DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AIR QUALITY OPERATING PERMIT

Permit No. AQ0033TVP04 Issue Date: Public Comment - March 16, 2022
Expiration Date: [Five Years]

The Alaska Department of Environmental Conservation, under the authority of AS 46.14 and 18 AAC 50, issues an operating permit to the Permittee, **Kenai Pipe Line Company**, for the operation of the **Kenai Pipeline Terminal (KPL)**.

The Kenai Pipeline Terminal, Kenai Refinery, and Nikiski Terminal are considered one stationary source for purposes of determining applicability with the modification requirements of 18 AAC 50.302.

This permit satisfies the obligation of the owner and operator to obtain an operating permit as set out in AS 46.14.130(b).

As set out in AS 46.14.120(c), the Permittee shall comply with the terms and conditions of this operating permit.

Citations listed herein are contained within the effective version of 18 AAC 50 at permit issuance. All federal regulation citations are from those sections adopted by reference in this version of regulation in 18 AAC 50.040 unless otherwise specified.

All currently applicable stationary source-specific terms and conditions of Air Quality Control Construction Permit No. 0023-AC010 and Minor Permit No. AQ0035MSS07 have been incorporated into this operating permit.

Upon effective date of this permit, Operating Permit No. AQ0033TVP03 expires.

This Operating Permit becomes effective <insert date—30 days after issue date>.

James R. Plosay, Manager
Air Permits Program

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Abbreviations and Acronyms

AAC.....Alaska Administrative Code
ADEC .....Alaska Department of Environmental Conservation
Administrator.....EPA and the Department.
AOS .....Air Online Services
AS .....Alaska Statutes
ASTM .....American Society for Testing and Materials
BACT .....best available control technology
bbl/hr .....barrels per hour
bbl/yr .....barrels per year
bHp .....brake horsepower
CDX.....Central Data Exchange
CEDRI .....Compliance and Emissions Data Reporting Interface
C.F.R. .....Code of Federal Regulations
CAA or The Act .Clean Air Act
CO .....carbon monoxide
CO_2e .....CO_2-equivalent
Department .....Alaska Department of Environmental Conservation
dscf .....dry standard cubic foot
ELDAR .....Enhanced Leak Detection and Repair
EPA .....US Environmental Protection Agency
EU.....emissions unit
EU ID .....emissions unit identification number
GACT .....Generally Available Control Technology
GAPCP .....Good Air Pollution Control Practice
GHG .....Greenhouse Gas
gr/dscf.....grain per dry standard cubic foot (1 pound = 7000 grains)
gph.....gallons per hour
HAPs .....hazardous air pollutants [as defined in AS 46.14.990]
Hp .....horsepower
IFR.....Internal Floating Roof
kPa.....kiloPascals
KPL .....Kenai Pipeline Terminal
LAER.....lowest achievable emission rate
LDAR .....Leak Detection and Repair
MACT .....maximum achievable control technology [as defined in 40 C.F.R. 63]
MMBtu/hr .....million British thermal units per hour
MMscf.....million standard cubic feet
MR&R.....monitoring, recordkeeping, and reporting
MTVLO .....Marine Terminal Vessel Loading Operations
NAICS.....North American Industrial Classification System
NESHAP .....National Emission Standards for Hazardous Air Pollutants [as contained in 40 C.F.R. 61 and 63]
NH_3.....ammonia
NO_x.....nitrogen oxides
N_2O.....Nitrous Oxide
NSPS .....New Source Performance Standards [as contained in 40 C.F.R. 60]
O & M .....operation and maintenance
O_2 .....oxygen
PAL .....plantwide applicability limitation
Pb .....lead
PM.....particulate matter
PM_{10} .....particulate matter less than or equal to a nominal 10 microns in diameter
$PM_{2.5}$.....particulate matter less than or equal to a nominal 2.5 microns in diameter
ppm .....parts per million
ppmv, ppmvd .....parts per million by volume on a dry basis
psia .....pounds per square inch (absolute)
PSD .....prevention of significant deterioration
PTE .....potential to emit
SIC. .....Standard Industrial Classification
SIP.....State Implementation Plan
SPC .....Standard Permit Condition
SO_2 .....sulfur dioxide
tph .....tons per hour
TPY .....tons per year
VOC .....volatile organic compound [as defined in 40 C.F.R. 51.100(s)]

VOL.....volatile organic liquid [as defined in 40 C.F.R. 60.111b, Subpart Kb]

vol% .....volume percent

wt% .....weight percent

$wt\%S_{fuel}$ .....weight percent of sulfur in fuel

Section 1. Stationary Source Information

Identification

Permittee:		**Kenai Pipe Line Company** P.O. Box 3369 Kenai, AK 99611
Stationary Source Name:		**Kenai Pipeline Terminal (KPL)**
Location:		60º 41′ 10″ North; 151º 23′ 15" West
Physical Address:		Mile 22.4, Kenai Spur Highway, Kenai, AK 99611
Owner/Operator:		**Kenai Pipe Line Company** P.O. Box 3369 Kenai, AK 99611
Permittee's Responsible Official:		Cameron Hunt, Vice President, KPL P.O. Box 3369 Kenai, AK 99611 (907) 776-3522
Designated Agent:		CT Corporation Systems 9360 Glacier Highway, Suite 202 Juneau, AK 99801
Stationary Source and Building Contact:		Michelle Lee Manager EHS, KPL P.O. Box 3369 Kenai, AK 99611
Fee Contact:		Lena Wissmar, Plant Controller, Tesoro Alaska Company LLC P.O. Box 3369 Kenai, AK 99611 (907) 776-4108 cwissmar@marathonpetroleum.com
Permit Contact:		Micheal Harper Environmental Supervisor, Tesoro Alaska Company LLC P.O. Box 3369 Kenai, AK 99611 (907) 776-3599 mdharper@marathonpetroleum.com
Process Description:	SIC Code	5171 - Petroleum Bulk Stations and Terminals
	NAICS Code:	424710 - Petroleum Bulk Stations and Terminals

[18 AAC 50.040(j)(3) & 50.326(a)]
[40 C.F.R. 71.5(c)(1) & (2)]

Section 2. Emissions Unit Inventory and Description

Emissions units (EUs) listed in Table A have specific monitoring, recordkeeping, or reporting conditions in this permit. Emissions unit descriptions and ratings are given for identification purposes only.

Table A - Emissions Unit Inventory

EU ID	Emissions Unit Name	Emissions Unit Description	Rating/Size	Installation or Construction Date
1	Firewater Pump #1	Caterpillar Model 3408 Diesel-Fired Firewater Pump	507 Bhp /420hp	1999
2	Firewater Pump #2	Caterpillar Model 3408 Diesel-Fired Firewater Pump	507 Bhp /420hp	1999
4	Storage Tank 2401	Crude Storage Tank	132,000 bbls	1969
5	Storage Tank 2402	Crude Storage Tank	132,000 bbls	1969
6	Storage Tank 2405	Crude Storage Tank	200,000 bbls	1969
8	Storage Tank 2407	Crude Storage Tank	250,000 bbls	1969
9	Storage Tank 2408	Crude Storage Tank	250,000 bbls	1969
10	Equipment Leaks	Component Leaks	N/A	N/A

Notes:

1. EU IDs 3 and 7 (Tanks 2400 and 2406) have been excluded from the list in Table A. The units are used as wastewater storage tanks and not organic liquids storage tanks. Therefore, the units are not subject to the NESHAP Subpart EEEE provisions. In addition, the tanks are insignificant based on actual emissions per 18 AAC 50.326(e), and have no specific monitoring, recordkeeping, or reporting requirements associated with them.
2. EU ID 10 (Equipment Leaks) was added to the inventory for KPL to identify the unit as a specific affected emissions source for the purpose of incorporating NSPS Subpart GGGa/VVa requirements.

[18 AAC 50.326(a)]
[40 C.F.R. 71.5(c)(3)]
[Minor Permit No. AQ0035MSS07, Table 1, DATE]

Section 3. State Requirements

Visible Emissions Standard

1. Industrial Process and Fuel-Burning Equipment Visible Emissions. The Permittee shall not cause or allow visible emissions, excluding condensed water vapor, emitted from EU IDs 1 and 2 listed in Table A to reduce visibility through the exhaust effluent by more than 20 percent averaged over any six consecutive minutes.

[18 AAC 50.040(j)(4), 50.055(a)(1), 50.326(j)(3), & 50.346(c)]
[40 C.F.R. 71.6(a)(1)]

1.1. For each of EU IDs 1 and 2, as long as the emissions unit does not exceed the limit in Condition 12, monitoring shall consist of an annual compliance certification under Condition 85 for the visible emissions standard based on reasonable inquiry. Otherwise, comply with Condition 1.2.

1.2. For each of EU IDs 1 and 2, as long as actual emissions from the emissions unit are less than the significant emissions thresholds listed in 18 AAC 50.326(e) [1] during any consecutive 12-month period, monitoring shall consist of an annual compliance certification under Condition 85 for the visible emissions standard based on reasonable inquiry. The Permittee shall report in the operating report under Condition 84 if any of EU IDs 1 and 2 reaches any of the significant emissions thresholds listed in 18 AAC 50.326(e) and monitor, record, and report in accordance with Conditions 2 through 4 for the remainder of the permit term for that emissions unit.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 C.F.R. 71.6(a)(3)]

Visible Emissions Monitoring, Recordkeeping, and Reporting (MR&R)

Liquid Fuel-Burning Equipment

2. Visible Emissions Monitoring. When required by Condition 1.2, or in the event of replacement[2] during the permit term, the Permittee shall observe the exhausts of EU IDs 1 and 2 for visible emissions using the Method 9 Plan under Condition 2.1.

2.1. **Method 9 Plan.** For all observations in this plan, observe emissions unit exhaust, following 40 C.F.R. 60, Appendix A-4, Method 9 for 18 minutes to obtain 72 consecutive 15-second opacity observations.[3]

a. First Method 9 Observation. Observe the exhausts of EU IDs 1 and 2 according to the following criteria:

(i) Except as provided in Condition 2.1.a(ii), for any of EU IDs 1 and 2, observe exhaust within six months after the effective date of this permit.

[1] The significant emissions threshold for each of EU IDs 1 and 2 is equivalent to 417 operational hours per rolling 12-month period.
[2] *"Replacement,"* as defined in 40 C.F.R. 51.166(b)(32).
[3] Visible emissions observations are not required during emergency operations.

(ii) For any unit replaced, observe exhaust within 60 days of the newly installed emissions unit becoming fully operational.[4] Except as provided in Condition 2.1.e, after the First Method 9 observation:

(A) For EU IDs 1 and 2, continue with the monitoring schedule of the replaced emissions unit.

(iii) For each of EU IDs 1 and 2, observe the exhaust of the emissions unit within 30 days after the end of the calendar month during which monitoring was triggered under Condition 1.2; or for an emissions unit with intermittent operations, within the first 30 days during the unit's next scheduled operation.

b. Monthly Method 9 Observations. After the first Method 9 observation conducted under Condition 2.1.a, perform observations at least once in each calendar month that the emissions unit operates.

c. Semiannual Method 9 Observations. After at least three monthly observations under Condition 2.1.b unless a six-consecutive-minute average opacity is greater than 15 percent and one or more individual observations are greater than 20 percent, perform semiannual observations

(i) no later than seven months, but not earlier than five months, after the preceding observation; or

(ii) for an emissions unit with intermittent operations, during the next scheduled operation immediately following seven months after the preceding observation.

d. Annual Method 9 Observations. After at least two semiannual observations under Condition 2.1.c, unless a six-consecutive-minute average opacity is greater than 15 percent and one or more individual observations are greater than 20 percent, perform annual observations

(i) no later than 12 months, but not earlier than 10 months, after the preceding observation; or

(ii) for an emissions unit with intermittent operations, during the next scheduled operation immediately following 14 months after the preceding observation.

e. Increased Method 9 Frequency. If a six-consecutive-minute average opacity is observed during the most recent set of observations to be greater than 15 percent and one or more individual observations are greater than 20 percent, then increase or maintain the observation frequency for that emissions unit to at least monthly intervals as described in Condition 2.1.b, and continue monitoring in accordance with the Method 9 Plan.

[4] "*Fully operational*" means upon completion of all functionality checks and commissioning after unit installation. "*Installation*" is complete when the unit is ready for functionality checks to begin.

3. Visible Emissions Recordkeeping. The Permittee shall keep records as follows:

3.1. For all Method 9 observations,

a. the observer shall record the following:

(i) the name of the stationary source, emissions unit and location, emissions unit type, observer's name and affiliation, and the date on the Visible Emissions Observation Form in Section 11;

(ii) the time, estimated distance to the emissions location, sun location, approximate wind direction, estimated wind speed, description of the sky condition (presence and color of clouds), plume background, and operating rate (load or fuel consumption rate or best estimate, if unknown) on the sheet at the time opacity observations are initiated and completed;

(iii) the presence or absence of an attached or detached plume and the approximate distance from the emissions outlet to the point in the plume at which the observations are made;

(iv) opacity observations to the nearest five percent at 15-second intervals on the Visible Emission Observation Form in Section 11; and

(v) the minimum number of observations required by the permit; each momentary observation recorded shall be deemed to represent the average opacity of emissions for a 15-second period.

b. To determine the six-minute average opacity,

(i) divide the observations recorded on the record sheet into sets of 24 consecutive observations;

(ii) sets need not be consecutive in time and in no case shall two sets overlap;

(iii) for each set of 24 observations, calculate the average by summing the opacity of the 24 observations and dividing this sum by 24;and

(iv) record the average opacity on the sheet.

c. Calculate and record the highest six- and 18-consecutive-minute average opacities observed.

4. Visible Emissions Reporting. The Permittee shall report as follows:

4.1. Include in each operating report required under Condition 84 for the period covered by the report:

a. for all Method 9 Plan observations:

(i) copies of the observation results (i.e., opacity observations) for each emissions unit, except for the observations the Permittee has already supplied to the Department; and

(ii) a summary to include:

(A) number of days observations were made;

(B) highest six-consecutive- and 18-consecutive-minute average opacities observed; and

(C) dates when one or more observed six-consecutive-minute average opacities were greater than 20 percent;

b. a summary of any monitoring or recordkeeping required under Conditions 2 and 3 that was not done.

4.2. Report under Condition 83:

a. the results of Method 9 observations that exceed 20 percent average opacity for any six-consecutive-minute period; and

b. if any monitoring under Condition 2 was not performed when required, report within three days of the date that the monitoring was required.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 C.F.R. 71.6(a)(3)(iii)]

Particulate Matter (PM) Emissions Standard

5. Industrial Process and Fuel-Burning Equipment PM Emissions. The Permittee shall not cause or allow particulate matter emitted from EU IDs 1 and 2 listed in Table A to exceed 0.05 grains per cubic foot of exhaust gas corrected to standard conditions and averaged over three hours.

[18 AAC 50.040(j)(4), 50.055(b)(1), 50.326(j)(3), & 50.346(c)]
[40 C.F.R. 71.6(a)(1)]

5.1. For each of EU IDs 1 and 2, as long as the emissions unit does not exceed the limits in Condition 12, monitoring shall consist of an annual compliance certification under Condition 85 for the PM emissions standard based on reasonable inquiry. Otherwise, comply with Condition 5.2.

5.2. For each of EU IDs 1 and 2, as long as actual emissions from the emissions unit are less than the significant emissions thresholds listed in 18 AAC 50.326(e)[5] during any consecutive 12-month period, monitoring shall consist of an annual compliance certification under Condition 85 for the PM emissions standard based on reasonable inquiry. The Permittee shall report in the operating report under Condition 84 if any of EU IDs 1 and 2 reaches any of the significant emissions thresholds and monitor, record and report in accordance with Conditions 6 through 8 for the remainder of the permit term for that emissions unit.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 C.F.R. 71.6(a)(3)]

PM MR&R

Liquid Fuel-Burning Engines

6. PM Monitoring. The Permittee shall conduct source tests on EU IDs 1 and 2 (when required by Condition 5.2) to determine the concentration of PM in the exhaust of each emissions unit as follows:

6.1. If the result of any Method 9 observation conducted under Condition 2.1 for any EU IDs 1 and 2 is greater than the criteria of Condition 6.2.a or Condition 6.2.b, the Permittee shall, within six months of that Method 9 observation, either:

a. take corrective action and observe the emissions unit exhaust under load conditions comparable to those when the criteria were exceeded, following 40 C.F.R. 60, Appendix A-4 Method 9 for 18 minutes to obtain 72 consecutive 15-second opacity observations, to show that emissions are no longer greater than the criteria of Condition 6.2; or

b. except as exempted in Condition 6.4, conduct a PM source test according to requirements set out in Section 6.

6.2. Take corrective action or conduct a PM source test, in accordance with Condition 6.1, if any Method 9 observation under Condition 2.1 results in an 18-minute average opacity greater than

a. 20 percent for an emissions unit with an exhaust stack diameter that is equal to or greater than 18 inches; or

b. 15 percent for an emissions unit with an exhaust stack diameter that is less than 18 inches, unless the Department has waived this requirement in writing.

6.3. During each one-hour PM source test run under Condition 6.1.b, observe the emissions unit exhaust for 60 minutes in accordance with Method 9 and calculate the highest 18-consecutive-minute average opacity measured during each one-hour test run. Submit a copy of these observations with the source test report.

[5] The significant emissions threshold for each of EU IDs 1 and 2 is equivalent to 417 operational hours per rolling 12-month period.

6.4. The PM source test requirements in Condition 6.1.b are waived for an emissions unit if

a. a PM source test on that unit has shown compliance with the PM standard during this permit term; or

b. corrective action was taken to reduce visible emissions and two consecutive 18-minute Method 9 visible emissions observations (as described in Condition 2.1) conducted thereafter within a six-month period show visible emissions less than the threshold in Condition 6.2.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 C.F.R. 71.6(a)(3)(i)]

7. PM Recordkeeping. The Permittee shall comply with the following:

7.1. Keep records of the results of any source test and visible emissions observations conducted under Condition 6.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 C.F.R. 71.6(a)(3)(ii)]

8. PM Reporting. The Permittee shall report as follows:

8.1. Notify the Department of any Method 9 observation results that are greater than the threshold of either Condition 6.2.a or Condition 6.2.b within 30 days of the end of the month in which the observations occurred. Include the dates, EU ID(s), and results when an observed 18-minute average opacity was greater than an applicable threshold in Condition 6.2.

8.2. In each operating report under Condition 84, include:

a. a summary of the results of any PM source test and visible emissions observations conducted under Condition 6; and

b. copies of any visible emissions observation results greater than the thresholds of Condition 6.2, if they were not already submitted.

8.3. Report in accordance with Condition 83:

a. anytime the results of a PM source test exceed the PM emissions standard in Condition 5; or

b. if the requirements under Condition 6.1 were triggered and the Permittee did not comply on time with either Condition 6.1.a or 6.1.b. Report the deviation within 24 hours of the date compliance with Condition 6.1 was required.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 C.F.R. 71.6(a)(3)(iii)]

Sulfur Compound Emissions Standard

9. Sulfur Compound Emissions. The Permittee shall not cause or allow sulfur compound emissions, expressed as SO_2, from EU ID(s) 1 and 2 to exceed 500 ppm averaged over three hours.

[18 AAC 50.040(j)(4), 50.055(c), 50.326(j)(3), & 50.346(c)]
[40 C.F.R. 71.6(a)(1)]

Sulfur Compound MR&R

Fuel Oil[6] (EU ID(s) 1 and 2)

10. Sulfur Compound Monitoring, Recordkeeping, and Reporting. For EU IDs 1 and 2, to ensure compliance with the SO_2 standard in Condition 9, the Permittee shall comply with the fuel sulfur content limit of 0.35 percent by weight (wt%S_{fuel}) and associated MR&R requirements in Condition 11.

[Conditions 4.1, Construction Permit No. 0023-AC010, 8/30/2000]
[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 C.F.R. 71.6(a)(1) & (a)(3) and 71.6(c)(6)]

Preconstruction Permit[7] Requirements

Owner Requested Limits to Protect Ambient Air Quality

11. Fuel Sulfur Content. To protect ambient air quality standards and increments for SO_2, the Permittee shall limit the sulfur content of fuel used in EU IDs 1 and 2 to no more than 0.35 wt%S_{fuel}. Monitor, record, and report as follows:

11.1. Comply with either Condition 11.1.a or Condition 11.1.b:

a. For each shipment of fuel:

(i) If the fuel grade requires a sulfur content 0.35 wt%S_{fuel} or less, keep receipts that specify fuel grade and amount; or

(ii) If the fuel grade does not require a sulfur content 0.35 wt%S_{fuel} or less, keep receipts that specify fuel grade and amount and

(A) test the fuel for sulfur content; or

(B) obtain test results showing the sulfur content of the fuel from the supplier or refinery; the test results must include a statement signed by the supplier or refinery of what fuel they represent; or

b. Test the sulfur content of the fuel in each storage tank that supplies fuel to EU IDs 1 and 2 at least monthly.

11.2. Fuel testing under 11.1.a or Condition 11.1.b must follow an appropriate method listed in 18 AAC 50.035(b)-(c) or 40 C.F.R. 60.17 incorporated by reference in 18 AAC 50.040(a)(1).

[6] *Oil* means crude oil or petroleum or a liquid fuel derived from crude oil or petroleum, including distillate and residual oil, as defined in 40 C.F.R. 60.41b.

[7] *Preconstruction Permit* refers to federal PSD permits, state-issued permits-to-operate issued on or before January 17, 1997 (these permits cover both construction and operations), construction permits issued on or after January 18, 1997, and minor permits issued on or after October 1, 2004.

11.3. The Permittee shall include in the operating report required by Condition 84 for each month covered by the report:

a. a list of the fuel grades received at the stationary source; and

b. copies of any test results obtained under Condition 11.1.a(ii) or Condition 11.1.b.

11.4. Report as excess emissions, in accordance with Condition 83, whenever the fuel sulfur content of the liquid fuel burned in EU IDs 1 and 2 exceeds the limit in Condition 11.

[Conditions 4.1 and 5.1, Construction Permit No. 0023-AC010, 8/30/2000]
[18 AAC 50.040(j) & 18 AAC 50.326(j)]
[40 C.F.R. 71.6(a) & (c)(6)]

12. Operational Hour Limits, EU IDs 1 and 2. The Permittee shall limit hours of operation to 200 hours per consecutive 12-month period for each of EU IDs 1 and 2, for a total of 400 hours per consecutive 12-month period.

12.1. Monitor and record the hours of operation for each calendar month for EU IDs 1 and 2, and calculate the consecutive 12-month total hours of operation.

12.2. Include copies of the records required under Condition 12.1 with the operating report required under Condition 84.

12.3. Report as excess emissions, in accordance with Condition 83, whenever the operating hours exceed the operational hour limits in Condition 12.

[Conditions 4.2 and 5.2, Construction Permit No. 0023-AC010, 8/30/2000]
[18 AAC 50.040(j) & 18 AAC 50.326(j)]
[40 C.F.R. 71.6(a) & c(6)]

NSPS Subpart GGGa/VVa Requirements

13. No later than October 1, 2016, the Permittee shall comply with the applicable requirements of 40 C.F.R. 60.592a in Subpart GGGa by complying with the applicable standards and associated requirements set out in 40 C.F.R.60.482-1a to 60.487a in Subpart VVa, as specified in Conditions 22 through 30, for the affected equipment, EU ID 10 listed in Table A, *in VOC service* (as defined in 40 C.F.R. 60.481a in Subpart VVa) [8] at the Kenai Pipeline Terminal.

[18 AAC 50.040(j) and 50.326(j)(4)]
[40 C.F.R. 71.6(a)(1) & (3) and (c)(6)]
[Minor Permit No. AQ0035MSS07, Conditions 4 & 5, DATE]

Insignificant Emissions Units

14. For emissions units at the stationary source that are insignificant as defined in 18 AAC 50.326(d) – (i) that are not listed in this permit, the following apply:

[8] As defined in 40 C.F.R. 60.481a (Subpart VVa), *in VOC service* means that the piece of equipment contains or contacts a process fluid that is at least 10 percent VOC by weight. The provisions of §60.485a(d) specify how to determine that a piece of equipment is not in VOC service.

14.1. **Visible Emissions Standard.** The Permittee shall not cause or allow visible emissions, excluding condensed water vapor, emitted from an industrial process or fuel-burning equipment, or an incinerator to reduce visibility through the exhaust effluent by more than 20 percent averaged over any six consecutive minutes.

[18 AAC 50.050(a) & 50.055(a)(1)]

14.2. **Particulate Matter Standard.** The Permittee shall not cause or allow particulate matter emitted from an industrial process or fuel-burning equipment to exceed 0.05 grains per cubic foot of exhaust gas corrected to standard conditions and averaged over three hours.

[18 AAC 50.055(b)(1)]

14.3. **Sulfur Compound Standard.** The Permittee shall not cause or allow sulfur compound emissions, expressed as SO_2, from an industrial process or fuel-burning equipment, to exceed 500 ppm averaged over three hours.

[18 AAC 50.055(c)]

14.4. **General MR&R for Insignificant Emissions Units.** The Permittee shall comply with the following:

a. Submit the compliance certifications of Condition 85 based on reasonable inquiry;

b. Comply with the requirements of Condition 66;

c. Report in the operating report required by Condition 84 if an emissions unit has historically been classified as insignificant because of actual emissions less than the thresholds of 18 AAC 50.326(c) and current actual emissions have become greater than any of those thresholds; and

d. No other monitoring, recordkeeping or reporting is required for insignificant emissions units to demonstrate compliance with the emissions standards under Conditions 14.1, 14.2, and 14.3.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(b)(4)]
[40 C.F.R. 71.6(a)(1) & (a)(3)]

Section 4. Federal Requirements

40 C.F.R. Part 60 New Source Performance Standards (NSPS)

NSPS Subpart A – General Provisions

15. NSPS Subpart A Notification. Unless exempted by a specific subpart, for any affected facility[9] or existing facility[10] regulated under NSPS requirements in 40 C.F.R. 60, the Permittee shall furnish the Administrator[11] written notification or, if acceptable to both the EPA and the Permittee, electronic notification, as follows:

[18 AAC 50.035 & 50.040(a)(1)]
[40 C.F.R. 60.7(a) & 60.15(d), Subpart A]

15.1. a notification of the date construction (or reconstruction as defined under 40 C.F.R. 60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form;

[40 C.F.R. 60.7(a)(1), Subpart A]

15.2. a notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date;

[40 C.F.R. 60.7(a)(3), Subpart A]

15.3. a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 C.F.R. 60.14(c). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include: [12]

a. information describing the precise nature of the change,

b. present and proposed emission control systems,

c. productive capacity of the facility before and after the change, and

d. the expected completion date of the change.

[40 C.F.R. 60.7(a)(4), Subpart A]

15.4. a notification of any proposed replacement of an existing facility, for which the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, postmarked as soon as practicable, but no less than 60 days before commencement of replacement, and including the following information:

[9] *Affected facility* means, with reference to a stationary source, any apparatus to which a standard applies, as defined in 40 C.F.R. 60.2.

[10] *Existing facility* means, with reference to a stationary source, any apparatus of the type for which a standard is promulgated in 40 C.F.R. Part 60, and the construction or modification of which was commenced before the date of proposal of that standard; or any apparatus which could be altered in such a way as to be of that type, as defined in 40 C.F.R. 60.2.

[11] The Department defines the "the Administrator" to mean "the EPA and the Department."

[12] The Department and EPA may request additional relevant information subsequent to this notice.

[40 C.F.R. 60.15(d), Subpart A]

a. the name and address of owner or operator,

b. the location of the existing facility,

c. a brief description of the existing facility and the components that are to be replaced,

d. a description of the existing and proposed air pollution control equipment,

e. an estimate of the fixed capital cost of the replacements, and of constructing a comparable entirely new facility,

f. the estimated life of the existing facility after the replacements, and

g. a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

16. NSPS Subpart A Startup, Shutdown, & Malfunction Requirements. The Permittee shall maintain records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of EU IDs 10, any malfunctions of associated air-pollution control equipment, or any periods during which a continuous monitoring system or monitoring device for EU ID 10 is inoperative.

[18 AAC 50.040(a)(1)]
[40 C.F.R. 60.7(b), Subpart A]

17. NSPS Subpart A Performance (Source) Tests. The Permittee shall conduct source tests according to §60.8 and Section 6 on any affected facility at such times as may be required by the Administrator, and shall provide the Department and EPA with a written report of the results of the source test.

[18 AAC 50.040(a)(1)]
[40 C.F.R. 60.8, Subpart A]

18. NSPS Subpart A Recordkeeping. For EU ID 10, the Permittee shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by 40 C.F.R. Part 60 recorded in a permanent form suitable for inspection. The file shall be retained for at least five years, in accordance with Condition 79, following the date of such measurements, maintenance, reports, and records

[18 AAC 50.040(a)(1) & (j)(4)]
[40 C.F.R. 60.7(f), Subpart A]
[40 C.F.R 71.6(a)(3)(ii)(B)]

19. NSPS Subpart A Good Air Pollution Control Practice (GAPCP). At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate the affected equipment associated with EU ID 10 including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. The Administrator will determine whether acceptable operating and maintenance procedures are being used based on information available, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance records, and inspections of these emission sources.

[18 AAC 50.040(a)(1)]
[40 C.F.R. 60.11(d), Subpart A]

20. NSPS Subpart A Credible Evidence. For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of the standards set forth in Conditions 24 through 29 nothing in 40 C.F.R. Part 60 shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether EU ID 10 would have been in compliance with applicable requirements of 40 C.F.R. Part 60 if the appropriate performance or compliance test or procedure had been performed.

[18 AAC 50.040(a)(1)]
[40 C.F.R. 60.11(g), Subpart A]

21. NSPS Subpart A Concealment of Emissions. The Permittee shall not build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of a standard set forth in Conditions 24 through 29. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard that is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[18 AAC 50.040(a)(1)]
[40 C.F.R. 60.12, Subpart A]

NSPS Subparts GGGa/VVa – Equipment Leaks of VOC in the Synthetic Chemicals Manufacturing Industry

22. NSPS Subpart GGGa/VVa Applicability and Requirements. The Permittee shall comply with the applicable requirements of 40 C.F.R. 60.592a in Subpart GGGa and associated requirements of 40 C.F.R. 60.482-1a through 60.487a in Subpart VVa, as provided in Conditions 23 through 30, for EU ID 10 listed in Table A, *in VOC service* as defined in 40 C.F.R. 60.481a in Subpart VVa[13] and *in Organic HAP service* as defined in 40 C.F.R. 63.641 in Subpart CC.[14]

[18 AAC 50.040(a)(2)(UU) & (VV), 50.040(j)(4), and 50.326(j)]
[40 C.F.R. 60.590a(a)(1) & (3), 60.592a(a) – (c), Subpart GGGa]
[40 C.F.R. 60.480a(a) – (c), 60.482-1a – 60.487a Subpart VVa]

[13] As defined in 40 C.F.R. 60.481a (Subpart VVa), *in VOC service* means that the piece of equipment contains or contacts a process fluid that is at least 10 percent VOC by weight. The provisions of §60.485a(d) specify how to determine that a piece of equipment is not in VOC service.

[14] As defined in 40 C.F.R. 63.641 (Subpart CC), i*n organic hazardous air pollutant service* or *in organic HAP service* means that a piece of equipment either contains or contacts a fluid (liquid or gas) that is at least 5 percent by weight of total organic HAP as determined according to the provisions of §63.180(d) of this part and Table 1 of this subpart. The provisions of §63.180(d) also specify how to determine that a piece of equipment is not in organic HAP service.

[40 C.F.R. 71.6(a)(1) & (3) and (c)(6)]
[Minor Permit AQ0035MSS07, Condition 5.b, DATE]

22.1. Alternatively, the Permittee may choose to comply with the provisions of 40 C.F.R. 65, Subpart F (Consolidated Federal Air Rule, Equipment Leaks) or 40 C.F.R. 63, Subpart H (NESHAP, Organic HAPs for Equipment Leaks), to satisfy the requirements of Conditions 23 through 30, in accordance with 40 C.F.R. 60.480a(c).

[40 C.F.R. 60.480a(e)(1) & (2), Subpart VVa]

22.2. The Permittee shall comply with the test methods and procedures required under Condition 30.1, except as provided in Condition 27.4 and as follows:

a. In addition to Condition 30.1.e, the Permittee may use the following provision: Equipment is in light liquid service if the percent evaporated is greater than 10 percent at 150 °C as determined by ASTM Method D86-78, 82, 90, 93, 95, or 96 (incorporated by reference as specified in 40 C.F.R. 60.17).

[40 C.F.R. 60.592a(d) and 60.593a(d), Subpart GGGa]

22.3. Monitor, record, and report in accordance with the applicable requirements in 40 C.F.R.60.485a through 60.487a, as set out in Condition 30.

[40 C.F.R. 60.592a(d) & (c), Subpart GGGa]

23. NSPS Subpart GGGa/VVa General Standards in 40 C.F.R.60.482-1a. Except as provided in Condition 22.1, the Permittee shall comply with the general requirements in 40 C.F.R.60.482-1a, as follows:

[40 C.F.R. 60.482-1a(b)-(e), Subpart VVa]

23.1. Determine compliance with Conditions 23 through 28 by review of records and reports, review of performance test results, and inspection using the methods and procedures specified in Condition 30.1.

[40 C.F.R. 60.482-1a(b) and 60.485a, Subpart VVa]

23.2. Equipment that is in vacuum service is excluded from the requirements of Conditions 24 through 28 if it is identified as such, as required in Condition 30.2.e(v). In vacuum service means that equipment is operating at an internal pressure which is at least 5 kilopascals (kPa) (0.7 psia) below ambient pressure.

[40 C.F.R. 60.481a and 60.482-1a(d), Subpart VVa]

23.3. Equipment that the Permittee designates as being in VOC service less than 300 hours per year is excluded from the requirements of Conditions 24 through 28 if it is identified, as required in Condition 30.2.e(vi) and it meets any of the following conditions:

a. The equipment is in VOC service only during startup and shutdown, excluding startup and shutdown between batches of the same campaign for a batch process;

b. The equipment is in VOC service only during process malfunctions or other emergencies; and

c. The equipment is backup equipment that is in VOC service only when the primary equipment is out of service.

[40 C.F.R. 60.482-1a(e), Subpart VVa]

24. NSPS Subpart GGGa/VVa Pumps in light liquid service in 40 C.F.R. 60.482-2a. The Permittee shall monitor each pump in light liquid service, as follows:

24.1. Except as provided in Conditions 23.2, 24.5, and 24.6, detect leaks on a monthly basis by the methods specified in Conditions 30.1.a and 30.1.b.

a. For a pump that begins operation in light liquid service after the initial startup date for the process unit, monitor for the first time within 30 days after the end of its startup period, except for a pump that replaces a leaking pump.

b. Check by visual inspection each calendar week for indications of liquids dripping from the pump seal.

[40 C.F.R. 60.482-2a(a), Subpart VVa]

24.2. The instrument reading that defines a leak is specified as follows:

a. 2,000 ppm or greater for all other pumps.

[40 C.F.R. 60.482-2a(b)(1), Subpart VVa]

24.3. If there are indications of liquids dripping from the pump seal, the Permittee shall follow the procedure specified in either Conditions 24.3.a or 24.3.b. This requirement does not apply to a pump that was monitored after a previous weekly inspection and the instrument reading was less than the concentration specified in Condition 24.2.a.

a. Monitor the pump within 5 days as specified in Conditions 30.1.a and 30.1.b. A leak is detected if the instrument reading measured during monitoring indicates a leak as specified in Condition 24.2.a. The leak shall be repaired using the procedures in Condition 24.4.

b. Designate the visual indications of liquids dripping as a leak, and repair the leak using either the procedures in Condition 24.4 or by eliminating the visual indications of liquids dripping.

[40 C.F.R. 60.482-2a(b)(2), Subpart VVa]

24.4. When a leak is detected, the Permittee shall comply with the following:

a. Repair the leak as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in Condition 28;

b. Make a first attempt at repair no later than 5 calendar days after each leak is detected; first attempts at repair include, but are not limited to, the following, where practicable:

(i) Tightening the packing gland nuts; and

(ii) Ensuring that the seal flush is operating at design pressure and temperature.

[40 C.F.R. 60.482-2a(c), Subpart VVa]

24.5. Each pump equipped with a dual mechanical seal system that includes a barrier fluid system is exempt from the requirements of Condition 24.1, provided the following requirements are met:

a. Each dual mechanical seal system is:

(i) Operated with the barrier fluid at a pressure that is at all times greater than the pump stuffing box pressure; or

(ii) Equipped with a system that purges the barrier fluid into a process stream with zero VOC emissions to the atmosphere.

b. The barrier fluid system is in heavy liquid service or is not in VOC service.

c. Each barrier fluid system is equipped with a sensor that will detect failure of the seal system, the barrier fluid system, or both.

d. Each pump is checked by visual inspection, each calendar week, for indications of liquids dripping from the pump seals. If there are indications of liquids dripping from the pump seal at the time of the weekly inspection, the Permittee shall, prior to the next required inspection, comply with either one of the following procedures:

(i) Monitor the pump within 5 days as specified in Conditions 30.1.a and 30.1.b to determine if there is a leak of VOC in the barrier fluid. If an instrument reading of 2,000 ppm or greater is measured, a leak is detected; or

(ii) Designate the visual indications of liquids dripping as a leak.

e. Each sensor as described in Condition 24.5.c is checked daily or is equipped with an audible alarm.

(i) The Permittee determines, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both.

(ii) If the sensor indicates failure of the seal system, the barrier fluid system, or both, based on the criterion established in Condition 24.5.e(i), a leak is detected.

f. When a leak is detected pursuant to Condition 24.5.d(i), the Permittee shall comply with the following:

(i) Repair the leak as specified in Condition 24.4;

(ii) Repair a leak, detected pursuant to Condition 24.5.e(ii), within 15 days of detection by eliminating the conditions that activated the sensor; and

(iii) Repair a designated leak pursuant to Condition 24.5.d(ii) within 15 days of detection by eliminating visual indications of liquids dripping.

[40 C.F.R. 60.482-2a(d)(1) – (6), Subpart VVa]

24.6. Any pump that is designated, as described in Conditions 30.2.e(i) and 30.2.e(ii), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of Conditions 24.1, 24.4, and 24.5, if the pump:

a. has no externally actuated shaft penetrating the pump housing;

b. is demonstrated to be operating with no detectable emissions as indicated by an instrument reading of less than 500 ppm above background as measured by the methods specified in 40 C.F.R.60.485a(c); and

c. is tested for compliance with Condition 24.6.b initially upon designation, annually, and at other times requested by the Administrator.

[40 C.F.R. 60.482-2a(e)(1) – (3), Subpart VVa]

24.7. Any pump that is designated, as described in Condition 30.2.f(i), as an unsafe-to-monitor pump is exempt from the monitoring and inspection requirements of Conditions 24.1 and 24.5.d through 24.5.f, if the Permittee:

a. demonstrates that the pump is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (a) of this section; and

b. has a written plan that requires monitoring of the pump as frequently as practicable during safe-to-monitor times, but not more frequently than the periodic monitoring schedule otherwise applicable, and repair of the equipment according to the procedures in Condition 24.4 if a leak is detected.

[40 C.F.R. 60.482-2a(g)(1) – (2), Subpart VVa]

25. Open-ended valves or lines in 40 C.F.R. 60.482-6a. For open-ended valves or lines, the Permittee shall comply with the following:

[40 C.F.R. 60.482-6a(a) – (c), Subpart VVa]

25.1. Equip each open-ended valve or line with a cap, blind flange, plug, or a second valve, except as provided in Conditions 25.4 and 25.5. The cap, blind flange, plug, or second valve shall seal the open end at all times except during operations requiring process fluid flow through the open-ended valve or line.

[40 C.F.R. 60.482-6a(a), Subpart VVa]

25.2. Operate each open-ended valve or line equipped with a second valve in a manner such that the valve on the process fluid end is closed before the second valve is closed.

[40 C.F.R. 60.482-6a(b), Subpart VVa]

25.3. When a double block-and-bleed system is being used, the bleed valve or line may remain open during operations that require venting the line between the block valves but shall comply with Condition 25.1 at all other times.

[40 C.F.R. 60.482-6a(c), Subpart VVa]

25.4. Open-ended valves or lines in an emergency shutdown system which are designed to open automatically in the event of a process upset are exempt from the requirements of Conditions 25.1 through 25.3.

[40 C.F.R. 60.482-6a(d), Subpart VVa]

25.5. Open-ended valves or lines containing materials which would autocatalytically polymerize or would present an explosion, serious overpressure, or other safety hazard if capped or equipped with a double block and bleed system as specified in Conditions 25.1 through 25.3 are exempt from the requirements of Conditions 25.1 through 25.3.

[40 C.F.R. 60.482-6a(e), Subpart VVa]

26. Valves in gas/vapor service and in light liquid service in 40 C.F.R. 60.482-7a. For valves in gas/vapor service and in light liquid service, the Permittee shall monitor each valve for leaks, as follows:

[40 C.F.R. 60.482-7a(a) – (h), Subpart VVa]

26.1. Monitor monthly to detect leaks by the methods specified in Conditions 30.1.a and 30.1.b and shall comply with Conditions 26.3 – 26.5, except as provided in Conditions 26.6 – 26.8, 29.1, and 29.2.

[40 C.F.R. 60.482-7a(a)(1), Subpart VVa]

26.2. For a valve that begins operation in gas/vapor service or light liquid service after the initial startup date for the process unit, monitor according to Conditions 26.2.a and 26.2.b, except for a valve that replaces a leaking valve and except as provided in Conditions 26.6 – 26.8, 29.1, and 29.2.

a. Monitor the valve as in Condition 26.1. Monitor the valve for the first time within 30 days after the end of its startup period to ensure proper installation.

b. If the existing valves in the process unit are monitored in accordance with Condition 29.1 or Condition 29.2, count the new valve as leaking when calculating the percentage of valves leaking as described in Condition 29.2.d. If less than 2.0 percent of the valves are leaking for that process unit, the valve must be monitored for the first time during the next scheduled monitoring event for existing valves in the process unit or within 90 days, whichever comes first.

[40 C.F.R. 60.482-7a(a)(2)(i) – (ii), Subpart VVa]

26.3. If an instrument reading of 500 ppm or greater is measured, a leak is detected.

[40 C.F.R. 60.482-7a(b), Subpart VVa]

26.4. For any valve for which a leak is not detected for 2 successive months, the Permittee may monitor in the first month of every quarter, beginning with the next quarter, until a leak is detected.

a. As an alternative to monitoring all of the valves in the first month of a quarter, the Permittee may elect to subdivide the process unit into two or three subgroups of valves and monitor each subgroup in a different month during the quarter, provided each subgroup is monitored every 3 months.

[40 C.F.R. 60.482-7a(c)(1)(i) – (ii), Subpart VVa]

b. If a leak is detected, the valve shall be monitored monthly until a leak is not detected for 2 successive months.

[40 C.F.R. 60.482-7a(c)(2), Subpart VVa]

26.5. When a leak is detected, the Permittee shall comply with the following:

a. Repair the leak as soon as practicable, but no later than 15 calendar days after the leak is detected, except as provided in Condition 28; and

b. Make a first attempt at repair no later than 5 calendar days after each leak is detected; first attempts at repair include, but are not limited to, the following best practices where practicable:

(i) Tightening of bonnet bolts;

(ii) Replacement of bonnet bolts;

(iii) Tightening of packing gland nuts; and

(iv) Injection of lubricant into lubricated packing.

[40 C.F.R. 60.482-7a(d) – (e), Subpart VVa]

26.6. Any valve that is designated, as described in Condition 30.2.e(ii), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of Conditions 26.1 and 26.2 if the valve:

a. has no external actuating mechanism in contact with the process fluid,

b. is operated with emissions less than 500 ppm above background as determined by the method specified in Condition 30.1.c, and

c. is tested for compliance with Condition 26.6.b initially upon designation, annually, and at other times requested by the Administrator.

[40 C.F.R. 60.482-7a(f)(1) – (3), Subpart VVa]

26.7. Any valve that is designated, as described in Condition 30.2.f(i), as an unsafe-to-monitor valve is exempt from the requirements of Conditions 26.1 and 26.2 if the Permittee:

a. demonstrates that the valve is unsafe to monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with Conditions 26.1 and 26.2, and

b. adheres to a written plan that requires monitoring of the valve as frequently as practicable during safe-to-monitor times.

[40 C.F.R. 60.482-7a(g)(1) – (2), Subpart VVa]

26.8. Any valve that is designated, as described in Condition 30.2.f(ii), as a difficult-to-monitor valve is exempt from the requirements of Conditions 26.1 and 26.2 if:

a. The Permittee demonstrates that the valve cannot be monitored without elevating the monitoring personnel more than 2 meters above a support surface;

b. The process unit within which the valve is located either:

(i) becomes an affected facility through 40 C.F.R. 60.14 or 40 C.F.R. 60.15 and was constructed on or before January 5, 1981; or

(ii) has less than 3.0 percent of its total number of valves designated as difficult-to-monitor by the owner or operator; and

c. The Permittee follows a written plan that requires monitoring of the valve at least once per calendar year.

[40 C.F.R. 60.482-7a(h)(1) – (3), Subpart VVa]

27. Pumps, valves, and connectors in heavy liquid service and pressure relief devices in light liquid or heavy liquid service in 40 C.F.R.60.482-8a. The Permittee shall monitor leaks from pumps, valves, and connectors in heavy liquid service and pressure relief devices in light liquid or heavy liquid service, as follows:

[40 C.F.R. 60.482-8a(a) – (d), Subpart VVa]

27.1. If evidence of a potential leak is found by visual, audible, olfactory, or any other detection method at pumps, valves, and connectors in heavy liquid service and pressure relief devices in light liquid or heavy liquid service, the Permittee shall follow either one of the following procedures:

a. Monitor the equipment within 5 days by the method specified in Conditions 30.1.a and 30.1.b and comply with the requirements of Conditions 27.2 through 27.3.

b. Eliminate the visual, audible, olfactory, or other indication of a potential leak within 5 calendar days of detection.

[40 C.F.R. 60.482-8a(a), Subpart VVa]

27.2. If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

[40 C.F.R. 60.482-8a(b), Subpart VVa]

27.3. When a leak is detected, the Permittee shall comply with the following:

a. Repair the leak as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in Condition 28; and

b. Make first attempt at repair no later than 5 calendar days after each leak is detected; first attempts at repair include, but are not limited to, the best practices described under Conditions 24.4.b and 26.5.b

[40 C.F.R. 60.482-8a(c) & (d), Subpart VVa]

27.4. The Permittee shall comply with the requirements of Conditions 27.2 through 27.2 for all connectors in heavy liquid service **and light liquid service** to be exempt from the requirements of 40 C.F.R. 60.482-11a (standards for connectors in gas/vapor service and in light liquid service).

[40 C.F.R. 60.592a(d) and 60.593a(g), Subpart GGGa]
[40 C.F.R. 71.6(a)(1) & (3) and (c)(6)]

28. Delay of repair in 40 C.F.R. 60.482-9a. The Permittee shall comply with the following provisions for delay of repair:

[40 C.F.R. 60.482-9a(a) – (f), Subpart VVa]

28.1. Delay of repair will be allowed under the following occurrences:

a. For equipment for which leaks have been detected, if repair within 15 days is technically infeasible without a process unit shutdown:

(i) Repair of this equipment shall occur before the end of the next process unit shutdown.

(ii) Monitoring to verify repair must occur within 15 days after startup of the process unit.

[40 C.F.R. 60.482-9a(a), Subpart VVa]

b. For equipment which is isolated from the process and which does not remain in VOC service.

[40 C.F.R. 60.482-9a(b), Subpart VVa]

c. For valves and connectors, if the Permittee demonstrates that emissions of purged material resulting from immediate repair are greater than the fugitive emissions likely to result from delay of repair.

[40 C.F.R. 60.482-9a(c), Subpart VVa]

d. For pumps, if:

(i) Repair requires the use of a dual mechanical seal system that includes a barrier fluid system; and

(ii) Repair is completed as soon as practicable, but not later than 6 months after the leak was detected.

[40 C.F.R. 60.482-9a(d), Subpart VVa]

e. For a valve, delay of repair beyond a process unit shutdown will be allowed only if the next process unit shutdown occurs sooner than 6 months after the first process unit shutdown and if:

(i) Valve assembly replacement is necessary during the process unit shutdown;

(ii) Valve assembly supplies have been depleted; and

(iii) Valve assembly supplies had been sufficiently stocked before the supplies were depleted.

[40 C.F.R. 60.482-9a(e), Subpart VVa]

28.2. When delay of repair is allowed for a leaking pump, valve, or connector that remains in service, the pump, valve, or connector may be considered to be repaired and no longer subject to delay of repair requirements if two consecutive monthly monitoring instrument readings are below the leak definition.

[40 C.F.R. 60.482-9a(f), Subpart VVa]

29. Alternative Standards for Valves. The Permittee may elect to comply with one of the alternative standards for valves described in Conditions 29.1 and 29.2.

[40 C.F.R. 60.483-1a(a) and 60.483-2a, Subpart VVa]

29.1. *Allowable percentage of valves leaking.* The Permittee shall not have an affected facility with a leak percentage greater than 2.0 percent, as determined in Condition 30.1.f(i). The Permittee shall comply with this alternative by meeting the following requirements:

a. Conduct a performance test initially upon designation, annually, and at other times requested by the Administrator and as follows:

(i) All valves in gas/vapor and light liquid service within the affected facility shall be monitored within 1 week by the methods specified in Conditions 30.1.a and 30.1.b.

(ii) If an instrument reading of 500 ppm or greater is measured, a leak is detected.

(iii) The leak percentage shall be determined by dividing the number of valves for which leaks are detected by the number of valves in gas/vapor and light liquid service within the affected facility.

b. If a valve leak is detected, it shall be repaired in accordance with Condition 26.5.

[40 C.F.R. 60.483-1a(b)(2) & (3) and (c) – (d), Subpart VVa]

29.2. *Skip Period Leak Detection and Repair.* The Permittee shall comply with the alternative to skip period leak detection and repair, as follows:

[40 C.F.R. 60.483-2a(a) – (b), Subpart VVa]

a. The Permittee shall comply initially with the requirements for valves in gas/vapor service and valves in light liquid service, as described in Condition 26.

[40 C.F.R. 60.483-2a(b)(1), Subpart VVa]

b. The Permittee may elect to comply with one of the following alternative work practices:

(i) After 2 consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0, the Permittee may begin to skip 1 of the quarterly leak detection periods for the valves in gas/vapor and light liquid service.

(ii) After 5 consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0, the Permittee may begin to skip 3 of the quarterly leak detection periods for the valves in gas/vapor and light liquid service.

[40 C.F.R. 60.483-2a(a)(1) and (b)(2) & (3), Subpart VVa]

c. If the percent of valves leaking is greater than 2.0, the Permittee shall comply with the requirements as described in Condition 26 but can again elect to use one of the alternatives described in Condition 29.2.b.

[40 C.F.R. 60.483-2a(b)(4), Subpart VVa]

d. Determine the percent of valves leaking as described in Condition 30.1.f(i).

[40 C.F.R. 60.483-2a(b)(5), Subpart VVa]

e. A valve that begins operation in gas/vapor service or light liquid service after the initial startup date for a process unit following one of the alternative standards in Condition 29.2.b must be monitored in accordance with Condition 26.2.a or 26.2.b before the provisions of this alternative can be applied to that valve.

[40 C.F.R. 60.483-2a(b)(7), Subpart VVa]

30. NSPS Subpart GGGa/VVa MR&R. Except as provided in Condition 22.2, the Permittee shall comply with the monitoring, recordkeeping and reporting requirements under Conditions 30.1 through 30.3.

[18 AAC 50.040(a)(2)(UU) and 50.326(j)(4)]
[40 C.F.R. 71.6(a)(3) and (c)(6)]
[40 C.F.R. 60.592a, Subpart GGGa and 60.485a – 60.487a, Subpart VVa]
[Minor Permit AQ0035MSS07, Condition 5.a, DATE]

Monitoring

30.1. **Test Methods and Procedures.** The Permittee shall monitor compliance with the standards in Conditions 23 through 29 using the appropriate test methods and procedures described below:

[18 AAC 50.040(a)(2)(UU) and 50.326(j)(4)]
[40 C.F.R. 60.485a(a)(1), Subpart VVa and 60.592a(c), Subpart GGGa]

[40 C.F.R. 71.6(a)(3)(i) and (c)(6)]

a. Use Method 21 to determine the presence of leaking sources. Calibrate the instrument before use each day it is used by the procedures specified in Method 21 of 40 C.F.R. 60 Appendix A-7. Use the calibration gases specified under 40 C.F.R. 60.485a(b)(1).

b. Perform a calibration drift assessment, at a minimum, at the end of each monitoring day and in accordance with the procedures described in 40 C.F.R. 60.485a(b)(2).

[40 C.F.R 60.485a(b)(1) & (2), Subpart VVa]

c. Determine compliance with the no-detectable-emission standards in Conditions 24.6 and 26.6, using Method 21 to determine the background level and as described in Condition 30.1.a. Traverse all potential leak interfaces as close to the interface as possible. Determine compliance by comparing the arithmetic difference between the maximum concentration indicated by the instrument and the background level with 500 ppm.

[40 C.F.R 60.485a(c)(1) & (2), Subpart VVa]

d. Test each piece of equipment unless a process unit is not in VOC service, i.e., that the VOC content would never be reasonably expected to exceed 10 percent by weight. For purposes of this demonstration, follow the methods and procedures in 40 C.F.R. 60.485a(d)(1) – (3), as appropriate.

[40 C.F.R 60.485a(d), Subpart VVa]

e. Demonstrate that a piece of equipment is in light liquid service by following the procedures described in 40 C.F.R. 60.485a(c)(1) – (3).

[40 C.F.R. 60.485a(e), Subpart VVa]

f. For valves in gas/vapor service and in light liquid service, determine compliance with the alternative standards in Conditions 29.1 or 29.2 as follows:

(i) Determine the percent of valves leaking using Equation 1:

Equation 1 $\%V_L = (V_L/V_T) * 100$

Where:

$\%V_L$ = Percent leaking valves

V_L = Number of valves found leaking

V_T = The sum of the total number of valves monitored

(ii) Include in the total number of valves monitored the difficult-to-monitor and unsafe-to-monitor valves only during the monitoring period in which those valves are monitored.

(iii) Include in the number of valves found leaking the valves for which repair has been delayed.

(iv) Include in the number of valves leaking and the total number of valves monitored any new valve that is not monitored within 30 days of being placed in service for the monitoring period in which the valve is placed in service.

(v) If a process unit has been subdivided in accordance with Condition 26.4.a, the sum of valves found leaking during a monitoring period includes all subgroups.

(vi) Do not include in the total number of valves monitored a valve monitored to verify repair.

[40 C.F.R 60.485a(h), Subpart VVa]

Recordkeeping

30.2. The Permittee shall keep records, as follows:

[18 AAC 50.040(a)(2)(UU) and 50.326(j)(4)]
[40 C.F.R. 60.486a(a)(1), Subpart VVa and 60.592a(c), Subpart GGGa]
[40 C.F.R. 71.6(a)(3)(ii) and (c)(6)]

a. The Permittee may comply with the recordkeeping requirements for all equipment in Kenai Refinery, Nikiski Terminal, and KPL subject to the provisions of NSPS Subpart GGGa/VVa in one recordkeeping system if the system identifies each record by each facility.

[40 C.F.R. 60.486a(a)(2), Subpart VVa]

b. Record the following information for each monitoring event required under Conditions 24, 26, 27, and 29.2:

(i) Identification of operator, monitoring instrument, and equipment;

(ii) Date of monitoring; and

(iii) Instrument reading.

[40 C.F.R. 60.486a(a)(3), Subpart VVa]

c. When each leak is detected as specified under Conditions 24, 26, 27, 29.2, the Permittee:

(i) shall attach to the leaking equipment a weatherproof and readily visible identification, marked with the equipment identification number;

(ii) may remove the following identification:

(A) on a valve after it has been monitored for 2 successive months as specified in Condition 26 and no leak has been detected during those 2 months; and

(B) on equipment, except on a valve or connector, may be removed after it has been repaired.

[40 C.F.R. 60.486a(b), Subpart VVa]

d. When each leak is detected as specified under Conditions 24, 26, 27, 29.2, record the following information and keep records for 5 years (in accordance with Condition 79) in a readily accessible location:

(i) The instrument and operator identification numbers and the equipment identification number, except when indications of liquids dripping from a pump are designated as a leak.

(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) Maximum instrument reading measured by Method 21 of 40 C.F.R. 60 Appendix A-7 at the time the leak is successfully repaired or determined to be nonrepairable, except when a pump is repaired by eliminating indications of liquids dripping.

(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.

[40 C.F.R. 60.486a(c)(1) – (9), Subpart VVa]

e. The following information pertaining to all equipment subject to the requirements in Conditions 23 – 28 shall be recorded in a log that is kept in a readily accessible location:

(i) A list of identification numbers for equipment subject to the requirements of Subpart VVa;

(ii) A list of identification numbers for equipment that are designated for no detectable emissions under the provisions of Conditions 24.6 and 26.6;

(A) The designation of equipment as subject to the requirements of Conditions 24.6, and 26.6 shall be signed by the Permittee. Alternatively, the Permittee may establish a mechanism with the Department that satisfies this requirement.

[40 C.F.R. 60.486a(e)(1) & (2), Subpart VVa]

(iii) A list of identification of valves assigned to each subgroup monitored within a process unit, in each month during the quarter that the valves are required to be monitored under Condition 26.4.a;

[40 C.F.R. 60.482-7a(c)(1)(ii), Subpart VVa]

(iv) Information on compliance demonstration with the requirements of Conditions 24.6 and 26.6, including:

(A) the dates of each compliance test;

(B) the background level measured during each compliance test; and

(C) the maximum instrument reading measured at the equipment during each compliance test.

(v) A list of identification numbers for equipment in vacuum service;

(vi) A list of identification numbers for equipment that the Permittee designates as operating in VOC service less than 300 hr/yr in accordance with Condition 23.3, a description of the conditions under which the equipment is in VOC service, and rationale supporting the designation that it is in VOC service less than 300 hr/yr;

(vii) The date and results of the weekly visual inspection for indications of liquids dripping from pumps in light liquid service;

(viii) Records of the information specified in Conditions 30.2.e(viii)(A) through 30.2.e(viii)(F) for monitoring instrument calibrations conducted according to Sections 8.1.2 and 10 of Method 21 of 40 C.F.R. 60 Appendix A-7 and Conditions 30.1.a and 30.1.b, including:

(A) date of calibration and initials of operator performing the calibration;

(B) calibration gas cylinder identification, certification date, and certified concentration;

(C) instrument scale(s) used;

(D) a description of any corrective action taken if the meter readout could not be adjusted to correspond to the calibration gas value in accordance with section 10.1 of Method 21 of 40 C.F.R. 60 Appendix A-7;

(E) results of each calibration drift assessment required by Condition 30.1.b (i.e., instrument reading for calibration at end of monitoring day and the calculated percent difference from the initial calibration value); and

(F) a description of the procedure used, if calibration gas was made by the Permittee.

[40 C.F.R. 60.486a(e)(4) – (8), Subpart VVa]

f. The following information pertaining to all valves subject to the requirements of Conditions 26.7 and 26.8, and all pumps subject to the requirements of Condition 24.7, shall be recorded in a log that is kept in a readily accessible location:

(i) A list of identification numbers for valves, pumps, and connectors that are designated as unsafe-to-monitor, an explanation for each valve, pump, or connector stating why the valve, pump, or connector is unsafe-to-monitor, and the plan for monitoring each valve, pump, or connector; and

(ii) A list of identification numbers for valves that are designated as difficult-to-monitor, an explanation for each valve stating why the valve is difficult-to-monitor, and the schedule for monitoring each valve.

[40 C.F.R. 60.486a(f), Subpart VVa]

g. The following information shall be recorded for valves complying with Condition 29.2:

(i) A schedule of monitoring; and

(ii) The percent of valves found leaking during each monitoring period.

[40 C.F.R. 60.483-2a(b)(6) and 60.486a(g), Subpart VVa]

h. The following information shall be recorded in a log that is kept in a readily accessible location:

(i) Design criterion required in Condition 24.5.e and explanation of the design criterion; and

(ii) Any changes to this criterion and the reasons for the changes.

[40 C.F.R. 60.486a(h), Subpart VVa]

i. The following information shall be recorded in a log that is kept in a readily accessible location for use in determining exemptions as provided in 40 C.F.R. 60.480a(d):

(i) An analysis demonstrating the design capacity of the affected facility;

(ii) A statement listing the feed or raw materials and products from the affected facilities and an analysis demonstrating whether these chemicals are heavy liquids; and

(iii) An analysis demonstrating that equipment is not in VOC service.

[40 C.F.R. 60.486a(i), Subpart VVa]

j. Information and data used to demonstrate that a piece of equipment is not in VOC service shall be recorded in a log that is kept in a readily accessible location.

[40 C.F.R. 60.486a(j), Subpart VVa]

Reporting

30.3. The Permittee shall report as follows:

[18 AAC 50.040(a)(2)(UU) and 50.326(j)(4)]
[40 C.F.R. 60.487a, Subpart VVa and 60.592a(c), Subpart GGGa]
[40 C.F.R. 71.6(a)(3)(iii) and (c)(6)]

a. Submit to the EPA and the Department semiannual reports that include the following information, summarized from the information in Condition 30.2:

(i) Process unit identification;

(ii) For each month during the semiannual reporting period:

(A) Number of valves and pumps for which leaks were detected as described in Condition 26.2 or 29.2 (for valves) and Conditions 24.2, 24.5.d(i) or 24.5.d(ii), or 24.5.e(ii) (for pumps);

(B) Number of valves and pumps for which leaks were not repaired as required in Condition 26.5.a (for valves) and Condition 24.4.a and 24.5.f (for pumps),; and

(C) The facts that explain each delay of repair and, where appropriate, why a process unit shutdown was technically infeasible;

(iii) Dates of process unit shutdowns which occurred within the semiannual reporting period; and

(iv) Revisions to items reported according to 40 C.F.R. 60.487a(b) if changes have occurred since the initial report or subsequent revisions to the initial report.

[40 C.F.R. 60.487a(c), Subpart VVa]

b. If electing to comply with the provisions of Condition 29.1 or Condition 29.2, notify the Administrator of the alternative standard selected 90 days before implementing either of the provisions.

[40 C.F.R. 60.483-1a(b)(1), 60.483-2a(a)(2) & 60.487a(d), Subpart VVa]

c. Report the results of all performance tests in accordance with 40 C.F.R. 60.8 Subpart A. The provisions of 40 C.F.R. 60.8(d) do not apply to affected facilities subject to the provisions of Subpart VVa.

[40 C.F.R. 60.487a(e), Subpart VVa]

d. The requirements of Condition 30.3.a remain in force until and unless EPA, in delegating enforcement authority to a state under section 111(c) of the CAA, approves reporting requirements or an alternative means of compliance surveillance adopted by such state. In that event, affected sources within the state will be relieved of the obligation to comply with the requirements of

Condition 30.3.a, provided that they comply with the requirements established by the state.

[40 C.F.R. 60.487a(f), Subpart VVa]

40 C.F.R. Part 63 National Emission Standards for Hazardous Air Pollutants (NESHAP)

NESHAP Subpart A – General Provisions

31. NESHAP Subpart A Applicability. The Permittee shall comply with the applicable requirements of 40 C.F.R. 63 Subpart A in accordance with the provisions for applicability of Subpart A in

31.1. Table 1 to 40 C.F.R. 63 Subpart Y for the marine vessel loading operations at the stationary source;

31.2. Table 12 to 40 C.F.R. 63 Subpart EEEE for EU IDs 4, 5, 6, 8, and 9 listed in Table A; and

31.3. Table 3 to 40 C.F.R. 63 Subpart GGGGG for the site remediation activities at the stationary source.

[18 AAC 50.040(c)(1), (9), (10), (21), & (24), 50.040(j)(4), and 50.326(j)]
[40 C.F.R. 71.6(a)(1)]
[40 C.F.R. 63.1-63.15, Subpart A]
[40 C.F.R. 63.560(c) & Table 1, Subpart Y]
[40 C.F.R. 63.2398 & Table 12, Subpart EEEE]
[40 C.F.R. 63.7955 & Table 3, Subpart GGGGG]

NESHAP Subpart CC/Y – Petroleum Refineries and Marine Tank Vessel Loading Operations

32. Source Aggregation and NESHAP Subpart CC/Y Applicability. The Permittee shall aggregate actual emissions from marine vessel loading operations with the actual emissions from the Kenai Refinery and the Nikiski Terminal for the purpose of determining applicability of 40 C.F.R. 63, Subpart CC as well as stationary source classifications under 18 AAC 50.

[18 AAC 50.040(c)(9), (c)(10) & (j)(4), and 50.990(105)]
40 C.F.R. 71.6(c)(6)

32.1. The stationary source's marine vessel loading operations have been determined to be related emission points pursuant to 40 C.F.R. 63.640(a) and (c)(6), and therefore are subject to the petroleum refinery NESHAP provisions of 40 C.F.R. 63.651, Subpart CC.

[EPA Applicability Determination Letter, 6/16/97]
[40 C.F.R. 63.640(a), (c)(6) & (l)(1) and 63.641, Subpart CC]

32.2. Except as provided in Conditions 32.3 through 32.5, each owner or operator of a marine tank vessel loading operation located at a petroleum refinery shall comply with the applicable requirements set forth in 40 C.F.R. 63.560 through 63.568, Subpart Y (see Conditions 34 through 42).

[40 C.F.R. 63.651(a), Subpart CC]

32.3. All terms not defined in 40 C.F.R. 63.641 Subpart CC shall have the meaning given them in 40 C.F.R. 63 Subpart A or Subpart Y. The definition of "affected source" in 40 C.F.R. 63.641 applies. As defined in 40 C.F.R. 63.641, *affected source* means the collection of emission points to which Subpart CC applies as determined by the criteria in 40 C.F.R. 63.640.

[40 C.F.R. 63.640, 63.641 and 63.651(b), Subpart CC]

32.4. The notification reports under 40 C.F.R. 63.567(b) Subpart Y are not required.

[40 C.F.R. 63.651(c), Subpart CC]

32.5. The compliance time of 4 years after promulgation of 40 C.F.R. 63 Subpart Y does not apply. The compliance date for marine tank vessels at existing sources is August 18, 1999, as specified in 40 C.F.R. 63.640(h)(1).

[40 C.F.R. 63.640(h)(1) and 63.651(d), Subpart CC]

33. NESHAP Subpart CC/Y Recordkeeping and Reporting Requirements. The Permittee shall comply with the applicable recordkeeping and reporting provisions in 40 C.F.R. 63.566, 63.567(a) and 63.567(c) through (j) of Subpart Y (see Condition 42). There are no additional reporting and recordkeeping requirements for marine tank vessel loading operations under this subpart unless marine tank vessel loading operations are included in an emissions average.

[18 AAC 50.040(10) and 50.326(j)]
[40 C.F.R. 71.6(a) (3)(ii) & (iii)]
[40 C.F.R. 63.655(c) and Table 5, Subpart CC]

NESHAP Subpart Y[15] – Marine Tank Vessel Loading Operations

34. NESHAP Subpart Y, Applicability. Existing sources with emissions less than 10 and 25 tons are not subject to the emissions standards in 40 C.F.R. 63.562(b) (MACT Standards) and (d) (MACT and RACT standards for the VMT source). For existing sources with emissions less than 10 and 25 tons of HAPs emissions, as defined in 40 C.F.R. 63.561, the Permittee's marine vessel loading operation is subject to the following:

[18 AAC 50.040(c)(9)]
[EPA Applicability Determination Letter, 6/16/97]
[40 C.F.R. 63.560(a)(2) – (4), Subpart Y]

34.1. The submerged fill standards of 46 C.F.R. 153.282, as provided in Condition 38; and

34.2. The emission estimation requirements of 40 C.F.R. 63.565(l) and recordkeeping requirements of 40 C.F.R. 63.567(j)(4), as provided in Conditions 39 and 42.2.

[15] The provisions of NESHAP Subpart Y listed in Conditions 34 through 42 are current as amended through January 19, 2021. Should EPA promulgate revisions to this subpart, the Permittee shall be subject to the revised final provisions as promulgated and not the superseded provisions summarized in these conditions.

35. NESHAP Subpart Y, Good Air Pollution Control Practice. At all times, owners or operators of affected sources shall operate and maintain a source, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[18 AAC 50.040(c)(9)]
[40 C.F.R. 63.562(c), Subpart Y]

36. NESHAP Subpart Y, Affirmative Action. In response to an action to enforce the standards set forth in this subpart, the Permittee may assert an affirmative defense to a claim for civil penalties for exceedances of such standards that are caused by a malfunction, as defined in 40 C.F.R. 63.2. Appropriate penalties may be assessed, however, if the respondent fails to meet its burden of proving all the requirements in the affirmative defense, the affirmative defense shall not be available for claims for injunctive relief.

[18 AAC 50.040(c)(9)]
[40 C.F.R. 63.562(e)(7), Subpart Y]

37. NESHAP Subpart Y, Construction and Reconstruction Provisions. The Permittee shall fulfill all the applicable requirements for construction or reconstruction of a source as set forth in 40 C.F.R. 63.5, Subpart A in accordance with the provisions for applicability of Subpart A to Subpart Y in Table 1 of 40 C.F.R. 63.560 and the construction or reconstruction requirements of 40 C.F.R. 63.566.

[18 AAC 50.040(c)(9)]
[40 C.F.R. 63.566(a), Subpart Y]

38. NESHAP Subpart Y, Submerged Fill Standards. For existing sources with emissions less than 10 and 25 tons, and existing offshore loading terminals, the Permittee shall comply with the submerged fill requirements of 46 C.F.R. 153.282 (Cargo Handling Equipment) by April 23, 2012.

38.1. The discharge point of a cargo tank filling line must be no higher than 10 cm (approximately 4 in.) above the bottom of the cargo tank or sump or the radius of the filling line, whichever is greater.

[40 C.F.R. 63.560(a)(4), (d)(6), and (e)(iv), Subpart Y]
[46 C.F.R. 153.282, Subpart B]

39. NESHAP Subpart Y, Emission Estimation Procedures. For sources with emissions less than 10 or 25 tons and sources with emissions of 10 or 25 tons, as defined in 40 C.F.R. 63.561,[16] the Permittee shall calculate an annual estimate of HAP emissions, excluding commodities exempted by 40 C.F.R. 63.560(d), from marine tank vessel loading operations.

39.1. Emission estimates and emission factors shall be based on test data, or if test data is not available, shall be based on measurement or estimating techniques generally accepted in industry practice for operating conditions at the source.

[18 AAC 50.040(c)(9)]
[40 C.F.R. 63.565(l), Subpart Y]

40. NESHAP Subpart Y MACT standards compliance date. A source with emissions less than 10 and 25 tons that increases its emissions subsequent to September 20, 1999 such that it becomes a source with emissions of 10 or 25 tons shall comply with the provisions of this subpart pertaining to the MACT standards in 40 C.F.R.63.562(b) within 3 years following the exceedance of the threshold level.

[18 AAC 50.040(c)(9)]
[40 C.F.R. 63.560(e)(1)(iii), Subpart Y]

41. NESHAP Subpart Y RACT standards compliance date. A source with throughput less than 10 M barrels and 200 M barrels that increases its throughput subsequent to September 21, 1998 such that it becomes a source with throughput of 10 M barrels or 200 M barrels shall comply with the provisions of this subpart pertaining to the RACT standards in 40 C.F.R.63.562(c) within 3 years following the exceedance of the threshold levels.

[18 AAC 50.040(c)(9)]
[40 C.F.R. 63.560(e)(2)(iv), Subpart Y]

42. NESHAP Subpart Y Recordkeeping and Reporting Requirements. The Permittee shall comply with the following recordkeeping and reporting requirements:

[18 AAC 50.040(c)(9) & (j)(4) and 50.326(j)]
[40 C.F.R. 71.6(a)(3)(ii) & (iii)]

[16] *Source(s) with emissions less than 10 and 25 tons* means major source(s) having aggregate **actual** HAP emissions from marine tank vessel loading operations at all loading berths, after the compliance date, of less than 9.1 Mg (10 tons) of each individual HAP calculated **annually** after September 20, 1999 and less than 22.7 Mg (25 tons) of all HAP combined calculated **annually** after September 20, 1999, as determined by emission estimation in §63.565(l) of 40 C.F.R Subpart Y.
Source(s) with emissions of 10 or 25 tons means major source(s) having aggregate **actual** HAP emissions from marine tank vessels loading operations at all loading berths, after the compliance date, of 9.1 Mg (10 tons) or more of each individual HAP calculated **annually** after September 20, 1999 or of 22.7 Mg (25 tons) or more of all HAP combined calculated **annually** after September 20, 1999, as determined by emission estimation in § 63.565(l) of 40 C.F.R Subpart Y. [40 C.F.R. 63.561]
Compliance date for marine tank vessels at existing sources is August 18, 1999. [40 C.F.R. 63.651(d) and 63.640(h)(1) Subpart CC]

42.1. Maintain files of all information (including all reports and notifications) recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche.

[40 C.F.R.63.10(b)(1), Subpart A]
[40 C.F.R.63.560 Table 1, Subpart Y]

42.2. Retain records of the emissions estimates determined in Condition 39 and of the actual throughputs by commodity, for 5 years.

[40 C.F.R. 63.567(j)(4), Subpart Y]

42.3. Include with the operating report required in Condition 84, the actual HAP emissions estimates for the previous calendar year of the highest individual HAP and of all HAPs combined from marine tank vessel loading operations at all loading berths at the KPL, as calculated under Condition 39.

42.4. If the KPL has increased its emissions, as calculated under Condition 39.1, above the 10 or 25 tons thresholds for MACT standards applicability as stated in Condition 40, or if KPL has increased its throughput above the 10 M barrels and 200 M barrels thresholds for RACT standards applicability as stated in Condition 41, the Permittee shall report to the Department in accordance with the permit deviation reporting requirements under Condition 83.2.b.

42.5. Report as excess emissions and/or permit deviation as specified in Condition 83 if any of the requirements in Conditions 35 through 42.3 was not met.

[18 AAC 50.040(j)(4) and 50.326(j)(4)]
[40 C.F.R. 71.6(a)(3)(iii) & (c)(6)]

NESHAP Subpart EEEE[17] – Organic Liquids Distribution (Non-Gasoline)

43. NESHAP Subpart EEEE, Applicability and Compliace Dates. The Permittee shall at all times comply with the requirements applicable to the following affected sources for an existing organic liquid distribution (OLD) operation located at, or is part of, a major source of HAP emissions:

43.1. All existing storage tanks storing organic liquids, EU IDs 4, 5, 6, 8, and 9 listed in Table A, as specified in Condition 45; and

[17] The provisions of NESHAP Subpart EEEE listed in Conditions 43 through 47 are current as amended through July 7, 2020. Should EPA promulgate revisions to this subpart, the Permittee shall be subject to the revised final provisions as promulgated and not the superseded provisions summarized in these conditions.

43.2. All equipment leak components[18] in organic liquids service that are associated with pipelines, storage tanks and transfer racks storing, loading, or unloading organic liquids, as specified in Condition 47.

43.3. *Compliance Dates.* The Permitte must comply with this subpart according to the following schedule:

a. Except as provided in Conditions 43.3.b and 43.3.c, comply with the work practice standards for existing affected sources, EU IDs 4, 5, 6, 8, 9 and equipment leak components, no later than February 5, 2007.

b. Floating roof storage tanks at existing affected sources , EU IDs 4, 5, 6, 8, and 9, must be in compliance with the work practice standards in Condition 45 at all times after the next degassing and cleaning activity or within 10 years after February 3, 2004, whichever occurs first. If the first degassing and cleaning activity occurs during the 3 years following February 3, 2004, the compliance date is February 5, 2007.

c. If an addition or change other than reconstruction as defined in 40 C.F.R. 63.2 is made to an existing affected facility that causes the total actual annual facility-level organic liquid loading volume to exceed the criteria for control in Table 2 to this subpart, items 7 and 8, the Permittee must comply with the transfer rack requirements specified in 40 C.F.R. 63.2346(b) immediately; that is, be in compliance the first day of the period following the end of the 3-year period triggering the control criteria.

(i) If the Permittee believes that compliance with the transfer rack emission limits cannot be achieved immediately, as specified in Condition 43.3.c, the Permittee may submit a request for a compliance extension, as specified in 40 C.F.R. 63.2342(b)(3)(ii)(A) through (I).

[18 AAC 50.040(c)(21) & (j)(4) and 50.326(j)]
[40 C.F.R. 63.2334(a), 63.2338(a), (b)(1), (b)(3), & (f), 63.2342(b)(3)(ii)(A) - (I) and 63.2350(a), Subpart EEEE]

44. NESHAP Subpart EEEE, Good Air Pollution Control Practice. Except as specified in Condition 44.1, the Permittee must always operate and maintain the affected sources, EU IDs 4, 5, 6, 8, 9, and equipment leak components, including air pollution control and monitoring equipment, according to the provisions in 40 C.F.R. 63.6(e)(1)(i).

[18] *Equipment leak component* means each pump, valve, and sampling connection system used in organic liquids service at an OLD operation. Valve types include control, globe, gate, plug, and ball. Relief and check valves are excluded.
In organic liquids service means that an equipment leak component contains or contacts organic liquids having 5 percent by weight or greater of the organic HAP listed in Table 1 to NESHAP Subpart EEEE. [40 C.F.R. 63.2406, Subpart EEEE]

44.1. Beginning no later than July 7, 2023, Condition 44 no longer applies. Instead, at all times, the Permittee must operate and maintain any affected source including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the Permittee to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. Determination of whether a source is operating in compliance with operation and maintenance requirements will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[18 AAC 50.040(c)(21) & (j)(4) and 50.326(j)]
[40 C.F.R. 63.2350(d), Subpart EEEE]

45. NESHAP Subpart EEEE Standards for Storage Tanks, EU IDs 4, 5, 6, 8, and 9. For EU IDs 4, 5, 6, 8, and 9, the Permittee shall comply with the work practice standards set out in 40 C.F.R. 63, Subpart WW control level 2, as follows:

[18 AA 50.040(c)(21) & (j)(4) and 50.326(j)]]
[40 C.F.R. 71.6(a)(1), (a)(3)(i), & (c)(6)]
[40 C.F.R. 63.2346(a)(3), Table 2 (2.b.i & 1.a.ii) & Table 4 (1.a), Subpart EEEE]
[40 C.F.R. 63.2370(a) and Table 7 (1.a.i), Subpart EEEE]
[40 C.F.R. 63.1060 - 63.1063, Subpart WW]

45.1. *Design and Operational Requirements.* The Permittee shall operate and maintain the internal floating roofs (IFRs) (with design requirements in accordance with 40 C.F.R. 63.1063(a)(1)(i) and (a)(2)) installed on EU IDs 4, 5, 6, 8, and 9, as follows:

[40 C.F.R. 63.1062(a)(1) and 63.1063(a)(1)(i), (a)(2) & (b), Subpart WW]
[40 C.F.R. 63.2378(a) and Table 10 (1.a), Subpart EEEE]

a. The floating roof shall float on the stored liquid surface at all times, except when the floating roof is supported by its leg supports or other support devices (e.g., hangers from the fixed roof).

b. When the storage vessel is storing liquid, but the liquid depth is insufficient to float the floating roof, the process of filling to the point of refloating the floating roof shall be continuous and shall be performed as soon as practical.

c. Each cover over an opening in the floating roof, except for automatic bleeder vents (vacuum breaker vents) and rim space vents, shall be closed at all times, except when the cover must be open for access.

d. Each automatic bleeder vent (vacuum breaker vent) and rim space vent shall be closed at all times, except when required to be open to relieve excess pressure or vacuum, in accordance with the manufacturer's design.

e. Each unslotted guidepole cap shall be closed at all times except when gauging the liquid level or taking liquid samples.

[40 C.F.R. 63.1063(b)(1) – (5), Subpart WW]

45.2. *Inspection Requirements.* The Permittee shall inspect the IFRs, as follows:

[40 C.F.R. 63.2378(a) and Table 10 (1.a.i & ii), Subpart EEEE]
[40 C.F.R. 63.1063(c)(1)(i) & (ii), Subpart WW]

a. At least once per year the IFR shall be inspected as specified in Condition 45.2.e; and

b. Each time the storage vessel is completely emptied and degassed, or every 10 years, whichever occurs first, the IFR shall be inspected as specified in Condition 45.2.d; or

c. Instead of the inspection frequency specified in Conditions 45.2.a and 45.2.b, IFRs with two rim seals may be inspected as specified in Condition 45.2.d each time the storage vessel is completely emptied and degassed, or every 5 years, whichever occurs first.

[40 C.F.R. 63.1063(c)(1)(i) & (ii), Subpart WW]

d. Conduct inspections of IFRs by visually inspecting the floating roof deck, deck fittings, and rim seals from within the storage vessel. The inspection may be performed entirely from the top side of the floating roof, as long as there is visual access to all deck components specified in 40 C.F.R. 63.1063(a)(2). Any of the conditions described in Conditions 45.2.d(i) through 45.2.d(v) constitutes inspection failure.

(i) Stored liquid on the floating roof.

(ii) Holes or tears in the primary or secondary seal (if one is present).

(iii) Floating roof deck, deck fittings, or rim seals that are not functioning as designed (as specified in 40 C.F.R. 63.1063(a)(1)(i) and (a)(2)).

(iv) Failure to comply with the operational requirements of Conditions 45.1.a through 45.1.e.

(v) Gaps of more than 0.32 centimeters ($\frac{1}{8}$ inch) between any deck fitting gasket, seal, or wiper (required by 40 C.F.R. 63.1063(a)(1)(i) and (a)(2)) and any surface that it is intended to seal.

[40 C.F.R. 63.1063(d)(1)(i) - (v), Subpart WW]

e. Conduct inspections of the tank-tops of IFRs by visually inspecting the floating roof deck, deck fittings, and rim seal through openings in the fixed roof. Any of the conditions described in Conditions 45.2.d(i) through 45.2.d(iv) constitutes inspection failure. Identification of holes or tears in the rim seal is required only for the seal that is visible from the top of the storage vessel.

[40 C.F.R. 63.1063(d)(2), Subpart WW]

45.3. *Repair Requirements.* The Permittee shall repair the conditions causing inspection failures under Condition 45.2.d as specified in Conditions 45.3.a and 45.3.b.

a. If the inspection is performed while the storage vessel is not storing liquid, repairs shall be completed before the refilling of the storage vessel with liquid.

b. If the inspection is performed while the storage vessel is storing liquid, the Permittee shall:

(i) Complete the repairs or remove the vessel from service within 45 days; or

(ii) If a repair cannot be completed and the vessel cannot be emptied within 45 days, the Permittee may use up to 2 extensions of up to 30 additional days each. Documentation of a decision to use an extension shall

(A) include a description of the failure,

(B) document that alternate storage capacity is unavailable, and

(C) specify a schedule of actions that will ensure that the control equipment will be repaired or the vessel will be completely emptied as soon as practical.

[40 C.F.R. 63.2378(a) and Table 10 (1.a.ii), Subpart EEEE]
[40 C.F.R. 63.1063(e)(1) & (2), Subpart WW]

46. NESHAP Subpart EEEE Recordkeeping Requirements for Storage Tanks, EU IDs 4, 5, 6, 8, and 9. For EU IDs 4, 5, 6, 8, and 9, the Permittee shall keep records, as follows:

[18 AAC 50.040(c)(21) & (j)(4) and 50.326(j)]
[40 C.F.R. 71.6(a)(3)(ii) & (c)(6)]
[40 C.F.R. 63.2346(a)(3) and 63.2343(b)(3), Subpart EEEE]
[40 C.F.R. 63.2378(a) and Table 10 (1.a.iii), Subpart EEEE]
[40 C.F.R. 63.1065(a) – (d), Subpart WW]

46.1. The Permittee shall keep the records of the following for as long as liquid is stored:

a. dimensions of the storage vessel;

b. an analysis of the capacity of the storage vessel; and

c. an identification of the liquid stored.

[40 C.F.R. 63.1065(a), Subpart WW]

46.2. Keep the records required in Conditions 46.2.a through 46.2.c for at least 5 years.

a. *Inspection results.* Keep records of floating roof inspection results as specified in Conditions 46.2.a(i) and 46.2.a(ii):

(i) If the floating roof passes inspection, keep a record of the following information:

(A) Identification of the storage vessel that was inspected.

(B) The date of the inspection.

(ii) If the floating roof fails inspection, keep a record of the information specified in Condition 46.2.a(i) and the following:

(A) A description of all inspection failures.

(B) A description of all repairs and the dates they were made.

(C) The date the storage vessel was removed from service, if applicable.

[40 C.F.R. 63.1065(b)(1), Subpart WW]

b. *Floating roof landings.* The Permittee shall keep a record of the following:

(i) the date when a floating roof is set on its legs or other support devices;

(ii) the date when the roof was refloated; and

(iii) indicate in the record whether the process of refloating was continuous.

[40 C.F.R. 63.1065(c), Subpart WW]

c. If electing to use an extension in accordance with Condition 45.3.b(ii), keep the documentation required by Condition 45.3.b(ii).

[40 C.F.R. 63.1065(d), Subpart WW]

46.3. Beginning no later than July 7, 2023, the requirement for a written startup, shutdown, and malfunction (SSM) plan under 40 C.F.R. 63.2350(c) no longer applies; however, for historical compliance purposes, a copy of the startup, shutdown, and malfunction (SSM) plan must be retained and available for five years after July 7, 2023, according to the following:

a. Keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 C.F.R. 63.10(b)(1).

b. The Permittee may keep the records off site for the remaining 3 years.

[40 C.F.R. 63.2394(c) and 63.2350(c), Subpart EEEE]
[40 C.F.R. 63.10(b)(1), Subpart A]

46.4. *Notification of inspection.* To provide the Administrator the opportunity to have an observer present, the Permittee shall notify the Administrator at least 30 days before an inspection required by Condition 45.2.d.

a. If an inspection is unplanned and the Permittee could not have known about the inspection 30 days in advance, then the Permittee shall notify the Administrator at least 7 days before the inspection.

(i) Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned.

(ii) Alternatively, the notification including the written documentation may be made in writing and sent so that it is received by the Administrator at least 7 days before the inspection.

(iii) If a delegated State or local agency is notified, the Permittee is not required to notify the Administrator. A delegated State or local agency may waive the requirement for notification of inspections.

b. *Inspection results.* The Permittee shall submit a copy of the inspection record (required in Condition 46.2.a(ii)) when inspection failures occur.

c. *Requests for extensions.* If electing to use an extension in accordance with Condition 45.3.b, submit the documentation required under Condition 45.3.b(ii).

[40 C.F.R. 63.1066(b)(1), (2), & (4), Subpart WW]

47. NESHAP Subpart EEEE Standards for Equipment Leaks Components (pump, valve, and sampling connection system used in organic liquids service). For equipment leaks components that operate in organic liquid service for at least 300 hours per year, comply with Condition 47.2, and the requirements for pumps, valves, and sampling connections in 40 C.F.R. 63, Subpart TT (National Emission Standards for Equipment Leaks - Control Level 1) provided in Conditions 47.3 through 47.6.

47.1. Pumps, valves, and sampling connectors that are insulated to provide protection against persistent sub-freezing temperatures are subject to the "difficult to monitor" provisions in 40 C.F.R. 63.1003(c), Subpart TT.

[18 AA 50.040(c)(21) & (j)(4) and 50.326(j)]]
[40 C.F.R. 71.6(a)(1), (a)(3), & (c)(6)]
[40 C.F.R. 63.2342(e)(4) and 63.2346(c) & (l), Subpart EEEE]
[40 C.F.R. 63.1000 – 63.1018, Subpart TT]

47.2. *Startup, Shutdown, And Malfunction.* Beginning no later than July 7, 2023, the referenced provisions specified in Conditions 47.2.a and 47.2.b do not apply when demonstrating compliance with Subpart TT:

a. The phrase "may be included as part of the startup, shutdown, and malfunction plan, as required by the referencing subpart for the source, or" from 40 C.F.R. 63.1005(e)(4)(i).

b. The phrase "(except periods of startup, shutdown, or malfunction)" from 40 C.F.R. 63.1007(e)(1)(ii)(A).

[40 C.F.R. 63.2342(e)(4) and 63.2346(c) & (l)(17) & (19), Subpart EEEE]
[40 C.F.R. 63.1005(e)(4)(i) & 63.1007(e)(1)(ii)(A), Subpart TT]

47.3. The Permittee shall monitor and perform leak detection and repair on affected equipment leak components in accordance with the applicable requirements and procedures described in 40 C.F.R. 63.1002 through 63.1016.

[40 C.F.R. 63.1002 – 63.1016, Subpart TT]

47.4. The Permittee shall keep records in accordance with 40 C.F.R. 63.1017(a) – (c), as follows:

a. Comply with the recordkeeping requirements for the regulated sources (equipment leak components in organic liquids service associated with storage

tanks, transfer racks, and pipelines) in one recordkeeping system. The recordkeeping system shall identify each record by regulated source and the type of program being implemented (e.g., quarterly monitoring) for each type of equipment.

b. As specified in 40 C.F.R. 63.1003(a) through (d), the Permittee shall keep general and specific equipment identification if the equipment is not physically tagged and the Permittee is electing to identify the equipment subject to this subpart through written documentation such as a log or other designation.

c. Keep a written plan as specified in 40 C.F.R. 63.1003(c)(5) for any equipment that is designated as unsafe or difficult-to-monitor.

d. Maintain the identity and an explanation as specified in 40 C.F.R. 63.1003(d)(1) for any equipment that is designated as unsafe-to-repair.

e. Keep records for leaking equipment as specified in 40 C.F.R. 63.1004(e).

f. Keep records for delay of repair as specified in 40 C.F.R. 63.1005(c) and records for leak repair as specified in 40 C.F.R. 63.1005(e).

g. For valves, maintain the monitoring schedule for each process unit as specified in 40 C.F.R. 63.1006(b), and the records specified in 40 C.F.R. 63.1006(e)(4)(i)(B).

h. For pumps, maintain the records specified below:

(i) Documentation of pump visual inspections as specified in 40 C.F.R. 63.1007(b)(4).

(ii) Documentation of dual mechanical seal pump visual inspections as specified in 40 C.F.R. 63.1007(e)(1)(v).

(iii) For the criteria as to the presence and frequency of drips for dual mechanical seal pumps, records of the design criteria and explanations and any changes and the reason for the changes, as specified in 40 C.F.R. 63.1007(e)(1)(i).

[40 C.F.R. 63.1017(a) – (c)(2), Subpart TT]

47.5. The Permittee shall include the following information in the periodic report required under Condition 84:[19]

a. For each periodic report, submit the following:

(i) For each month during the semiannual reporting period,

[19] The initial periodic report required under 40 CFR 63.1018(a)(1) was submitted on December 19, 2007 and a revision to this report was submitted on January 21, 2008.

(A) Number of valves for which leaks were detected as described in 40 C.F.R. 63.1006(b),

(B) Number of valves for which leaks were not repaired as required in 40 C.F.R. 63.1006(d),

(C) Number of pumps for which leaks were detected as described in 40 C.F.R. 63.1007(b) and (e)(1)(vi),

(D) Number of pumps for which leaks were not repaired as required in 40 C.F.R. 63.1007(d) and (e)(5), and

(E) The facts that explain each delay of repair and, where appropriate, why the repair was technically infeasible without a process unit or affected facility shutdown.

(ii) Dates of affected facility shutdowns which occurred within the periodic report reporting period.

(iii) Revisions to items reported in the initial Periodic Report required under 40 C.F.R. 63.1018(a)(1) if changes have occurred since the initial report or subsequent revisions to the initial report.

[40 C.F.R. 63.1018(a)(2), Subpart TT]

47.6. If electing to comply with either of the alternatives in 40 C.F.R. 63.1006(b)(5) or (6), notify the Administrator of the alternative standard selected before implementing either of the provisions.

[40 C.F.R. 63.1018(b), Subpart TT]

NESHAPs for Site Remediation Subject to 40 C.F.R. 63, Subpart GGGGG

48. NESHAP Subpart GGGGG, Applicability. The Permittee shall conduct site remediation as defined in 40 C.F.R. 63.7957.[20]

[18 AAC 50.040(c)(24) & (j)(4) and 50.326(j)]
[40 C.F.R. 71.6(a)(1) & (3) and (c)(6)]
[40 C.F.R. 63.7881(a) – (c), Subpart GGGGG]

48.1. The Permittee is not subject to this subpart if the site remediation qualifies for any of the exemptions listed below:

a. The site remediation only cleans up material that does not contain any of the HAP listed in Table 1 of 40 C.F.R. 63, Subpart GGGGG;

b. The site remediation will be performed under the authority of the Comprehensive Environmental Response and Compensation Liability Act (CERCLA) as a remedial action or a non time-critical removal action; or

[20] *Site remediation* means one or more activities or processes used to remove, destroy, degrade, transform, immobilize, or otherwise manage remediation material. The monitoring or measuring of contamination levels in environmental media using wells or by sampling is not considered to be a site remediation.
[40 C.F.R. 63.7957, Subpart GGGGG]

c. The site remediation will be performed under a Resource Conservation and Recovery Act (RCRA) corrective action conducted at a treatment, storage and disposal facility (TSDF) that is either required by your permit issued by either the U.S. Environmental Protection Agency (EPA) or a State program authorized by the EPA under RCRA section 3006; required by orders authorized under RCRA; or required by orders authorized under RCRA section 7003.

[40 C.F.R. 63.7881(b)(1) – (b)(3), Subpart GGGGG]

48.2. The site remediation activities are not subject to the requirements of this subpart, except for the recordkeeping requirements in Condition 48.2.b, provided that the Permittee meets the requirements specified below:

a. Determine that the total quantity of the HAP listed in Table 1 of 40 C.F.R. 63, Subpart GGGGG that is contained in the remediation material excavated, extracted, pumped, or otherwise removed during all of the site remediation conducted at your stationary source is less than 1 mega-gram (Mg) annually. This exemption applies the 1 Mg limit on a stationary source-wide, annual basis, and there is no restriction to the number of site remediation that can be conducted during this period.

b. Prepare and maintain at the stationary source written documentation to support the determination in Condition 48.2.a that the total HAP quantity in your remediation materials for the year is less than 1 Mg. The documentation must include a description of your methodology and data used for determining the total HAP content of the remediation material.

[40 C.F.R. 63.7881(c)(1 – (c)(2), Subpart GGGGG]

48.3. Submit a copy of the documentation prepared in Condition 48.2.b annually to the Department with the compliance certification required by Condition 85.

[18 AAC 50.040(j)(4) and 50.326(j)(4)]
[40 C.F.R. 71.6(a)(3)(iii) & (c)(6)]

49. NESHAP Subpart GGGGG, Short Term Remediation. A site remediation that is completed within 30 consecutive calendar days is not subject to the standards specified in 40 C.F.R. 63.7885 through 63.7955, as required under 40 C.F.R. 63.7884(a). This exemption cannot be used for a site remediation involving the staged or intermittent cleanup of remediation material whereby the remediation activities at the site are started, stopped, and then re-started in a series of intervals, with durations less than 30-days per interval, when the time period from the beginning of the first interval to the end of the last interval exceeds 30 days.

49.1. The 30 consecutive calendar day period for a site remediation that qualifies for this exemption is determined according to actions taken by the Permittee as defined in 40 C.F.R. 63.7884(b)(1)(i) through (iii).

49.2. For the purpose of complying with Condition 49.1, if the Permittee ships or otherwise transfers the remediation material off-site the Permittee must include in the applicable shipping documentation, in addition to any notifications and certifications required under §63.7936, a statement that the shipped material was generated by a site remediation activity subject to the conditions of this exemption. The statement must include the date on which the Permittee initiated the site remediation activity generating the shipped remediation materials, as specified in 40 C.F.R. 63.7884(b)(1)(i) of this section, and the date 30 calendar days following your initiation date

49.3. The Permittee must prepare and maintain at the stationary source written documentation describing the exempted site remediation, and listing the initiation and completion dates for the site remediation.

[18 AAC 50.040(c)(24) & (j)(4) and 50.326(j)]
[40 C.F.R. 71.6(a)(1), (a)(3), & (c)(6)]
[40 C.F.R. 63.7884(a) & (b), Subpart GGGGG]

49.4. Submit a copy of the documentation prepared in Condition 49.3 to the Department with the compliance certification required by Condition 85.

[18 AAC 50.040(j)(4) and 50.326(j)(4)]]
[40 C.F.R. 71.6(a)(3)(iii), & (c)(6)]

NESHAP Subpart ZZZZ[21] – Reciprocating Internal Combustion Engines (RICE), EU IDs 1 and 2

50. NESHAP Subparts A and ZZZZ Exemption Requirements. For the existing emergency stationary RICE, EU IDs 1 and 2 listed in Table A, the Permittee is exempt from the requirements of Subpart ZZZZ and of Subpart A, provided that:

[18 AAC 50.040(c)(23) & (j)(4) and 50.326(j)]
40 C.F.R. 71.6((a)(1)
[40 C.F.R. 63.6585(b), and 63.6590(a)(1)(i) & (b)(3)(iii), Subpart ZZZZ]

50.1. EU IDs 1 and 2 do not operate or are **not** contractually obligated to be available for more than 15 hours per calendar year for the following purposes:

a. for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see 40 C.F.R.63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3; and

b. for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

[40 C.F.R. 63.6590(b)(3)(iii) and 63.6640(f)(2)(ii) & (iii), Subpart ZZZZ]

[21] The provisions of NESHAP Subpart ZZZZ listed in Condition 50 are current as amended through December 4, 2020. Should EPA promulgate revisions to this subpart, the Permittee shall be subject to the revised final provisions as promulgated and not the superseded provisions summarized in these conditions.

50.2. EU IDs 1 and 2 shall meet the definition of an "emergency stationary RICE" in 40 C.F.R. 63.6675, as follows:

a. *Emergency stationary RICE* means any stationary reciprocating internal combustion engine that meets all of the criteria in Conditions 50.2.a(i) and 50.2.a(ii):

(i) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary RICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the normal power source is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc.; and

(ii) The stationary RICE is operated under limited circumstances for situations not included in Condition 50.2.a(i), as specified in Condition 50.3.

[40 C.F.R. 63.6675, Subpart ZZZZ]

50.3. The Permittee must operate EU IDs 1 and 2 according to the requirements of Conditions 50.3.a through 50.3.c. 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 Conditions 50.3.a through 50.3.c, is prohibited.

a. There is no time limit on the use of EU IDs 1 and 2 in emergency situations.

b. The Permittee may operate each of EU IDs 1 and 2 for a maximum of 100 hours per calendar year 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.

(i) The Permittee 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 Permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.

c. The Permittee may operate each of EU IDs 1 and 2 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 Condition 50.3.b. 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.

[40 C.F.R. 63.6640(f)(1), (2)(i) & (3), Subpart ZZZZ]

50.4. The Permittee must comply with the requirements specified in Condition 50.3 in order for EU IDs 1 and 2 to be considered emergency stationary RICE; otherwise, the emissions units are not considered to be emergency stationary RICE under Subpart ZZZZ and must meet all corresponding requirements for non-emergency engines.

[40 C.F.R. 63.6640(f) and 63.6675, Subpart ZZZZ]

50.5. For each of EU IDs 1 and 2, to demonstrate compliance with Condition 50.3, include in the operating report required by Condition 84 records of the operational hours and the reason the engine was in operation, for the period covered by the report.

50.6. Should any of EU IDs 1 or 2 fail to meet the requirements specified in Conditions 50.1 through 50.4, submit a permit deviation report in accordance with Condition 83.

[18 AAC 50.040(j)(3) & 50.326(j)(4)]
[40 C.F.R. 71.6(a)(3)(i) – (iii) and 71.6(c)(6)]

40 C.F.R. Part 61 National Emission Standards for Hazardous Air Pollutants (NESHAP)

Subpart A – General Provisions & Subpart M – Asbestos

51. The Permittee shall comply with the applicable requirements set forth in 40 C.F.R. 61.145, 61.150, and 61.152 of Subpart M, and the applicable sections set forth in 40 C.F.R. 61, Subpart A and Appendix A.

[18 AAC 50.040(b)(1) & (2)(F), & 50.326(j)]
[40 C.F.R. 61, Subparts A & M, and Appendix A]

40 C.F.R. Part 82 Protection of Stratospheric Ozone

52. Subpart F – Recycling and Emissions Reduction. The Permittee shall comply with the applicable standards for recycling and emission reduction of refrigerants set forth in 40 C.F.R. 82, Subpart F.

[18 AAC 50.040(d) & 50.326(j)]
[40 C.F.R. 82, Subpart F]

53. Subpart G – Significant New Alternatives. The Permittee shall comply with the applicable prohibitions set out in 40 C.F.R. 82.174 (Protection of Stratospheric Ozone Subpart G – Significant New Alternatives Policy Program).

[18 AAC 50.040(d) & 50.326(j)]
[40 C.F.R. 82.174(b) through (d), Subpart G]

54. Subpart H – Halons Emissions Reduction. The Permittee shall comply with the applicable prohibitions set out in 40 C.F.R. 82.270 (Protection of Stratospheric Ozone Subpart H – Halon Emission Reduction).

[18 AAC 50.040(d) & 50.326(j)]
[40 C.F.R. 82.270(b) through (f), Subpart H]

NESHAP Applicability Determination Requirements

55. The Permittee shall determine rule applicability and designation of affected sources under National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories (40 C.F.R. 63) in accordance with the procedures described in 40 C.F.R. 63.1(b).

55.1. If an owner or operator of a stationary source who is in the relevant source category determines that the source is not subject to a relevant standard or other requirement established under 40 C.F.R. 63, the owner or operator must keep a record as specified in 40 C.F.R. 63.10(b)(3).

55.2. If a source becomes affected by an applicable subpart of 40 C.F.R. 63, the owner or operator shall comply with such standard by the compliance date established by the Administrator in the applicable subpart, in accordance with 40 C.F.R. 63.6(c).

55.3. After the effective date of any relevant standard promulgated by the Administrator under this part, an owner or operator who constructs a new affected source that is not major-emitting or reconstructs an affected source that is not major-emitting that is subject to such standard, or reconstructs a source such that the source becomes an affected source subject to the standard, must notify the Administrator and the Department of the intended construction or reconstruction. The notification must be submitted in accordance with the procedures in 40 C.F.R. 63.9(b).

[18 AAC 50.040(c)(1), 50.040(j), & 50.326(j)]
[40 C.F.R. 71.6(a)(3)(ii)]
[40 C.F.R. 63.1(b), 63.5(b)(4), 63.6(c)(1), 63.9(b), & 63.10(b)(3), Subpart A]

Section 5. General Conditions

Standard Terms and Conditions

56. Each permit term and condition is independent of the permit as a whole and remains valid regardless of a challenge to any other part of the permit.

[18 AAC 50.326(j)(3) and 50.345(a) & (c)]

57. The permit may be modified, reopened, revoked and reissued, or terminated for cause. A request by the Permittee for modification, revocation and re-issuance, or termination or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

[18 AAC 50.326(j)(3) and 50.345(a) & (f)]

58. The permit does not convey any property rights of any sort, nor any exclusive privilege.

[18 AAC 50.326(j)(3) and 50.345(a) & (g)]

59. Administration Fees. The Permittee shall pay to the Department all assessed permit administration fees. Administration fee rates are set out in 18 AAC 50.400-403.

[18 AAC 50.326(j)(1), 50.400, and 50.403]
[AS 37.10.052(b) and AS 46.14.240]

60. Assessable Emissions. For each period from July 1 through the following June 30, the Permittee shall pay to the Department an annual emission fee based on the stationary source's assessable emissions, as determined by the Department under 18 AAC 50.410. The Department will assess fees per ton of each air pollutant that the stationary source emits or has the potential to emit in quantities 10 tons per year or greater. The quantity for which fees will be assessed is the lesser of the stationary source's:

60.1. potential to emit of 871 TPY[22]; or

60.2. projected annual rate of emissions, in TPY, based upon actual annual emissions for the most recent calendar year, or another 12-month period approved in writing by the Department, when demonstrated by credible evidence of actual emissions, based upon the most representative information available from one or more of the following methods:

a. an enforceable test method described in 18 AAC 50.220;

b. material balance calculations;

c. emission factors from EPA's publication AP-42, Vol. I, adopted by reference in 18 AAC 50.035; or

d. other methods and calculations approved by the Department, including appropriate vendor-provided emissions factors when sufficient documentation is provided.

[22] Tesoro Alaska Company's Nikiski Terminal, Kenai Refinery, and Kenai Pipeline Terminal are considered one stationary source. The assessable PTE in Condition 60.1 applies to the Kenai Pipeline Terminal only.

[18 AAC 50.040(j)(4), 50.035, 50.326(j)(1) & (3), 50.346(b)(1), 50.410, & 50.420]

61. Assessable Emission Estimates. The Permittee shall comply as follows:

61.1. No later than March 31 of each year, the Permittee may submit an estimate of the stationary source's assessable emissions as determined in Condition 60.2. Submit actual emissions estimates in accordance with the submission instructions on the Department's Standard Permit Conditions web page at http://dec.alaska.gov/air/air-permit/standard-conditions/standard-condition-i-submission-instructions/.

61.2. The Permittee shall include with the assessable emissions report all of the assumptions and calculations used to estimate the assessable emissions in sufficient detail so the Department can verify the estimates.

61.3. If the stationary source has not commenced construction or operation on or before March 31st, the Permittee may submit to the Department's Anchorage office a waiver letter certified under 18 AAC 50.205 that states the stationary source's actual annual emissions for the previous calendar year are zero TPY and provides estimates for when construction or operation will commence.

61.4. If no estimate or waiver letter is submitted on or before March 31 of each year, emission fees for the next fiscal year will be based on the potential to emit in Condition 60.1.

[18 AAC 50.040(j)(4), 50.326(j)(1) & (3), 50.346(b)(1), 50.410, & 50.420]

62. Good Air Pollution Control Practice (GAPCP). The Permittee shall do the following for EU IDs 1 and 2:

62.1. Perform regular maintenance considering the manufacturer's or the operator's maintenance procedures;

62.2. Keep records of any maintenance that would have a significant effect on emissions; the records may be kept in electronic format; and

62.3. Keep a copy of either the manufacturer's or the operator's maintenance procedures.

[18 AAC 50.326(j)(3) and 50.346(b)(5)]

63. Dilution. The Permittee shall not dilute emissions with air to comply with this permit. Monitoring shall consist of an annual certification that the Permittee does not dilute emissions to comply with this permit.

[18 AAC 50.045(a)]

64. Reasonable Precautions to Prevent Fugitive Dust. A person who causes or permits bulk materials to be handled, transported, or stored, or who engages in an industrial activity or construction project shall take reasonable precautions to prevent particulate matter from being emitted into the ambient air.

64.1. The Permittee shall keep records of:

a. complaints received by the Permittee and complaints received by the Department and conveyed to the Permittee; and

b. any additional precautions that are taken

(i) to address complaints described in Condition 64.1.a or to address the results of Department inspections that found potential problems; and

(ii) to prevent future dust problems.

64.2. The Permittee shall report according to Condition 66.3.

[18 AAC 50.045(d), 50. 326(j)(3), and 50.346(c)]

65. Stack Injection. The Permittee shall not release materials other than process emissions, products of combustion, or materials introduced to control pollutant emissions from a stack at a stationary source constructed or modified after November 1, 1982, except as authorized by a construction permit, Title V permit, or air quality control permit issued before October 1, 2004.

[18 AAC 50.055(g)]

66. Air Pollution Prohibited. No person may permit any emission which is injurious to human health or welfare, animal or plant life, or property, or which would unreasonably interfere with the enjoyment of life or property.

[18 AAC 50.040(j)(4), 50.110, 50.326(j)(3), and 50.346(a)]
[40 C.F.R. 71.6(a)(3)]

66.1. **Monitoring.** The Permittee shall monitor as follows:

a. As soon as practicable after becoming aware of a complaint that is attributable to emissions from the stationary source, the Permittee shall investigate the complaint to identify emissions that the Permittee believes have caused or are causing a violation of Condition 66.

b. The Permittee shall initiate and complete corrective action necessary to eliminate any violation identified by a complaint or investigation as soon as practicable if

(i) after an investigation because of a complaint or other reason, the Permittee believes that emissions from the stationary source have caused or are causing a violation of Condition 66; or

(ii) the Department notifies the Permittee that it has found a violation of Condition 66.

66.2. **Recordkeeping.** The Permittee shall keep records of

a. the date, time, and nature of all emissions complaints received;

b. the name of the person or persons that complained, if known;

c. a summary of any investigation, including reasons the Permittee does or does not believe the emissions have caused a violation of Condition 66; and

d. any corrective actions taken or planned for complaints attributable to emissions from the stationary source.

66.3. **Reporting.** The Permittee shall report as follows:

a. With each stationary source operating report under Condition 84, the Permittee shall include a brief summary report which must include the following for the period covered by the report:

(i) the number of complaints received;

(ii) the number of times the Permittee or the Department found corrective action necessary;

(iii) the number of times action was taken on a complaint within 24 hours; and

(iv) the status of corrective actions the Permittee or Department found necessary that were not taken within 24 hours.

b. The Permittee shall notify the Department of a complaint that is attributable to emissions from the stationary source within 24 hours after receiving the complaint, unless the Permittee has initiated corrective action within 24 hours of receiving the complaint.

c. If emissions present a potential threat to human health or safety, the Permittee shall report any such emissions according to Condition 83.

67. Technology-Based Emission Standard. If an unavoidable emergency, malfunction (as defined in 18 AAC 50.235(d)), or non-routine repair (as defined in 18 AAC 50.990(64)), causes emissions in excess of a technology-based emission standard[23] listed in Conditions 24 through 27, 29, 38, 45, 47, and 52 (refrigerants), the Permittee shall

67.1. take all reasonable steps to minimize levels of emissions that exceed the standard; and

67.2. report in accordance with Condition 83.1.b; the report must include information on the steps taken to mitigate emissions and corrective measures taken or to be taken.

[18 AAC 50.235(a), 50.326(j)(4), & 50.040(j)(4)]
[40 C.F.R. 71.6(c)(6)]

Open Burning Requirements

68. Open Burning. If the Permittee conducts open burning at this stationary source, the Permittee shall comply with the requirements of 18 AAC 50.065. The Permittee shall comply as follows:

[23] As defined in 18 AAC 50.990(106), the term "*technology-based emission standard*" means a best available control technology (BACT) standard; a lowest achievable emission rate (LAER) standard; a maximum achievable control technology (MACT) standard established under 40 C.F.R. 63, Subpart B, adopted by reference in 18 AAC 50.040(c); a standard adopted by reference in 18 AAC 50.040(a) or (c); and any other similar standard for which the stringency of the standard is based on determinations of what is technologically feasible, considering relevant factors.

68.1. Keep written records to demonstrate that the Permittee complies with the limitations in this condition and the requirements of 18 AAC 50.065. Upon request by the Department, submit copies of the records; and

68.2. Include this condition in the annual certification required under Condition 85.

[18 AAC 50.065, 50.040(j), and 50.326(j)]
[40 C.F.R. 71.6(a)(3)]

Section 6. General Source Testing and Monitoring Requirements

69. Requested Source Tests. In addition to any source testing explicitly required by the permit, the Permittee shall conduct source testing as requested by the Department to determine compliance with applicable permit requirements.

[18 AAC 50.220(a) and 50.345(a) & (k)]

70. Operating Conditions. Unless otherwise specified by an applicable requirement or test method, the Permittee shall conduct source testing

[18 AAC 50.220(b)]

70.1. at a point or points that characterize the actual discharge into the ambient air; and

70.2. at the maximum rated burning or operating capacity of the emissions unit or another rate determined by the Department to characterize the actual discharge into the ambient air.

71. Reference Test Methods. The Permittee shall use the following test methods when conducting source testing for compliance with this permit:

71.1. Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(a) must be conducted in accordance with the methods and procedures specified in 40 C.F.R. 60.

[18 AAC 50.040(a) and 50.220(c)(1)(A)]
[40 C.F.R. 60]

71.2. Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(b) must be conducted in accordance with the methods and procedures specified in 40 C.F.R. 61.

[18 AAC 50.040(b) and 50.220(c)(1)(B)]
[40 C.F.R. 61]

71.3. Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(c) must be conducted in accordance with the source test methods and procedures specified in 40 C.F.R. 63.

[18 AAC 50.040(c) and 50.220(c)(1)(C)]
[40 C.F.R. 63]

71.4. Source testing for the reduction in visibility through the exhaust effluent must be conducted in accordance with the procedures set out in Reference Method 9. The Permittee may use the form in Section 11 to record data.

[18 AAC 50.030 and 50.220(c)(1)(D)]

71.5. Source testing for emissions of total particulate matter, sulfur compounds, nitrogen compounds, carbon monoxide, lead, volatile organic compounds, fluorides, sulfuric acid mist, municipal waste combustor organics, metals, and acid gases must be conducted in accordance with the methods and procedures specified in 40 C.F.R. 60, Appendix A.

[18 AAC 50.040(a)(3) and 50.220(c)(1)(C)]
[40 C.F.R. 60, Appendix A]

71.6. Source testing for emissions of PM_{10} and $PM_{2.5}$ must be conducted in accordance with the procedures specified in 40 C.F.R. 51, Appendix M, Methods 201 or 201A and 202.

[18 AAC 50.035(b)(2) & 50.220(c)(1)(F)]
[40 C.F.R. 51, Appendix M]

71.7. Source testing for emissions of any pollutant may be determined using an alternative method approved by the Department in accordance with 40 C.F.R. 63 Appendix A, Method 301.

[18 AAC 50.040(c)(32) & 50.220(c)(2)]
[40 C.F.R. 63, Appendix A, Method 301]

72. Excess Air Requirements. To determine compliance with this permit, standard exhaust gas volumes must include only the volume of gases formed from the theoretical combustion of the fuel, plus the excess air volume normal for the specific emissions unit type, corrected to standard conditions (dry gas at 68° F and an absolute pressure of 760 millimeters of mercury).

[18 AAC 50.220(c)(3) and 50.990(102)]

73. Test Exemption. The Permittee is not required to comply with Conditions 75, 76 and 77 when the exhaust is observed for visible emissions by Method 9 Plan (Condition 2.1).

[18 AAC 50.345(a)]

74. Test Deadline Extension. The Permittee may request an extension to a source test deadline established by the Department. The Permittee may delay a source test beyond the original deadline only if the extension is approved in writing by the Department's appropriate division director or designee.

[18 AAC 50.345(a) & (l)]

75. Test Plans. Except as provided in Condition 73, before conducting any source tests, the Permittee shall submit a plan to the Department. The plan must include the methods and procedures to be used for sampling, testing, and quality assurance and must specify how the emissions unit will operate during the test and how the Permittee will document that operation. The Permittee shall submit a complete plan within 60 days after receiving a request under Condition 69 and at least 30 days before the scheduled date of any test unless the Department agrees in writing to some other time period. Retesting may be done without resubmitting the plan.

[18 AAC 50.345(a) & (m)]

76. Test Notification. Except as provided in Condition 73, at least 10 days before conducting a source test, the Permittee shall give the Department written notice of the date and the time the source test will begin.

[18 AAC 50.345(a) & (n)]

77. Test Reports. Except as provided in Condition 73, within 60 days after completing a source test, the Permittee shall submit one certified copy of the results in the format set out in the *Source Test Report Outline*, adopted by reference in 18 AAC 50.030. The Permittee shall certify the results in the manner set out in Condition 80. If requested in writing by the Department, the Permittee must provide preliminary results in a shorter period of time specified by the Department.

[18 AAC 50.345(a) & (o)]

78. Particulate Matter Calculations. In source testing for compliance with the particulate matter standards in Conditions 5 and 14.2, the three-hour average is determined using the average of three one-hour test runs.

[18 AAC 50.220(f)]

Section 7. General Recordkeeping and Reporting Requirements

Recordkeeping Requirements

79. The Permittee shall keep all records required by this permit for at least five years after the date of collection, including:

79.1. Copies of all reports and certifications submitted pursuant to this section of the permit; and

79.2. Records of all monitoring required by this permit, and information about the monitoring including

a. the date, place, 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 such analyses; and,

f. the operating conditions as existing at the time of sampling or measurement.

[18 AAC 50.040(a)(1) & (j)(4) and 50.326(j)]
[40 C.F.R 60.7(f), Subpart A, 40 C.F.R 71.6(a)(3)(ii)(A) & (B)]

Reporting Requirements

80. Certification. The Permittee shall certify any permit application, report, affirmation, or compliance certification submitted to the Department and required under the permit by including the signature of a responsible official for the permitted stationary source following the statement: *"Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete."* Excess emission reports must be certified either upon submittal or with an operating report required for the same reporting period. All other reports and other documents must be certified upon submittal.

80.1. The Department may accept an electronic signature on an electronic application or other electronic record required by the Department if the person providing the electronic signature

a. uses a security procedure, as defined in AS 09.80.190, that the Department has approved; and

b. accepts or agrees to be bound by an electronic record executed or adopted with that signature.

[18 AAC 50.205, 50.326(j)(3), 50.345(a) & (j), & 50.346(b)(10)]

81. Submittals. Unless otherwise directed by the Department or this permit, the Permittee shall submit to the Department one certified copy of reports, compliance certifications, and/or other submittals required by this permit. The Permittee may submit the documents electronically or by hard copy.

81.1. Submit the certified copy of reports, compliance certifications, and/or other submittals in accordance with the submission instructions on the Department's Standard Permit Conditions web page at http://dec.alaska.gov/air/air-permit/standard-conditions/standard-condition-xvii-submission-instructions/.

[18 AAC 50.326(j)(3) & 50.346(b)(10)]

82. Information Requests. The Permittee shall furnish to the Department, within a reasonable time, any information the Department requests in writing to determine whether cause exists to modify, revoke and reissue, or terminate the permit or to determine compliance with the permit. Upon request, the Permittee shall furnish to the Department copies of records required to be kept by the permit. The Department may require the Permittee to furnish copies of those records directly to the Federal Administrator.

[18 AAC 50.345(a) & (i), 50.200, & 50.326(a) & (j)]
[40 C.F.R. 71.5(a)(2) & 71.6(a)(3)]

83. Excess Emissions and Permit Deviation Reports. The Permittee shall report excess emissions and permit deviations as follows:

83.1. **Excess Emissions Reporting.** Except as provided in Condition 66, the Permittee shall report all emissions or operations that exceed emissions standards or limits of this permit as follows:

a. In accordance with 18 AAC 50.240(c), as soon as possible, report

(i) excess emissions that present a potential threat to human health or safety; and

(ii) excess emissions that the Permittee believes to be unavoidable.

b. In accordance with 18 AAC 50.235(a), within two working days after the event commenced or was discovered, report an unavoidable emergency, malfunction, or nonroutine repair that causes emissions in excess of a technology-based emission standard.

c. If a continuous or recurring excess emissions is not corrected within 48 hours of discovery, report within 72 hours of discovery unless the Department provides written permission to report under Condition 83.1.d.

d. Report all other excess emissions not described in Conditions 83.1.a, 83.1.b, and 83.1.c within 30 days after the end of the month during which the excess emissions occurred or as part of the next routine operating report in Condition 84 for excess emissions that occurred during the period covered by the report, whichever is sooner.

e. If requested by the Department, the Permittee shall provide a more detailed written report to follow up on an excess emissions report.

[18 AAC 50.235(a)(2), 50.240(c), 50.326(j)(3), & 50.346(b)(2)]

83.2. **Permit Deviations Reporting.** For permit deviations that are not "excess emissions," as defined under 18 AAC 50.990:

a. Report according to the required deadline for failure to monitor, as specified in other applicable conditions of this permit (Conditions 4.2.b and 8.3.b).

b. Report all other permit deviations within 30 days after the end of the month during which the deviation occurred or as part of the next routine operating report in Condition 84 for permit deviations that occurred during the period covered by the report, whichever is sooner.

[18 AAC 50.326(j)(3) & 50.346(b)(2)]

83.3. **Notification Form.** When reporting either excess emissions or permit deviations, the Permittee shall report using either the Department's online form, which can be found at the Division of Air Quality's Air Online Services (AOS) system webpage http://dec.alaska.gov/applications/air/airtoolsweb using the Permittee Portal option, or, if the Permittee prefers, the form contained in Section 12 of this permit. The Permittee must provide all information called for by the form that is used. Submit the report in accordance with the submission instructions on the Department's Standard Permit Conditions webpage found at http://dec.alaska.gov/air/air-permit/standard-conditions/standard-conditions-iii-and-iv-submission-instructions/.

[18 AAC 50.235(a)(2), 50.240(c), 50.326(j)(3), & 50.346(b)(2) & (3)]

84. Operating Reports. During the life of this permit[24], the Permittee shall submit to the Department an operating report in accordance with Conditions 80 and 81 by August 1 for the period January 1 to June 30 of the current year and by February 1 for the period July 1 to December 31 of the previous year.

84.1. The operating report must include all information required to be in operating reports by other conditions of this permit, for the period covered by the report.

84.2. When excess emissions or permit deviations that occurred during the reporting period are not included with the operating report under Condition 84.1, the Permittee shall identify

a. the date of the excess emissions or permit deviation;

b. the equipment involved;

c. the permit condition affected;

d. a description of the excess emissions or permit deviation; and

[24] *Life of this permit* is defined as the permit effective dates, including any periods of reporting obligations that extend beyond the permit effective dates. For example, if a permit expires prior to the end of a calendar year, there is still a reporting obligation to provide operating reports for the periods when the permit was in effect.

e. any corrective action or preventive measures taken and the date(s) of such actions; or

84.3. when excess emissions or permit deviation reports have already been reported under Condition 83 during the period covered by the operating report, the Permittee shall either

a. include a copy of those excess emissions or permit deviation reports with the operating report; or

b. cite the date(s) of those reports.

84.4. The operating report must include, for the period covered by the report, a listing of emissions monitored under Conditions 2.1.e and 6.2 which trigger additional testing or monitoring, whether or not the emissions monitored exceed an emission standard. The Permittee shall include in the report

a. the date of the emissions;

b. the equipment involved;

c. the permit condition affected; and

d. the monitoring result which triggered the additional monitoring.

84.5. **Transition from expired to renewed permit**. For the first period of this renewed operating permit, also provide the previous permit's operating report elements covering that partial period immediately preceding the effective date of this renewed permit.

[18 AAC 50.346(b)(6) & 50.326(j)]
[40 C.F.R. 71.6(a)(3)(iii)(A)]

85. Annual Compliance Certification. Each year by March 31, the Permittee shall compile and submit to the Department an annual compliance certification report according to Condition 81.

85.1. Certify the compliance status of the stationary source over the preceding calendar year consistent with the monitoring required by this permit, as follows:

a. identify each term or condition set forth in Section 3 through Section 9, that is the basis of the certification;

b. briefly describe each method used to determine the compliance status;

c. state whether compliance is intermittent or continuous; and

d. identify each deviation and take it into account in the compliance certification.

85.2. **Transition from expired to renewed permit**. For the first period of this renewed operating permit, also provide the previous permit's annual compliance certification report elements covering that partial period immediately preceding the effective date of this renewed permit.

85.3. In addition, submit a copy of the report directly to the Clean Air Act Compliance Manager, US EPA Region 10, ATTN: Air Toxics and Enforcement Section, Mail Stop: 20-C04, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101-3188.

[18 AAC 50.205, 50.345(a) & (j), & 50.326(j)]
[40 C.F.R. 71.6(c)(5)]

86. Emission Inventory Reporting. The Permittee shall submit to the Department reports of actual emissions for the previous calendar year, by emissions unit, of CO, NH_3, NO_x, PM_{10}, $PM_{2.5}$, SO_2, VOC and lead (Pb) and lead compounds, as follows:

86.1. **Every-year inventory.** Each year by April 30, if the stationary source's potential to emit for the previous calendar year equals or exceeds:

a. 250 TPY of NH_3, PM_{10}, $PM_{2.5}$ or VOC; or

b. 2,500 TPY of CO, NO_x, or SO_2.

86.2. **Triennial inventory.** Every third year by April 30, if the stationary source's potential to emit (except actual emissions for Pb) for the previous calendar year equals or exceeds:

a. For stationary sources located in Attainment and Unclassifiable Areas:

(i) 0.5 TPY of actual Pb; or

(ii) 1,000 TPY of CO; or

(iii) 100 TPY of SO_2, NH_3, PM_{10}, $PM_{2.5}$, NO_x or VOC.

b. For stationary sources located in Nonattainment Areas:

(i) 0.5 TPY of actual Pb; or

(ii) 1,000 TPY of CO or, when located in a CO nonattainment area, 100 TPY of CO; or

(iii) 100 TPY of SO_2, NH_3, PM_{10}, $PM_{2.5}$, NO_x, or VOC; or as specified in Conditions 86.2.b(iv) through 86.2.b(viii);

(iv) 70 TPY of SO_2, NH_3, $PM_{2.5}$, NO_x, or VOC in $PM_{2.5}$ serious nonattainment areas; or

(v) 70 TPY of PM_{10} in PM_{10} serious nonattainment areas; or

(vi) 50 TPY of NO_x or VOC in O_3 serious nonattainment areas; or

(vii) 25 TPY of NO_x or VOC in O_3 severe nonattainment areas; or

(viii) 10 TPY of NO_x or VOC in O_3 extreme nonattainment areas.

86.3. For reporting under Condition 86.2, the Permittee shall report the annual emissions and the required data elements under Condition 86.4 every third year for the previous calendar year as scheduled by the EPA.[25].

86.4. For each emissions unit and the stationary source, include in the report the required data elements[26] contained within the form included in the Emission Inventory Instructions available at the Department's AOS system on the Point Source Emission Inventory webpage at http://dec.alaska.gov/Applications/Air/airtoolsweb/PointSourceEmissionInventory.

86.5. Submit the report in accordance with the submission instructions on the Department's Standard Permit Conditions webpage at http://dec.alaska.gov/air/air-permit/standard-conditions/standard-conditions-xv-and-xvi-submission-instructions/.

[18 AAC 50.040(j)(4), 50.200, 50.326(j)(3), & 50.346(b)(8)]
[40 C.F.R. 51.15, 51.30(a)(1) & (b)(1), and Appendix A to 40 C.F.R. 51 Subpart A]

87. NSPS and NESHAP Reports. The Permittee shall comply with the following:

87.1. **Reports:** Except for previously submitted reports and federal reports and notices submitted through EPA's Central Data Exchange (CDX) and Compliance and Emissions Data Reporting Interface (CEDRI) online reporting system, attach to the operating report required by Condition 84 for the period covered by the report, a copy of any NSPS and NESHAP reports submitted to the U.S. Environmental Protection Agency (EPA) Region 10. For reports previously submitted to ADEC or submitted through CDX/CEDRI, state in the operating report the date and a brief description of each of the online reports submitted during the reporting period.

87.2. **Waivers**: Upon request by the Department, provide a written copy of any EPA-granted alternative monitoring requirement, custom monitoring schedule or waiver of the federal emission standards, recordkeeping, monitoring, performance testing, or reporting requirements. The Permittee shall keep a copy of each U.S. EPA-issued monitoring waiver or custom monitoring schedule with the permit.

[18 AAC 50.040(j)(4) and 50.326(j)(4)]
[40 C.F.R. 60.13, 63.10(d) & (f) and 40 C.F.R. 71.6I(6)]

[25] The calendar years for which reports are required are based on the triennial reporting schedule in 40 C.F.R. 51.30(b)(1), which requires states to report emissions data to the EPA for inventory years 2011, 2014, 2017, 2020, and every 3rd year thereafter. Therefore, the Department requires Permittees to report emissions data for the same inventory years by April 30 of the following year (e.g., triennial emission inventory report for 2020 is due April 30, 2021, triennial emission inventory report for 2023 is due April 30, 2024, etc.).

[26] The required data elements to be reported to the EPA are outlined in 40 C.F.R. 51.15 and Tables 2a and 2b to Appendix A of 40 C.F.R. 51 Subpart A.

Section 8. Permit Changes and Renewal

88. Permit Applications and Submittals. The Permittee shall comply with the following requirements for submitting application information to the EPA:

88.1. The Permittee shall provide a copy of each application for modification or renewal of this permit, including any compliance plan, or application addenda, at the time the application or addendum is submitted to the Department;

88.2. The information shall be submitted to the Part 70 Operating Permit Program, US EPA Region 10, Air Permits and Toxics Branch, Mail Stop: 15-H13, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101-3188;

88.3. To the extent practicable, the Permittee shall provide to EPA applications in portable document format (pdf), MS Word format (.doc), or other computer-readable format compatible with EPA's national database management system; and

88.4. The Permittee shall maintain records as necessary to demonstrate compliance with this condition.

[18 AAC 50.040(j)(7), 50.326(a) & (j)(3), and 50.346(b)(7)]
[40 C.F.R. 71.10(d)(1)]

89. Emissions Trading. 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.

[18 AAC 50.040(j)(4) and 50.326(j)(4)]
[40 C.F.R. 71.6(a)(8)]

90. Off Permit Changes. The Permittee may make changes that are not addressed or prohibited by this permit other than those subject to the requirements of 40 C.F.R. Parts 72 through 78 or those that are modifications under any provision of Title I of the Act to be made without a permit revision, provided that the following requirements are met:

90.1. Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition;

90.2. Provide contemporaneous written notice to EPA and the Department of each such change, except for changes that qualify as insignificant under 18 AAC 50.326(d) – (i). 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;

90.3. The change shall not qualify for the shield under 40 C.F.R. 71.6(f);

90.4. The Permittee shall keep a record describing changes made at the stationary source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

[18 AAC 50.040(j)(4) and 50.326(j)(4)]
[40 C.F.R. 71.6(a)(12)]

91. Operational Flexibility. The Permittee may make CAA Section 502(b)(10)[27] changes within the permitted stationary source without requiring a permit revision if the changes are not modifications under any provision of Title I of the Act and the changes do not exceed the emissions allowable under this permit (whether expressed therein as a rate of emissions or in terms of total emissions).

91.1. The Permittee shall provide EPA and the Department with a written notification no less than seven days in advance of the proposed change.

91.2. For each such change, the notification required by Condition 91.1 shall include a brief description of the change within the permitted stationary source, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

91.3. The permit shield described in 40 C.F.R. 71.6(f) shall not apply to any change made pursuant to Condition 91.

[18 AAC 50.040(j)(4) and 50.326(j)(4)]
[40 C.F.R. 71.6(a)(13)]

92. Permit Renewal. To renew this permit, the Permittee shall submit to the Department[28] an application under 18 AAC 50.326 no sooner than **<18 months before the expiration date of this permit>** and no later than **<6 months before the expiration date of this permit>**. The renewal application shall be complete before the permit expiration date listed on the cover page of this permit. Permit expiration terminates the stationary source's right to operate unless a timely and complete renewal application has been submitted consistent with 40 C.F.R. 71.7(b) and 71.5(a)(1)(iii).

[18 AAC 50.040(j)(3) and 50.326I & (j)(2)]
[40 C.F.R. 71.5(a)(1)(iii) and 71.7(b) & (c)(1)(ii)]

[27] As defined in 40 C.F.R. 71.2, CAA 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 federally enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

[28] Submit permit applications to the Department's Anchorage office. The current address is: Air Permit Intake Clerk, ADEC, 555 Cordova Street, Anchorage, AK 99501.

Section 9. Compliance Requirements

General Compliance Requirements

93. Compliance with permit terms and conditions is considered to be compliance with those requirements that are

93.1. included and specifically identified in the permit; or

93.2. determined in writing in the permit to be inapplicable.

[18 AAC 50.326(j)(3) and 50.345(a) & (b)]

94. The Permittee must comply with each permit term and condition. Noncompliance with a permit term or condition constitutes a violation of AS 46.14, 18 AAC 50, and, except for those terms or conditions designated in the permit as not federally enforceable, the Clean Air Act, and is grounds for

94.1. an enforcement action;

94.2. permit termination, revocation and reissuance, or modification in accordance with AS 46.14.280; or

94.3. denial of an operating permit renewal application.

[18 AAC 50.040(j), 50.326(j) & 50.345(a) & (c)]

95. For applicable requirements with which the stationary source is in compliance, the Permittee shall continue to comply with such requirements.

[18 AAC 50.040(j)(3) & (4) and 50.326(j)]
[40 C.F.R. 71.6(c)(3) and 71.5(c)(8)(iii)(A)]

96. For applicable requirements that will become effective during the permit term, the Permittee shall meet such requirements on a timely basis.

[18 AAC 50.040(j) and 50.326(j)]
[40 C.F.R. 71.6(c)(3) and 71.5(c)(8)(iii)(B)]

97. It is not a defense in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with a permit term or condition.

[18 AAC 50.326(j)(3) and 50.345(a) & (d)]

98. The Permittee shall allow the Department or an inspector authorized by the Department, upon presentation of credentials and at reasonable times with the consent of the owner or operator, to

98.1. enter upon the premises where a source subject to the permit is located or where records required by the permit are kept;

98.2. have access to and copy any records required by the permit;

98.3. inspect any stationary source, equipment, practices, or operations regulated by or referenced in the permit; and

98.4. sample or monitor substances or parameters to assure compliance with the permit or other applicable requirements.

[18 AAC 50.326(j)(3) and 50.345(a) & (h)]

Section 10. Permit As Shield from Inapplicable Requirements

In accordance with AS 46.14.290, and based on information supplied in the permit application, this section of the permit contains the requirements determined by the Department not to be applicable to the stationary source.

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

99.1. The provisions of Section 303 of the Act (emergency orders), including the authority of the Administrator under that section; or

99.2. 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.

[18 AAC 50.040(j)(4) and 50.326(j)]
[40 C.F.R. 71.6(f)(3)(i) & (ii)]

100. Table B identifies the emissions units that are not subject to the specified requirements at the time of permit issuance. If any of the requirements listed in Table B becomes applicable during the permit term, the Permittee shall comply with such requirements on a timely basis including, but not limited to, providing appropriate notification to EPA, obtaining a construction permit and/or an operating permit revision.

[18 AAC 50.040(j)(4) and 50.326(j)]
[40 C.F.R. 71.6(f)(1)(ii)]

Table B – Permit Shields Granted

EU ID	Non-Applicable Requirements	Reason for Non-Applicability
3 – 9	40 C.F.R. 60, Subpart K, Ka, Kb	All tanks installed prior to applicability date.
1 and 2	40 C.F.R. 60 Subpart IIII	Firewater pump EUs 1 and 2 installed prior to applicability date.
Stationary source-wide	40 C.F.R. 61, Subpart FF	Stationary source does not treat, store, or dispose of hazardous waste generated by chemical manufacturing plants, coke by-product recovery plants, and petroleum refineries. The waste streams at hazardous waste treatment, storage, and disposal facilities subject to the provisions of this subpart are the benzene-containing hazardous waste from chemical manufacturing plants, coke by-product recovery plants, and petroleum refineries. A hazardous waste treatment, storage, and disposal facility is a facility that must obtain a hazardous waste management permit under Subtitle C of the Solid Waste Disposal Act.
Storage vessels, wastewater streams, and equipment leaks	40 C.F.R 63, Subpart CC NESHAP for Petroleum Refineries	The storage vessels, wastewater streams, and equipment from which leaks may occur are not subject to the requirements of 40 C.F.R. 63, Subpart CC (EPA applicability determination letter dated 6/16/97). The marine tank vessel loading operations are still subject.
Stationary source-wide	MACT Emission Standards of 40 C.F.R. 63.562(b) and (d) Subpart Y, NESHAP for Marine Vessel Loading Operations	Emissions are less than 10 and 25 tons per year (exempted per 40 C.F.R. 560(a)(2), Subpart Y).

EU ID	Non-Applicable Requirements	Reason for Non-Applicability
Stationary source-wide	RACT Emission Standards of 40 C.F.R. 63.562(c) and (d) Subpart Y, NESHAP for Marine Vessel Loading Operations	Throughput is less than 10 million barrels per year (exempted per 40 C.F.R. 560(b)(2), Subpart Y).
Stationary source-wide	Notification requirements of 40 C.F.R 63.567(b) Subpart Y, NESHAP for Marine Vessel Loading Operations	Not required per 40 C.F.R. 63.651(c), Subpart CC.
1 and 2	40 C.F.R. 63, Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines 40 C.F.R.63.6600 – 63.6603 Emission and operating limitations and other requirements for stationary RICE located at a major source and rea source of HAP emissions 40 C.F.R.63.6604 – Fuel Requirements 40 C.F.R.63.6610 – 63.6630 – Testing and Initial Compliance Requirements 40 C.F.R.63.6635 – 63.6640(a)-(c) – Continuous Compliance Requirements 40 C.F.R.63.6645 – 63.6660 – Notifications, Reports, and Records 40 C.F.R.63.6665 – General Provisions in 40 C.F.R. 63.1 through 63.15 Subpart A	Firewater pump EU IDs 1 and 2 do not have to meet the requirements of NESHAP Subparts ZZZZ and Subpart A, including initial notification requirements, for as long as they meet the exemption applicability requirements in 40 C.F.R. 63.6590(b)(3)(iii) and meet the definition of an "emergency stationary RICE" in 40 C.F.R. 63.6675 (see Condition 50). These EUs are considered existing emergency stationary RICE, as defined under 40 C.F.R. 63.6675, with a site rating of more than 500 brake hp located at a major source of HAP emissions that do not operate, or are not contractually obligated to be available, for more than 15 hours per calendar year for the purposes specified in 40 C.F.R.63.6640(f)(2)(ii) and (iii).
Hot water heaters and process heaters at the stationary source	40 C.F.R. 63, Subpart DDDDD	Stationary source operates three units that meet the definition of "hot water heater", which are exempt from the subpart per 40 CFR 63.7491(d). The units are less than 120 gallons in capacity, do not generate steam, and have less than 1.6 Mmbtu/hr of heat input capacity. Stationary source also operates two units that meet the definition of "process heater", which are exempt from the subpart per 40 CFR 63.7575.
Stationary source-wide	40 C.F.R. 68, Chemical Accident Prevention Provisions	Stationary source does not store or process Part 68 regulated substances above threshold quantities.

[18 AAC 50.326(j)]
[40 C.F.R. 71.6(f)(1)(ii)]

Section 11. Visible Emissions Forms

VISIBLE EMISSIONS OBSERVATION FORM

This form is designed to be used in conjunction with EPA Method 9, "Visual Determination of the Opacity of Emissions from Stationary Sources." Temporal changes in emission color, plume water droplet content, background color, sky conditions, observer position, etc. should be noted in the comments section adjacent to each minute of readings. Any information not dealt with elsewhere on the form should be noted under Additional Information. Following are brief descriptions of the type of information that needs to be entered on the form. For a more detailed discussion of each part of the form, refer to "Instructions for Use of Visible Emission Observation Form" (a copy is available in https://www3.epa.gov/ttnemc01/methods/webinar8.pdf).

- Source Name: full company name, parent company or division or subsidiary information, if necessary.
- Address: street (not mailing or home office) address of facility where visible emissions observation is being made.
- Phone (Key Contact): number for appropriate contact.
- Stationary Source ID Number: number from NEDS, agency file, etc.
- Process Equipment, Operating Mode: brief description of process equipment (include type of facility) and operating rate, % capacity, and/or mode (e.g., charging, tapping, shutdown).
- Control Equipment, Operating Mode: specify type of control device(s) and % utilization, control efficiency.
- Describe Emission Point: for identification purposes, stack or emission point appearance, location, and geometry; and whether emissions are confined (have a specifically designed outlet) or unconfined (fugitive).
- Height Above Ground Level: stack or emission point height relative to ground level; can use engineering drawings, Abney level, or clinometer.
- Height Relative to Observer: indicate height of emission point relative to the observation point.
- Distance from Observer: distance to emission point; can use rangefinder or map.
- Direction from Observer: direction plume is traveling from observer.
- Describe Emissions and Color: include physical characteristics, plume behavior (e.g., looping, lacy, condensing, fumigating, secondary particle formation, distance plume visible, etc.), and color of emissions (gray, brown, white, red, black, etc.). Note color changes in comments section.
- Visible Water Vapor Present?: check "yes" if visible water vapor is present.
- If Present, note in the Comments column whether the Plume is "attached" if water droplet plume forms prior to exiting stack, and "detached" if water droplet plume forms after exiting stack.
- Point in Plume at Which Opacity was Determined: describe physical location in plume where readings were made (e.g., 1 ft above stack exit or 10 ft. after dissipation of water plume).
- Describe Plume Background: object plume is read against, include texture and atmospheric conditions (e.g., hazy).
- Background Color: sky blue, gray-white, new leaf green, etc.
- Sky Conditions: indicate color of clouds and cloud cover by percentage or by description (clear, scattered, broken, overcast).
- Wind Speed: record wind speed; can use Beaufort wind scale or hand-held anemometer to estimate.
- Wind Direction From: direction from which wind is blowing; can use compass to estimate to eight points.
- Ambient Temperature: in degrees Fahrenheit or Celsius.
- Wet Bulb Temperature: can be measured using a sling psychrometer
- RH Percent: relative humidity measured using a sling psychrometer; use local US Weather Bureau measurements only if nearby.
- Source Layout Sketch: include wind direction, sun position, associated stacks, roads, and other landmarks to fully identify location of emission point and observer position.
- Draw North Arrow: to determine, point line of sight in direction of emission point, place compass beside circle, and draw in arrow parallel to compass needle.
- Sun's Location: point line of sight in direction of emission point, move pen upright along sun location line, mark location of sun when pen's shadow crosses the observer's position.
- Observation Date: date observations conducted.
- Start Time, End Time: beginning and end times of observation period (e.g., 1635 or 4:35 p.m.).
- Data Set: percent opacity to nearest 5%; enter from left to right starting in left column. Use a second (third, etc.) form, if readings continue beyond 30 minutes. Use dash (-) for readings not made; explain in adjacent comments section.
- Comments: note changing observation conditions, plume characteristics, and/or reasons for missed readings.
- Range of Opacity: note highest and lowest opacity number.
- Observer's Name: print in full.
- Observer's Signature, Date: sign and date after performing VE observation.
- Observer's Affiliation: observer's employer.
- Certifying Organization, Certified By, Date: name of "smoke school," certifying observer, and date of most recent certification.

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AIR PERMITS PROGRAM - VISIBLE EMISSIONS OBSERVATION FORM

Page No.

Stationary Source Name		Type of Emission Unit		Observation Date		Start Time			End Time	
				Sec / Min	0	15	30	45	Comments	
Emission Unit Location				1						
City	State	Zip		2						
Phone # (Key Contact)		Stationary Source ID Number		3						
Process Equipment		Operating Mode		4						
Control Equipment		Operating Mode		5						
Describe Emission Point/Location				6						
Height above ground level	Height relative to observer	Clinometer Reading		7						
Distance From Observer Start / End		Direction From Observer Start / End		8						
Describe Emissions & Color Start		End		9						
Visible Water Vapor Present? If yes, determine approximate distance from the stack exit to w here the plume w as read				10						
No / Yes				11						
Point in Plume at Which Opacity Was Determined				12						
Describe Plume Background Start / End		Background Color Start / End		13						
Sky Conditions: Start		End		14						
Wind Speed Start / End		Wind Direction From Start / End		15						
Ambient Temperature	Wet Bulb Temp	RH percent		16						
SOURCE LAYOUT SKETCH: 1 Stack or Point Being Read 2 Wind Direction From 3 Observer Location 4 Sun Location 5 North Arrow 6 Other Stacks				17						
				18						
				19						
				20						
				21						
				22						
				23						
				24						
				25						
				26						
				27						
				28						
				29						
Additional Information:				30						
				Range of Opacity: Minimum					Maximum	
I have received a copy of these opacity observations				Print Observer's Name						
Print Name:				Observer's Signature					Date	
Signature:									Observer's Affiliation:	
Title	Date			Certifying Organization:						
				Certified By:					Date	

Data Reduction:

Duration of Observation Period (minutes):	Duration Required by Permit (minutes):
Number of Observations:	Highest Six–Minute Average Opacity (%):
Number of Observations exceeding 20%:	
In compliance with six-minute opacity limit? (Yes or No)	Highest 18-Consecutive –Minute Average Opacity (%)(engines and turbines only)

Average Opacity Summary:

Set Number	Time			Opacity		Comments
	Start	End		Sum	Average	

Section 12. Notification Form[29]

Kenai Pipeline Terminal **AQ0033TVP04**

Stationary Source Name **Air Quality Permit Number.**

Kenai Pipe Line Company

Company Name

When did you discover the Excess Emissions/Permit Deviation?

Date: ____/____/____ Time: ____:____

When did the event/deviation occur?

Begin: Date: ____/____/____ Time: ____:____ (please use 24-hr clock)

End: Date: ____/____/____ Time: ____:____ (please use 24-hr clock)

What was the duration of the event/deviation? ____:____ (hrs:min) or ____days

(total # of hrs, min, or days, if intermittent then include only the duration of the actual emissions/deviation)

Reason for Notification (Please check only 1 box and go to the corresponding section.):

☐ Excess Emissions – Complete Section 1 and Certify

Note: All "excess emissions" are also "permit deviations." However, use only Section 1 for events that involve excess emissions.

☐ Deviation from Permit Conditions – Complete Section 2 and Certify

Note: Use only Section 2 for permit deviations that do not involve excess emissions.

☐ Deviation from COBC[30], CO[31], or Settlement Agreement – Complete Section 2 and Certify

[29] Revised as of July 22, 2020.

[30] Compliance Order By Consent

[31] Compliance Order

Section 1. Excess Emissions

(a) **Was the exceedance** ☐Intermittent or ☐Continuous

(b) **Cause of Event** (Check one that applies. Complete a separate form for each event, as applicable.):

☐Start Up/Shut Down
☐Natural Cause (weather/earthquake/flood)
☐Control Equipment Failure
☐Scheduled Maintenance/Equipment Adjustments
☐Bad fuel/coal/gas
☐Upset Condition
☐Other _____

(c) **Description**

Describe briefly what happened and the cause. Include the parameters/operating conditions exceeded, limits, monitoring data and exceedance. Attach supporting information if necessary.

(d) **Emissions Units (EU) Involved:**

Identify the emissions units involved in the event, using the same identification number and name as in the permit. Identify each emission standard potentially exceeded during the event and the exceedance.

EU ID	EU Name	Permit Condition Exceeded/Limit/Potential Exceedance

(e) **Type of Incident:** (Please check all that apply and provide the value requested, if any):

- ☐ Opacity _____%
- ☐ Control Equipment Down
- ☐ Emission Limit Exceeded
- ☐ Flaring
- ☐ Other**:** _____
- ☐ Venting _____(gas/scf)
- ☐ Fugitive Emissions
- ☐ Marine Vessel Opacity

(f) **Corrective Actions:**

Describe actions taken to restore the system to normal operation and to minimize or eliminate chances of a recurrence. Attach supporting information if necessary.

(g) **Unavoidable Emissions:**

Do you intend to assert that these excess emissions were unavoidable? ☐YES ☐NO

Do you intend to assert the affirmative defense of 18 AAC 50.235? ☐YES ☐NO

Certify Report (<u>go to end of form</u>)

Section 2. Permit Deviations

(a) **Permit Deviation Type:** (Check all boxes that apply per event. Complete a separate form for each event, as applicable.)

- ☐ Emissions Unit-Specific Requirements
- ☐ Stationary Source-Wide Specific Requirements
- ☐ Monitoring/Recordkeeping/Reporting Requirements
- ☐ General Source Test Requirements
- ☐ Compliance Certification Requirements
- ☐ Standard/Generally Applicable Requirements
- ☐ Insignificant Emissions Unit Requirements
- ☐ Other: _____

(b) **Emissions Units (EU) Involved:**

Identify the emissions units involved in the event, using the same identification number and name as in the permit. List the corresponding permit condition and the deviation.

EU ID	EU Name	Permit Condition /Potential Deviation

(c) **Description of Potential Deviation:**

Describe briefly what happened and the cause. Include the parameters/operating conditions and the potential deviation. Attach supporting information if necessary.

(d) **Corrective Actions:**

Describe actions taken to correct the deviation or potential deviation and to prevent future recurrence. Attach supporting information if necessary.

Certification:

Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete.

Printed Name:_____Title_____Date _____

Signature:_____ Phone number_____

NOTE: *This document must be certified in accordance with 18 AAC 50.345(j). Read and sign the certification in the bottom of the form above. (See Condition 80.)*

Submit this report in accordance with the submission instructions on the Department's Standard Permit Conditions web page at http://dec.alaska.gov/air/air-permit/standard-conditions/standard-conditions-iii-and-iv-submission-instructions/.

If submitted online, report must be submitted by an authorized E-signer for the stationary source (according to Condition 80).

[18 AAC 50.346(b)(3)]