

West Virginia Department of Environmental Protection

Austin Caperton

Cabinet Secretary

# Permit to Operate



Pursuant to

**Title V**

of the Clean Air Act

*Issued to:*

**Williams Ohio Valley Midstream LLC**

**Moundsville Fractionation Plant**

**R30-05100141-2021**

A handwritten signature in blue ink that reads "Laura M. Crowder". The signature is written in a cursive style and is positioned above a horizontal line.

*Laura M. Crowder*

*Director, Division of Air Quality*

*Issued: January 11, 2021 • Effective: January 25, 2021*  
*Expiration: January 11, 2026 • Renewal Application Due: July 11, 2025*

Permit Number: **R30-05100141-2021**  
Permittee: **Williams Ohio Valley Midstream LLC**  
Facility Name: **Moundsville Fractionation Plant**  
Permittee Mailing Address: **100 Teletech Drive, Suite 2, Moundsville, WV 26041**

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*This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 — Requirements for Operating Permits. The permittee identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.*

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Facility Location:	Moundsville, Marshall County, West Virginia
Facility Mailing Address:	200 Caiman Drive, Moundsville, WV 26041
Telephone Number:	304-843-3103
Type of Business Entity:	LLC
Facility Description:	Natural gas liquids fractionation
SIC Codes:	1321
UTM Coordinates:	517.35 km Easting • 4,418.11 km Northing • Zone 17

Permit Writer: Beena Modi

*Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [ §§ 22B-1-1 et seq. ], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.*

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*Issuance of this Title V Operating Permit does not supersede or invalidate any existing permits under 45CSR13, 14 or 19, although all applicable requirements from such permits governing the facility's operation and compliance have been incorporated into the Title V Operating Permit.*

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### 1.1. Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
1S	n/a (Fugitives)	Fractionation Plant 1 (fugitives only)	2012	12,500 BPD	LDAR
		Fractionation Plant 2 (fugitives only)	2013	30,000 BPD	
		Truck Loading (fugitives only)	2012/2013	n/a	
		Rail Loading (fugitives only)	2013/2016	n/a	
		Condensate Unit (fugitives only)	2014	n/a	
		Inlet Unit (fugitives only)	NGL (2012), Condensate (2014)	n/a	
2S	TLO	Product Loading/Unloading	2012 and 2013	58,200 BPD	Flare (FL-02)
3S	TKS	Stabilized Condensate Tanks	2014	3 tanks @ 90,000 gallons	Pressure Vessels
3S	TKS	NGL Accumulation Tanks	2012	6 tanks @ 61,400 gallons	Pressure Vessels
			2013	6 tanks @ 90,000 gallons	
3S	TKS	Propane Accumulation Tanks	2012	4 tanks @ 90,000 gallons	Pressure Vessels
			2013	2 tanks @ 420,000 gallons 1 tank @ 90,000 gallons	
3S	TKS	Butane Accumulation Tanks	2012/2017	2 tanks @ 114,000 gallons	Pressure Vessels
			2013	3 tanks @ 210,000 gallons	
3S	TKS	Natural Gasoline Accumulation Tanks	2012	2 tanks @ 60,000 gallons	Pressure Vessels
			2012	1 tank @ 90,000 gallons	Pressure Vessel
			2012/2017	2 tanks @ 140,000 gallons	Pressure Vessel
V-2950 V-2951	5E	Natural Gasoline Storage Tanks	2013	2 tanks @ 454,000 gallons	Flare (FL-02)
3S	TKS	Slop Liquid Tanks	2012	2 tanks @ 8,240 gallons	None
3S	TKS	Diesel Fuel Tank	2012	1 tank @ 520 gallons	None
3S	TKS	Gasoline Tank	2012	1 tank @ 520 gallons	None

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
3S	TKS	Methanol (MeOH) Tank	2012	1 tank @ 300 gallons	None
3S	TKS	Mercaptan (Odorant) Tanks	2012	2 tanks @ 1,000 gallons	None
			2013/2016	2 tanks @ 3,000 gallons	None
1-HTR	1E	Frac1 - Hot Oil Heater	2012	45.54 MMBTU/hr	None
2-HTR	2E	Frac2 - Hot Oil Heaters (2)	2013	89.85 MMBTU/hr (each)	None
5S	5E	Process Flare (FL-02) (99% control efficiency for VOCs and total HAPs)	2013	0.24 MMBTU/hr (pilot) 620 MMBTU/hr (max.) 28,000 lb/hr throughput (max.)	None
EG-1 (6S)	6E	Emergency Generator Kohler 25REZG, Four-stroke Rich Burn, Liquid Propane Gas-fired engine (manufactured November 2012)	2016	49.2 hp at 1800 RPM (36.7 kW)	None
7S	N/A	Miscellaneous Equipment Leaks	2012	N/A	N/A

BPD – barrels per day; N/A – not applicable; TBD – to be determined

## 1.2. Active R13, R14, and R19 Permits

The underlying authority for any conditions from R13, R14, and/or R19 permits contained in this operating permit is cited using the original permit number (e.g. R13-1234). The current applicable version of such permit(s) is listed below.

Permit Number	Date of Issuance
R13-2892H	August 24, 2020
G60-C069	March 31, 2015

## 2.0 General Conditions

### 2.1 Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.
- 2.1.4. Unless otherwise specified in a permit condition or underlying rule or regulation, all references to a "rolling yearly total" shall mean the sum of the monthly data, values or parameters being measured, monitored, or recorded, at any given time for the previous twelve (12) consecutive calendar months.

### 2.2 Acronyms

<b>CAAA</b>	Clean Air Act Amendments	<b>NSPS</b>	New Source Performance Standards
<b>CBI</b>	Confidential Business Information	<b>PM</b>	Particulate Matter
<b>CEM</b>	Continuous Emission Monitor	<b>PM<sub>10</sub></b>	Particulate Matter less than 10µm in diameter
<b>CES</b>	Certified Emission Statement	<b>pph</b>	Pounds per Hour
<b>C.F.R. or CFR</b>	Code of Federal Regulations	<b>ppm</b>	Parts per Million
<b>CO</b>	Carbon Monoxide	<b>PSD</b>	Prevention of Significant Deterioration
<b>C.S.R. or CSR</b>	Codes of State Rules	<b>psi</b>	Pounds per Square Inch
<b>DAQ</b>	Division of Air Quality	<b>SIC</b>	Standard Industrial Classification
<b>DEP</b>	Department of Environmental Protection	<b>SIP</b>	State Implementation Plan
<b>FOIA</b>	Freedom of Information Act	<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>HAP</b>	Hazardous Air Pollutant	<b>TAP</b>	Toxic Air Pollutant
<b>HON</b>	Hazardous Organic NESHAP	<b>TPY</b>	Tons per Year
<b>HP</b>	Horsepower	<b>TRS</b>	Total Reduced Sulfur
<b>lbs/hr or lb/hr</b>	Pounds per Hour	<b>TSP</b>	Total Suspended Particulate
<b>LDAR</b>	Leak Detection and Repair	<b>USEPA</b>	United States Environmental Protection Agency
<b>m</b>	Thousand	<b>UTM</b>	Universal Transverse Mercator
<b>MACT</b>	Maximum Achievable Control Technology	<b>VEE</b>	Visual Emissions Evaluation
<b>mm</b>	Million	<b>VOC</b>	Volatile Organic Compounds
<b>mmBtu/hr</b>	Million British Thermal Units per Hour		
<b>mmft<sup>3</sup>/hr or mmcf/hr</b>	Million Cubic Feet Burned per Hour		
<b>NA or N/A</b>	Not Applicable		
<b>NAAQS</b>	National Ambient Air Quality Standards		
<b>NESHAPS</b>	National Emissions Standards for Hazardous Air Pollutants		
<b>NO<sub>x</sub></b>	Nitrogen Oxides		

### **2.3. Permit Expiration and Renewal**

- 2.3.1. Permit duration. This permit is issued for a fixed term of five (5) years and shall expire on the date specified on the cover of this permit, except as provided in 45CSR§30-6.3.b. and 45CSR§30-6.3.c.  
**[45CSR§30-5.1.b.]**
- 2.3.2. A permit renewal application is timely if it is submitted at least six (6) months prior to the date of permit expiration.  
**[45CSR§30-4.1.a.3.]**
- 2.3.3. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 45CSR§30-6.2. and 45CSR§30-4.1.a.3.  
**[45CSR§30-6.3.b.]**
- 2.3.4. If the Secretary fails to take final action to deny or approve a timely and complete permit application before the end of the term of the previous permit, the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time.  
**[45CSR§30-6.3.c.]**

### **2.4. Permit Actions**

- 2.4.1. This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.  
**[45CSR§30-5.1.f.3.]**

### **2.5. Reopening for Cause**

- 2.5.1. This permit shall be reopened and revised under any of the following circumstances:
- a. Additional applicable requirements under the Clean Air Act or the Secretary's legislative rules become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 45CSR§§30-6.6.a.1.A. or B.
  - b. Additional requirements (including excess emissions requirements) become applicable to an affected source under Title IV of the Clean Air Act (Acid Deposition Control) or other legislative rules of the Secretary. Upon approval by U.S. EPA, excess emissions offset plans shall be incorporated into the permit.
  - c. The Secretary or U.S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
  - d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

**[45CSR§30-6.6.a.]**

## **2.6. Administrative Permit Amendments**

- 2.6.1. The permittee may request an administrative permit amendment as defined in and according to the procedures specified in 45CSR§30-6.4.  
**[45CSR§30-6.4.]**

## **2.7. Minor Permit Modifications**

- 2.7.1. The permittee may request a minor permit modification as defined in and according to the procedures specified in 45CSR§30-6.5.a.  
**[45CSR§30-6.5.a.]**

## **2.8. Significant Permit Modification**

- 2.8.1. The permittee may request a significant permit modification, in accordance with 45CSR§30-6.5.b., for permit modifications that do not qualify for minor permit modifications or as administrative amendments.  
**[45CSR§30-6.5.b.]**

## **2.9. Emissions Trading**

- 2.9.1. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit and that are in accordance with all applicable requirements.  
**[45CSR§30-5.1.h.]**

## **2.10. Off-Permit Changes**

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:
- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
  - b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
  - c. The change shall not qualify for the permit shield.
  - d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.
  - e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.



- f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

**[45CSR§30-5.9.]**

## **2.11. Operational Flexibility**

- 2.11.1. The permittee may make changes within the facility as provided by § 502(b)(10) of the Clean Air Act. Such operational flexibility shall be provided in the permit in conformance with the permit application and applicable requirements. No such changes shall be a modification under any rule or any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) promulgated by the Secretary in accordance with Title I of the Clean Air Act and the change shall not result in a level of emissions exceeding the emissions allowable under the permit.

**[45CSR§30-5.8]**

- 2.11.2. Before making a change under 45CSR§30-5.8., the permittee shall provide advance written notice to the Secretary and to U.S. EPA, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall thereafter maintain a copy of the notice with the permit, and the Secretary shall place a copy with the permit in the public file. The written notice shall be provided to the Secretary and U.S. EPA at least seven (7) days prior to the date that the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to such unanticipated conditions, the permittee shall provide notice to the Secretary and U.S. EPA as soon as possible after learning of the need to make the change.

**[45CSR§30-5.8.a.]**

- 2.11.3. The permit shield shall not apply to changes made under 45CSR§30-5.8., except those provided for in 45CSR§30-5.8.d. However, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the change, provided that the permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The permit shield may be reinstated for emissions and operations affected by the change:

- a. If subsequent changes cause the facility's operations and emissions to revert to those authorized in the permit and the permittee resumes compliance with the terms and conditions of the permit, or
- b. If the permittee obtains final approval of a significant modification to the permit to incorporate the change in the permit.

**[45CSR§30-5.8.c.]**

- 2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

**[45CSR§30-2.39]**

## **2.12. Reasonably Anticipated Operating Scenarios**

- 2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.
- a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.
  - b. The permit shield shall extend to all terms and conditions under each such operating scenario; and
  - c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.

[45CSR§30-5.1.i.]

## **2.13. Duty to Comply**

- 2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

[45CSR§30-5.1.f.1.]

## **2.14. Inspection and Entry**

- 2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:
- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
  - d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

## **2.15. Schedule of Compliance**

- 2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:
- a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
  - b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

**[45CSR§30-5.3.d.]**

## **2.16. Need to Halt or Reduce Activity not a Defense**

- 2.16.1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

**[45CSR§30-5.1.f.2.]**

## **2.17. Emergency**

- 2.17.1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

**[45CSR§30-5.7.a.]**

- 2.17.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of 45CSR§30-5.7.c. are met.

**[45CSR§30-5.7.b.]**

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

- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
- b. The permitted facility was at the time being properly operated;
- c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

- d. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, the permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

**[45CSR§30-5.7.c.]**

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

**[45CSR§30-5.7.d.]**

- 2.17.5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

**[45CSR§30-5.7.e.]**

## **2.18. Federally-Enforceable Requirements**

- 2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.

**[45CSR§30-5.2.a.]**

- 2.18.2. Those provisions specifically designated in the permit as "State-enforceable only" shall become "Federally-enforceable" requirements upon SIP approval by the USEPA.

## **2.19. Duty to Provide Information**

- 2.19.1. The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

**[45CSR§30-5.1.f.5.]**

## **2.20. Duty to Supplement and Correct Information**

- 2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

**[45CSR§30-4.2.]**

## **2.21. Permit Shield**

2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.  
**[45CSR§30-5.6.a.]**

2.21.2. Nothing in this permit shall alter or affect the following:

- a. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or
- b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.
- c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.

**[45CSR§30-5.6.c.]**

## **2.22. Credible Evidence**

2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.  
**[45CSR§30-5.3.e.3.B. and 45CSR38]**

## **2.23. Severability**

2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.  
**[45CSR§30-5.1.e.]**

## **2.24. Property Rights**

2.24.1. This permit does not convey any property rights of any sort or any exclusive privilege.  
**[45CSR§30-5.1.f.4]**

## **2.25. Acid Deposition Control**

2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.

- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.

- b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.
- c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

**[45CSR§30-5.1.d.]**

- 2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.

**[45CSR§30-5.1.a.2.]**

### 3.0 Facility-Wide Requirements

#### 3.1 Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person is prohibited except as noted in 45CSR§6-3.1. [45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause or allow any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible. [45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them. [40 C.F.R. §61.145(b) and 45CSR34]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public. [45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11. [45CSR§11-5.2]
- 3.1.6. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality. [W.Va. Code § 22-5-4(a)(14)]
- 3.1.7. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.
  - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.

- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161.

**[40 C.F.R. 82, Subpart F]**

- 3.1.8. **Risk Management Plan.** Should this stationary source, as defined in 40 C.F.R. § 68.3, become subject to Part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in 40 C.F.R. § 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 C.F.R. Part 70 or 71.

**[40 C.F.R. 68]**

- 3.1.9. No person shall cause, suffer, allow or permit fugitive particulate matter to be discharged beyond the boundary lines of the property on which the discharge originates or at any public or residential location, which causes or contributes to statutory air pollution.

**[45CSR§17-3.1. State-Enforceable only.]**

- 3.1.10. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.1 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.

**[45CSR13, R13-2892, 4.1.3.; 45CSR§13-5.10.]**

### **3.2. Monitoring Requirements**

- 3.2.1. Reserved.

### **3.3. Testing Requirements**

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.

- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit.



- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.
- d. The permittee shall submit a report of the results of the stack test within 60 days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:
  1. The permit or rule evaluated, with the citation number and language.
  2. The result of the test for each permit or rule condition.
  3. A statement of compliance or non-compliance with each permit or rule condition.

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

### 3.4. Recordkeeping Requirements

- 3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:
  - a. The date, place as defined in this permit and time of sampling or measurements;
  - b. The date(s) analyses were performed;
  - c. The company or entity that performed the analyses;
  - d. The analytical techniques or methods used;
  - e. The results of the analyses; and
  - f. The operating conditions existing at the time of sampling or measurement.

[45CSR§30-5.1.c.2.A.;45CSR13, R13-2892, 4.1.1.; G60-C069 General Permit Registration & G60-D, 4.2.1]

- 3.4.2. **Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, application, or record creation date. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports

required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records.

[45CSR§30-5.1.c.2.B.]

- 3.4.3. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.

[45CSR§30-5.1.c. State-Enforceable only.]

- 3.4.4. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.1, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

- a. The equipment involved.
- b. Steps taken to minimize emissions during the event.
- c. The duration of the event.
- d. The estimated increase in emissions during the event.

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

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

[45CSR13, R13-2892, 4.1.4.]

### 3.5. Reporting Requirements

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

[45CSR§§30-4.4. and 5.1.c.3.D.]

- 3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

[45CSR§30-5.1.c.3.E.]

- 3.5.3. Except for the electronic submittal of the annual compliance certification and semi-annual monitoring reports to the DAQ and USEPA as required in 3.5.5 and 3.5.6 below, all notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class or by private carrier with postage prepaid to the address(es), or submitted in electronic format by e-mail as set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

**DAQ:**

Director  
WVDEP  
Division of Air Quality  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304

**US EPA:**

Section Chief  
U. S. Environmental Protection Agency, Region III  
Enforcement and Compliance Assurance Division  
Air Section (3ED21)  
1650 Arch Street  
Philadelphia, PA 19103-2029

**DAQ Compliance and Enforcement<sup>1</sup>:**

DEPAirQualityReports@wv.gov

<sup>1</sup>For all self-monitoring reports (MACT, GACT, NSPS, etc.), stack tests and protocols, Notice of Compliance Status reports, Initial Notifications, etc.

3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality.  
**[45CSR§30-8.]**

3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification. The annual certification shall be submitted in electronic format by e-mail to the following addresses:

**DAQ:**  
DEPAirQualityReports@wv.gov

**US EPA:**  
R3\_APD\_Permits@epa.gov

**[45CSR§30-5.3.e.]**

3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4. The semi-annual monitoring reports shall be submitted in electronic format by e-mail to the following address:

**DAQ:**  
DEPAirQualityReports@wv.gov

**[45CSR§30-5.1.c.3.A.]**

3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.

### 3.5.8. **Deviations.**

- a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:
  1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.
  2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.
  3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
  4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

**[45CSR§30-5.1.c.3.C.]**

- b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.

**[45CSR§30-5.1.c.3.B.]**

- 3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.

**[45CSR§30-4.3.h.1.B.]**

## 3.6. **Compliance Plan**

- 3.6.1. Reserved.

## 3.7. **Permit Shield**

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.
- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.

- a. **45CSR21 – Control of VOC Emissions.** The facility is not located in Putnam, Kanawha, Cabell, Wayne, or Wood counties (45CSR§21-1.1.); therefore, this rule is not applicable.
- b. **45CSR27 – Control of TAP Emissions.** This rule applies to chemical processing units (45CSR§27-3.1.). The definition of “Chemical Processing Unit” excludes equipment used in the production and distribution of petroleum products providing that such equipment does not produce or contact materials containing more than 5% benzene by weight (45CSR§27-2.4.). Based upon the information provided in the application and in August 31, 2015, technical correspondence from the permittee, the facility does not utilize an assembly of reactors, tanks, distillation columns, heat exchangers, vaporizers, compressors, dryers, decanters, and/or other equipment used to treat, store, manufacture, or use toxic air pollutants. Further, there are no “chemical processing units” at the Moundsville Fractionation Plant because the equipment does not produce or contact materials containing more than 5% benzene by weight. For these reasons, 45CSR27 is not applicable to the Moundsville Fractionation Plant.
- c. **40 C.F.R. 60 Subpart D – Standards of Performance for Fossil-Fuel-Fired Steam Generators.** There is no fossil-fuel-fired steam generating unit greater than 250 MMBtu/hr (40 C.F.R. §60.40(a)(1)) at the site; therefore, this regulation is not applicable.
- d. **40 C.F.R. 60 Subpart Da – Standards of Performance for Electric Utility Steam Generating Units.** There is no electric utility steam generating unit greater than 250 MMBtu/hr (40 C.F.R. §60.40Da(a)(1)) at the site; therefore, this regulation is not applicable.
- e. **40 C.F.R. 60 Subpart Db – Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units.** There is no steam generating unit greater than 100 MMBtu/hr (40 C.F.R. §60.40b(a)) at the site; therefore, this regulation is not applicable.
- f. **40 C.F.R. 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.** There is no tank at the facility that was constructed before May 19, 1978 (40 C.F.R. §60.110(c)); therefore, this regulation is not applicable.
- g. **40 C.F.R. 60 Subpart Ka – Standards of Performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.** There is no tank at the facility that was constructed before July 23, 1984 (40 C.F.R. §60.110a(a)); therefore, this regulation is not applicable.
- h. **40 C.F.R. 60 Subpart GG – Standards of Performance for Stationary Gas Turbines.** There is no stationary gas turbine at the facility (40 C.F.R. §60.330(a)); therefore, this regulation is not applicable.
- i. **40 C.F.R. 60 Subpart KKK – Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants.** 40 C.F.R. 60 Subpart KKK applies to onshore natural gas processing plants that commenced construction after January 20, 1984 and on or before August 23, 2011. The modifications to the Moundsville Fractionation Plant approved in permits R13-2892C and R13-2892D occurred after August 23, 2011. The permittee will be required to meet the LDAR requirements of Subpart OOOO for natural gas processing facilities. Therefore, the permittee will no longer be subject to 40 C.F.R. 60 Subpart KKK and will be subject to 40 C.F.R. 60 Subpart OOOO.
- j. **40 C.F.R. 60 Subpart LLL – Standards of Performance for SO<sub>2</sub> Emissions From Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January**

- 20, 1984, and on or Before August 23, 2011.* There is no sweetening unit at the facility (40 C.F.R. §60.640(a)); therefore, this regulation is not applicable.
- k. **40 C.F.R. 60 Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.** There is no compression ignition engine at the facility (40 C.F.R. §60.4200(a)); therefore, this regulation is not applicable.
  - l. **40 C.F.R. 60 Subpart KKKK – Standards of Performance for Stationary Combustion Turbines.** There is no stationary combustion turbine at the facility (40 C.F.R. §60.4305(a)); therefore, this regulation is not applicable.
  - m. **40 C.F.R. 63 Subpart HHH – National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities.** There are no natural gas transmission and storage facilities that transport or store natural gas prior to entering the pipeline to a local distribution company or to a final end user. Therefore, this regulation is not applicable.
  - n. **40 C.F.R. 63 Subpart YYYY – National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines.** There is no stationary combustion turbine at the facility (40 C.F.R. §§63.6080(a) and 63.6085); therefore, this regulation is not applicable.
  - o. **40 C.F.R. 63 Subpart JJJJJ – National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.** This facility is a major source of HAPs; therefore, this regulation is not applicable.
  - p. **40 C.F.R. Part 64 – Compliance Assurance Monitoring (CAM).** This facility was evaluated during the initial permit for 40C.F.R.64 CAM applicability. Although there are potential pollutant specific emission units subject to an emissions limitation, and a control device (i.e., Process Flare FL-02) is used to achieve compliance, the potential pre-control emissions of each pollutant from the source do not exceed the respective major source thresholds (40 C.F.R. §64.2(a)(3)). Therefore, CAM is not applicable. There were no modifications to the facility that would have triggered a CAM review subsequent to the initial permit, therefore a CAM evaluation was not made.

#### 4.0 Hot Oil Heaters 1-HTR and 2-HTR [emission point IDs: 1E, 2E]

##### 4.1. Limitations and Standards

4.1.1. Maximum Design Heat Input. The maximum design heat input for the Hot Oil Heater (1E) shall not exceed 45.54 MMBTU/hr.

[45CSR13, R13-2892, 5.1.1.]

4.1.2. Maximum emissions from the 45.54 MMBTU/hr Hot Oil Heater (1E) shall not exceed the following limits:

Pollutant	Maximum Hourly Emissions (lb/hr)	Maximum Annual Emissions (ton/year)
Nitrogen Oxides	4.51	19.76
Carbon Monoxide	3.79	16.60
Volatile Organic Compounds	0.25	1.09

[45CSR13, R13-2892, 5.1.2.]

4.1.3. The hourly quantity of natural gas that shall be consumed in the 45.54 MMBTU/hr Hot Oil Heater (1E) shall not exceed 45,098 standard cubic feet per hour.

[45CSR13, R13-2892, 5.1.3.]

4.1.4. The annual quantity of natural gas that shall be consumed in the 45.54 MMBTU/hr Hot Oil Heater (1E) shall not exceed  $395.06 \times 10^6$  standard cubic feet per year.

[45CSR13, R13-2892, 5.1.4.]

4.1.5. Maximum Design Heat Input. The maximum design heat input for each of the two (2) Hot Oil Heaters (2E) shall not exceed 89.85 MMBTU/hr.

[45CSR13, R13-2892, 5.1.5.]

4.1.6. Maximum emissions from the two (2) 89.85 MMBTU/hr Hot Oil Heaters (2E) shall not exceed the following limits:

Pollutant	Maximum Hourly Emissions (lb/hr) <b>EACH UNIT</b>	Maximum Annual Emissions (ton/year) <b>BOTH UNITS COMBINED</b>
Nitrogen Oxides	3.23	17.03
Carbon Monoxide	6.65	35.00
Volatile Organic Compounds	0.36	1.89

[45CSR13, R13-2892, 5.1.6.]

- 4.1.7. The hourly quantity of natural gas that shall be consumed in each of the two (2) 89.85 MMBTU/hr Hot Oil Heaters (2E) shall not exceed 90,392 standard cubic feet per hour.  
**[45CSR13, R13-2892, 5.1.7.]**
- 4.1.8. The annual quantity of natural gas that shall be consumed in both of the two (2) 89.85 MMBTU/hr Hot Oil Heaters (2E) shall not exceed  $952 \times 10^6$  standard cubic feet per year.  
**[45CSR13, R13-2892, 5.1.8.]**
- 4.1.9. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any fuel burning unit which is greater than ten (10) percent opacity based on a six minute block average.  
**[45CSR13, R13-2892, 5.1.9.; 45CSR§2-3.1.]**
- 4.1.10. The permitted facility shall comply with all applicable provisions of 40 C.F.R. 60 Subpart Dc, provided that compliance with any more stringent limitation set forth under this permit shall also be demonstrated. Recordkeeping and reporting requirements shall be conducted in accordance with 40 C.F.R. §60.48c. These reports shall be submitted in accordance with the time lines and in the order set forth in 40 C.F.R. §60.48c and submitted to the addresses listed in condition 3.5.3.  
**[45CSR13, R13-2892, 5.1.10.; 45CSR16]**
- 4.1.11. No person shall cause, suffer, allow or permit the discharge of particulate matter into the open air from all fuel burning units located at one plant, measured in terms of pounds per hour in excess of the amount determined as follows:

For Type 'b' fuel burning units, the product of 0.09 and the total design heat inputs for such units in million B.T.U.'s per hour, provided however that no more than six hundred (600) pounds per hour of particulate matter shall be discharged into the open air from all such units.

Total Allowable PM Emission Rate for 1-HTR (1E) and 2-HTR (2E) = ...

...  $(0.09) \times [ 45.54 \text{ MMBTU/hr} + (89.85 \text{ MMBTU/hr/unit}) \times (2 \text{ units}) ] = 20.3 \text{ lb/hr}$

**[45CSR§2-4.1.b.]**

- 4.1.12. Total Allowable Emission Rates for Similar Units in Priority I and Priority II Regions -- No person shall cause, suffer, allow or permit the discharge of sulfur dioxide into the open air from all stacks located at one plant, measured in terms of pounds per hour, in excess of the amount determined as follows:

For Type 'b' and Type 'c' fuel burning units, the product of 3.1 and the total design heat inputs for such units discharging through those stacks in million BTU's per hour.

Total Allowable SO<sub>2</sub> Emission Rate for 1-HTR (1E) and 2-HTR (2E) = ...

...  $(3.1) \times [ 45.54 \text{ MMBTU/hr} + (89.85 \text{ MMBTU/hr/unit}) \times (2 \text{ units}) ] = 698 \text{ lb/hr}$

**[45CSR§10-3.1.e.]**



- 4.1.13. The facility will meet all applicable requirements for a major source of HAPs as given under 40 C.F.R. 63 Subpart DDDDD.  
**[45CSR13, R13-2892, 10.1]**
- 4.1.14. The permittee must meet the work practice standards in Table 3 of 40 C.F.R. 63 Subpart DDDDD.

<b>If your unit is . . .</b>	<b>You must meet the following . . .</b>
3. A new or existing boiler or process heater without a continuous oxygen trim system and with heat input capacity of 10 million Btu per hour or greater.	Conduct a tune-up of the boiler or process heater annually as specified in §63.7540. Units in either the Gas 1 or Metal Process Furnace subcategories will conduct this tune-up as a work practice for all regulated emissions under this subpart. Units in all other subcategories will conduct this tune-up as a work practice for dioxins/furans.
4. An existing boiler or process heater located at a major source facility, not including limited use units	Must have a one-time energy assessment performed by a qualified energy assessor. An energy assessment completed on or after January 1, 2008, that meets or is amended to meet the energy assessment requirements in this table, satisfies the energy assessment requirement. A facility that operated under an energy management program developed according to the ENERGY STAR guidelines for energy management or compatible with ISO 50001 for at least one year between January 1, 2008 and the compliance date specified in §63.7495 that includes the affected units also satisfies the energy assessment requirement. The energy assessment must include the following with extent of the evaluation for items a. to e. appropriate for the on-site technical hours listed in §63.7575:
	a. A visual inspection of the boiler or process heater system
	b. An evaluation of operating characteristics of the boiler or process heater systems, specifications of energy using systems, operating and maintenance procedures, and unusual operating constraints.
	c. An inventory of major energy use systems consuming energy from affected boilers and process heaters and which are under the control of the boiler/process heater owner/operator.
	d. A review of available architectural and engineering plans, facility operation and maintenance procedures and logs, and fuel usage.
	e. A review of the facility's energy management program and provide recommendations for improvements consistent with the definition of energy management program, if identified.
	f. A list of cost-effective energy conservation measures that are within the facility's control.
	g. A list of the energy savings potential of the energy conservation measures identified.
h. A comprehensive report detailing the ways to improve efficiency, the cost of specific improvements, benefits, and the time frame for recouping those investments.	

**[45CSR34, 40 C.F.R. §63.7500(a)(1), Table 3 of 40 C.F.R. 63 Subpart DDDDD]**

- 4.1.15. At all times, you must operate and maintain any affected source (as defined in §63.7490), 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 that 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.  
**[45CSR34, 40 C.F.R. §63.7500(a)(3)]**
- 4.1.16. For existing affected sources (as defined in §63.7490), you must complete the initial compliance demonstrations, as specified in paragraphs 40 C.F.R. §§63.7510(a) through (d), no later than 180 days after the compliance date that is specified for your source in §63.7495 and according to the applicable provisions in §63.7(a)(2) as cited in Table 10 of 40 C.F.R. 63 subpart DDDDD, except as specified in 40 C.F.R. §63.7510(j). You must complete an initial tune-up by following the procedures described in §63.7540(a)(10)(i) through (vi) no later than the compliance date specified in §63.7495, except as specified in 40 C.F.R. §63.7510(j). You must complete the one-time energy assessment specified in Table 3 of 40 C.F.R. 63 Subpart DDDDD no later than the compliance date specified in §63.7495.  
**[45CSR34, 40 C.F.R. §63.7510(e)]**
- 4.1.17. If you are required to meet an applicable tune-up work practice standard, you must conduct an annual performance tune-up according to §63.7540(a)(10). Each annual tune-up specified in §63.7540(a)(10) must be no more than 13 months after the previous tune-up.  
**[45CSR34, 40 C.F.R. §63.7515(d)]**
- 4.1.18. You must include with the Notification of Compliance Status a signed certification that either the energy assessment was completed according to Table 3 of 40 C.F.R. 63 subpart DDDDD, and that the assessment is an accurate depiction of your facility at the time of the assessment, or that the maximum number of on-site technical hours specified in the definition of energy assessment applicable to the facility has been expended.  
**[45CSR34, 40 C.F.R. §63.7530(e)]**
- 4.1.19. You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in §63.7545(e).  
**[45CSR34, 40 C.F.R. §63.7530(f)]**
- 4.1.20. If your boiler or process heater has a heat input capacity of 10 million Btu per hour or greater, you must conduct an annual tune-up of the boiler or process heater to demonstrate continuous compliance as specified in 40 C.F.R. §§63.7540(a)(10)(i) through (vi). You must conduct the tune-up while burning the type of fuel (or fuels in case of units that routinely burn a mixture) that provided the majority of the heat input to the boiler or process heater over the 12 months prior to the tune-up. This frequency does not apply to limited-use boilers and process heaters, as defined in §63.7575, or units with continuous oxygen trim systems that maintain an optimum air to fuel ratio.
- a. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may perform the burner inspection any time prior to the tune-up or delay the burner inspection until the next scheduled unit shutdown). At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment;
  - b. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;

- c. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown).
- d. Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any NO<sub>x</sub> requirement to which the unit is subject;
- e. Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer; and
- f. Maintain on-site and submit, if requested by the Administrator, a report containing the information in 40 C.F.R. §§63.7540(a)(10)(vi)(A) through (C).
  - i. The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater;
  - ii. A description of any corrective actions taken as a part of the tune-up; and
  - iii. The type and amount of fuel used over the 12 months prior to the tune-up, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel used by each unit.

**[45CSR34, 40 C.F.R. §63.7540(a)(10)]**

- 4.1.21. If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 calendar days of startup.

**[45CSR34, 40 C.F.R. §63.7540(a)(13)]**

## **4.2. Monitoring Requirements**

- 4.2.1. At such reasonable times as the Secretary may designate, the permittee shall conduct Method 9 emission observations for the purpose of demonstrating compliance with condition 4.1.9. Method 9 shall be conducted in accordance with 40 C.F.R. 60 Appendix A.

**[45CSR13, R13-2892, 5.2.1.]**

## **4.3. Testing Requirements**

- 4.3.1. Compliance with the visible emission requirements of condition 4.1.9 shall be determined in accordance with 40 C.F.R. Part 60, Appendix A, Method 9 or by using measurements from continuous opacity monitoring systems approved by the Director. The Director may require the installation, calibration, maintenance and operation of continuous opacity monitoring systems and may establish policies for the evaluation of continuous opacity monitoring results and the determination of compliance with the visible emission requirements of condition 4.1.9. Continuous opacity monitors shall not be required on fuel burning units which employ wet scrubbing systems for emission control.

**[45CSR13, R13-2892, 5.3.1.; 45CSR§2-3.2.]**

- 4.3.2. At such reasonable times as the Director may designate, the owner or operator of any fuel burning unit(s) may be required to conduct or have conducted tests to determine the compliance of such unit(s) with the emission limitations of section 4 (condition 4.1.11.). Such tests shall be conducted in accordance with the appropriate method set forth in the Appendix to this rule or other equivalent EPA approved method approved by the Director. The Director, or his duly authorized representative, may at his option witness or conduct such tests. Should the Director exercise his option to conduct such tests, the operator will provide all necessary sampling connections and sampling ports located in such manner as the Director may require, power for test equipment, and the required safety equipment such as scaffolding, railings and ladders to comply with generally accepted good safety practices.

The Director, or his duly authorized representative, may conduct such other tests as he may deem necessary to evaluate air pollution emissions other than those noted in 45CSR§2-4.1. (condition 4.1.11.).  
**[45CSR§2-8.1.b. and 8.1.c.]**

#### **4.4. Recordkeeping Requirements**

- 4.4.1. To demonstrate compliance with conditions 4.1.1-4.1.8, the permittee shall maintain a monthly record of the amount of natural gas consumed in the 45.54 MMBTU/hr Hot Oil Heater (1E) and the two (2) 89.85 MMBTU/hr Hot Oil Heaters (2E). The permittee shall maintain records of the date and time of fuel burning unit start-up and shutdown. Compliance with the maximum throughput limitation shall be determined using a twelve month rolling total. A twelve month rolling total shall mean the sum of the monthly throughput at any given time during the previous twelve consecutive calendar months. Said records shall be maintained on site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review. Any records submitted to the agency pursuant to a requirement of this permit or upon request by the Director shall be certified by a responsible official.  
**[45CSR13, R13-2892, 5.4.1.; 45CSR§2-8.3.c.; 45CSR§2A-7.1.a.1.]**
- 4.4.2. Except as provided under paragraphs (g)(2) and (g)(3) of §60.48c (conditions 4.4.3. and 4.4.4., respectively), the owner or operator of each affected facility shall record and maintain records of the amount of each fuel combusted during each operating day.  
**[45CSR13, R13-2892, 5.4.2.; 40 C.F.R. §60.48c(g)(1); 45CSR16]**
- 4.4.3. As an alternative to meeting the requirements of paragraph (g)(1) of §60.48c (condition 4.4.2.), the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in 40 C.F.R. §60.48c(f) to demonstrate compliance with the SO<sub>2</sub> standard, fuels not subject to an emissions standard (excluding opacity), or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month.  
**[45CSR13, R13-2892, 5.4.3.; 40 C.F.R. §60.48c(g)(2); 45CSR16]**
- 4.4.4. As an alternative to meeting the requirements of paragraph (g)(1) of §60.48c (condition 4.4.2.), the owner or operator of an affected facility or multiple affected facilities located on a contiguous property unit where the only fuels combusted in any steam generating unit (including steam generating units not subject to 40 C.F.R. 60 Subpart Dc) at that property are natural gas, wood, distillate oil meeting the most current requirements in 40 C.F.R. §60.42c to use fuel certification to demonstrate compliance with the SO<sub>2</sub> standard, and/or fuels, excluding coal and residual oil, not subject to an emissions standard (excluding opacity) may elect to record and maintain records of the total amount of each steam generating unit fuel delivered to that property during each calendar month.  
**[45CSR13, R13-2892, 5.4.4.; 40 C.F.R. §60.48c(g)(3); 45CSR16]**

4.4.5. All records required under 40 C.F.R. §60.48c (conditions 4.4.2., 4.4.3., and 4.4.4.) shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

**[40 C.F.R. §60.48c(i); 45CSR16]**

4.4.6. You must keep records according to 40 C.F.R. §§63.7555(a)(1) and (2).

a. A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report that you submitted, according to the requirements in §63.10(b)(2)(xiv).

b. Records of performance tests, fuel analyses, or other compliance demonstrations and performance evaluations as required in §63.10(b)(2)(viii).

**[45CSR34, 40 C.F.R. §63.7555(a)]**

4.4.7. If you operate a unit in the unit designed to burn gas 1 subcategory that is subject to this subpart, and you use an alternative fuel other than natural gas, refinery gas, gaseous fuel subject to another subpart under this part, other gas 1 fuel, or gaseous fuel subject to another subpart of this part or part 60, 61, or 65, you must keep records of the total hours per calendar year that alternative fuel is burned and the total hours per calendar year that the unit operated during periods of gas curtailment or gas supply emergencies.

**[45CSR34, 40 C.F.R. §63.7555(h)]**

4.4.8. The permittee shall keep records as follows:

a. Your records must be in a form suitable and readily available for expeditious review, according to §63.10(b)(1).

b. As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

c. You must keep each record on site, or they must be accessible from on site (for example, through a computer network), for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). You can keep the records off site for the remaining 3 years.

**[45CSR34, 40 C.F.R. §63.7560]**

## **4.5. Reporting Requirements**

4.5.1. The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction and actual startup, as provided by §60.7 of this part. This notification shall include:

1. The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.

2. If applicable, a copy of any federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 C.F.R. §60.42c, or §60.43c.

3. The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.
4. Notification if an emerging technology will be used for controlling SO<sub>2</sub> emissions. The Administrator will examine the description of the control device and will determine whether the technology qualifies as an emerging technology. In making this determination, the Administrator may require the owner or operator of the affected facility to submit additional information concerning the control device. The affected facility is subject to the provisions of 40 C.F.R. §§60.42c(a) or (b)(1), unless and until this determination is made by the Administrator.

**[45CSR13, R13-2892, 5.5.1.; 40 C.F.R. §60.48c(a); 45CSR16]**

- 4.5.2. The reporting period for the reports required under 40 C.F.R. 60 Subpart Dc is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

**[45CSR13, R13-2892, 5.5.2.; 40 C.F.R. §60.48c(j); 45CSR16]**

- 4.5.3. You must submit to the Administrator all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (6), and 63.9(b) through (h) that apply to you by the dates specified.

**[45CSR34, 40 C.F.R. §63.7545(a)]**

- 4.5.4. The Notification of Compliance Status report must contain all the information specified in 40 C.F.R. §§63.7545(e)(1) through (8), as applicable. If you are not required to conduct an initial compliance demonstration as specified in §63.7530(a), the Notification of Compliance Status must only contain the information specified in 40 C.F.R. §§63.7545(e)(1) and (8) and must be submitted within 60 days of the compliance date specified at §63.7495(b).

- a. A description of the affected unit(s) including identification of which subcategories the unit is in, the design heat input capacity of the unit, a description of the add-on controls used on the unit to comply with this subpart, description of the fuel(s) burned, including whether the fuel(s) were a secondary material determined by you or the EPA through a petition process to be a non-waste under §241.3 of this chapter, whether the fuel(s) were a secondary material processed from discarded non-hazardous secondary materials within the meaning of §241.3 of this chapter, and justification for the selection of fuel(s) burned during the compliance demonstration.

- b. In addition to the information required in §63.9(h)(2), your notification of compliance status must include the following certification(s) of compliance, as applicable, and signed by a responsible official:

- i. “This facility completed the required initial tune-up for all of the boilers and process heaters covered by 40 CFR part 63 subpart DDDDD at this site according to the procedures in §63.7540(a)(10)(i) through (vi).”

- ii. “This facility has had an energy assessment performed according to §63.7530(e).”

**[45CSR34, 40 C.F.R. §§63.7545(e)(1) and (8)]**

- 4.5.5. If you operate a unit designed to burn natural gas, refinery gas, or other gas 1 fuels that is subject to 40 C.F.R. 63 Subpart DDDDD, and you intend to use a fuel other than natural gas, refinery gas, gaseous fuel subject to another subpart of this part, part 60, 61, or 65, or other gas 1 fuel to fire the affected unit during a period of

natural gas curtailment or supply interruption, as defined in §63.7575, you must submit a notification of alternative fuel use within 48 hours of the declaration of each period of natural gas curtailment or supply interruption, as defined in §63.7575. The notification must include the information specified in 40 C.F.R. §§63.7545(f)(1) through (5).

**[45CSR34, 40 C.F.R. §63.7545(f)]**

- 4.5.6. If you have switched fuels or made a physical change to the boiler or process heater and the fuel switch or physical change resulted in the applicability of a different subcategory, you must provide notice of the date upon which you switched fuels or made the physical change within 30 days of the switch/change. The notification must identify:
- a. The name of the owner or operator of the affected source, as defined in §63.7490, the location of the source, the boiler(s) and process heater(s) that have switched fuels, were physically changed, and the date of the notice.
  - b. The currently applicable subcategory under this subpart.
  - c. The date upon which the fuel switch or physical change occurred.

**[45CSR34, 40 C.F.R. §63.7545(h)]**

- 4.5.7. You must submit each report in Table 9 of 40 C.F.R. 63 Subpart DDDDD that applies to you.

**[45CSR34, 40 C.F.R. §63.7550(a)]**

- 4.5.8. Unless the EPA Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report, according to 40 C.F.R. §63.7550(h), by the date in Table 9 or 40 C.F.R. 63 Subpart DDDDD and according to the requirements in 40 C.F.R. §§63.7550(b)(1) through (4). For units that are subject only to a requirement to conduct subsequent annual, biennial, or 5-year tune-up according to §63.7540(a)(10), (11), or (12), respectively, and not subject to emission limits or Table 4 operating limits, you may submit only an annual, biennial, or 5-year compliance report, as applicable, as specified in 40 C.F.R. §§63.7550(b)(1) through (4), instead of a semi-annual compliance report.

- a. The first semi-annual compliance report must cover the period beginning on the compliance date that is specified for each boiler or process heater in §63.7495 and ending on June 30 or December 31, whichever date is the first date that occurs at least 180 days after the compliance date that is specified for your source in §63.7495. If submitting an annual, biennial, or 5-year compliance report, the first compliance report must cover the period beginning on the compliance date that is specified for each boiler or process heater in §63.7495 and ending on December 31 within 1, 2, or 5 years, as applicable, after the compliance date that is specified for your source in §63.7495.
- b. The first semi-annual compliance report must be postmarked or submitted no later than July 31 or January 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for each boiler or process heater in §63.7495. The first annual, biennial, or 5-year compliance report must be postmarked or submitted no later than January 31.
- c. Each subsequent semi-annual compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31. Annual, biennial, and 5-year compliance reports must cover the applicable 1-, 2-, or 5-year periods from January 1 to December 31.

- d. Each subsequent semi-annual compliance report must be postmarked or submitted no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period. Annual, biennial, and 5-year compliance reports must be postmarked or submitted no later than January 31.

**[45CSR34, 40 C.F.R. §63.7550(b)]**

- 4.5.9. A compliance report must contain the following information.

- a. Company and Facility name and address.
- b. Process unit information, emissions limitations, and operating parameter limitations.
- c. Date of report and beginning and ending dates of the reporting period.
- d. Include the date of the most recent tune-up for each unit subject to only the requirement to conduct an annual, biennial, or 5-year tune-up according to §63.7540(a)(10), (11), or (12) respectively. Include the date of the most recent burner inspection if it was not done annually, biennially, or on a 5-year period and was delayed until the next scheduled or unscheduled unit shutdown
- e. Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report.

**[45CSR34, 40 C.F.R. §§63.7550(c), (c)(1), (c)(5)(i)-(iii), (xiv), and (xvii)]**

- 4.5.10. You must submit the reports according to the procedures specified in 40 C.F.R. §§63.7550(h)(1) through (3).  
**[45CSR34, 40 C.F.R. §63.7550(h)]**

## **4.6. Compliance Plan**

- 4.6.1. Reserved.



## 5.0 Flare Control Device FL-02 (5S) [emission point ID: 5E]

### 5.1. Limitations and Standards

- 5.1.1. In accordance with information in permit application R13-2892D, the permittee shall install and operate a Flare (5S) designed to achieve, at a minimum, a 99.0% destruction and removal efficiency (DRE) of VOCs and organic HAPS from the following sources:

Stabilized Condensate Hose Blowdown;

Product Loading/Hose Blowdown;

Natural Gasoline Tanks w/Butane Blankets;

NGL Pig Receiver Blowdowns (250 Events/year);

Hot Oil Expansion Tanks (Fuel/Purge Gas);

Rail Car Degassing (50% C3/C4 + 50% Natural Gasoline);

Off-Spec Product Flaring (Inlet NGL);

Continuous Flare Purge (Fuel/Purge Gas); and

Continuous Flare Pilot (Fuel/Purge Gas).

[45CSR13, R13-2892, 6.1.1.]

- 5.1.2. The maximum aggregate emissions generated at the Flare (5S) from the combustion of waste gases and the pilot light shall not exceed the following limits:

Pollutant	Maximum Hourly Emissions (lb/hr)	Maximum Annual Emissions (ton/year)
Nitrogen Oxides	85.56	39.83
Carbon Monoxide	170.81	79.51

[45CSR13, R13-2892, 6.1.2.]

- 5.1.3. The maximum emissions of VOCs and HAPs at the flare (representing un-combusted pass-through organic vapors that are generated at one of the sources identified under condition 5.1.1.) shall not exceed the following limits:

Pollutant	Maximum Hourly Emissions (lb/hr)	Maximum Annual Emissions (ton/year)
VOCs	280.00	135.44
Benzene	0.20	0.10
Ethylbenzene	0.04	0.02
n-Hexane	9.96	4.82
Toluene	0.34	0.16
2,2,4-TMP	0.74	0.36
Xylenes	0.50	0.24
Total HAPs	11.82	5.71

[45CSR13, R13-2892, 6.1.3.]

- 5.1.4. The maximum aggregate amount of waste gases sent to the Flare (5S) from the sources identified under condition 5.1.1. shall not exceed 192.66 mmscf/yr.

[45CSR13, R13-2892, 6.1.4.]

- 5.1.5. The installed Flare (5S) shall be a Zeeco Model Number AFTA-24/56, shall have a maximum waste-gas capacity of 28,000 lb/hr, shall have an MDHI of 620 mmBtu/hr, and shall be designed and operated in accordance with the following:

- a. Flare shall be air-assisted.
- b. Flare shall be designed for and operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

*Note: Compliance with the no visible emissions requirement in condition 5.1.5.b. ensures compliance with the applicable opacity and visible emissions requirements in 45CSR§§6-4.3., 4.4., and 4.5.*

- c. Flare shall be operated, with a flame present at all times whenever emissions may be vented to them, except during SSM (Startup, Shutdown, Malfunctions) events.
- d. A flare shall be used only where the net heating value of the gas being combusted is 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or where the net heating value of the gas being combusted is 7.45 MJ/scm (200 Btu/scf) or greater if the flare is non-assisted. The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^n C_i H_i$$

Where:

$H_T$  = Net heating value of the sample, MJ/scm; where the net enthalpy per mole of off gas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C.

$K$  = Constant =

$$1.740 \times 10^{-7} \left( \frac{1}{ppmv} \right) \left( \frac{\text{g-mole}}{\text{scm}} \right) \left( \frac{\text{MJ}}{\text{kcal}} \right)$$

where the standard temperature for (g-mole/scm) is 20 °C.

$C_i$  = Concentration of sample component  $i$  in ppmv on a wet basis, which may be measured for organics by Test Method 18, but is not required to be measured using Method 18 (unless designated by the Director).

$H_i$  = Net heat of combustion of sample component  $i$ , kcal/g-mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 or 88 or D4809-95 if published values are not available or cannot be calculated.

$n$  = Number of sample components.

- e. Air-assisted flares shall be designed and operated with an exit velocity less than the velocity  $V_{\max}$ . The maximum permitted velocity,  $V_{\max}$ , for air-assisted flares shall be determined by the following equation:

$$V_{\max} = 8.71 + 0.708(H_T)$$

Where:

$V_{\max}$  = Maximum permitted velocity, m/sec.

8.71 = Constant.

0.708 = Constant.

$H_T$  = The net heating value as determined in 5.1.5.d.

- f. The flare shall be operated within the guidelines given in the Zeeco Operating Manual and a copy of which shall be kept permanently on-site and shall be made available upon request to the Director or his/her representative.

**[45CSR13, R13-2892, 6.1.5.; 45CSR§§6-4.3., 4.4., and 4.5.]**

- 5.1.6. The permittee is not required to conduct a flare compliance assessment for concentration of sample (i.e. Method 18) and tip velocity (i.e. Method 2) until such time as the Director requests a flare compliance assessment to be conducted in accordance with section 5.3.2, but the permittee is required to conduct a flare design evaluation in accordance with section 5.4.2. Alternatively, the permittee may elect to demonstrate compliance with the flare design criteria requirements of section 5.1.5. by complying with the compliance assessment testing requirements of section 5.3.2.

**[45CSR13, R13-2892, 6.1.6.]**

- 5.1.7. No person shall cause or allow particulate matter to be discharged from any incinerator into the open air in excess of the quantity determined by use of the following formula:

$$\text{Emissions (lb/hr)} = F \times \text{Incinerator Capacity (tons/hr)}$$

Where, the Factor, F, is as indicated in Table I below:

Table I: Factor, F, for Determining Maximum Allowable Particulate Emissions.

Incinerator Capacity	Factor F
A. Less than 15,000 lb/hr	5.43
B. 15,000 lbs/hr or greater	2.72

$$\text{Emissions (lb/hr)} = (2.72) \times (28,000 \text{ lb/hr}) / (2,000 \text{ lb/ton})$$

$$\text{Emissions (lb/hr)} = 38.1 \text{ lb/hr}$$

**[45CSR§6-4.1.]**

- 5.1.8. Incinerators, including all associated equipment and grounds, shall be designed, operated and maintained so as to prevent the emission of objectionable odors.

**[45CSR§6-4.6.]**

## 5.2. Monitoring Requirements

- 5.2.1. In order to demonstrate compliance with the requirements of condition 5.1.5.c, the permittee shall monitor the presence or absence of a flare pilot flame using a thermocouple or any other equivalent device, except during SSM events.

**[45CSR13, R13-2892, 6.2.1.]**

- 5.2.2. In order to determine compliance with the condition 5.1.4., the permittee shall monitor and record the monthly and rolling twelve (12) month total aggregate waste gases sent to the flare (in mmscf) from the sources identified under condition 5.1.1.

**[45CSR13, R13-2892, 6.2.2.]**

## 5.3. Testing Requirements

- 5.3.1. In order to demonstrate compliance with the flare opacity requirements of condition 5.1.5.b. the permittee shall conduct a Method 22 opacity test for at least two hours. This test shall demonstrate no visible emissions are observed for more than a total of 5 minutes during any 2 consecutive hour period using 40 C.F.R. 60 Appendix A Method 22. The permittee shall conduct this test within one (1) year of permit issuance or initial startup whichever is later. The visible emission checks shall determine the presence or absence of visible emissions. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40 C.F.R. Part 60, appendix A, Method 22.

**[45CSR13, R13-2892, 6.3.1.]**

- 5.3.2. The Director may require the permittee to conduct a flare compliance assessment to demonstrate compliance with condition 5.1.5. This compliance assessment testing shall be conducted in accordance with appropriate test methods or other equivalent testing as approved in writing by the Director.

**[45CSR13, R13-2892, 6.3.2.]**

- 5.3.3. At such reasonable times as the Secretary may designate, the operator of any incinerator shall be required to conduct or have conducted stack tests to determine the particulate matter loading (condition 5.1.7.), by using 40 CFR Part 60, Appendix A, Method 5 or other equivalent U.S. EPA approved method approved by the Secretary, in exhaust gases. Such tests shall be conducted in such manner as the Secretary may specify and be filed on forms and in a manner acceptable to the Secretary. The Secretary may, at the Secretary's option, witness or conduct such stack tests. Should the Secretary exercise his or her option to conduct such tests, the operator will provide all the necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment such as scaffolding, railings and ladders to comply with generally accepted good safety practices.

The Secretary may conduct such other tests as the Secretary may deem necessary to evaluate air pollution emissions other than those noted above.

**[45CSR§§6-7.1. and 7.2.]**

#### **5.4. Recordkeeping Requirements**

- 5.4.1. For the purpose of demonstrating compliance with conditions 5.1.5.c and 5.2.1, the permittee shall maintain records of the times and duration of all periods which the pilot flame was absent.

**[45CSR13, R13-2892, 6.4.1.]**

- 5.4.2. For the purpose of demonstrating compliance with conditions 5.1.5 and 5.3.2, the permittee shall maintain a record of the flare design evaluation. The flare design evaluation shall include, net heat value calculations, exit (tip) velocity calculations, and all supporting concentration calculations and other related information requested by the Director.

**[45CSR13, R13-2892, 6.4.2.]**

- 5.4.3. For the purpose of demonstrating compliance with the requirements set forth in condition 5.1.5, the permittee shall maintain records of testing conducted in accordance with condition 5.3.2.

**[45CSR13, R13-2892, 6.4.3.]**

- 5.4.4. The permittee shall document and maintain the corresponding records specified by the on-going monitoring requirements of 5.2.

**[45CSR13, R13-2892, 6.4.4.]**

- 5.4.5. For the purpose of demonstrating compliance with condition 5.1.5.b, the permittee shall maintain records of the visible emission opacity tests conducted per condition 5.3.1.

**[45CSR13, R13-2892, 6.4.5.]**

- 5.4.6. All records required under Sections 5.3. and 5.4. shall be maintained on site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review. Any records submitted to the agency pursuant to a requirement of this permit or upon request by the Director shall be certified by a responsible official.

**[45CSR13, R13-2892, 6.4.6.]**

## **5.5. Reporting Requirements**

- 5.5.1. If permittee is required by the Director to demonstrate compliance with section 5.3.2, then the permittee shall submit a testing protocol at least thirty (30) days prior to testing and shall submit a notification of the testing date at least fifteen (15) days prior to testing. The permittee shall submit the testing results within sixty (60) days of testing and provide all supporting calculations and testing data.  
**[45CSR13, R13-2892, 6.5.1.]**
- 5.5.2. Any deviation(s) from the allowable visible emission requirement for any emission source discovered during observations using 40 C.F.R. Part 60, Appendix A, Method 9 or 22 shall be reported in writing to the Director of the Division of Air Quality as soon as practicable, but in any case within ten (10) calendar days of the occurrence and shall include at least the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.  
**[45CSR13, R13-2892, 6.5.2.]**
- 5.5.3. Any deviation(s) from the flare design and operation criteria in condition 5.1.5. shall be reported in writing to the Director of the Division of Air Quality as soon as practicable, but in any case within ten (10) calendar days of discovery of such deviation.  
**[45CSR13, R13-2892, 6.5.3.]**

## **5.6. Compliance Plan**

- 5.6.1. Reserved.

## 6.0 40 C.F.R. 60 Subpart OOOO Requirements, Gas Processing Plants

### 6.1 Limitations and Standards

6.1.1. **Maximum Throughput Limitation.** The maximum NGL processed through the Fractionation Plant 1 (1S) shall not exceed 525,000 gallons per day and 191,625,000 gallons per year. The maximum NGL processed through the Fractionation Plant 2 (1S) shall not exceed 1,260,000 gallons per day and 459,900,000 gallons per year.

**[45CSR13, R13-2892, 7.1.1.]**

6.1.2. The Product Loading area (1S) at the Fractionating Processing Plant shall be operated in accordance with the plans and specifications filed in Permit Application R13-2892D. The rail and truck loading area will route all vapors to the flare for combustion.

**[45CSR13, R13-2892, 7.1.2.]**

6.1.3. Fugitive emissions of VOCs from equipment leaks at the facility, as calculated from emissions factors taken from Table 2-4 of EPA-453/R-95-017 - "Protocol for Equipment Leak Emission Estimates," shall not exceed 62.59 TPY. Continuing compliance with this limit shall be determined by the following: The permittee shall not exceed the number and type of components (valves, pump seals, connectors, etc.) in gas/vapor or light liquid (as applicable) listed in Permit Application R13-2892H.

**[45CSR13, R13-2892, 7.1.3.]**

6.1.4. What equipment leak standards apply to affected facilities at an onshore natural gas processing plant?

This section applies to the group of all equipment, except compressors, within a process unit.

- a. You must comply with the requirements of §§ 60.482-1a(a), (b), and (d), 60.482-2a, and 60.482-4a through 60.482-11a, except as provided in § 60.5401.
- b. You may elect to comply with the requirements of §§ 60.483-1a and 60.483-2a, as an alternative.
- c. You may apply to the Administrator for permission to use an alternative means of emission limitation that achieves a reduction in emissions of VOC at least equivalent to that achieved by the controls required in this subpart according to the requirements of § 60.5402 of this subpart.
- d. You must comply with the provisions of § 60.485a of this part except as provided in paragraph (f) of this section.
- e. You must comply with the provisions of §§ 60.486a and 60.487a of this part except as provided in §§ 60.5401, 60.5421, and 60.5422 of this part.
- f. You must use the following provision instead of § 60.485a(d)(1): Each piece of equipment is presumed to be in VOC service or in wet gas service unless an owner or operator demonstrates that the piece of equipment is not in VOC service or in wet gas service. For a piece of equipment to be considered not in VOC service, it must be determined that the VOC content can be reasonably expected never to exceed 10.0 percent by weight. For a piece of equipment to be considered in wet gas service, it must be determined that it contains or contacts the field gas before the extraction step in the process. For purposes of determining the percent VOC content of the process fluid that is contained in or contacts a piece of equipment, procedures that conform to the methods described in ASTM E169-93, E168-92, or E260-96 (incorporated by reference as specified in § 60.17) must be used.

**[45CSR13, R13-2892, 7.1.4.; 40 C.F.R. §60.5400, Onshore Natural Gas Processing Plant; 45CSR16]**

- 6.1.5. What are the exceptions to the equipment leak standards for affected facilities at onshore natural gas processing plants?
- a. You may comply with the following exceptions to the provisions of §§60.5400(a) and (b).
  - b.
    1. Each pressure relief device in gas/vapor service may be monitored quarterly and within 5 days after each pressure release to detect leaks by the methods specified in § 60.485a(b) except as provided in §60.5400(c) and in paragraph (b)(4) of this section, and §60.482-4a(a) through (c) of subpart VVa.
    2. If an instrument reading of 500 ppm or greater is measured, a leak is detected.
    3.
      - i. When a leak is detected, it must be repaired as soon as practicable, but no later than 15 calendar days after it is detected, except as provided in § 60.482-9a.
      - ii. A first attempt at repair must be made no later than 5 calendar days after each leak is detected.
    4.
      - i. Any pressure relief device that is located in a nonfractionating plant that is monitored only by non-plant personnel may be monitored after a pressure release the next time the monitoring personnel are on-site, instead of within 5 days as specified in paragraph (b)(1) of this section and § 60.482-4a(b)(1) of subpart VVa.
      - ii. No pressure relief device described in paragraph (b)(4)(i) of this section must be allowed to operate for more than 30 days after a pressure release without monitoring.
  - c. Sampling connection systems are exempt from the requirements of §60.482-5a.
  - d. Pumps in light liquid service, valves in gas/vapor and light liquid service, and pressure relief devices in gas/vapor service that are located at a nonfractionating plant that does not have the design capacity to process 283,200 standard cubic meters per day (scmd) (10 million standard cubic feet per day) or more of field gas are exempt from the routine monitoring requirements of §§ 60.482-2a(a)(1) and 60.482-7a(a), and paragraph (b)(1) of this section.
  - e. Pumps in light liquid service, valves in gas/vapor and light liquid service, and pressure relief devices in gas/vapor service within a process unit that is located in the Alaskan North Slope are exempt from the routine monitoring requirements of §§ 60.482-2a(a)(1), 60.482-7a(a), and paragraph (b)(1) of this section.
  - f. An owner or operator may use the following provisions instead of § 60.485a(e):
    1. Equipment is in heavy liquid service if the weight percent evaporated is 10 percent or less at 150 °C (302 °F) as determined by ASTM Method D86-96 (incorporated by reference as specified in § 60.17).
    2. Equipment is in light liquid service if the weight percent evaporated is greater than 10 percent at 150 °C (302 °F) as determined by ASTM Method D86-96 (incorporated by reference as specified in § 60.17).
  - g. An owner or operator may use the following provisions instead of § 60.485a(b)(2): A calibration drift assessment shall be performed, at a minimum, at the end of each monitoring day. Check the instrument



using the same calibration gas(es) that were used to calibrate the instrument before use. Follow the procedures specified in Method 21 of appendix A-7 of this part, Section 7.1, except do not adjust the meter readout to correspond to the calibration gas value. Record the instrument reading for each scale used as specified in § 60.486a(e)(8). Divide these readings by the initial calibration values for each scale and multiply by 100 to express the calibration drift as a percentage. If any calibration drift assessment shows a negative drift of more than 10 percent from the initial calibration value, then all equipment monitored since the last calibration with instrument readings below the appropriate leak definition and above the leak definition multiplied by (100 minus the percent of negative drift/divided by 100) must be re-monitored. If any calibration drift assessment shows a positive drift of more than 10 percent from the initial calibration value, then, at the owner/operator's discretion, all equipment since the last calibration with instrument readings above the appropriate leak definition and below the leak definition multiplied by (100 plus the percent of positive drift/divided by 100) may be re-monitored.

**[45CSR13, R13-2892, 7.1.5.; 40 C.F.R. §60.5401, Onshore Natural Gas Processing Plant; 45CSR16]**

- 6.1.6. What are the alternative emission limitations for equipment leaks from onshore natural gas processing plants?
- a. If, in the Administrator's judgment, an alternative means of emission limitation will achieve a reduction in VOC emissions at least equivalent to the reduction in VOC emissions achieved under any design, equipment, work practice or operational standard, the Administrator will publish, in the Federal Register, a notice permitting the use of that alternative means for the purpose of compliance with that standard. The notice may condition permission on requirements related to the operation and maintenance of the alternative means.
  - b. Any notice under paragraph (a) of this section must be published only after notice and an opportunity for a public hearing.
  - c. The Administrator will consider applications under this section from either owners or operators of affected facilities, or manufacturers of control equipment.
  - d. The Administrator will treat applications under this section according to the following criteria, except in cases where the Administrator concludes that other criteria are appropriate:
    1. The applicant must collect, verify and submit test data, covering a period of at least 12 months, necessary to support the finding in paragraph (a) of this section.
    2. If the applicant is an owner or operator of an affected facility, the applicant must commit in writing to operate and maintain the alternative means so as to achieve a reduction in VOC emissions at least equivalent to the reduction in VOC emissions achieved under the design, equipment, work practice or operational standard.

**[45CSR13, R13-2892, 7.1.6.; 40 C.F.R. §60.5402, Onshore Natural Gas Processing Plant; 45CSR16]**

- 6.1.7. The provisions for exemption from compliance during periods of startup, shutdown and malfunctions provided for in 40 C.F.R. §60.8(c) do not apply to 40 C.F.R. 60 Subpart OOOO.  
**[40 C.F.R. §60.5370(b); 45CSR16]**

## 6.2. Monitoring Requirements

- 6.2.1. You must determine initial compliance with the standards for each affected facility using the requirements in paragraph (f) of this section. The initial compliance period begins on October 15, 2012 or upon initial startup, whichever is later, and ends no later than one year after the initial startup date for your affected facility or no later than one year after October 15, 2012. The initial compliance period may be less than one full year.
- f. For affected facilities at onshore natural gas processing plants, initial compliance with the VOC requirements is demonstrated if you are in compliance with the requirements of §60.5400 (condition 6.1.4.).

**[45CSR13, R13-2892, 7.2.1.; 40 C.F.R. §§60.5410, 60.5410(f), and 60.5370(a); 45CSR16]**

## 6.3. Testing Requirements

- 6.3.1. For affected facilities at onshore natural gas processing plants, continuous compliance with VOC requirements is demonstrated if you are in compliance with the requirements of §60.5400 (condition 6.1.4.). **[45CSR13, R13-2892, 7.3.1.; 40 C.F.R. §60.5415(f); 45CSR16]**

## 6.4. Recordkeeping Requirements

- 6.4.1. What are my additional recordkeeping requirements for my affected facility subject to VOC requirements for onshore natural gas processing plants?
- a. You must comply with the requirements of paragraph (b) of this section in addition to the requirements of § 60.486a.
- b. The following recordkeeping requirements apply to pressure relief devices subject to the requirements of § 60.5401(b)(1) of this subpart.
1. When each leak is detected as specified in § 60.5401(b)(2), a weatherproof and readily visible identification, marked with the equipment identification number, must be attached to the leaking equipment. The identification on the pressure relief device may be removed after it has been repaired.
  2. When each leak is detected as specified in § 60.5401(b)(2), the following information must be recorded in a log and shall be kept for 2 years in a readily accessible location:
    - i. The instrument and operator identification numbers and the equipment identification number.
    - ii. The date the leak was detected and the dates of each attempt to repair the leak.
    - iii. Repair methods applied in each attempt to repair the leak.
    - iv. “Above 500 ppm” if the maximum instrument reading measured by the methods specified in paragraph (a) of this section after each repair attempt is 500 ppm or greater.
    - v. “Repair delayed” and the reason for the delay if a leak is not repaired within 15 calendar days after discovery of the leak.
    - vi. The signature of the owner or operator (or designate) whose decision it was that repair could not be effected without a process shutdown.

- vii. The expected date of successful repair of the leak if a leak is not repaired within 15 days.
- viii. Dates of process unit shutdowns that occur while the equipment is unrepaired.
- ix. The date of successful repair of the leak.
- x. A list of identification numbers for equipment that are designated for no detectable emissions under the provisions of § 60.482-4a(a). The designation of equipment subject to the provisions of § 60.482-4a(a) must be signed by the owner or operator.

**[45CSR13, R13-2892, 7.4.3.; 40 C.F.R. §60.5421, Onshore Natural Gas Processing Plant; 45CSR16]**

- 6.4.2. To demonstrate compliance with condition 6.1.1 the permittee shall maintain records of the amount of liquids processed in the Product Loading Area (1S) at the Fractionation Processing Plant. Said records required shall be maintained on site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review. Any records submitted to the agency pursuant to a requirement of this permit or upon request by the Director shall be certified by a responsible official.

**[45CSR13, R13-2892, 7.5.1.]**

## **6.5. Reporting Requirements**

- 6.5.1. You must submit the notifications required in §§60.7(a)(1) and (4), and according to the paragraph below, if you own or operate one or more of the affected facilities specified in §60.5365 that was constructed, modified, or reconstructed during the reporting period.

- (2) (i) If you own or operate a gas well affected facility, you must submit a notification to the Administrator no later than 2 days prior to the commencement of each well completion operation listing the anticipated date of the well completion operation. The notification shall include contact information for the owner or operator; the API well number, the latitude and longitude coordinates for each well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983; and the planned date of the beginning of flowback. You may submit the notification in writing or in electronic format.

- (ii) If you are subject to state regulations that require advance notification of well completions and you have met those notification requirements, then you are considered to have met the advance notification requirements of paragraph (a)(2)(i) of §60.5420 (condition 6.5.1.(2)(i)).

**[45CSR13, R13-2892, 7.4.1.; 40 C.F.R. §60.5420(a)(2); 45CSR16]**

- 6.5.2. Reporting requirements. You must submit annual reports containing the information specified in paragraph (b)(1) of this section to the Administrator and performance test reports as specified in paragraph (b)(7) of this section. The initial annual report is due 30 days after the end of the initial compliance period as determined according to §60.5410. Subsequent annual reports are due on the same date each year as the initial annual report. If you own or operate more than one affected facility, you may submit one report for multiple affected facilities provided the report contains all of the information required as specified in paragraphs (b)(1) through (6) of this section. Annual reports may coincide with title V reports as long as all the required elements of the annual report are included. You may arrange with the Administrator a common schedule on

which reports required by this part may be submitted as long as the schedule does not extend the reporting period.

(1) The general information specified in paragraphs (b)(1)(i) through (iv) of this section.

(i) The company name and address of the affected facility.

(ii) An identification of each affected facility being included in the annual report.

(iii) Beginning and ending dates of the reporting period.

(iv) A certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

**[45CSR13, R13-2892, 7.4.2.; 40 C.F.R. §60.5420(b)(1); 45CSR16]**

6.5.3. What are my additional reporting requirements for my affected facility subject to VOC requirements for onshore natural gas processing plants?

a. You must comply with the requirements of paragraphs (b) and (c) of this section in addition to the requirements of §§60.487a(a), (b), (c)(2)(i) through (iv), and (c)(2)(vii) through (viii).

b. An owner or operator must include the following information in the initial semiannual report in addition to the information required in §60.487a(b)(1) through (4): Number of pressure relief devices subject to the requirements of §60.5401(b) except for those pressure relief devices designated for no detectable emissions under the provisions of §60.482-4a(a) and those pressure relief devices complying with §60.482-4a(c).

c. An owner or operator must include the following information in all semiannual reports in addition to the information required in §§60.487a(c)(2)(i) through (vi):

1. Number of pressure relief devices for which leaks were detected as required in §60.5401(b)(2); and

2. Number of pressure relief devices for which leaks were not repaired as required in §60.5401(b)(3).

**[45CSR13, R13-2892, 7.4.5.; 40 C.F.R. §60.5422, Onshore Natural Gas Processing Plant; 45CSR16]**

## **6.6. Compliance Plan**

6.6.1. Reserved.

## 7.0 Emergency Generator EG-1 (6S) [emission point ID: 6E]

### 7.1. Limitations and Standards

7.1.1. The following equipment is subject to the General Permit G60-D requirements:

Emission Unit ID	Emission Unit Description (Make, Model, Serial No.)	Year Installed	Design Capacity (Bhp/rpm)
EG-1 (6S)	Emergency Generator Kohler 25REZG, Four-stroke Rich Burn, Liquid Propane Gas-fired engine (manufactured November 2012)	2016	49.2 hp at 1800 RPM (36.7 kW)

[45CSR13, G60-C069 General Permit Registration, Emission Units & G60-D]

7.1.2. **Emission Limitations.** The registrant shall not cause, suffer, allow or permit emissions of NO<sub>x</sub>, and CO, from any registered reciprocating internal combustion engine to exceed the potential to emit (pounds per hour and tons per year) listed in the General Permit Registration.

Emission Unit	Pollutant	Maximum Hourly Emissions (lb/hr)	<sup>(1)</sup> Maximum Annual Emissions (tpy)
EG-1 (6S) Kohler 25REZG, Rich Burn Four Stroke, Liquid Propane Gas (49.2 HP; 36.7 kW)	Nitrogen Oxides (NO <sub>x</sub> )	1.08	0.27
	Carbon Monoxide (CO)	41.98	10.49

<sup>(1)</sup> Based on operating the engine 500 hours per year.

[45CSR13, G60-C069 General Permit Registration, Emission Limitations; General Permit G60-D, 5.1.2.]

7.1.3. *Maximum Hourly Limitation.* The maximum hours of operation for any registered emergency generator listed in the General Permit Registration application shall not exceed 500 hours per year. Compliance with the Maximum Yearly Hourly Operation Limitation shall be determined using a twelve-month rolling total. A twelve-month rolling total shall mean the sum of the hours of operation at any given time during the previous twelve consecutive calendar months.

[45CSR13, G60-C069 General Permit Registration & G60-D, 5.1.3]

7.1.4. The applicable emergency generator(s) shall be operated and maintained as follows:

- a. In accordance with the manufacturer's recommendations and specifications or in accordance with a site specific maintenance plan; and,
- b. In a manner consistent with good operating practices.

[45CSR13, G60-C069 General Permit Registration & G60-D, 5.1.4]

7.1.5. The provisions of this subpart are applicable to owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) as specified below. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

- a. Owners and operators of stationary SI ICE that commence construction after June 12, 2006, where the stationary SI ICE are manufactured:

1. on or after January 1, 2009, for emergency engines with a maximum engine power greater than 19 KW (25 HP).

**[40 C.F.R. §§60.4230(a)(4) and (a)(4)(iv); 45CSR16; 45CSR13, G60-C069 General Permit Registration & G60-D, 5.1.6]**

- 7.1.6. Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) manufactured on or after the applicable date in §60.4230(a)(4) that are rich burn engines that use LPG must comply with the emission standards in §60.4231(c) for their stationary SI ICE.

**[40 C.F.R. §60.4233(c); 45CSR16; 45CSR13, G60-C069 General Permit Registration & G60-D, 5.1.6]**

- 7.1.7. Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in §60.4233 over the entire life of the engine.

**[40 C.F.R. §60.4234; 45CSR16; 45CSR13, G60-C069 General Permit Registration & G60-D, 5.1.6]**

- 7.1.8. For emergency stationary SI ICE with a maximum engine power of greater than 19 KW (25 HP), owners and operators may not install engines that do not meet the applicable requirements in §60.4233 after January 1, 2011.

**[40 C.F.R. §60.4236(c); 45CSR16; 45CSR13, G60-C069 General Permit Registration & G60-D, 5.1.6]**

- 7.1.9. If you are an owner or operator of an emergency stationary SI internal combustion engine that is less than 130 HP, was built on or after July 1, 2008, and does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter upon startup of your emergency engine.

**[40 C.F.R. §60.4237(c); 45CSR16; 45CSR13, G60-C069 General Permit Registration & G60-D, 5.1.6]**

- 7.1.10. If you are an owner or operator of a stationary SI internal combustion engine that is manufactured after July 1, 2008, and must comply with the emission standards specified in §§60.4233(a) through (c), you must comply by purchasing an engine certified to the emission standards in §§60.4231(a) through (c), as applicable, for the same engine class and maximum engine power. In addition, you must meet one of the requirements specified in 40 C.F.R. §§60.4243(a)(1) and (2).

- a. If you operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, you must keep records of conducted maintenance to demonstrate compliance, but no performance testing is required if you are an owner or operator. You must also meet the requirements as specified in 40 CFR part 1068, subparts A through D, as they apply to you. If you adjust engine settings according to and consistent with the manufacturer's instructions, your stationary SI internal combustion engine will not be considered out of compliance.

- b. If you do not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, your engine will be considered a non-certified engine, and you must demonstrate compliance according to 40 C.F.R. §§60.4243(a)(2)(i) through (iii), as appropriate.

1. If you are an owner or operator of a stationary SI internal combustion engine less than 100 HP, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions, but no performance testing is required if you are an owner or operator.

**[40 C.F.R. §60.4243(a); 45CSR16; 45CSR13, G60-C069 General Permit Registration & G60-D, 5.1.6 and 5.3.4]**

- 7.1.11. If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs 40 C.F.R. §§ 60.4243(d)(1) through (3). In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in 40 C.F.R. §§ 60.4243(d)(1) through (3), is prohibited. If you do not operate the engine according to the requirements in 40 C.F.R. §§ 60.4243(d)(1) through (3), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.
- a. There is no time limit on the use of emergency stationary ICE in emergency situations.
  - b. You may operate your emergency stationary ICE for any combination of the purposes specified in 7.1.11.b.1 for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph 7.1.11.c of this section counts as part of the 100 hours per calendar year allowed by this paragraph 7.1.11.b.
    1. Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.
  - c. Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in 7.1.11.b. Except as provided in 7.1.11.c.1, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.
    1. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:
      - (A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;
      - (B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.
      - (C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.
      - (D) The power is provided only to the facility itself or to support the local transmission and distribution system.

- (E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

**[40 C.F.R. §60.4243(d); 45CSR16; 45CSR13, G60-C069 General Permit Registration & G60-D, 5.1.6]**

- 7.1.12. The emission limitations specified in section 7.1.2 shall apply at all times except during periods of start-up and shut-down provided that the duration of these periods does not exceed 30 minutes per occurrence. The registrant shall operate the engine in a manner consistent with good air pollution control practices for minimizing emissions at all times, including periods of start-up and shut-down. The emissions from start-up and shut-down shall be included in the twelve (12) month rolling total of emissions. The registrant shall comply with all applicable start-up and shut-down requirements in accordance with 40 CFR Part 60, Subpart JJJJ.

**[45CSR13, G60-C069 General Permit Registration & G60-D, 5.1.7]**

## **7.2. Monitoring Requirements**

- 7.2.1. Reserved.

## **7.3. Testing Requirements**

- 7.3.1. Reserved.

## **7.4. Recordkeeping Requirements**

- 7.4.1. To demonstrate compliance with condition 7.1.3, the permittee shall maintain records of the hours of operation of the emergency generator(s) on a monthly basis. **[45CSR13, G60-C069, General Permit Registration & G60-D, 5.3.1]**
- 7.4.2. To demonstrate compliance with condition 7.1.4, the permittee shall maintain records of the maintenance performed on each emergency generator. **[45CSR13, G60-C069, General Permit Registration & G60-D, 5.3.2]**
- 7.4.3. All records required by this section shall be maintained in accordance with condition 3.4.2. **[45CSR13, G60-C069, General Permit Registration & G60-D, 5.3.5]**
- 7.4.4. Owners or operators of stationary SI ICE must meet the following notification, reporting and recordkeeping requirements.
  - a. Owners and operators of all stationary SI ICE must keep records of the information in paragraphs (a)(1) through (4) of this section.
    - 1. All notifications submitted to comply with this subpart and all documentation supporting any notification.
    - 2. Maintenance conducted on the engine.



3. If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90 and 1048.
  4. If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards.
- b. For all stationary SI emergency ICE greater than or equal to 500 HP manufactured on or after July 1, 2010, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI emergency ICE greater than or equal to 130 HP and less than 500 HP manufactured on or after July 1, 2011 that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI emergency ICE greater than 25 HP and less than 130 HP manufactured on or after July 1, 2008, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.

[40 C.F.R. §§60.4245(a)&(b); 45CSR16; 45CSR13, G60-C069 General Permit Registration & G60-D, 5.3.4]

## **7.5. Reporting Requirements**

7.5.1 Reserved.

## **7.6. Compliance Plan**

7.6.1. Reserved.

## 8.0 Natural Gasoline Storage Tanks V-2950 and V-2951 [emission point ID: 5E]

### 8.1. Limitations and Standards

#### 8.1.1. Applicability and Designation of Affected Facility

- (1) Except as provided in paragraph (b) of §60.110b, the affected facility to which this subpart applies is each storage vessel with a capacity greater than or equal to 75 cubic meters (m<sup>3</sup>) that is used to store volatile organic liquids (VOL) for which construction, reconstruction, or modification is commenced after July 23, 1984.
- (2) This subpart does not apply to storage vessels with a capacity greater than or equal to 151 m<sup>3</sup> storing a liquid with a maximum true vapor pressure less than 3.5 kilopascals (kPa) or with a capacity greater than or equal to 75 m<sup>3</sup> but less than 151 m<sup>3</sup> storing a liquid with a maximum true vapor pressure less than 15.0 kPa.
- (3) This subpart does not apply to the following: Pressure vessels designed to operate in excess of 204.9 kPa and without emissions to the atmosphere.

**[45CSR13, R13-2892, 8.1.1., 8.1.2., and 8.1.3.; 40 C.F.R. §§ 60.110b(a), 60.110b(b), and 60.110b(d)(2); 45CSR16]**

- 8.1.2. The owner or operator of each storage vessel with a design capacity greater than or equal to 75 m<sup>3</sup> which contains a VOL that, as stored, has a maximum true vapor pressure greater than or equal to 76.6 kPa shall equip each storage vessel with one of the following:

- (1) A closed vent system and control device as specified in §60.112b(a)(3).

§60.112b(a)(3): A closed vent system and control device meeting the following specifications:

- (i) The closed vent system shall be designed to collect all VOC vapors and gases discharged from the storage vessel and operated with no detectable emissions as indicated by an instrument reading of less than 500 ppm above background and visual inspections, as determined in part 60, subpart VV, §60.485(b).
- (ii) The control device shall be designed and operated to reduce inlet VOC emissions by 95 percent or greater. If a flare is used as the control device, it shall meet the specifications described in the general control device requirements (§60.18) of the General Provisions.

**[40 C.F.R. §§ 60.112b(b), 60.112b(b)(1), 60.112b(a)(3), and 60.112b(a)(3)(i) and (ii); 45CSR16; 45CSR13, R13-2892, 8.2.1.]**

- 8.1.3. The owner or operator of each source that is equipped with a closed vent system and a flare to meet the requirements in §60.112b(a)(3) shall meet the requirements as specified in the general control device requirements, §§60.18 (e) and (f). *Except for §60.18(f)(4), compliance with the requirements for flare FL-02 in permit conditions 5.1.5., 5.2.1., and 5.3.1. ensures compliance with general control device requirements in 40 C.F.R. §§ 60.18 (e) and (f). This condition incorporates by reference the applicable calculation methodology in §60.18(f)(4).*

**[40 C.F.R. §§ 60.113b(d), 60.18(e), 60.18(f)(1)-(4), 60.18(f)(6); 45CSR16]**

## 8.2. Monitoring Requirements

8.2.1. Reserved.

## 8.3. Testing Requirements

8.3.1. Reserved.

## 8.4. Recordkeeping Requirements

8.4.1. The owner or operator shall keep copies of all reports and records required by §60.115b (conditions 8.4.2. and 8.5.1.) for at least 2 years.

**[40 C.F.R. §60.115b; 45CSR16; 45CSR13, R13-2892, 8.4.1.]**

8.4.2. After installing a closed vent system and flare to comply with 40 C.F.R. §60.112b (permit condition 8.1.2.), the owner or operator shall meet the following requirements.

(2) Records shall be kept of all periods of operation during which the flare pilot flame is absent.

**[40 C.F.R. §60.115b(d)(2); 45CSR16]**

8.4.3. The owner or operator of each storage vessel as specified in §60.110b(a) shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel. The record required by paragraph (b) of §60.116b will be kept for the life of the source.

**[40 C.F.R. §§60.116b(b) and (a); 45CSR16; 45CSR13, R13-2892, 8.5.1. and 8.5.2.]**

## 8.5. Reporting Requirements

8.5.1. After installing a closed vent system and flare to comply with 40 C.F.R. §60.112b (permit condition 8.1.2.), the owner or operator shall meet the following requirements.

(1) A report containing the measurements required by 40 C.F.R. §60.18(f) (1), (2), (3), (4), and (6) shall be furnished to the Administrator as required by 40 C.F.R. §60.8 of the General Provisions. This report shall be submitted within 6 months of the initial start-up date.

(3) Semiannual reports of all periods recorded under 40 C.F.R. §60.115b(d)(2) (permit condition 8.4.2.) in which the pilot flame was absent shall be furnished to the Administrator.

**[40 C.F.R. §§60.115b(d)(1) and (3); 45CSR16]**

## 8.6. Compliance Plan

8.6.1. Reserved.