]

## Records and Reports

**F9.** Operational Data: In order to demonstrate compliance with Specific Conditions No(s) **F1.** and **F2.**, the permittee shall maintain records at the facility for a period of at least 5 years from the date the data is recorded. The records shall contain the following:

Monthly

a) month
b) number of operational hours
c) certification from the fuel oil supplier of the no. 2 fuel oil sulfur content

[Rules 62-4.070(3) and 62-213.440(1)(b)2., F.A.C.]

## Section IV. Common Conditions

1. Hours of Operation. Each unit, except for the emergency generator, is allowed to operate a maximum of 8760 hours per consecutive twelve months.
[Rule 62-210.200, (PTE), F.A.C. and Construction Permits No. 0090029-001-AC and 0090029-011-AC]

2. At least 15 days prior to the date on which each formal compliance test is due to begin, the permittee shall provide written notification of the test to the air compliance section of this office. The notification must include the following information: the date, time and location of each test; the name and telephone number of the facility's contact person who will be responsible for coordinating the test; and the name, company and telephone number of the person conducting the test. [Rule 62-297.310(7)(a)9, F.A.C.]

3. Testing of emissions shall be conducted with the emissions unit operation at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unity operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.
[Rule 62-297.310(2)&(2)(b), F.A.C.]

4. Excess emissions resulting from startup, shutdown or malfunction shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

5. Excess emissions from fossil fuel steam generators resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.
[Rule62-210.700(2) F.A.C.]

6. Excess emissions which are caused entirely or in part by poor maintenance, poor operation or any other equipment or process failure which may be reasonably be prevented during startup, shutdown or malfunction shall be prohibited.
[Rule 62-210.700(4) F.A.C.]

7. In case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report if requested by the Department.
[Rule 62-210.700(6) F.A.C.]