DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AIR QUALITY OPERATING PERMIT

Permit No. AQ0036TVP04 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, **Tesoro Logistics Operations LLC**, for the operation of the **Nikiski Terminal**.

The Nikiski Terminal, Kenai Refinery, and Kenai Pipeline 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 Minor Permit No. AQ0035MSS07 have been incorporated into this operating permit.

Upon effective date of this permit, Operating Permit No. AQ0036TVP03 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 Floation Roof
kPa .....kiloPascals
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
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:		**Tesoro Logistics Operations LLC** 200 E. Hardin Street Findlay, OH 45840
Stationary Source Name:		**Nikiski Terminal**
Location:		60º 40′ 34″ North; 151º 22′ 17" West
Physical Address:		Mile 21, Kenai Spur Highway, Kenai, AK 99635
Owner/Operator:		**Tesoro Logistics Operations LLC** 200 E. Hardin Street Findlay, OH 45840
Permittee's Responsible Official:		Cameron Hunt, Vice President Tesoro Logistics Operations LLC 54741 Energy Drive P.O. Box 3369 Kenai, AK 99611 CRHunt@Marathonpetroleum.com
Designated Agent:		CT Corporation Systems 9360 Glacier Highway, Suite 202 Juneau, AK 99801
Stationary Source and Building Contact:		Scott Rosin Tesoro Logistics Operations, LLC 54741 Energy DriveP.O. Box 3369 Kenai, AK 99611 (907) 776-3520 scott.d.rosin@tsocorp.com
Fee Contact:		Lena Wissmar, Refining Analytics Tesoro Logistics Operations, LLC 54741 Energy Drive P.O. Box 3369 Kenai, AK 99611 (907) 776-4108 cwissmar@marathonpetroleum.com
Permit Contact:		Micheal Harper Environmental Supervisor 54741 Energy Drive 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
Storage Tanks[1]				
1	Tank 103	Jet Fuel, Fixed Roof	81,300 bbls	1968
2	Tank 104	Diesel Fuel, Fixed Roof	20,000 bbls	1969[2]
3	Tank 105	Diesel Fuel, Fixed Roof	20,000 bbls	1969[2]
4	Tank 106	Gasoline, IFR	40,700 bbls	1968
5	Tank 107	Gasoline, IFR	30,000 bbls	1968
6	Tank 108	Gasoline, IFR	21,000 bbls	1968
7	Tank 109	Oily Water	1,000 bbls	1969
Other Sources				
8[3]	Loading Rack	Tank Truck Loading Rack & Vapor Recovery Equipment	1,300 Gallons/minute	1960's/ Modified 1989
9	Equipment Leaks	Component Leaks	N/A	N/A

Notes:

1. The service of all tanks can change with production and demand. Pursuant to 40 C.F.R. 60.14(e)(4), this change in service is not considered a modification.
2. These tanks were constructed at the Tesoro Kenai Refinery in 1969 and relocated to Nikiski Terminal in 1989. Pursuant to 40 C.F.R. 60.14 (e)(6), this relocation is not considered a modification.
3. EU ID 8 includes all associated piping and components attached to EU IDs 4, 5, and 6.
4. EU ID 9 consists of equipment leaks from piping systems used to convey liquids into and out of storage tanks, as well as to load products into tank truck loading rack. These piping systems consist of piping, flanges, valves, pumps, and other connectors that are fugitive sources of VOC emissions subject to NSPS Subpart GGGa/VVa requirements.

[18 AAC 50.326(a)]
[40 C.F.R. 71.5(c)(3)]

Section 3. State Requirements

Preconstruction Permit[1] Requirements

Consent Decree Requirements

1. 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 10 through 18, for the affected equipment, EU ID 9 listed in Table A, *in VOC service* (as defined in 40 C.F.R. 60.481a in Subpart VVa) [2] at the Nikiski 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

2. 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:

2.1. **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)]

2.2. **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)]

2.3. **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)]

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

a. Submit the compliance certifications of Condition 66 based on reasonable inquiry;

[1] *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.

[2] 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.

b. Comply with the requirements of Condition 47;

c. Report in the operating report required by Condition 65 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 2.1, 2.2, and 2.3.

[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

3. NSPS Subpart A Notification. Unless exempted by a specific subpart, for any affected facility[3] or existing facility[4] regulated under NSPS requirements in 40 C.F.R. 60, the Permittee shall furnish the Administrator[5] 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]

3.1. 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]

3.2. 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]

3.3. 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: [6]

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]

3.4. 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:

[3] *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.

[4] *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.

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

[6] 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.

4. 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 8 and 9, any malfunctions of associated air-pollution control equipment, or any periods during which a continuous monitoring system or monitoring device for EU ID 8 and 9 is inoperative.

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

5. 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]

6. NSPS Subpart A Recordkeeping. For EU IDs 8 and 9, 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 60, 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)]

7. 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 EU IDs 8 and the affected equipment associated with EU ID 9, 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 EU IDs 8 and 9.

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

8. 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 12 through 17 and 20, 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 IDs 8 and 9 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]

9. 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 12 through 17 and 20. 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, EU ID 9

10. 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 11 through 18, for EU ID 9 listed in Table A, *in VOC service* as defined in 40 C.F.R. 60.481a in Subpart VVa[7] and *in Organic HAP service* as defined in 40 C.F.R. 63.641 in Subpart CC.[8]

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

[7] 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.

[8] 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.

10.1. 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 11 through 18, in accordance with 40 C.F.R. 60.480a(c).

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

10.2. The Permittee shall comply with the test methods and procedures required under Condition 18.1, except as provided in Condition 15.4 and as follows:

a. In addition to Condition 18.1.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]

10.3. 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 18.

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

11. NSPS Subpart GGGa/VVa General Standards in 40 C.F.R. 60.482-1a. Except as provided in Condition 10.1, 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)-(c), Subpart VVa]

11.1. Determine compliance with Conditions 11 through 16 by review of records and reports, review of performance test results, and inspection using the methods and procedures specified in Condition 18.1.

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

11.2. Equipment that is in vacuum service is excluded from the requirements of Conditions 12 through 16 if it is identified as such, as required in Condition 18.2.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]

11.3. Equipment that the Permittee designates as being in VOC service less than 300 hours per year is excluded from the requirements of Conditions 12 through 16 if it is identified, as required in Condition 18.2.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(c), Subpart VVa]

12. 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:

12.1. Except as provided in Conditions 11.2, 12.5, and 12.6, detect leaks on a monthly basis by the methods specified in Conditions 18.1.a and 18.1.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]

12.2. 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]

12.3. If there are indications of liquids dripping from the pump seal, the Permittee shall follow the procedure specified in either Conditions 12.3.a or 12.3.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 12.2.a.

a. Monitor the pump within 5 days as specified in Conditions 18.1.a and 18.1.b. A leak is detected if the instrument reading measured during monitoring indicates a leak as specified in Condition 12.2.a. The leak shall be repaired using the procedures in Condition 12.4.

b. Designate the visual indications of liquids dripping as a leak, and repair the leak using either the procedures in Condition 12.4 or by eliminating the visual indications of liquids dripping.

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

12.4. 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 16;

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]

12.5. Each pump equipped with a dual mechanical seal system that includes a barrier fluid system is exempt from the requirements of Condition 12.1, 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 18.1.a and 18.1.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 12.5.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 12.5.e(i), a leak is detected.

f. When a leak is detected pursuant to Condition 12.5.d(i), the Permittee shall comply with the following:

(i) Repair the leak as specified in Condition 12.4;

(ii) Repair a leak, detected pursuant to Condition 12.5.e(ii), within 15 days of detection by eliminating the conditions that activated the sensor; and

(iii) Repair a designated leak pursuant to Condition 12.5.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]

12.6. Any pump that is designated, as described in Conditions 18.2.e(i) and 18.2.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 12.1, 12.4, and 12.5, 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 12.6.b initially upon designation, annually, and at other times requested by the Administrator.

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

12.7. Any pump that is designated, as described in Condition 18.2.f(i), as an unsafe-to-monitor pump is exempt from the monitoring and inspection requirements of Conditions 12.1 and 12.5.d through 12.5.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 12.4 if a leak is detected.

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

13. 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]

13.1. Equip each open-ended valve or line with a cap, blind flange, plug, or a second valve, except as provided in Conditions 13.4 and 13.5. 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]

13.2. 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]

13.3. 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 13.1 at all other times.

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

13.4. 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 13.1 through 13.3.

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

13.5. 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 13.1 through 13.3 are exempt from the requirements of Conditions 13.1 through 13.3.

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

14. 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]

14.1. Monitor monthly to detect leaks by the methods specified in Conditions 18.1.a and 18.1.b and shall comply with Conditions 14.3 – 14.5, except as provided in Conditions 14.6 – 14.8, 17.1, and 17.2.

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

14.2. 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 14.2.a and 14.2.b, except for a valve that replaces a leaking valve and except as provided in Conditions 14.6 – 14.8, 17.1, and 17.2.

a. Monitor the valve as in Condition 14.1. 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 17.1 or Condition 17.2, count the new valve as leaking when calculating the percentage of valves leaking as described in Condition 17.2.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]

14.3. 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]

14.4. 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]

14.5. 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 16; 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) – (c), Subpart VVa]

14.6. Any valve that is designated, as described in Condition 18.2.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 14.1 and 14.2 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 18.1.c, and

c. is tested for compliance with Condition 14.6.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]

14.7. Any valve that is designated, as described in Condition 18.2.f(i), as an unsafe-to-monitor valve is exempt from the requirements of Conditions 14.1 and 14.2 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 14.1 and 14.2, 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]

14.8. Any valve that is designated, as described in Condition 18.2.f(ii), as a difficult-to-monitor valve is exempt from the requirements of Conditions 14.1 and 14.2 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]

15. 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]

15.1. 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 18.1.a and 18.1.b and comply with the requirements of Conditions 15.2 through 15.3.

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]

15.2. 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]

15.3. 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 16; 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 12.4.b and 14.5.b

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

15.4. The Permittee shall comply with the requirements of Conditions 15.2 through 15.2 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)]

16. 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]

16.1. 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(c), Subpart VVa]

16.2. 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]

17. Alternative Standards for Valves. The Permittee may elect to comply with one of the alternative standards for valves described in Conditions 17.1 and 17.2.

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

17.1. *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 18.1.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 18.1.a and 18.1.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 14.5.

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

17.2. *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 14.

[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 14 but can again elect to use one of the alternatives described in Condition 17.2.b.

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

d. Determine the percent of valves leaking as described in Condition 18.1.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 17.2.b must be monitored in accordance with Condition 14.2.a or 14.2.b before the provisions of this alternative can be applied to that valve.

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

18. NSPS Subpart GGGa/VVa Monitoring, Recordkeeping and Reporting (MR&R) Requirements. Except as provided in Condition 10.2, the Permittee shall comply with the monitoring, recordkeeping and reporting requirements under Conditions 18.1 through 18.3.

[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

18.1. **Test Methods and Procedures.** The Permittee shall monitor compliance with the standards in Conditions 11 through 17 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 12.6 and 14.6, using Method 21 to determine the background level and as described in Condition 18.1.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 17.1 or 17.2 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 14.4.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

18.2. 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 12, 14, 15, and 17.2:

(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 12, 14, 15, 17.2, 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 14 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 12, 14, 15, 17.2, record the following information and keep records for 5 years (in accordance with Condition 60) 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), Subpart VVa]

e. The following information pertaining to all equipment subject to the requirements in Conditions 11 – 16 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 12.6 and 14.6;

(A) The designation of equipment as subject to the requirements of Conditions 12.6, and 14.6 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(c)(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 14.4.a;

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

(iv) Information on compliance demonstration with the requirements of Conditions 12.6 and 14.6, 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 11.3, 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 18.2.e(viii)(A) through 18.2.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 18.1.a and 18.1.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 18.1.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(c)(4) – (8), Subpart VVa]

f. The following information pertaining to all valves subject to the requirements of Conditions 14.7 and 14.8, and all pumps subject to the requirements of Condition 12.7, 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 17.2:

(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 12.5.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

18.3. 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 18.2:

(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 14.2 or 17.2 (for valves) and Conditions 12.2, 12.5.d(i) or 12.5.d(ii), or 12.5.e(ii) (for pumps);

(B) Number of valves and pumps for which leaks were not repaired as required in Condition 14.5.a (for valves) and Condition 12.4.a and 12.5.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 17.1 or Condition 17.2, 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(c), Subpart VVa]

d. The requirements of Condition 18.3.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 18.3.a, provided that they comply with the requirements established by the state.

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

NSPS Subpart XX - Bulk Gasoline Terminals, EU ID 8

19. NSPS Subpart XX Applicability. For EU ID 8, listed in Table A, the Permittee shall comply with the applicable NSPS Subpart XX requirements for a loading rack[9], which commenced construction or modification after December 17, 1980, at a bulk gasoline terminal[10].

19.1. The Permittee shall comply with the standard for Volatile Organic Compound (VOC) emissions from bulk gasoline terminals applicable to EU ID 8 (Condition 20) and corresponding MR&R requirements (Conditions 27 through 21).

[18 AAC 50.040(a)(2)(AA) and 50.326(j)]
[40 C.F.R. 60.500(a) & (b), Subpart XX]

20. NSPS Subpart XX Standard for Volatile Organic Compound (VOC) and Monitoring Requirements. The Permittee shall comply with the NSPS Subpart XX VOC emission standards that apply to EU ID 8 by complying with the loading racks emission standard required by NESHAP Subpart R in Condition 26 and as follows:

[18 AAC 50.040(a)(2)(AA) & (j)(4), and 50.326(j)]
[40 C.F.R. 71.6(a)(1) and (c)(6)]
[40 C.F.R. 60.502(a) & (d) – (j), Subpart XX]

20.1. Equip EU ID 8 with a vapor collection system designed to collect the total organic compounds vapors displaced from tank trucks during product loading.

[40 C.F.R. 60.502(a), Subpart XX]

20.2. Each vapor collection system shall be designed to prevent any total organic compounds vapors collected at one loading rack from passing to another loading rack.

[40 C.F.R. 60.502(d), Subpart XX]

20.3. Loadings of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline tank trucks using the following procedures:

[40 C.F.R. 60.502(e), Subpart XX]

a. Obtain the vapor tightness documentation described in Condition 21.2 for each gasoline tank truck, which is to be loaded at the affected facility.

b. Require the tank identification number to be recorded as each gasoline tank truck is loaded at the affected facility.

[9] *Loading rack* means the loading arms, pumps, meters, shutoff valves, relief valves, and other piping and valves necessary to fill delivery tank trucks. [Ref. 40 C.F.R. 60.501, Subpart XX]

[10] *Bulk gasoline terminal* means any gasoline facility which receives gasoline by pipeline, ship or barge, and has a gasoline throughput greater than 75,700 liters per day. Gasoline throughput shall be the maximum calculated design throughput as may be limited by compliance with an enforceable condition under Federal, State or local law and discoverable by the Administrator and any other person. [Ref. 40 C.F.R. 60.501, Subpart XX]

c. Cross-check each tank identification number obtained in Condition 20.3.b with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded, unless either of the following conditions is maintained:

(i) If less than an average of one gasoline tank truck per month over the last 26 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed each quarter; or

(ii) If less than an average of one gasoline tank truck per month over the last 52 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed semiannually.

(iii) If either the quarterly or semiannual cross-check provided in Conditions 20.3.c(i) through 20.3c(ii) reveals that these conditions were not maintained, the source must return to biweekly monitoring until such time as these conditions are again met.

d. The Permittee shall notify the owner or operator of each nonvapor-tight gasoline tank truck loaded at the affected facility within one week of the documentation cross-check in Condition 20.3.c.

e. The Permittee shall take steps assuring that the nonvapor-tight gasoline tank truck will not be reloaded at the affected facility until vapor tightness documentation for that tank is obtained. The documentation shall include the information required in Conditions 26.2.b.

f. Alternate procedures to those described in Conditions 20.3a through 20.3e for limiting gasoline tank truck loadings may be used upon application to, and approval by, the Administrator.

[40 C.F.R. 60.502(e)(1 - 6), Subpart XX]

20.4. The Permittee shall act to assure that loadings of gasoline tank trucks at the affected facility are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.

[40 C.F.R. 60.502(f), Subpart XX]

20.5. The Permittee shall act to assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck at the affected facility. Examples of actions to accomplish this include training drivers in the hookup procedures and posting visible reminder signs at the affected loading racks.

[40 C.F.R. 60.502(g), Subpart XX]

20.6. The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 mm of water) during product loading. This level is not to be exceeded when measured by the procedures specified in Condition 20.8.c.

[40 C.F.R. 60.502(h), Subpart XX]

a. As an alternative to Condition 20.6, the Permittee may comply with Condition 26.3.a.

[40 C.F.R. 63.422(e)(1), Subpart R]

20.7. No pressure-vacuum vent in the bulk gasoline terminal's vapor collection system shall begin to open at a system pressure less than 4,500 pascals (450 mm of water).

[40 C.F.R. 60.502(i), Subpart XX]

a. As an alternative to Condition 20.7, the Permittee may comply with Condition 26.3.b.

[40 C.F.R. 63.422(e)(2), Subpart R]

20.8. **Performance Test Requirements.** The Permittee shall conduct performance tests within five years of the latest performance test in accordance with the following:

[18 AAC 50.040(a)(2)(AA) & (j)(4), and 50.326(j)]
[40 C.F.R. 71.6(a)(3)(i) and (c)(6)]
[40 C.F.R. 60.503(a), (b), & (d), Subpart XX]

a. In conducting the performance tests required in 40 C.F.R. 60.8 Subpart A, the Permittee shall use as reference methods and procedures the test methods in Appendix A to 40 CF.R. 60 or other methods and procedures as specified in this condition, except as provided in 40 C.F.R. 60.8(b). The three-run requirement of 40 C.F.R. 60.8(f) does not apply to NSPS 40 C.F.R. 60 Subpart XX.

[40 C.F.R. 60.503(a), Subpart XX]

b. Immediately before the performance test required to determine compliance with Condition 20.6, the Permittee shall use Method 21 *(Determination of Volatile Organic Compound Leaks)* to monitor for leakage of vapor all potential sources in the terminal's vapor collection system equipment while a gasoline tank truck is being loaded. The Permittee shall repair all leaks with readings of 10,000 ppm (as methane) or greater before conducting the performance test.

[40 C.F.R. 60.503(b), Subpart XX]

c. The Permittee shall determine compliance with the standard in Condition 20.6 as follows:

(i) A pressure measurement device (liquid manometer, magnehelic gauge, or equivalent instrument), capable of measuring up to 500 mm of water gauge pressure with ±2.5 mm of water precision, shall be calibrated and installed on the terminal's vapor collection system at a pressure tap located as close as possible to the connection with the gasoline tank truck.

(ii) During the performance test, the pressure shall be recorded every 5 minutes while a gasoline truck is being loaded; the highest instantaneous pressure that occurs during each loading shall also be recorded. Every loading position must be tested at least once during the performance test.

[40 C.F.R. 60.503(d)(1) & (2), Subpart XX]

21. NSPS Subpart XX Recordkeeping and Reporting. The Permittee shall record and report in accordance with the following:

[18 AAC 50.040(a)(2)(AA) & (j)(4), and 50.326(j)]
[40 C.F.R. 71.6(a)(3) and (c)(6)]
[40 C.F.R. 60.505(a) - (f), Subpart XX]

21.1. Keep the tank truck vapor tightness documentation required under Condition 20.3.a shall be kept on file at the terminal in a permanent form available for inspection.

[40 C.F.R. 60.505(a), Subpart XX]

21.2. Update the documentation file for each gasoline tank truck at least once per year to reflect current test results as determined by Method 27 *(Determination of Vapor Tightness of Gasoline Delivery Tank using Pressure-Vacuum Test)*. This documentation shall include, as a minimum, the following information:

a. Test title: Gasoline Delivery Tank Pressure Test - EPA Reference Method 27.

b. Tank owner and address.

c. Tank identification number.

d. Testing location.

e. Date of test.

f. Tester name and signature.

g. Witnessing inspector, if any: Name, signature, and affiliation.

h. Test results: Actual pressure change in 5 minutes, mm of water (average for 2 runs).

[40 C.F.R. 60.505(b), Subpart XX]

21.3. The Permittee shall keep documentation of all notifications required under Condition 20.3.d on file at the terminal for at least two years.

[40 C.F.R. 60.505(d), Subpart XX]

21.4. As an alternative to keeping records at the terminal of each gasoline cargo tank test result as required in Conditions 21.1 and 21.3, the Permittee may comply with the requirements in either Conditions 21.4a or 21.4.b.

[40 C.F.R. 60.505(e), Subpart XX]

a. An electronic copy of each record is instantly available at the terminal.

(i) The copy of each record in Condition 21.4a is an exact duplicate image of the original paper record with certifying signatures.

(ii) The Department is notified in writing that each terminal using this alternative is in compliance with Condition 21.4a.

[18 AAC 50.040(a)(2)(AA)]

[40 C.F.R. 60.505(e)(1)(i and ii), Subpart XX]

b. For facilities that utilize a terminal automation system to prevent gasoline cargo tanks that do not have valid cargo tank vapor tightness documentation from loading (e.g., via a card lock-out system), a copy of the documentation is made available (e.g., via facsimile) for inspection by the Department during the course of a site inspection visit, or within a mutually agreeable time frame.

[40 C.F.R. 60.505(e)(2), Subpart XX]

(i) The copy of each record in Condition 21.4.b is an exact duplicate image of the original paper record with certifying signatures.

(ii) The Department is notified in writing that each terminal using this alternative is in compliance with Condition 21.4.b.

[40 C.F.R. 60.505(e)(2)(i and ii), Subpart XX]

21.5. The Permittee shall keep records of all replacements or additions of components performed on an existing vapor processing system for at least 3 years.

[40 C.F.R. 60.505(f), Subpart XX]

21.6. Submit the results of the performance test required in Condition 20.8. in accordance with Section 6.

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

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

NESHAP Subpart A – General Provisions

22. 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

22.1. Table 1 to 40 C.F.R. 63 Subpart R for the tank truck loading operations of EU ID 8 at the stationary source; and

22.2. 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), (7), & (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. 63.420(h) & Table 1, Subpart R]
[40 C.F.R. 63.7955 & Table 3, Subpart GGGGG]

NESHAP Subpart R – Gasoline Distribution Facilities, EU IDs 4, 5, 6, and 8

23. NESHAP Subpart R Applicability. The Permittee shall comply with the following applicable requirements of NESHAP Subpart R for a bulk gasoline terminal meeting the applicability criteria under 40 C.F.R. 63.420:

23.1. For each of EU IDs 4, 5, and 6 listed in Table A, comply with the requirements for a gasoline storage vessel with a design capacity greater than or equal to 75 m^3 under 40 C.F.R. 63.423 and corresponding MR&R requirements under 40 C.F.R. 63.425 through 63.428 (see Conditions 24 and 25);

23.2. For EU ID 8 listed in Table A, comply with the requirements for a loading rack under 40 C.F.R. 63.422 and corresponding MR&R requirements under 40 C.F.R. 63.425 through 63.428 (see Conditions 26 through 28); and

23.3. For equipment leaks, comply with the applicable requirements under 40 C.F.R. 63.424 and corresponding MR&R requirements under 40 C.F.R. 63.425 through 63.428 (see Condition 29).

[40 C.F.R. 71.6(a)(1) & (3) and (c)(6)]
[40 C.F.R. 63.420 - 428, Subpart R]

23.4. If the Stationary Source meets the exemption criteria under 40 C.F.R. 63.420(c), the Permittee shall comply with the requirements of 40 C.F.R. 63.420(c)(1) and (2) and the 40 C.F.R. 63.428(i).

[18 AAC 50.040(c)(7)]
[40 C.F.R. 63.420(c) and 63.428(i), Subpart R]

23.5. If the Stationary Source meets the exemption criteria under 40 C.F.R. 63.420(d), the Permittee shall comply with the requirements of 40 C.F.R. 63.420(d)(1) and (2) and the 40 C.F.R. 63.428(j).

[18 AAC 50.040(c)(7)]
[40 C.F.R. 63.420(c) and 63.428(j), Subpart R]

24. NESHAP Subpart R Storage Vessel Standards, EU IDs 4, 5, and 6. For the gasoline storage vessels, EU IDs 4, 5, and 6, subject to 40 C.F.R. 63.423(a), the Permittee shall equip each storage vessel with a fixed roof in combination with an internal floating roof, according to the requirements in 40 C.F.R. 60.112b(a)(1) Subpart Kb[11], meeting the following specifications:

24.1. The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.

24.2. Each internal floating roof shall be equipped with one of the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:

a. A foam- or liquid-filled seal mounted in contact with the liquid (liquid-mounted seal). A liquid-mounted seal means a foam- or liquid-filled seal

[11] The Permittee elected to comply with the requirements of 40 C.F.R. 63.423(a) by installing a fixed roof in combination with internal floating roof (IFR) on each of EU IDs 4, 5, and 6, as required in 40 C.F.R. 60.112b(a)(1).

mounted in contact with the liquid between the wall of the storage vessel and the floating roof continuously around the circumference of the tank.

b. Two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor-mounted, but both must be continuous.

c. A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.

24.3. Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.

[18 AAC 50.040(c)(7) and 50.326(j)]
[40 C.F.R. 71.6(a)(1) and (c)(6)]
[40 C.F.R. 63.420(g) and 63.423(a), Subpart R]
[40 C.F.R. 60.112b(a)(1)(i) – (iii), Subpart Kb]

25. NESHAP Subpart R Storage Vessels MR&R Requirements, EU IDs 4, 5, and 6. The permittee shall comply with the following monitoring, recordkeeping, and reporting requirements for EU IDs 4, 5, and 6 to determine compliance with Condition 24:

[18 AAC 50.040(c)(7) and 50.326(j)]
[40 C.F.R. 71.6(a)(3)(i) – (iii) and (c)(6)]
[40 C.F.R. 63.425, 63.427, & 63.428, Subpart R]

25.1. Comply with the following requirements of 40 C.F.R. 60.113b Subpart Kb:

[40 C.F.R. 63.425(d), Subpart R]
[40 C.F.R. 60.113b(a)(1) – (a)(5), Subpart Kb]

a. After installing the control equipment required in Condition 24, the Permittee shall:

(i) Visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with volatile organic liquid (VOL). If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the Permittee shall repair the items before filling the storage vessel.

[40 C.F.R. 60.113b(a)(1), Subpart Kb]

(ii) For vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill.

(A) If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the Permittee shall repair the items or empty and remove the storage vessel from service within 45 days.

(B) If a failure that is detected during inspections required in this condition cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in Condition 25.4.a. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

[40 C.F.R. 60.113b(a)(2), Subpart Kb]

(iii) For vessels equipped with a double-seal system as specified in Condition 24.2.b:

(A) Visually inspect the vessel as specified in Condition 25.1.a(iv) at least every 5 years; or

(B) Visually inspect the vessel as specified in Condition 25.1.a(ii).

[40 C.F.R. 60.113b(a)(3), Subpart Kb]

(iv) Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed.

(A) If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the Permittee shall repair the items as necessary so that none of the conditions specified in this condition exist before refilling the storage vessel with VOL.

(B) In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as specified in Conditions 25.1.a(ii) and 25.1.a(iii)(B) and at intervals no greater than 5 years in the case of vessels specified in Condition 25.1.a(iii)(A).

[40 C.F.R. 60.113b(a)(4), Subpart Kb]

(v) Notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by Conditions 25.1.a(i) and 25.1.a(iv) to afford the Administrator the opportunity to have an observer present.

(A) If the inspection required by Condition 25.1.a(iv) is not planned and the Permittee could not have known about the inspection 30 days in advance or refilling the tank, the Permittee shall notify the Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Administrator at least 7 days prior to the refilling.

[40 C.F.R. 60.113b(a)(5), Subpart Kb]

25.2. For EU IDs 4, 5,and 6 subject to the provisions of Condition 24, the Permittee shall comply with the monitoring and recordkeeping requirements in 40 C.F.R. 60.116b Subpart Kb, as follows:

a. Maintain a record of the VOL stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period for at least 5 years.

b. The vapor pressure may be obtained by using available data on the Reid vapor pressure and the maximum expected storage temperature based on the highest expected calendar-month average temperature of the stored product to determine the maximum true vapor pressure from nomographs contained in API Bulletin 2517 (incorporated by reference - see 40 C.F.R. 60.17), unless the Administrator specifically requests that the liquid be sampled, the actual storage temperature determined, and the Reid vapor pressure determined from the sample(s).

[40 C.F.R. 63.427(c), Subpart R]
[40 C.F.R. 60.116b(c), Subpart Kb)]

25.3. The Permittee shall keep a record of each inspection performed as required by Conditions 25.1.a(i) through 25.1.a(iv) for at least 5 years.

a. Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

[40 C.F.R. 63.428(d), Subpart R]
[40 C.F.R. 60.115b(a)(2), Subpart Kb]

25.4. Within 30 days of the inspection required in Conditions 25.1.a(ii) and 25.1.a(iii), the Permittee shall furnish the following reports to the Administrator:

a. If any of the conditions described in Condition 25.1.a(ii) are detected during the annual visual inspection required by Condition 25.1.a(ii), include in each report the following:

(i) identity of the storage vessel,

(ii) the nature of the defects, and

(iii) the date the storage vessel was emptied or the nature of and date the repair was made.

b. After each inspection required by Condition 25.1.a(iii) that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in Condition 25.1.a(iii)(B) , include in each report the following:

(i) Identify of the storage vessel and the reason it did not meet the specifications of Condition 24 or Condition 25.1.a(iii) and list each repair made.

[40 C.F.R. 63.428(d), Subpart R]
[40 C.F.R. 60.115b(a)(3) & (4), Subpart Kb]

25.5. Include in the semiannual report to the Administrator the following information, as applicable:

a. The periodic reports required under Condition 25.4.

[40 C.F.R. 63.428(g)(2), Subpart R]
[40 C.F.R. 63.10(d)(5)(i), Subpart A]

26. NESHAP Subpart R Loading Racks Standards, EU ID 8. For the tank truck loading rack equipped with a vapor collection system, EU ID 8, the Permittee shall not allow emissions to the atmosphere from the vapor collection system to exceed 10 milligrams of total organic compounds per liter of gasoline loaded into gasoline tank trucks.

[18 AAC 50.040(c)(7) and 50.326(j)]
[40 C.F.R. 71.6(a)(1) and (c)(6)]
[40 C.F.R. 63.420(g) and 63.422(b), Subpart R]

26.1. Comply with the applicable requirements in 40 C.F.R. 60.502 Subpart XX, as provided in Conditions 20.1 through 20.7.

[40 C.F.R. 63.422(a), Subpart R]
[40 C.F.R. 60.502(a) & (d) – (i), Subpart XX]

26.2. Comply with Condition 20.3 as follows:

[40 C.F.R. 63.422(c), Subpart R]
[40 C.F.R. 60.502(e), Subpart XX]

a. For the purposes of this section, the term “tank truck” as used in Condition 20.3 means “cargo tank.”

[40 C.F.R. 63.422(c)(1), Subpart R]

b. The Permittee shall require the following information in the vapor tightness documentation required in Condition 20.3.e:

(i) The tank truck or railcar gasoline cargo tank meets the test requirements in §63.425(e);

(ii) For each gasoline cargo tank failing the test in §63.425(f) or (g), the cargo tank either:

(A) Before repair work is performed on the cargo tank, meets the test requirements in §63.425 (g) or (h), or

(B) After repair work is performed on the cargo tank before or during the tests in §63.425 (g) or (h), subsequently passes the annual certification test described in §63.425(e).

[40 C.F.R. 63.422(c)(2)(i) & (ii), Subpart R]

26.3. As an alternative to Conditions 20.6 and 20.7, the Permittee may comply with the following:

a. Design and operate the vapor processing system, vapor collection system, and liquid loading equipment to prevent gauge pressure in the railcar gasoline cargo tank from exceeding the applicable test limit in §63.425(e) during product loading. This level is not to be exceeded when measured by the procedures specified in Condition 20.8.c.

b. No pressure-vacuum vent in the bulk gasoline terminal's vapor processing system or vapor collection system may begin to open at a system pressure less than the applicable test limit in §63.425(e).

[40 C.F.R. 63.422(e), Subpart R]

27. NESHAP Subpart R Loading Racks Monitoring Requirements, EU ID 8. The Permittee shall monitor EU ID 8 to demonstrate compliance with the emission standard in Condition 26:

[18 AAC 50.040(c)(7) and 50.326(j)]
[40 C.F.R. 71.6(a)(3)(i) and (c)(6)]
[40 C.F.R. 63.425 and 63.427, Subpart R]

27.1. **Continuous monitoring.** Except as allowed in Condition 27.1.b, the Permittee shall install, calibrate, certify, operate, and maintain, according to the manufacturer's specifications, a continuous monitoring system (CMS) as specified in Condition 27.1.a.

a. Where a carbon adsorption system is used, a continuous emission monitoring system (CEMS) capable of measuring organic compound concentration shall be installed in the exhaust air stream.

(i) Operate the vapor processing system in a manner not to exceed the operating parameter value for the parameter described in Condition 27.1.a, and established using the procedures in Condition 27.3.

[40 C.F.R. 63.427(a)(1), Subpart R]

b. Monitoring an alternative operating parameter or a parameter of a vapor processing system other than that listed in Condition 27.1.a will be allowed upon demonstrating to the Administrator's satisfaction that the alternative parameter demonstrates continuous compliance with the emission standard in Condition 26.

[40 C.F.R. 63.427(a)(5), Subpart R]

(i) In cases where an alternative parameter (currently 0.50% HC as propane) pursuant to Condition 27.1 is approved, each owner or operator shall operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the alternative operating parameter value. Operation of the vapor processing system in a manner exceeding or going below the operating parameter value, as specified above, shall constitute a violation of the emission standard in Condition 26.

[40 C.F.R. 63.427(b), Subpart R]

Test Methods and Procedures

27.2. **Performance Test Requirements.** Conduct a performance test on the vapor processing and collection systems within five years of the latest performance test according to either Condition 27.2.a or 27.2b.

[18 AAC 50.040(c)(7) and 50.326(j)]
[40 C.F.R. 71.6(a)(3)(i) and (c)(6)]
[40 C.F.R. 63.425(a)(1), Subpart R]

a. Use the test methods and procedures in Condition 20.8, except a reading of 500 ppm shall be used to determine the level of leaks to be repaired under Condition 20.8.b, or

b. Use alternative test methods and procedures in accordance with the alternative test method requirements in 40 C.F.R. 63.7(f).

[40 C.F.R. 63.425(a)(1)(i) & (ii), Subpart R]

27.3. For each performance test conducted under Condition 27.2, the Permittee shall re-verify the preferred parameter (percent hydrocarbons (% HC) as propane) or establish a new monitored operating parameter value for the vapor processing system using the following procedure:

[18 AAC 50.040(c)(7)]
[40 C.F.R. 63.425(b), Subpart R]

a. During the performance test, continuously record the operating parameter under Condition 27.1;

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

c. Provide for the Department's approval the rationale for the continued use of the selected operating parameter value (%HC as propane) or substitution of a new parameter, and monitoring frequency and averaging time, including data and calculations used with the existing value or the new parameter value and a description of why the existing value or new parameter, monitoring frequency, and averaging time demonstrate continuous compliance with the emission standard in Condition 26.

[40 C.F.R. 63.425(b)(1) – (3), Subpart R]

27.4. For performance tests performed after the initial test, the Permittee shall document the reasons for any change in the operating parameter value since the previous performance test.

[40 C.F.R. 63.425(c), Subpart R]

28. NESHAP Subpart R Loading Racks Recordkeeping and Reporting Requirements, EU ID 8. The Permittee shall keep records and report as follows:

[18 AAC 50.040(c)(7) and 50.326(j)]
[40 C.F.R. 71.6(a)(3)(ii) & (iii) and (c)(6)]
[40 C.F.R. 63.428, Subpart R]

28.1. Keep the following records of the results of the tests for each gasoline cargo tank loading at the facility:

[18 AAC 50.040(c)(7) and 50.326(j)]
[40 C.F.R. 71.6(a)(3)(ii) and (c)(6)]
[40 C.F.R. 63.428(b), Subpart R,]

a. Annual certification testing performed under §63.425(e); and

b. Continuous performance testing performed at any time at that facility under §63.425(f), §63.425(g), and §63.425(h).

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

[40 C.F.R. 63.428(b)(1 - 3), Subpart R]

(i) Name of test: Annual Certification Test—Method 27 (§63.425(e)(1)); Annual Certification Test—Internal Vapor Valve (§63.425(e)(2)); Leak Detection Test (§63.425(f)); Nitrogen Pressure Decay Field Test (§63.425(g)); Continuous Performance Pressure Decay Test (§63.425(h)).

(ii) Cargo tank owner's name and address.

(iii) Cargo tank identification number.

(iv) Test location and date.

(v) Tester name and signature.

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

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

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

[40 C.F.R. 63.428(b)(3)(i) - (viii), Subpart R]

28.2. As an alternative to keeping records at the terminal of each gasoline cargo tank test result as required in Condition 28.1, the Permittee may comply with the requirements in either Condition 28.2a or 28.2b.

a. An electronic copy of each record is instantly available at the terminal.

(i) The copy of each record in Condition 28.2a is an exact duplicate image of the original paper record with certifying signatures.

(ii) The Department is notified in writing that each terminal using this alternative is in compliance with Condition 28.2a.

[18 AAC 50.040(c)(7)]
[40 C.F.R. 63.428(k)(1)(i) & (ii), Subpart R]

b. For facilities that utilize a terminal automation system to prevent gasoline cargo tanks that do not have valid cargo tank vapor tightness documentation from loading (e.g., via a card lock-out system), a copy of the documentation is made available (e.g., via facsimile) for inspection by the Department during the course of a site visit, or within a mutually agreeable time frame.

(i) The copy of each record in Condition 28.2b is an exact duplicate image of the original paper record with certifying signatures.

(ii) The permitting authority is notified in writing that each terminal using this alternative is in compliance with Condition 28.2b.

[18 AAC 50.040(c)(7)]
[40 C.F.R. 63.428(k)(2)(i) & (ii), Subpart R]

28.3. Keep an up-to-date, readily accessible record of the continuous monitoring data required under Condition 27.1. This record shall indicate the time intervals during which loadings of gasoline cargo tanks have occurred or, alternatively, shall record the operating parameter data only during such loadings. The date and time of day shall also be indicated at reasonable intervals on this record.

[40 C.F.R. 63.428(c)(1), Subpart R]

28.4. Record and report simultaneously with the notification of compliance status required under 40 C.F.R. 63.9(h) all data and calculations, engineering assessments, and manufacturer's recommendations used in determining the operating parameter value under Condition 27.3.

[40 C.F.R. 63.428(c)(2)(i), Subpart R]

28.5. If the Permittee requests approval to use a vapor processing system or monitor an operating parameter other than those specified in Condition 27.1, the Permittee shall submit a description of planned reporting and recordkeeping procedures.

[40 C.F.R. 63.428(c)(3), Subpart R]

28.6. Include in the semiannual report to the Administrator the following information, as applicable:

a. Each loading of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the facility.

[40 C.F.R. 63.428(g)(1), Subpart R]
[40 C.F.R. 63.10(d)(5)(i), Subpart A]

28.7. Submit an excess emissions report to the Administrator in accordance with 40 C.F.R. 63.10(e)(3), whether or not a CMS is installed at the facility. The following occurrences are excess emissions events pertaining to loading racks, and the following information shall be included in the excess emissions report, as applicable:

a. Each exceedance or failure to maintain, as appropriate, the monitored operating parameter value determined under Condition 27.3. The report shall include the monitoring data for the days on which exceedances or failures to maintain have occurred, and a description and timing of the steps taken to repair or perform maintenance on the vapor collection and processing systems or the CMS.

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

c. Each reloading of a nonvapor-tight gasoline cargo tank at the facility before vapor tightness documentation for that cargo tank is obtained by the facility in accordance with Condition 26.2.b.

[40 C.F.R. 63.428(h)(1) – (3), Subpart R]
[40 C.F.R. 63.10(e)(3), Subpart A]

28.8. Submit the results of the performance test required in Condition 27.2 in accordance with Section 6.

28.9. Report under Condition 64 if the emissions from the loading rack exceed the operating parameter (0.50% HC as propane) established pursuant to Condition 27.3 or another more-recent established approved value.

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

29. NESHAP Subpart R Equipment Leaks Standards and MR&R Requirements. The Permittee shall perform a monthly leak inspection of all equipment *in gasoline service*[12].

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

For this inspection, detection methods incorporating sight, sound, and smell are acceptable. Each piece of *equipment*[13] shall be inspected during the loading of a gasoline cargo tank.

[18 AAC 50.040(c)(7) and 50.326(j)]
[40 C.F.R. 71.6(a)(1) & (3)(i) – (iii) and (c)(6)]
[40 C.F.R. 63.424(a), Subpart R]

29.1. A log book shall be used and shall be signed by the owner or operator at the completion of each inspection. A section of the log shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility.

[40 C.F.R. 63.424(b), Subpart R]

29.2. Each detection of a liquid or vapor leak shall be recorded in the log book. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided in Condition 29.3.

[40 C.F.R. 63.424(c), Subpart R]

29.3. Delay of repair of leaking equipment will be allowed upon a demonstration to the Administrator that repair within 15 days is not feasible. The Permittee shall provide the reason(s) a delay is needed and the date by which each repair is expected to be completed.

[40 C.F.R. 63.424(d), Subpart R]

29.4. As an alternative to compliance with the provisions in Conditions 29 through 29.3, the Permittee may implement an instrument leak monitoring program that has been demonstrated to the Administrator to be at least equivalent.

[40 C.F.R. 63.424(f), Subpart R]

29.5. The Permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:

a. Minimize gasoline spills;

b. Clean up spills as expeditiously as practicable;

c. Cover all open gasoline containers with a gasketed seal when not in use;

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

[40 C.F.R. 63.424(g), Subpart R]

[13] As defined in 40 C.F.R. 63.421, and for the purposes of this NESHAP Subpart R condition, *equipment* means valve, pump, pressure relief device, sampling connection system, open-ended valve or line, and flange or other connector in the gasoline liquid transfer and vapor collection systems attached to EU IDs 4, 5, 6, and 8. This definition also includes the entire vapor processing system except the exhaust port(s) or stack(s).

29.6. For compliance with the provisions of Conditions 29 through 29.3, the Permittee shall keep records and report as follows:

[18 AAC 50.040(c)(7) and 50.326(j)]
[40 C.F.R. 71.6(a)(3)(ii) – (iii) and (c)(6)]

a. Record the following information in the log book for each leak that is detected:

(i) The equipment type and identification number;

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

(iii) The date the leak was detected and the date of each attempt to repair the leak;

(iv) Repair methods applied in each attempt to repair the leak;

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

(vi) The expected date of successful repair of the leak if the leak is not repaired within 15 days; and

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

[40 C.F.R. 63.428(e)(1) - (7), Subpart R]

b. Report to the Administrator a description of the types, identification numbers, and locations of all equipment in gasoline service. For facilities electing to implement an instrument program under Condition 29.4, the report shall contain a full description of the program.

[40 C.F.R. 63.428(f), Subpart R]

c. In the case of an existing source or a new source that has an initial startup date before the effective date, the report shall be submitted with the notification of compliance status required under 40 C.F.R. 63.9(h), unless an extension of compliance is granted under 40 C.F.R. 63.6(i). If an extension of compliance is granted, the report shall be submitted on a date scheduled by the Administrator.

d. In the case of new sources that did not have an initial startup date before the effective date, the report shall be submitted with the application for approval of construction, as described in 40 C.F.R. 63.5(d).

[40 C.F.R. 63.428(f)(1 and 2), Subpart R]

29.7. Include in the semiannual report to the Administrator the following information, as applicable:

a. The number of equipment leaks not repaired within 5 days after detection.

[40 C.F.R. 63.428(g)(2) & (3), Subpart R]
[40 C.F.R. 63.10(d)(5)(i), Subpart A]

29.8. Submit an excess emissions report to the Administrator in accordance with 40 C.F.R. 63.10(e)(3), whether or not a CMS is installed at the facility. The following occurrences are excess emissions events pertaining to equipment leaks, and the following information shall be included in the excess emissions report, as applicable:

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

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

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

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

(iv) The date of successful repair.

[40 C.F.R. 63.428(h)(4)(i - iv), Subpart R]
[40 C.F.R. 63.10(e)(3), Subpart A]

NESHAP Subpart GGGGG – Site Remediation

30. NESHAP Subpart GGGGG, Applicability. The Permittee shall conduct site remediation as defined in 40 C.F.R. 63.7957.[14]

[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)(1) – (a)(3), Subpart GGGGG]

30.1. 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

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]

[14] *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]

30.2. The site remediation activities are not subject to the requirements of this subpart, except for the recordkeeping requirements in Condition 30.2.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 30.2.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]

30.3. Submit a copy of the determination prepared in Condition 30.2.b annually to the Department with the compliance certification required by Condition 66.

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

31. 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.

31.1. 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).

31.2. For the purpose of complying with Condition 31.1, 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.

31.3. 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) & (3) and (c)(6)]
[40 C.F.R. 63.7884(a) & (b), Subpart GGGGG]

31.4. Submit a copy of the documentation prepared in Condition 31.3 to the Department with the compliance certification required by Condition 66.

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

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

Subpart A – General Provisions & Subpart M – Asbestos

32. 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

33. 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]

34. 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]

35. 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

36. 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).

36.1. 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).

36.2. 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).

36.3. 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

37. 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)]

38. 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)]

39. 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)]

40. 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]

41. 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:

41.1. potential to emit of 41.0 TPY[15]; or

41.2. 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.

[15] Tesoro Alaska Company's Nikiski Terminal, Kenai Refinery, and Kenai Pipeline Terminal are considered one stationary source. The assessable PTE in Condition 41.1 applies to the Nikiski Terminal only.

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

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

42.1. 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 41.2. 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/.

42.2. 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.

42.3. 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.

42.4. 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 41.1.

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

43. Good Air Pollution Control Practice (GAPCP). The Permittee shall do the following for EU IDs 1, 2, and 3:

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

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

43.3. 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)]

44. 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)]

45. 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.

45.1. 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 45.1.a or to address the results of Department inspections that found potential problems; and

(ii) to prevent future dust problems.

45.2. The Permittee shall report according to Condition 47.3.

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

46. 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)]

47. 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)]

47.1. **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 47.

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 47; or

(ii) the Department notifies the Permittee that it has found a violation of Condition 47.

47.2. **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 47; and

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

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

a. With each stationary source operating report under Condition 65, 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 64.

48. 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[16] listed in Conditions 12 through 15, 17, 20, 26, and 33 (refrigerants), the Permittee shall

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

48.2. report in accordance with Condition 64.1.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

49. 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:

[16] 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.

49.1. 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

49.2. Include this condition in the annual certification required under Condition 66.

[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

50. 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)]

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

[18 AAC 50.220(b)]

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

51.2. 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.

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

52.1. 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]

52.2. 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]

52.3. 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]

52.4. 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)]

52.5. 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]

52.6. 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]

52.7. 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]

53. 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)]

54. Test Exemption. The Permittee is not required to comply with Conditions 56, 57 and 58 when the exhaust is observed for visible emissions by Method 9 Plan.

[18 AAC 50.345(a)]

55. 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)]

56. Test Plans. Except as provided in Condition 54, 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 50 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)]

57. Test Notification. Except as provided in Condition 54, 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)]

58. Test Reports. Except as provided in Condition 54, 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 61. 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)]

59. Particulate Matter Calculations. In source testing for compliance with the particulate matter standards in Condition 2.2, 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

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

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

60.2. 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

61. 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.

61.1. 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)]

62. 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.

62.1. 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)]

63. 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)]

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

64.1. **Excess Emissions Reporting.** Except as provided in Condition 47, 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 64.1.d.

d. Report all other excess emissions not described in Conditions 64.1.a, 64.1.b, and 64.1.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 65 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)]

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

a. 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 65 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)]

64.3. **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)]

65. Operating Reports. During the life of this permit[17], the Permittee shall submit to the Department an operating report in accordance with Conditions 61 and 62 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.

65.1. 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.

65.2. When excess emissions or permit deviations that occurred during the reporting period are not included with the operating report under Condition 65.1, 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

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

[17] *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.

65.3. when excess emissions or permit deviation reports have already been reported under Condition 64 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.

65.4. **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)]

66. 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 62.

66.1. 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.

66.2. **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.

66.3. 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)]

67. 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:

67.1. **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.

67.2. **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 67.2.b(iv) through 67.2.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.

67.3. For reporting under Condition 67.2, the Permittee shall report the annual emissions and the required data elements under Condition 67.4 every third year for the previous calendar year as scheduled by the EPA.[18].

67.4. For each emissions unit and the stationary source, include in the report the required data elements[19] 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.

[18] 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.).

[19] 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.

67.5. 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]

68. NSPS and NESHAP Reports. The Permittee shall comply with the following:

68.1. **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 65 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.

68.2. **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)]

Section 8. Permit Changes and Renewal

69. Permit Applications and Submittals. The Permittee shall comply with the following requirements for submitting application information to the EPA:

69.1. 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;

69.2. 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;

69.3. 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

69.4. 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)]

70. 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)]

71. 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:

71.1. Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition;

71.2. 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;

71.3. The change shall not qualify for the shield under 40 C.F.R. 71.6(f);

71.4. 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)]

72. Operational Flexibility. The Permittee may make CAA Section 502(b)(10)[20] 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).

72.1. The Permittee shall provide EPA and the Department with a written notification no less than seven days in advance of the proposed change.

72.2. For each such change, the notification required by Condition 72.1 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.

72.3. The permit shield described in 40 C.F.R. 71.6(f) shall not apply to any change made pursuant to Condition 72.

[18 AAC 50.040(j)(4) and 50.326(j)(4)]
[40 C.F.R. 71.6(a)(13)]

73. Permit Renewal. To renew this permit, the Permittee shall submit to the Department[21] 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)]

[20] 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.

[21] 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

74. Compliance with permit terms and conditions is considered to be compliance with those requirements that are

74.1. included and specifically identified in the permit; or

74.2. determined in writing in the permit to be inapplicable.

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

75. 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

75.1. an enforcement action;

75.2. permit termination, revocation and reissuance, or modification in accordance with AS 46.14.280; or

75.3. denial of an operating permit renewal application.

[18 AAC 50.040(j), 50.326(j) & 50.345(a) & (c)]

76. 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)]

77. 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)]

78. 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)]

79. 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

79.1. enter upon the premises where a source subject to the permit is located or where records required by the permit are kept;

79.2. have access to and copy any records required by the permit;

79.3. inspect any stationary source, equipment, practices, or operations regulated by or referenced in the permit; and

79.4. 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.

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

80.1. The provisions of Section 303 of the Act (emergency orders), including the authority of the Administrator under that section; or

80.2. 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)]

81. 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
Stationary source-wide	40 C.F.R. 63 Subpart Y (Marine Tank Vessel Loading Operations)	The Nikiski Terminal is not a marine tank vessel loading operation.

[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	
Emission Unit Location		
City	State	Zip
Phone # (Key Contact)	Stationary Source ID Number	
Process Equipment	Operating Mode	
Control Equipment	Operating Mode	
Describe Emission Point/Location		
Height above ground level	Height relative to observer	Clinometer Reading
Distance From Observer Start End	Direction From Observer Start End	
Describe Emissions & Color Start	End	
Visible Water Vapor Present? If yes, determine approximate distance from the stack exit to where the plume was read No Yes		
Point in Plume at Which Opacity Was Determined		
Describe Plume Background Start End	Background Color Start End	
Sky Conditions: Start	End	
Wind Speed Start End	Wind Direction From Start End	
Ambient Temperature	Wet Bulb Temp	RH percent
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		
Additional Information:		
I have received a copy of these opacity observations Print Name: Signature:		
Title	Date	

Observation Date	Start Time		End Time		
Sec / Min	0	15	30	45	Comments
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					

Range of Opacity: Minimum	Maximum
Print Observer's Name	
Observer's Signature	Date Observer's Affiliation:
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		
	Start	End		Sum	Average	Comments

Section 12. Notification Form[22]

Nikiski Terminal **AQ0036TVP04**

Stationary Source Name **Air Quality Permit Number.**

Tesoro Logistics Operations LLC

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[23], CO[24], or Settlement Agreement – Complete Section 2 and Certify

[22] Revised as of July 22, 2020.

[23] Compliance Order By Consent

[24] 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 61.)*

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 61).

[18 AAC 50.346(b)(3)]