

Statement of Basis

Tier I Operating Permit No. T1-2013.0040

Project ID 62232

Tesoro Logistics Operations LLC – Boise Terminal

Boise, Idaho

Facility ID 001-00026

Final

June 13, 2019

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The purpose of this Statement of Basis is to set forth the legal and factual basis for the Tier I operating permit terms and conditions, including references to the applicable statutory or regulatory provisions for the terms and conditions, as required by IDAPA 58.01.01.362

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1. ACRONYMS, UNITS, AND CHEMICAL NOMENCLATURE

acfm	actual cubic feet per minute
BACT	Best Available Control Technology
Btu	British thermal unit
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CEMS	continuous emission monitoring systems
cfm	cubic feet per minute
CFR	Code of Federal Regulations
CI	compression ignition
CMS	continuous monitoring systems
CO	carbon monoxide
DEQ	Department of Environmental Quality
dscf	dry standard cubic feet
EPA	U.S. Environmental Protection Agency
gph	gallons per hour
gpm	gallons per minute
gr	grains (1 lb = 7,000 grains)
HAP	hazardous air pollutants
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
lb/hr	pounds per hour
MACT	Maximum Achievable Control Technology
MMBtu	million British thermal units
MMscf	million standard cubic feet
MRRR	Monitoring, Recordkeeping and Reporting Requirements
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO ₂	nitrogen dioxide
NO _x	nitrogen oxides
NSPS	New Source Performance Standards
O&M	operation and maintenance
O ₂	oxygen
PM	particulate matter
PM _{2.5}	particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers
PM ₁₀	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
PSD	Prevention of Significant Deterioration
PTC	permit to construct
PTE	potential to emit
<i>Rules</i>	<i>Rules for the Control of Air Pollution in Idaho</i>
scf	standard cubic feet
SIP	State Implementation Plan
SO ₂	sulfur dioxide
SO _x	sulfur oxides
T/yr	tons per consecutive 12 calendar month period
T1	Tier I operating permit
TAP	toxic air pollutants
VOC	volatile organic compound

2. INTRODUCTION AND APPLICABILITY

Tesoro Logistics Operations LLC – Boise Terminal (Tesoro) is a bulk gasoline terminal, and is located at 201 N. Phillippi St., Boise, Idaho. The facility is classified as a major facility, as defined by IDAPA 58.01.01.008.10.c, because it emits or has the potential to emit volatile organic compounds above the major source threshold of 100 tons-per-year.

Tesoro has requested, in accordance with IDAPA 58.01.01.209.05.c, to administratively amend the Tier I operating permit to incorporate the requirements of the May 8, 2019, permit to construct issued to the facility.

IDAPA 58.01.01.362 requires that as part of its review of the Tier I application, DEQ shall prepare a technical memorandum (i.e. statement of basis) that sets forth the legal and factual basis for the draft Tier I operating permit administrative amendment terms and conditions including reference to the applicable statutory provisions or the draft denial. This document provides the basis for the draft Tier I operating permit administrative amendment for Tesoro.

3. FACILITY INFORMATION

3.1 Facility Description

Tesoro is a petroleum distribution terminal located in Boise. Refined petroleum products are transported to the facility via an underground pipeline system where they are either stored or transferred to another terminal. The equipment at the facility includes petroleum storage tanks, additive storage tanks, truck loading rack and vapor control system, and an ethanol off-loading bay. The loading rack vapor control system may either be a vapor combustor or a vapor recovery unit.

3.2 Facility Permitting History

Tier I Operating Permit History - 5-year permit term 9/12/18 to 9/12/23

The following information is the permitting history of this Tier I facility during the five-year permit term. This information was derived from a review of the permit files available to DEQ. Permit status is noted as active and in effect (A) or superseded (S).

September 12, 2018 T1-050032, Renewed Permit, Permit status. (S by this permit action)

Underlying Permit History - Includes every underlying permit issued to this facility

The following information is the comprehensive permitting history of all underlying applicable permits issued to this Tier I facility. This information was derived from a review of the permit files available to DEQ. Permit status is noted as active and in effect (A) or superseded (S).

May 8, 2019	PTC No. P-2014.0009, Increase gasoline throughput and change control device from a vapor combustor to a vapor recovery unit. (A)
February 16, 2017	PTC No. P-2014.0009, Name change and Jet Filtration Project. (S)
November 7, 2008	Tier I Operating Permit No.T1-050032, Renewed Permit, Permit status. (S)
July 16, 2003	Tier I Operating Permit No. T1-020015. This permit replaced the initial Tier I Operating Permit No. 001-00026, issued December 19, 2000. (S)
March 17, 2003	PTC No. 001-00026, issued 3/17/2003 and terminated November 6, 2017. This PTC replaced PTC No. 001-00026, issued August 28, 1990.(S)
December 19, 2000	Tier I Operating Permit No. 001-00026, issued December 19, 2000. (S)
August 28, 1990	PTC No. 0020-0026, issued August 28, 1990. (S)
April 29, 1983	PTC issued to Chevron Pipe Line on April 29, 1983. (S)

4. APPLICATION SCOPE AND APPLICATION CHRONOLOGY

4.1 Application Scope

This permit is an administrative amendment of the facility's current Tier I operating permit.

Tesoro has requested, in accordance with IDAPA 58.01.01.209.05.c, to administratively amend the Tier I operating permit to incorporate the requirements of the May 8, 2019, permit to construct. That permitting action only involved the existing petroleum loading rack.

4.2 Application Chronology

May 8, 2019	Tesoro requested that the Tier I permit be administratively amended upon issuance of the May 8, 2019, permit to construct.
Month Day, Year	DEQ made available the draft permit and statement of basis for peer and regional office review.
Month Day, Year	DEQ made available the draft permit and statement of basis for applicant review.

5. EMISSIONS UNITS, PROCESS DESCRIPTION(S), AND EMISSIONS INVENTORY

This section lists only the emissions units that are affected by the administrative amendment and provides the emissions inventory for this facility. The information presented was provided by the applicant in its permit application.

5.1 Loading Rack Emission Unit

Table 5.1 lists the emissions units and control devices associated with the loading rack.

Table 5.1 EMISSIONS UNITS, CONTROL DEVICE, AND DISCHARGE POINT INFORMATION

Emissions Unit Description	Control Device (if applicable)
Loading Rack	Vapor Collection System and Vapor Combustion Unit or Vapor Recovery Unit

The loading rack at Tesoro Logistics Operations LLC is a bottom filling loading rack with a vapor collection system. Vapors from the loading rack are captured by the vapor collection system and sent to a vapor treatment system that may either be a vapor combustor or a vapor recovery unit.

5.2 Emissions Inventory

Table 5.2 summarizes the facility-wide potential to emit for this major facility when emissions from the loading rack are controlled by a vapor combustor and Table 5.6 provides the facility-wide potential emit when emissions are controlled by a vapor recovery unit. All values are expressed in units of tons-per-year and represent the facility's potential to emit. Potential to emit is defined as the maximum capacity of a facility or stationary source to emit an air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or source to emit an air pollutant, including air pollution control equipment and restrictions on hour of operation or on the type or amount of material combusted, stored or processed shall be treated as part of its design if the limitation or the effect it would have on emissions is state or federally enforceable.

Table 5.2 EMISSIONS INVENTORY - POTENTIAL TO EMIT (T/yr) VAPOR COMBUSTOR UNIT SCENARIO

Source	PM ₁₀	SO ₂	NO _x	CO	VOC
	T/yr ^(a)				
Tanks	0.00	0.00	0.00	0.00	57.81
VCU Stack	0.04	0.003	2.44	1.36	37.6
Space Heater, Furnaces	0.02	0.00166	0.47	0.07	0.0152
Loading Rack Fugitives	0.00	0.00	0.00	0.00	9.95
Equipment Leaks	0.00	0.00	0.00	0.00	2.64
Transmix Loading	0.00	0.00	0.00	0.00	2.12
Fugitive Dust	0.43	0.00	0.00	0.00	0.00
Pre-Project Totals	0.47	0.00	2.91	1.43	110.14

Table 5.6 EMISSIONS INVENTORY - POTENTIAL TO EMIT (T/yr) VAPOR RECOVERY UNIT SCENARIO

Source	PM ₁₀	SO ₂	NO _x	CO	VOC
	T/yr ^(a)				
Tanks	0.00	0.00	0.00	0.00	57.81
VRU Stack	0.00	0.00	0.0	0	30.64
Space Heater, Furnaces	0.02	0.00166	0.47	0.07	0.0152
Loading Rack Fugitives	0.00	0.00	0.00	0.00	14.16
Equipment Leaks	0.00	0.00	0.00	0.00	2.74
Transmix Loading	0.00	0.00	0.00	0.00	2.12
Fugitive Dust	0.43	0.00	0.00	0.00	0.00
Post-Project Totals	0.43	0.00	0.47	0.07	107.49

Table 5.7 provides the HAP inventory for the vapor recovery unit control scenario. The source is a minor HAP source whether emissions from the loading rack are controlled by a vapor combustor or vapor recovery unit.

Table 5.7 HAZARDOUS AIR POLLUTANTS EMISSIONS POTENTIAL TO EMIT SUMMARY

Hazardous Air Pollutants	PTE (T/yr)
2,2,4-Trimethylpentane	0.31
Benzene	0.30
Biphenyl	0.01
Cresols	0.00
Ethylbenzene	0.13
Hexane (-n)	0.73
Isopropyl benzene (cumene)	0.02
Methyl alcohol	0.04
Naphthalene	0.02
Phenol	0.01
Styrene	0.00
Toluene	0.82
Xylenes	0.54
2-Methylnaphthalene	6.63E-08
3-Methylchloranthrene	4.97E-09
7,12-Dimethylbenz(a)anthracene	4.42E-08
Acenaphthene	4.97E-09
Acenaphthylene	4.97E-09
Anthracene	6.63E-09
Benz(a)anthracene	4.97E-09
Benzo(a)pyrene	3.31E-09
Benzo(b)fluoranthene	4.97E-09
Benzo(g,h,i)perylene	3.31E-09

Benzo(k)fluoranthene	4.97E-09
Chrysene	4.97E-09
Dibenzo(a,h)anthracene	3.31E-09
Dichlorobenzene	3.31E-06
Fluoranthene	8.28E-09
Fluorene	7.73E-09
Formaldehyde	2.07E-04
Indeno(1,2,3-cd)pyrene	4.97E-09
Phenanthrene	4.69E-08
Pyrene	1.38E-08
Arsenic	5.52E-07
Beryllium	3.31E-08
Cadmium	3.04E-06
Chromium	3.87E-06
Cobalt	2.32E-07
Manganese	1.05E-06
Mercury	7.18E-07
Nickel	5.80E-06
Selenium	6.63E-08
Totals	2.93

Emissions calculations may be seen in the statement of basis for Permit to Construct P-2014.0009, project 62129 dated May 8, 2019.

6. EMISSIONS LIMITS AND MRRR

This section describes only those emission limits and MRRR that have been added to the permit. The only emission limits that change are those at the loading rack. The existing permit to construct contains all necessary monitoring to assure compliance with the emissions limits and those requirements are all incorporated into the Tier I permit as part of this permitting action. Following are description of the emission limits and associated monitoring requirements that originate from that underlying permit.

6.2 Emissions Unit-Specific Emissions Limits and MRRR

Loading Rack

When the emissions are controlled by a vapor recovery unit Permit Condition 5.12 and 5.13 limit VOC emissions from the loading rack to 30.64 tons per year and 20 milligrams per liter of gasoline loaded respectively. Loading rack loses (uncontrolled fugitive emissions) are limited to 14.16 tons per year.

MRRR - (Permit Condition 5.22)

A continuous monitoring system is required to assure compliance with the VOC limit of 20 milligrams per liter of gasoline loaded. Permit Condition 5.14 limits the amount of petroleum products that may be loaded. Compliance with the 20 milligram standard and the throughput limits assures compliance with the tons per year emissions limits listed in Table 5.4 of the permit.

There no other new emissions limits added to the permit.

6.3 Facility-Wide Conditions and General Provisions

The facility-wide and general provisions of the permit do not change and not addressed in this statement of basis.

7. REGULATORY REVIEW

7.1 Attainment Designation (40 CFR 81.313)

The facility is located in Ada County which is designated as attainment or unclassifiable for PM₁₀, PM_{2.5}, CO, NO₂, SO_x, and Ozone. Reference 40 CFR 81.313.

7.2 Title V Classification (IDAPA 58.01.01.300, 40 CFR Part 70)

Tesoro is classified as a Title V (i.e. Tier I) major source because VOC emissions are greater than 100 tons per year.

7.3 PSD Classification (40 CFR 52.21)

Tesoro's bulk gasoline terminal is a listed source category (i.e. petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels) and potential emissions exceed 100 tons per year. Therefore, the facility is classified as a PSD source.

7.4 NSPS Applicability (40 CFR 60)

This permitting action did not alter any NSPS applicability or requirements, all relevant provisions are already in the Tier I permit.

7.5 NESHAP Applicability (40 CFR 61)

This permitting action did not alter any 40 CFR 61 subpart applicability or requirements, all relevant provisions are already in the Tier I permit.

7.6 MACT Applicability (40 CFR 63)

This permitting action does not trigger the applicability of a MACT that isn't already in the permit. However, for 40 CFR 63 Subpart BBBBBB there are new subsections from this subpart that apply because the control device may now be a vapor recovery unit; all Subpart BBBBBB provisions that apply to the vapor recovery unit have been added to the permit. A detailed regulatory breakdown of this subpart is provided in Appendix A.

7.7 CAM Applicability (40 CFR 64)

The loading rack is exempted from CAM because the Tier I permit has a continuous compliance determinations method as described in Section 6.2 of this statement of basis.

The exemption from CAM is at 40 CFR 64.2(b)(vi) as follows:

vi) Emission limitations or standards for which a part 70 or 71 permit specifies a continuous compliance determination method, as defined in §64.1. The exemption provided in this paragraph (b)(1)(vi) shall not apply if the applicable compliance method includes an assumed control device emission reduction factor that could be affected by the actual operation and maintenance of the control device (such as a surface coating line controlled by an incinerator for which continuous compliance is determined by calculating emissions on the basis of coating records and an assumed control device efficiency factor based on an initial performance test; in this example, this part would apply to the control device and capture system, but not to the remaining elements of the coating line, such as raw material usage).

As defined in §64.1: *Continuous compliance determination method means a method, specified by the applicable standard or an applicable permit condition, which:*

- (1) Is used to determine compliance with an emission limitation or standard on a continuous basis, consistent with the averaging period established for the emission limitation or standard; and*
- (2) Provides data either in units of the standard or correlated directly with the compliance limit.*

As described in Section 6.2 of this statement of basis controlled VOC emissions from the loading rack are monitored continuously to assure compliance with the applicable VOC standards.

8. PUBLIC COMMENT

As required by IDAPA 58.01.01.209.05.c, a public comment period was made available to the public from March 19, 2019 to April 18, 2019 on the draft permit to construct that was ultimately finalized on May 8, 2019 (i.e. PTC No. P-2014.0009) and that is now being added to the Tier I permit as an

administrative amendment. During this time, comments were not submitted in response to DEQ's proposed action.

In addition to the public comment period, DEQ also provided an opportunity for a public hearing for persons interested to appear and submit written or oral comments. A hearing was not requested.

9. EPA REVIEW OF PROPOSED PERMIT

As required by IDAPA 58.01.01.209.05.c, DEQ provided the proposed permit to construct to EPA Region 10 for its review and comment on March.18, 2019. After 45 days EPA Region 10 did not provide comment to DEQ.

Appendix A – 40 CFR 63 Subpart BBBBBB

Highlighted text indicated applicable sections.

Bold and Italic text notes TLO comments.

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

Source Notes

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

What This Subpart Covers

§ 63.11080 What is the purpose of this subpart?

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

The gasoline loading rack, gasoline storage tanks, and equipment in gasoline service at the terminal constitute an affected source under this subpart.

40 CFR 63 Subpart BBBBBB defines a "bulk gasoline terminal" as "any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, or cargo tank and has a gasoline throughput of 20,000 gallons per day or greater. Gasoline throughput shall be the maximum calculated design throughput as may be limited by compliance with an enforceable condition under Federal, State, or local law and discoverable by the Administrator and any other person."

The terminal receives gasoline by pipeline. Its throughput is greater than 20,000 gallons per day. Therefore, the terminal meets the definition of "bulk gasoline terminal," and as such, it is subject to NESHAP 6B.

As described below, an emission limit in this subpart applies to the Vapor Recovery Unit (VRU), while work practice standards apply to the gasoline loading rack, gasoline storage tanks, and equipment in gasoline service. Compliance demonstration methods corresponding to the applicable emission limit and work practice standards are also applicable to the terminal.

§ 63.11081 Am I subject to the requirements in this subpart?

63.11081(a)

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

63.11081(a)(1)

A bulk gasoline terminal that is not subject to the control requirements of 40 CFR part 63, subpart R (§ §

63.422, 63.423, and 63.424) or 40 CFR part 63, subpart CC (§§ 63.646, 63.648, 63.649, and 63.650).

The terminal is a bulk gasoline terminal, as defined in this subpart.

40 CFR 63 Subpart BBBBBB defines a "bulk gasoline terminal" as "any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, or cargo tank and has a gasoline throughput of 20,000 gallons per day or greater. Gasoline throughput shall be the maximum calculated design throughput as may be limited by compliance with an enforceable condition under Federal, State, or local law and discoverable by the Administrator and any other person."

The terminal receives gasoline by pipeline. Its throughput is greater than 20,000 gallons per day. Therefore, the terminal meets the definition of "bulk gasoline terminal," and as such it is subject to NESHAP 6B.

Furthermore, the terminal is not subject to the control requirements of 40 CFR 63 Subpart R (NESHAP R). NESHAP R applies only to major sources of Hazardous Air Pollutants (HAP), as that term is defined in the Clean Air Act, §112(a): sources that emit or have the potential to emit 10 tons per year (tpy) of any single HAP or 25 tpy of any combination of HAP, considering controls. The terminal was subject to a requirement to use a vapor destruction control technology prior to NESHAP R's first substantive compliance date. The terminal installed its current VCU control at that time. When the terminal's Potential to Emit (PTE) is calculated taking emission control into account, the terminal is not a major source of HAP. Though, as noted in this application, the VCU control device will be replaced with a VRU control device in this project. Therefore, NESHAP Subpart R does not apply to the terminal either before or after the project.

The above analysis reviews the terminal's HAP non-major source status since the compliance date of NESHAP R, but U.S. EPA's memorandum "Reclassification of Major Sources as Area Sources under Section 112 of the Clean Air Act" (January 25, 2018) removed the requirement to evaluate NESHAP major source status according to the compliance date of the NESHAP. As of today, the terminal is not a major source of HAP (in consideration of required control devices) and is not subject to NESHAP R.

Therefore, as a bulk gasoline terminal not subject to control requirements of NESHAP R, the terminal is subject to NESHAP 6B (the subpart currently under review).

63.11081(a)(2)

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

The terminal is not a pipeline breakout station as defined in this subpart. NESHAP 6B defines a pipeline breakout station as, "a facility along a pipeline containing storage vessels used to relieve surges or receive and store gasoline from the pipeline for re-injection and continued transportation by pipeline or to other facilities."

The terminal is a terminus of its receiving pipelines and its distribution pipelines.

63.11081(a)(3)

A pipeline pumping station.

The terminal is not a pipeline pumping station as defined in this subpart.

NESHAP 6B defines a pipeline pumping station as "a facility along a pipeline containing pumps to maintain the desired pressure and flow of product through the pipeline, and not containing

gasoline storage tanks other than surge control tanks.”

The terminal operates gasoline storage tanks for purposes other than surge control, so it is not a pipeline pumping station by the above definition.

63.11081(a)(4)

A bulk gasoline plant.

The terminal is not a bulk gasoline plant as defined in this subpart.

NESHAP 6B defines a bulk gasoline plant as “any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, or cargo tank, and subsequently loads the gasoline into gasoline cargo tanks for transport to gasoline dispensing facilities, and has a gasoline throughput of less than 20,000 gallons per day. Gasoline throughput shall be the maximum calculated design throughput as may be limited by compliance with an enforceable condition under Federal, State, or local law, and discoverable by the Administrator and any other person.”

The terminal is a gasoline storage and distribution facility that receives gasoline by pipeline. However, the terminal has a daily throughput of more than 20,000 gallons of gasoline. For this reason, it meets the definition of “bulk gasoline terminal” above, but it does not meet the definition of “bulk gasoline plant” here.

63.11081(b)

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

The terminal is an affected source, a bulk gasoline terminal, as defined in (a)(1). The terminal is not required to obtain a Title V permit under 40 CFR parts 70 or 71 as a result of being an affected source. However, the terminal’s PTE of Volatile Organic Compounds (VOC) is greater than 100 tpy, and for that reason, the terminal is subject to the requirement to obtain a Title V permit. IDEQ issued a renewal of the terminal’s Title V permit on September 12, 2018.

63.11081(c)

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

The terminal does operate gasoline storage tanks, but these tanks do not operate in the manner of a gasoline dispensing facility. The gasoline storage tanks at the terminal are used for loading cargo tank trucks in a manner consistent with NESHAP 6B (the subpart under review here).

63.11081(d)

The loading of aviation gasoline into storage tanks at airports, and the subsequent transfer of aviation

gasoline within the airport, is not subject to this subpart.

The terminal does not load aviation gasoline into airport storage tanks.

63.11081(e)

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

The terminal does not load gasoline into marine tank vessels.

63.11081(f)

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

The terminal has operated above the 20,000 gal/day minimum throughput threshold for exemption from the definition of "bulk gasoline terminal." Therefore, the terminal is subject to this subpart. Furthermore, the terminal has operated its gasoline loading rack above the 250,000 gal/day throughput threshold in Table 2, item 1 of this subpart. Therefore, the terminal's gasoline loading rack is subject to Table 2, item 1.

63.11081(g)

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

The terminal has operated above the 20,000 gal/day minimum throughput threshold for exemption from the definition of "bulk gasoline terminal." Therefore, the terminal is subject to this subpart. The terminal is not required to evaluate its status with regard to the minimum throughput threshold.

63.11081(h)

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

The terminal does not load gasoline into cargo tanks for on-site redistribution to another storage tank. This section is marked not applicable because the activity does not take place at the terminal.

63.11081(i)

For any affected source subject to the provisions of this subpart and another Federal rule, you may elect to comply only with the more stringent provisions of the applicable subparts. You must consider all provisions of the rules, including monitoring, recordkeeping, and reporting. You must identify the affected

source and provisions with which you will comply in your Notification of Compliance Status required under § 63.11093. You also must demonstrate in your Notification of Compliance Status that each provision with which you will comply is at least as stringent as the otherwise applicable requirements in this subpart. You are responsible for making accurate determinations concerning the more stringent provisions; noncompliance with this rule is not excused if it is later determined that your determination was in error, and, as a result, you are violating this subpart. Compliance with this rule is your responsibility, and the Notification of Compliance Status does not alter or affect that responsibility.

The terminal (the affected source) is subject to two other Federal rules with requirements that apply to activities also regulated under NESHAP 6B herein. These rules are 40 CFR 60 Subpart Kb (NSPS Kb) and 40 CFR 60 Subpart XX (NSPS XX), applying to certain storage tanks (Tank 202, Tank 203, and Tank 204) and to the gasoline loading rack VRU, respectively.

Applicability of NSPS XX requirements is described on the Form FRA for NSPS XX included in this application. Applicability of NSPS Kb requires was described on the Form FRA for NSPS Kb filed with the Tier I renewal application. The VRU Project does not affect the applicability of any requirement in NSPS Kb, so no Form FRA was included for NSPS Kb in this PTC application. The terminal does not rely on this paragraph (§63.11081(i)) to handle regulatory overlap, because NESHAP 6B below (at §63.11087(f)) provides NSPS Kb compliance as a compliance path for NESHAP 6B. Therefore, tanks at the terminal that are subject to both subparts use NSPS Kb as the compliance demonstration method for both. No additional analysis of regulatory overlap is required, because NESHAP 6B compliance demonstration methods do not directly apply to the NSPS Kb tanks.

The above paragraph of NESHAP 6B, §63.11081(i), applies because in certain instances, the terminal elects to comply with more stringent provisions of NSPS XX. The full applicability of NSPS XX is specified in the appropriate Form FRA. This present description of why §63.11081(i) applies to the terminal specifies, for reference, which provisions of NSPS XX are more stringent than those of NESHAP 6B and vice versa. Because the terminal complies with these standards. §63.11081(i) applies to the terminal.

- ***§60.502(b), VRU emission standard of 35 mg/L total organic compounds (TOC), as surrogate for §63.11088(a) and NESHAP 6B Table 2 Item 1b, 80 mg/L VOC.***

63.11081(j)

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

This section is marked not applicable, because, as noted under §63.11081(f), the terminal has already exceeded applicable throughput thresholds for determining the applicability of this subpart to the terminal.

[Amended at 76 FR page 4176, Jan. 24, 2011]

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

63.11082(a)

The emission sources to which this subpart applies are gasoline storage tanks, gasoline loading racks, vapor collection-equipped gasoline cargo tanks, and equipment components in vapor or liquid gasoline service that meet the criteria specified in Tables 1 through 3 to this subpart.

The following sources at the terminal are subject to this subpart: gasoline storage tanks including Tanks 12, 13, 164, 165, 166, 200, 202, 203, 204, and 208, the gasoline loading rack and Vapor Recovery Unit (VRU), vapor-collection equipped gasoline cargo tanks, and equipment components in vapor or liquid gasoline service.

A tank-by-tank evaluation of NESHAP 6B applicability follows under §63.11087(a). The terminal's gasoline storage tanks are subject to this subpart. Tanks storing distillate fuels, jet kerosene, denatured ethanol, wastewater, and fuel additives are not subject to NESHAP 6B because these tanks do not store gasoline. Gasoline, as defined in NESHAP 6B, is "any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kilopascals or greater, which is used as a fuel for internal combustion engines."

The terminal's product loading rack is subject because it loads gasoline. The loading rack and tank farm contain equipment in gasoline service. The gasoline cargo tanks on the tank trucks loaded by the loading rack are subject to the vapor tightness requirements of NESHAP 6B.

For reference, the terminal's transmix loading operation is not subject to NESHAP 6B because the transmix loaded in the operation is not gasoline. Transmix produced at the terminal contains a blend of gasoline and distillate oils and is unsuitable for engine fuel.

63.11082(b)

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

The terminal was constructed prior to November 9, 2006, and does not meet the definition of "reconstructed" as set forth in 40 CFR 63.2. Therefore, the terminal is an existing source according to the provisions of this subpart.

63.11082(c)

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

The terminal was constructed prior to November 9, 2006, and does not meet the definition of "reconstructed" as set forth in 40 CFR 63.2. Therefore, the terminal is an existing source according to the provisions of this subpart.

63.11082(d)

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

The terminal was constructed prior to November 9, 2006, and does not meet the definition of "reconstructed" as set forth in 40 CFR 63.2. Therefore, the terminal is an existing source according to the provisions of this subpart.

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

63.11083(a)

If you have a new or reconstructed affected source, you must comply with this subpart according to

paragraphs (a)(1) and (2) of this section.

The terminal is an existing source, so this section is not applicable.

63.11083(a)(1)

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

The terminal is an existing source, so this section is not applicable.

63.11083(a)(2)

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

The terminal is an existing source, so this section is not applicable.

63.11083(b)

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

The terminal is an existing source and complied with the standards in this subpart prior to January 10, 2011.

63.11083(c)

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

The terminal is an existing source, and complied with the standards in this subpart prior to January 10, 2011. As noted under §63.11081(f), the terminal has already exceeded applicable throughput thresholds for determining the applicability of this subpart to the terminal.

[Amended at 76 FR page 4177, Jan. 24, 2011]

Emission Limitations and Management Practices

§ 63.11085 What are my general duties to minimize emissions?

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

63.11085(a)

You must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator, which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

63.11085(b)

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

General duties of this subpart apply to the affected source at the terminal. The scope of the affected source is specified in §63.11082(a): gasoline storage tanks including Tanks 12, 13, 164, 165, 166, 200, 202, 203, 204, and 208, the gasoline loading rack and proposed Vapor Recovery Unit (VRU), vapor-collection equipped gasoline cargo tanks, and equipment components in vapor or liquid gasoline service.

The records and reports in §§ 63.11094(g) and 63.11095(d) apply to malfunction events at any of the activities in the affected source.

[76 FR page 4177, Jan. 24, 2011]

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

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

The terminal is not a bulk gasoline plant as defined in this subpart. The terminal has a daily throughput of more than 20,000 gallons of gasoline.

63.11086(a)

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

The terminal is not a bulk gasoline plant as defined in this subpart. The terminal has a daily throughput of more than 20,000 gallons of gasoline.

63.11086(a)(1)

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

The terminal is not a bulk gasoline plant as defined in this subpart. The terminal has a daily throughput of more than 20,000 gallons of gasoline.

63.11086(a)(2)

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

The terminal is not a bulk gasoline plant as defined in this subpart. The terminal has a daily throughput of more than 20,000 gallons of gasoline.

63.11086(a)(3)

Submerged fill pipes not meeting the specifications of paragraphs (a)(1) or (a)(2) of this section are

allowed if the owner or operator can demonstrate that the liquid level in the gasoline storage tank is always above the entire opening of the fill pipe. Documentation providing such demonstration must be made available for inspection by the Administrator's delegated representative during the course of a site visit.

The terminal is not a bulk gasoline plant as defined in this subpart. The terminal has a daily throughput of more than 20,000 gallons of gasoline.

63.11086(b)

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

The terminal is not a bulk gasoline plant as defined in this subpart. The terminal has a daily throughput of more than 20,000 gallons of gasoline.

63.11086(c)

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

The terminal is not a bulk gasoline plant as defined in this subpart. The terminal has a daily throughput of more than 20,000 gallons of gasoline.

63.11086(d)

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

The terminal is not a bulk gasoline plant as defined in this subpart. The terminal has a daily throughput of more than 20,000 gallons of gasoline.

63.11086(d)(1)

Minimize gasoline spills;

63.11086(d)(2)

Clean up spills as expeditiously as practicable;

63.11086(d)(3)

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

63.11086(d)(4)

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

63.11086(e)

You must submit an Initial Notification that you are subject to this subpart by May 9, 2008 unless you

meet the requirements in paragraph (g) of this section. The Initial Notification must contain the information specified in paragraphs (e)(1) through (4) of this section. The notification must be submitted to the applicable EPA Regional Office and the delegated State authority, as specified in § 63.13.

The terminal is not a bulk gasoline plant as defined in this subpart. The terminal has a daily throughput of more than 20,000 gallons of gasoline.

63.11086(e)(1)

The name and address of the owner and the operator.

63.11086(e)(2)

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

63.11086(e)(3)

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

63.11086(e)(4)

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

63.11086(f)

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

The terminal is not a bulk gasoline plant as defined in this subpart. The terminal has a daily throughput of more than 20,000 gallons of gasoline.

63.11086(g)

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

The terminal is not a bulk gasoline plant as defined in this subpart. The terminal has a daily throughput of more than 20,000 gallons of gasoline.

63.11086(h)

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

The terminal is not a bulk gasoline plant as defined in this subpart. The terminal has a daily

throughput of more than 20,000 gallons of gasoline.

63.11086(i)

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

The terminal is not a bulk gasoline plant as defined in this subpart. The terminal has a daily throughput of more than 20,000 gallons of gasoline.

[Amended at 76 FR page 4177, Jan. 24, 2011]

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

63.11087(a)

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

The terminal stores gasoline in the following storage tanks: Tanks 12, 13, 164, 165, 166, 200, 202, 203, 204, and 208. These tanks are subject to the provisions of this section. Tanks storing other materials at the site do not meet the definition of "gasoline," either because their Reid vapor pressure (RVP) is lower than 27.6 kPa (4.0 psia) or because they are not used as fuel for internal combustion engines. Tanks storing diesel, jet kerosene, and ethanol are not "gasoline" because their RVP are below the threshold. Tanks storing transmix, wastewater, and fuel additives are not storing gasoline because those liquids are not used as fuel for internal combustion engines.

63.11087(b)

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

The terminal's gasoline storage tanks, including Tanks 12, 13, 164, 165, 166, 200, 202, 203, 204, and 208, all complied with this subpart prior to the applicable date of January 10, 2011.

As noted below at §63.11087(f), Tanks 202, 203, and 204 comply with NSPS Kb and are deemed in compliance with NESHAP 6B. For these tanks, no emission standards or work practice requirements apply under NESHAP 6B. For reference, the requirements applicable under NSPS Kb are listed in the terminal's September 12, 2018 Tier I permit renewal.

The work practice requirements applying to the gasoline storage tanks (other than those subject to NSPS Kb) is item 2(c) of Table 1 of NESHAP 6B, because the tanks are equipped with external floating roofs, and the terminal does not currently demonstrate compliance according to item 2(d) of the table.

63.11087(c)

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

Those gasoline storage tanks at the terminal that are not subject to NSPS Kb are required to comply with applicable testing and monitoring requirements: Tanks 12, 13, 164, 165, 166, 200, and 208.

As noted below at §63.11087(f), Tanks 202, 203, and 204 comply with NSPS Kb and are deemed in compliance with NESHAP 6B; therefore, no testing or monitoring requirements apply to those tanks under NESHAP 6B. For reference, the requirements applicable under NSPS Kb are listed on the Form FRA for NSPS Kb.

The testing and monitoring requirement applying to the gasoline storage tanks (other than those subject to NSPS Kb) is §63.11092(e)(2), because the tanks are equipped with external floating roofs. They comply with item 2(c) of Table 1 of NESHAP 6B.

63.11087(d)

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

Those gasoline storage tanks at the terminal that are not subject to NSPS Kb are required to comply with applicable notifications: Tanks 12, 13, 164, 165, 166, 200, and 208.

The terminal's gasoline storage tanks are required to comply with certain notification requirements in §63.11093 that apply to gasoline storage tanks. The gasoline storage tanks, including those that comply with NESHAP 6B because they comply with NSPS Kb, were subject to the requirement to file a Notification of Compliance Status (NOCS) under §63.11093(b). The terminal is currently subject to the requirement to submit notifications under NESHAP general provisions as applicable under §63.11093(d).

As noted below at §63.11087(f), Tanks 202, 203, and 204 comply with 40 CFR 60 Subpart Kb and are deemed in compliance with NESHAP 6B. Therefore, no notification requirements beyond the NESHAP 6B NOCS apply to those tanks under NESHAP 6B. For reference, the requirements applicable under NSPS Kb are listed on the Form FRA for NSPS Kb.

63.11087(e)

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

Those gasoline storage tanks at the terminal that are not subject to NSPS Kb are required to comply with applicable recordkeeping and reporting requirements: Tanks 12, 13, 164, 165, 166, 200, and 208.

As noted below at §63.11087(f), Tanks 202, 203, and 204 comply with NSPS Kb and are deemed in compliance with NESHAP 6B; therefore, no recordkeeping or reporting requirements apply under NESHAP 6B. For reference, the requirements applicable under NSPS Kb are listed on the Form FRA for NSPS Kb.

The terminal's gasoline storage tanks are required to comply with certain recordkeeping and reporting requirements in §63.11094 that apply to gasoline storage tanks. The gasoline storage tanks are subject to the requirement to keep records of inspection results under §63.11094(a), because they comply with item 2(c) of Table 1 of NESHAP 6B.

Details about gasoline storage tank compliance must be included on the semiannual compliance report according to §63.11095(a)(1). If a malfunction occurred at a gasoline storage tank, a malfunction report must be filed according to §63.11095(d).

63.11087(f)

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

The terminal operates three gasoline storage tanks that are subject to and comply with NSPS Kb: Tanks 202, 203, and 204. These tanks are deemed in compliance with this section of NESHAP 6B (viz., §63.11087). No further work practice, monitoring, recordkeeping, or reporting requirements under this section apply to Tanks 202, 203, and 204. They are subject to the above notification requirement, viz., to be included in the NOCS.

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

63.11088(a)

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

The following emission limits and management practices from Table 2 apply to the terminal's product loading rack:

- *Item 1a*
- *Item 1c*
- *Item 1d*

Item 1b, the 80 mg/L TOC emission standard from NESHAP 6B, is superseded by the NSPS XX emission standard of 35 mg/L TOC at §60.502(b), and the proposed unit-specific emission limit in the PTC application. Because of the overlap provision specified at §63.11081(i), the NESHAP 6B emission limit does not apply to the terminal.

Items 2a and 2b of Table 2 do not apply to the terminal's product loading rack because the terminal's product loading rack has a gasoline throughput greater than 250,000 gal/day (365-day average).

63.11088(b)

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

The terminal does not load gasoline to railcar cargo tanks. Therefore no railcar cargo tank requirements apply to the terminal.

63.11088(c)

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

The terminal was constructed prior to November 9, 2006, and does not meet the definition of "reconstructed" as set forth in 40 CFR 63.2. Therefore, the terminal is an existing source according to the provisions of NESHAP 6B.

In accordance with §63.11083(b), the terminal's product loading rack is currently in compliance with this subpart and demonstrated compliance prior to January 10, 2011.

63.11088(d)

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

The terminal's product loading rack is required to comply with certain testing and monitoring requirements in §63.11092 that apply to the product loading rack. For instance, the product loading rack complies with requirements under §63.11092(b)(1). Not all requirements of §63.11092 apply. Further detail on applicable requirements in this section is provided below.

63.11088(e)

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

The terminal's product loading rack is required to comply with certain notification requirements in §63.11093 that apply to the product loading rack. The product loading rack was subject to the requirement to file a Notification of Compliance Status (NOCS) under §63.11093(b). The product loading rack is currently subject to the requirement to submit notifications under NESHAP general provisions as applicable under §63.11093(d).

63.11088(f)

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

The terminal's product loading rack is required to comply with certain recordkeeping and reporting requirements in §63.11094 that apply to the product loading rack. The product loading rack is subject to the requirement to keep records of gasoline cargo tank vapor tightness test results under §63.11094(c)(2). The product loading rack is also required to file semiannual compliance reports (§63.11095(a)(2)), excess emission reports (§63.11095(b), paragraphs (1) through (3)), and malfunction reports (§63.11095(d)).

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

63.11089(a)

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

The terminal's product loading rack and tank farm contain equipment in gasoline liquid service and gasoline vapor service. The terminal's equipment in liquid and vapor gasoline service is

currently in compliance with this subpart. This paragraph requires the terminal to conduct monthly leak inspections of the equipment.

63.11089(b)

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

The terminal's product loading rack and tank farm contain equipment in gasoline liquid service and gasoline vapor service. The terminal is required to maintain a log book documenting the location of equipment in gasoline service at the facility.

63.11089(c)

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

The terminal's product loading rack and tank farm contain equipment in gasoline liquid service and gasoline vapor service. The terminal is required to record each detection of a liquid or vapor leak in the log book. The terminal is also required to repair leaks within the 5-day and 15-day timelines of this section.

63.11089(d)

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

The terminal's product loading rack and tank farm contain equipment in gasoline liquid service and gasoline vapor service. The terminal is required to follow this section's requirements for documenting and reporting delays of repair.

63.11089(e)

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

The terminal's product loading rack and tank farm contain equipment in gasoline liquid service and gasoline vapor service.

The terminal was constructed prior to November 9, 2006, and does not meet the definition of "reconstructed" as set forth in 40 CFR 63.2. Therefore, the terminal is an existing source according to the provisions of NESHAP 6B.

In accordance with §63.11083(b), the terminal's equipment in gasoline service is currently in compliance with this subpart and demonstrated compliance prior to January 10, 2011.

63.11089(f)

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

The terminal's equipment in gasoline service was subject to the requirement to file a Notification of Compliance Status (NOCS) under §63.11093(b).

63.11089(g)

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

The terminal's equipment in gasoline service is subject to recordkeeping and reporting requirements in this subpart. Requirements include §63.11094 paragraph (d), to keep a record of equipment types, ID numbers, and locations, paragraph (e) to keep a log book of equipment leaks detected, and paragraph (g) to record malfunctions. Requirements also include §63.11095, paragraph (a)(3) for equipment leak inspections in the semiannual compliance report, paragraph (b)(5) for equipment leak repairs meeting the definition of "excess emission events" in the excess emission report, and paragraph (d) if equipment in gasoline service malfunctions.

Testing and Monitoring Requirements

§ 63.11092 What testing and monitoring requirements must I meet?

63.11092(a)

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

The emission standard in item 1(b) of Table 2 of this subpart is an 80 mg/L TOC emission control requirement for gasoline loading racks.

The terminal's product loading rack, with its VRU emission control system, is the only activity at the terminal that could be subject to the emission standard in item 1(b) of Table 2.

As described at §63.11081(i) above, the 80 mg/L standard in item 1(b) of Table 2 does not apply to the VRU. The reason is that while the product loading rack meets the applicability criteria in NESHAP 6B, the overlap provisions at §63.11081(i) specify that another more stringent emission standard may be complied with in lieu of NESHAP 6B standards. The VRU is subject to an emission standard in NSPS XX of 35 mg/L TOC. Therefore, the VRU complies with this emission standard in lieu of 80 mg/L.

Nevertheless, the terminal uses NESHAP 6B's compliance demonstration provisions to demonstrate compliance with the NSPS XX limit. That is because the NESHAP 6B provisions constitute a more stringent compliance demonstration method than the method in NSPS XX, and the NESHAP 6B overlap provisions specify that the most stringent requirements shall apply.

For this reason, the current paragraph §63.11092(a) applies to the terminal despite the fact that the specific item 1(b) does not.

63.11092(a)(1)

Conduct a performance test on the vapor processing and collection systems according to either

paragraph (a)(1)(i) or paragraph (a)(1)(ii) of this section.

The terminal, being a source that must comply with an emission limit for the product loading rack, must comply with one of the paragraphs in (a)(1) through (4).

When operating the current VCU, TLO has elected to comply with paragraph (a)(2). The VCU had been previously tested under NSPS XX, and was subject to an enforceable limit in the terminal's Tier I permit. Therefore, the terminal also complied with paragraphs (b)(4) and (b)(5)(ii). Under those paragraphs, IDEQ and TLO developed an alternative monitoring parameter value, viz., the VCU pilot light monitoring system, along the lines outlined in this section.

As noted in paragraph (b)(5)(ii), "At the time that the Administrator requires a new performance test, you must determine the monitored operating parameter value according to the requirements specified in paragraph (b) of this section." During the Tier I renewal process, IDEQ required a new performance test for the VCU.

As part of this project, the VCU that was previously tested will be replaced. Therefore, the loading rack's compliance demonstration and monitored operating parameter value will no longer be based on the VCU design. The VRU will require a new monitored operating parameter value. For this reason, it is expected that IDEQ will request the VRU undergo a performance test. TLO proposes to carry out a performance test of the VRU according to the provisions of this paragraph and of §63.11092(c). After the VRU is operational, the VRU will be tested in accordance with NESHAP Part 63 general provisions, 40 CFR §§ 63.6(f) and 63.7. These general provisions require that a performance test be conducted within 180 days of a NESHAP compliance date. TLO anticipates that IDEQ will request a performance test within 180 days of the installation of the VRU, as if it were a new affected source under this NESHAP.

Because TLO anticipates a performance test requirement for the VRU, TLO does not believe paragraphs (a)(2) through (4) will apply. Paragraphs (a)(2)-(4) are referred to in paragraph (b)(5) as "performance testing alternatives," and the VRU will not be complying with a performance testing alternative.

63.11092(a)(1)(i)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must comply with one of the paragraphs in (a)(1) through (4).

Of these paragraphs, the terminal will comply with paragraph (a)(1) upon completion of the proposed VRU Project, which provides the option to conduct a performance test on the vapor processing and collection systems according to either (a)(1)(i) or (a)(1)(ii). The terminal has elected to conduct performance tests according to (a)(1)(i), using the test methods and procedures in § 60.503 of this chapter and using a reading of 500 parts per million to determine the level of leaks to be repaired under § 60.503(b) of this chapter.

63.11092(a)(1)(ii)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must comply with one of the paragraphs in (a)(1) through (4).

Of these paragraphs, the terminal will comply with paragraph (a)(1) upon completion of the proposed VRU Project, which provides the option to conduct a performance test on the vapor processing and collection systems according to either (a)(1)(i) or (a)(1)(ii). The terminal has elected to conduct performance tests according to (a)(1)(i). Therefore, the terminal is exempt from paragraph (a)(1)(ii).

63.11092(a)(2)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must comply with one of the paragraphs in (a)(1) through (4).

Of these paragraphs, the terminal will comply with paragraph (a)(1) by conducting performance testing according to § 60.503 of this chapter after completion of the VRU Project. Therefore, paragraph (a)(2) will not apply to the terminal.

63.11092(a)(3)

If you have conducted performance testing on the vapor processing and collection systems within 5 years prior to January 10, 2008, and the test is for the affected facility and is representative of current or anticipated operating processes and conditions, you may submit the results of such testing in lieu of the test required under paragraph (a)(1) of this section, provided the testing was conducted using the test methods and procedures in § 60.503 of this chapter. Should the Administrator deem the prior test data unacceptable, the facility is still required to meet the requirement to conduct an initial performance test within 180 days of the compliance date specified in § 63.11083; thus, previous test reports should be submitted as soon as possible after January 10, 2008.

The terminal, being a source that must comply with an emission limit for the product loading rack, must comply with one of the paragraphs in (a)(1) through (4).

Of these paragraphs, the terminal will comply with paragraph (a)(1) by conducting performance testing according to § 60.503 of this chapter after completion of the VRU Project. Therefore, paragraph (a)(3) will not apply to the terminal.

63.11092(a)(4)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must comply with one of the paragraphs in (a)(1) through (4).

Of these paragraphs, the terminal will comply with paragraph (a)(1) by conducting performance testing according to § 60.503 of this chapter after completion of the VRU Project. Therefore, paragraph (a)(4) will not apply to the terminal.

Additionally, the terminal has not elected to comply with paragraph (a)(4) because the terminal complies with its emission limit using a VRU, which is not a flare, as defined at §63.11100, meeting

the requirements of §63.11(b).

63.11092(b)

Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall install, calibrate, certify, operate, and maintain, according to the manufacturer's specifications, a continuous monitoring system (CMS) while gasoline vapors are displaced to the vapor processor systems, as specified in paragraphs (b)(1) through (5) of this section. For each facility conducting a performance test under paragraph (a)(1) of this section, and for each facility utilizing the provisions of paragraphs (a)(2) or (a)(3) of this section, the CMS must be installed by January 10, 2011.

As described in §63.11092 paragraph (a) above, the terminal is required to use the NESHAP 6B compliance demonstration method to demonstrate compliance with the vapor control limit expressed in mg/L. The terminal complies with paragraph (a)(1) of this section and is therefore required to comply with paragraph (b) by conducting continuous monitoring of the VRU.

Through 2018, the terminal has employed a VCU (vapor combustion unit) to process vapors from the terminal's loading rack. The terminal installed a CMS to monitor the VCU's performance prior to January 10, 2011 in compliance with paragraph (b). The terminal plans to replace the VCU with a VRU, equipped with a CMS, to maintain compliance with paragraph (b) of this section.

63.11092(b)(1)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in this paragraph, §63.11092(b).

The terminal will comply with paragraph (a)(1) by conducting performance testing according to § 60.503 of this chapter after completion of the VRU Project. Therefore, the terminal is required to determine a monitored operating parameter value for the vapor processing system using the procedures specified in paragraphs (b)(1)(i) through (iv) of this section.

63.11092(b)(1)(i)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in sections (b)(1)(i) through (iv) of this section.

The terminal plans to employ a VRU with carbon canisters. Therefore, the terminal must comply with either (b)(1)(i)(A) or (B) of this section.

The terminal has elected to comply with paragraph (b)(1)(i)(A) by using a CEMS to monitor the

operation of the VRU. Therefore, paragraph (b)(1)(i)(B) will not apply.

63.11092(b)(1)(i)(A)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in sections (b)(1)(i) through (iv) of this section.

The terminal plans to employ a VRU with carbon canisters. Therefore, the terminal must comply with either (b)(1)(i)(A) or (B) of this section.

The terminal has elected to comply with paragraph (b)(1)(i)(A) by using a CEMS to monitor the operation of the VRU.

63.11092(b)(1)(i)(B)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in sections (b)(1)(i) through (iv) of this section.

The terminal plans to employ a VRU with carbon canisters. Therefore, the terminal must comply with either (b)(1)(i)(A) or (B) of this section.

Because the terminal has elected to comply with paragraph (b)(1)(i)(A) by using a CEMS to monitor the operation of the VRU, paragraph (b)(1)(i)(B) and the sections of (B) below will not apply.

63.11092(b)(1)(i)(B)(1)

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

63.11092(b)(1)(i)(B)(1)(i)

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

63.11092(b)(1)(i)(B)(1)(ii)

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

63.11092(b)(1)(i)(B)(1)(iii)

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

63.11092(b)(1)(i)(B)(2)

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

63.11092(b)(1)(i)(B)(2)(i)

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

63.11092(b)(1)(i)(B)(2)(ii)

The owner or operator shall verify, during each day of operation of the loading rack, the proper valve sequencing, cycle time, gasoline flow, purge air flow, and operating temperatures. Verification shall be through visual observation, or through an automated alarm or shutdown system that monitors system operation. A manual or electronic record of the start and end of a shutdown event may be used.

63.11092(b)(1)(i)(B)(2)(iii)

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

63.11092(b)(1)(i)(B)(2)(iv)

The monitoring plan developed under paragraph (2) of this section shall specify conditions that would be considered malfunctions of the carbon adsorption system during the inspections or automated monitoring performed under paragraphs (b)(1)(i)(B)(2)(i) through (iii) of this section, describe specific corrective actions that will be taken to correct any malfunction, and define what the owner or operator would consider to be a timely repair for each potential malfunction.

63.11092(b)(1)(i)(B)(2)(v)

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

63.11092(b)(1)(ii)

The terminal does not demonstrate continuous compliance with a flare as defined at §63.11100 and meeting the requirements of §63.11(b). Therefore, paragraph (b)(2) does not apply.

63.11092(b)(3)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in this paragraph, §63.11092(b).

Through 2018, the terminal has employed a VCU (vapor combustion unit) to process vapors from the terminal's loading rack. While operating the VCU, the terminal did not conduct a performance test under paragraph (a)(1). Instead, the terminal demonstrated initial compliance according to paragraph (a)(2), by demonstrating compliance with an enforceable limit in the terminal's Tier I permit.

The terminal plans to replace the VCU with a VRU. Upon replacement of the VCU, the terminal will demonstrate compliance with §63.11092(b) by conducting a performance test under paragraph (a)(1). The terminal plans to determine an operating parameter value based on the parameter data monitored during the performance test, based on engineering assessment and manufacturer's recommendation, as required in paragraph (b)(3) of this section.

63.11092(b)(4)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in this paragraph, §63.11092(b).

Through 2018, the terminal has employed a VCU (vapor combustion unit) to process vapors from the terminal's loading rack. While operating the VCU, the terminal did not conduct a performance test under paragraph (a)(1). Instead, the terminal demonstrated initial compliance according to paragraph (a)(2), by demonstrating compliance with an enforceable limit in the terminal's Tier I permit.

The terminal plans to replace the VCU with a VRU. Upon replacement of the VCU, the terminal will demonstrate compliance with §63.11092(b) by conducting a performance test under paragraph (a)(1). The terminal plans to determine an operating parameter value based on the parameter data monitored during the performance test, based on engineering assessment and manufacturer's recommendation, as required in paragraph (b)(3) of this section. Therefore, the terminal will be required to provide rationale for the selected operating parameter value for the Administrator's approval under paragraph (b)(4) of this section. The monitored operating parameter will be specified in the notification of performance test to be filed under NESHAP general provisions, 40 CFR 63.7(b), 60 calendar days in advance of the date the test is initially scheduled to begin. The monitored operating parameter value will be determined based on the test data as required by paragraph (b)(3).

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in sections (b)(1)(i) through (iv) of this section.

The terminal plans to employ a VRU with carbon canisters. The VRU is not currently designed as a refrigeration condenser system. Therefore, the terminal is not subject to paragraph (b)(1)(ii) of this section.

63.11092(b)(1)(iii)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in sections (b)(1)(i) through (iv) of this section.

The terminal plans to employ a VRU with carbon canisters. The VRU is not a thermal oxidation system. Therefore, The terminal is not subject to paragraph (b)(1)(iii) or the sections of paragraph (b)(1)(iii) below.

63.11092(b)(1)(iii)(A)

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

63.11092(b)(1)(iii)(B)

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

63.11092(b)(1)(iii)(B)(1)

The presence of a thermal oxidation system pilot flame shall be monitored using a heat-sensing device, such as an ultraviolet beam sensor or a thermocouple, installed in proximity of the pilot light, to indicate the presence of a flame. The heat-sensing device shall send a positive parameter value to indicate that the pilot flame is on, or a negative parameter value to indicate that the pilot flame is off.

63.11092(b)(1)(iii)(B)(2)

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

63.11092(b)(1)(iii)(B)(2)(i)

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

63.11092(b)(1)(iii)(B)(2)(ii)

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

63.11092(b)(1)(iii)(B)(2)(iii)

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

63.11092(b)(1)(iii)(B)(2)(iv)

The monitoring plan developed under paragraph (2) of this section shall specify conditions that would be considered malfunctions of the thermal oxidation system during the inspections or automated monitoring performed under paragraphs (b)(1)(iii)(B)(2)(ii) and (iii) of this section, describe specific corrective actions that will be taken to correct any malfunction, and define what the owner or operator would consider to be a timely repair for each potential malfunction.

63.11092(b)(1)(iii)(B)(2)(v)

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

63.11092(b)(1)(iv)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in sections (b)(1)(i) through (iv) of this section.

The terminal has elected to comply with paragraph (b)(1)(i) of this section, and is therefore not required to monitor an alternative operating parameter under 63.11092(b)(1)(iv).

63.11092(b)(2)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in this paragraph, §63.11092(b).

63.11092(b)(5)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in this paragraph, §63.11092(b).

The terminal will comply with paragraph (a)(1) by conducting performance testing according to § 60.503 of this chapter after completion of the VRU Project. According to paragraph §63.11092(a), the terminal must comply with one of the paragraphs in (a)(1) through (4). Because the terminal complies with paragraph (a)(1), and not (a)(2) or (a)(3), paragraph (b)(5) does not apply.

63.11092(b)(5)(i)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in this paragraph, §63.11092(b).

The terminal will comply with paragraph (a)(1) by conducting performance testing according to § 60.503 of this chapter after completion of the VRU Project. According to paragraph §63.11092(a), the terminal must comply with one of the paragraphs in (a)(1) through (4). Because the terminal complies with paragraph (a)(1), and not (a)(2) or (a)(3), paragraph (b)(5) does not apply. Therefore, the terminal is not subject to the requirements in paragraphs (b)(5)(i) or (ii).

63.11092(b)(5)(ii)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in this paragraph, §63.11092(b).

The terminal will comply with paragraph (a)(1) by conducting performance testing according to § 60.503 of this chapter after completion of the VRU Project. According to paragraph §63.11092(a), the terminal must comply with one of the paragraphs in (a)(1) through (4). Because the terminal complies with paragraph (a)(1), and not (a)(2) or (a)(3), paragraph (b)(5) does not apply. Therefore, the terminal is not subject to the requirements in paragraphs (b)(5)(i) or (ii).

63.11092(c)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in this paragraph, §63.11092(b).

Through 2018, the terminal has employed a VCU (vapor combustion unit) to process vapors from the terminal's loading rack. While operating the VCU, the terminal did not conduct a performance test under paragraph (a)(1). Instead, the terminal demonstrated initial compliance according to paragraph (a)(2), by demonstrating compliance with an enforceable limit in the terminal's Tier I permit.

The terminal plans to replace the VCU with a VRU. Upon replacement of the VCU, the terminal will demonstrate compliance with §63.11092(b) by conducting a performance test under paragraph (a)(1). The terminal plans to determine an operating parameter value based on the parameter data monitored during the performance test, based on engineering assessment and manufacturer's recommendation, as required in paragraph (b)(3) of this section.

After the selection of an operating parameter and the Administrator's approval, should the operating parameter changed, this paragraph will apply.

63.11092(d)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in this paragraph, §63.11092(d). The applicability of paragraphs (d)(1) through (4) to the product loading rack is described in detail below.

63.11092(d)(1)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in this paragraph, §63.11092(d), including paragraph (d)(1).

63.11092(d)(2)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in paragraph (d).

The terminal did not select an alternative parameter pursuant to paragraph (b)(1)(iv) or (b)(5)(i). Paragraph (d)(2) applies only when an alternative parameter is selected in accordance with (b)(5)(i), so paragraph (d)(2) is marked not applicable.

63.11092(d)(3)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in paragraph (d), including paragraph (d)(3).

63.11092(d)(4)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in paragraph (d).

The terminal plans to employ a VRU with carbon canisters. Therefore, the terminal must comply with either (b)(1)(i)(A) or (B) of this section.

Because the terminal has elected to comply with paragraph (b)(1)(i)(A) by using a CEMS to monitor the operation of the VRU, paragraphs (b)(1)(i)(B)(2) and (b)(1)(iii)(B)(2) do not apply. This paragraph, §63.11092(d)(4), applies to malfunctions defined under (b)(1)(i)(B)(2) and (b)(1)(iii)(B)(2), and is therefore not applicable to the terminal.

63.11092(d)(4)(i)

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

63.11092(d)(4)(ii)

Initiate corrective action to fix the problem within 24 hours;

63.11092(d)(4)(iii)

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

63.11092(d)(4)(iv)

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

63.11092(d)(4)(v)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions in paragraph (d).

The terminal plans to employ a VRU with carbon canisters. Therefore, the terminal must comply with either (b)(1)(i)(A) or (B) of this section.

Because the terminal has elected to comply with paragraph (b)(1)(i)(A) by using a CEMS to monitor the operation of the VRU, paragraphs (b)(1)(i)(B)(2) and (b)(1)(iii)(B)(2) do not apply. This paragraph, §63.11092(d)(4), applies to malfunctions defined under (b)(1)(i)(B)(2) and (b)(1)(iii)(B)(2), and is therefore not applicable to the terminal. Paragraphs (d)(4)(i) through (v) are required under paragraph (d)(4), and also do not apply.

63.11092(e)

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

The terminal stores gasoline in the following storage tanks: Tanks 12, 13, 164, 165, 166, 200, 202, 203, 204, and 208. Three of the gasoline storage tanks are subject to and comply with NSPS Kb: Tanks 202, 203, and 204. §63.11087(f) specifies that these tanks are deemed in compliance with §63.11087. No further work practice, monitoring, recordkeeping, or reporting requirements under this section apply to Tanks 202, 203, and 204. Therefore, no provisions under §63.11092(e) apply to Tanks 202, 203 and 204. The remaining gasoline storage tanks are subject to the emission standard in §63.11087; therefore, the provisions under §63.11092(e) apply.

Tanks storing other materials at the site do not meet the definition of "gasoline," either because their Reid vapor pressure (RVP) is lower than 27.6 kPa (4.0 psia) or because they are not used as fuel for internal combustion engines. Tanks storing diesel, jet kerosene, and ethanol are not "gasoline" because their RVP are below the threshold. Tanks storing transmix, wastewater, and fuel additives are not storing gasoline because those liquids are not used as fuel for internal combustion engines.

63.11092(e)(1)

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

Currently, the gasoline storage tanks at the terminal not subject to NSPS Kb are subject to §63.11092(e)(2) for gasoline storage tanks with an external floating roof design. This paragraph (e)(1) applies only to internal floating roof tanks, so it is marked not applicable.

63.11092(e)(2)

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

Currently, the gasoline storage tanks at the terminal not subject to NSPS Kb are subject to §63.11092(e)(2) for gasoline storage tanks with an external floating roof design. Currently they comply with option 2(c) in Table 1 as well.

63.11092(e)(3)

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

Currently, the gasoline storage tanks at the terminal not subject to NSPS Kb are subject to §63.11092(e)(2) for gasoline storage tanks with an external floating roof design. This paragraph (e)(3) applies only to tanks with closed vent systems and control devices, so it is marked not applicable.

63.11092(f)

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

The terminal's product loading rack is subject to NESHAP 6B. TLO complies with the requirement to load only gasoline cargo tanks that have vapor tightness certification. TLO demonstrates continuous compliance with the requirement by using an electronic certification verification system. A tank truck that cannot produce a valid vapor tightness certification is prohibited from loading at the terminal.

63.11092(f)(1) EPA Method 27, Appendix A-8, 40 CFR part 60.

Conduct the test using a time period (t) for the pressure and vacuum tests of 5 minutes. The initial pressure (P_i) for the pressure test shall be 460 millimeters (mm) of water (18 inches of water), gauge. The initial vacuum (V_i) for the vacuum test shall be 150 mm of water (6 inches of water), gauge. The maximum allowable pressure and vacuum changes (Δ p, Δ v) for all affected gasoline cargo tanks is 3 inches of water, or less, in 5 minutes.

The terminal's product loading rack is subject to NESHAP 6B. TLO complies with the requirement to load only gasoline cargo tanks that have vapor tightness certification. TLO demonstrates continuous compliance with the requirement by using an electronic certification verification system.

To obtain vapor tightness certification, trucks must use EPA Method 27 to test vapor tightness.

63.11092(f)(2) Railcar bubble leak test procedures.

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

The terminal does not load gasoline to railcar cargo tanks, so the provisions pertaining to railcar

cargo tanks are marked inapplicable.

63.11092(f)(2)(i)

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

The terminal does not load gasoline to railcar cargo tanks, so the provisions pertaining to railcar cargo tanks are marked inapplicable.

63.11092(f)(2)(ii)

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

The terminal does not load gasoline to railcar cargo tanks, so the provisions pertaining to railcar cargo tanks are marked inapplicable.

63.11092(f)(2)(iii)

The alternative requirements in this paragraph (f)(2) may not be used for any railcar cargo tank that collects gasoline vapors from a vapor balance system and the system complies with a Federal, State, local, or tribal rule or permit. A vapor balance system is a piping and collection system designed to collect gasoline vapors displaced from a storage vessel, barge, or other container being loaded, and routes the displaced gasoline vapors into the railcar cargo tank from which liquid gasoline is being unloaded.

The terminal does not load gasoline to railcar cargo tanks, so the provisions pertaining to railcar cargo tanks are marked inapplicable.

63.11092(g) Conduct of performance tests.

Performance tests conducted for this subpart shall be conducted under such conditions as the Administrator specifies to the owner or operator, based on representative performance (*i.e.*, performance based on normal operating conditions) of the affected source. Upon request, the owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

The terminal, being a source that must comply with an emission limit for the product loading rack, must comply with one of the paragraphs in (a)(1) through (4).

Of these paragraphs, after the installation of the VRU, the terminal will comply with paragraph (a)(1), which provides the option to conduct a performance test on the vapor processing and collection systems according to either (a)(1)(i) or (a)(1)(ii). The terminal has elected to conduct performance tests according to (a)(1)(i). Therefore, paragraph (g) applies.

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

Notifications, Records, and Reports

§ 63.11093 What notifications must I submit and when?

63.11093(a)

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

The terminal, being an affected source under this subpart, was required to submit an Initial Notification. This section is marked as not applicable, because the initial notification was already filed and is not an ongoing requirement.

63.11093(b)

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

The terminal's compliance to each section of this regulation with respect to changes at the facility are documented in this application and Form FRA. Therefore, this application and Form FRA will serve as a revision to the terminal's NESHAP 6B Notification of Compliance Status.

63.11093(c)

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

The terminal is a bulk gasoline terminal, according to the definitions in § 63.11100. The terminal is also a source that must comply with an emission limit for the product loading rack, and is therefore required to comply with the testing and monitoring requirements in § 63.11092(a) and (b). Therefore, paragraph (c) of this section applies to the terminal. A Notification of Performance Test will be submitted at least 60 days in advance of an initial performance test of the VRU.

63.11093(d)

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

The terminal, being an affected source under this subpart, is required to submit all applicable notifications in the General Provisions for NESHAP, 40 CFR 63 Subpart A.

§ 63.11094 What are my recordkeeping requirements?

63.11094(a)

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

The terminal stores gasoline in the following storage tanks: Tanks 12, 13, 164, 165, 166, 200, 202, 203, 204, and 208. Tanks storing other materials at the site do not meet the definition of "gasoline," either because their Reid vapor pressure (RVP) is lower than 27.6 kPa (4.0 psia) or because they are not used as fuel for internal combustion engines. Tanks storing diesel, jet kerosene, and ethanol are not "gasoline" because their RVP are below the threshold. Tanks storing transmix, wastewater, and fuel additives are not storing gasoline because those liquids are not used as fuel for internal combustion engines.

The terminal operates three gasoline storage tanks that are subject to and comply with NSPS Kb: Tanks 202, 203, and 204. §63.11087(f) specifies that these tanks are deemed in compliance with §63.11087. No further work practice, monitoring, recordkeeping, or reporting requirements under this section apply to Tanks 202, 203, and 204. Therefore, no provisions under §63.11094(a) apply to Tanks 202, 203 and 204.

The remaining gasoline storage tanks (12, 13, 164, 165, 166, 200, 208) comply with option 2(c) of Table 1, so they are subject to the recordkeeping requirements of §63.11094(a).

63.11094(b)

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

The terminal's product loading rack is subject to this subpart, and is required to comply with certain recordkeeping requirements in §63.11094. TLO demonstrates continuous compliance by operating "a terminal automation system to prevent gasoline cargo tanks that do not have valid cargo tank vapor tightness documentation from loading" in accordance with § 63.11094(c)(2). Therefore, according to the language of paragraph (c), paragraph (c) supersedes this paragraph (b) and paragraph (b) (including (b)(1), (b)(2), and (b)(3)) does not apply.

The annual certification testing of gasoline cargo tanks performed under § 63.11092(f)(1) is kept in the terminal automation system as noted in paragraph (c)(2), not in hard copy format

63.11094(b)(1)

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

The non-applicability rationale of paragraph (b) applies to paragraphs under (b)(1).

63.11094(b)(2)

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

The non-applicability rationale of paragraph (b) applies to all paragraphs under (b)(2).

63.11094(b)(2)(i)

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

63.11094(b)(2)(ii)

Cargo tank owner's name and address.

63.11094(b)(2)(iii)

Cargo tank identification number.

63.11094(b)(2)(iv)

Test location and date.

63.11094(b)(2)(v)

Tester name and signature.

63.11094(b)(2)(vi)

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

63.11094(b)(2)(vii)

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

63.11094(b)(2)(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.

63.11094(b)(3)

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

The alternative requirements in §63.11088(b) apply only to railcars. The terminal does not have the capability to load gasoline into railcars.

63.11094(c)

As an alternative to keeping records at the terminal of each gasoline cargo tank test result as required in paragraph (b) of this section, an owner or operator may comply with the requirements in either paragraph (c)(1) or paragraph (c)(2) of this section.

The terminal's product loading rack is subject to this subpart, and is required to comply with certain recordkeeping requirements in §63.11094. TLO demonstrates continuous compliance by operating "a terminal automation system to prevent gasoline cargo tanks that do not have valid cargo tank vapor tightness documentation from loading" in accordance with § 63.11094(c)(2).

The annual certification testing of gasoline cargo tanks performed under § 63.11092(f)(1) is kept in the terminal automation system as noted in paragraph (c)(2), not in hard copy format.

63.11094(c)(1)

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

63.11094(c)(1)(i)

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

63.11094(c)(1)(ii)

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

As noted above under paragraph (c), the terminal complies with paragraph (c)(2) rather than (c)(1).

63.11094(c)(2)

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

63.11094(c)(2)(i)

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

63.11094(c)(2)(ii)

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

The terminal's product loading rack is subject to this subpart, and is required to comply with certain recordkeeping requirements in §63.11094. TLO demonstrates continuous compliance by operating "a terminal automation system to prevent gasoline cargo tanks that do not have valid cargo tank vapor tightness documentation from loading" in accordance with § 63.11094(c)(2).

The annual certification testing of gasoline cargo tanks performed under § 63.11092(f)(1) is kept in the terminal automation system as noted in paragraph (c)(2), not in hard copy format. This satisfies the requirement of paragraph (b)(1). Information included matches the requirements of paragraph (b)(2).

63.11094(d)

Each owner or operator subject to the equipment leak provisions of § 63.11089 shall prepare and maintain a record describing the types, identification numbers, and locations of all equipment in gasoline service. For facilities electing to implement an instrument program under § 63.11089, the record shall contain a full description of the program.

The terminal's equipment in vapor and liquid gasoline service is subject to this subpart (§63.11089), and is required to comply with the recordkeeping requirements for equipment in gasoline service in this paragraph. TLO demonstrates continuous compliance by maintaining a

log of fugitive equipment leak inspections and equipment locations.

63.11094(e)

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

The terminal's equipment in vapor and liquid gasoline service is subject to this subpart (§63.11089), and is required to comply with the recordkeeping requirements for equipment in gasoline service in this paragraph. TLO demonstrates continuous compliance by maintaining a log of fugitive equipment leak inspections and equipment locations. The inspection log records the following information in paragraphs (e)(1) through (7).

63.11094(e)(1)

The equipment type and identification number.

63.11094(e)(2)

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

63.11094(e)(3)

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

63.11094(e)(4)

Repair methods applied in each attempt to repair the leak.

63.11094(e)(5)

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

63.11094(e)(6)

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

63.11094(e)(7)

The date of successful repair of the leak.

63.11094(f)

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

63.11094(f)(1)

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

The terminal's product loading rack is required to perform continuous monitoring under §63.11092(b)(1)(i). Therefore, the terminal is required to maintain monitoring records according to paragraph (f)(1) of this section.

63.11094(f)(2)

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

The terminal, being an affected source under this subpart, has historically filed the Notification of Compliance Status and the accompanying information requested in this paragraph. This paragraph is marked not applicable because the Notification of Compliance Status is not an ongoing requirement. This Form FRA, the conditions of the resultant PTC, the Notification of Performance Test for the VRU, and the data submitted to IDEQ after completing the test all provide further information regarding the compliance demonstration method for the proposed VRU.

63.11094(f)(2)(i)

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

The terminal, being an affected source under this subpart, has historically filed the Notification of Compliance Status and the accompanying information requested in this paragraph. This paragraph is marked not applicable because the Notification of Compliance Status is not an ongoing requirement. This Form FRA, the conditions of the resultant PTC, the Notification of Performance Test for the VRU, and the data submitted to IDEQ after completing the test all provide further information regarding the compliance demonstration method for the proposed VRU.

63.11094(f)(2)(ii)

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

This paragraph is marked not applicable because the terminal will comply with its emission limit using a VRU, which is not a flare as defined at §63.11100 and meeting the requirements of §63.11(b).

63.11094(f)(2)(ii)(A)

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

63.11094(f)(2)(ii)(B)

All visible emissions (VE) readings, heat content determinations, flow rate measurements, and exit

velocity determinations made during the compliance determination required under § 63.11092(e)(3).

This section is marked not applicable because the terminal will comply with its emission limit using a VRU, which is not a flare as defined at §63.11100 and meeting the requirements of §63.11(b).

63.11094(f)(3)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions paragraph § 63.11092(b).

The terminal plans to employ a VRU with carbon canisters. Therefore, the terminal must comply with either § 63.11092(b)(1)(i)(A) or (B).

After the VRU is installed, the terminal will comply with paragraph § 63.11092(b)(1)(i)(A) by using a CEMS to monitor the operation of the VRU. Therefore, paragraph § 63.11092(b)(1)(i)(B)(2) does not apply to the terminal.

Paragraph § 63.11092(b)(1)(iii) applies to the use of thermal oxidation systems. The terminal will employ a VRU, which is not a thermal oxidation system, and is therefore not subject to the requirements of Paragraph § 63.11092(b)(1)(iii)(B)(2).

Because the terminal is not subject to the requirements of paragraphs § 63.11092(b)(1)(i)(B)(2) or (b)(1)(iii)(B)(2), paragraph § 63.11094(f)(3) does not apply to the terminal.

63.11094(f)(4)

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

The terminal, being a source that must comply with an emission limit for the product loading rack, must demonstrate continuous compliance according to NESHAP 6B provisions paragraph §63.11092(b).

The terminal plans to employ a VRU with carbon canisters. Therefore, the terminal must comply with either § 63.11092(b)(1)(i)(A) or (B).

The terminal has elected to comply with paragraph § 63.11092(b)(1)(i)(A) by using a CEMS to monitor the operation of the VRU. Therefore, paragraph § 63.11092(b)(1)(i)(B)(2)(v) does not apply to the terminal.

Paragraph § 63.11092(b)(1)(iii) applies to the use of thermal oxidation systems. The terminal will employ a VRU, which is not a thermal oxidation system, and is therefore not subject to the requirements of Paragraph § 63.11092(b)(1)(iii)(B)(2)(v).

Because the terminal is not subject to the requirements of paragraphs § 63.11092(b)(1)(i)(B)(2)(v) or (b)(1)(iii)(B)(2)(v), paragraph § 63.11094(f)(4) does not apply to the terminal.

63.11094(f)(5)

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

Because the terminal has not requested approval for a system or monitored parameter outside those specified in § 63.11092(b), this section is marked not applicable.

63.11094(g)

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

The terminal, being an affected source under this subpart, is required to keep records as required in this section.

63.11094(g)(1)

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

The terminal, being an affected source under this subpart, is required to keep records as required in this section.

63.11094(g)(2)

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

The terminal, being an affected source under this subpart, is required to keep records as required in this section. The terminal will maintain records of actions taken during periods of malfunction to minimize emissions in accordance with § 63.11085(a).

[Amended at 76 FR page 4178, Jan. 24, 2011]

§ 63.11095 What are my reporting requirements?

63.11095(a)

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

The terminal, being an affected source under this subpart, is required to file semiannual reports with the information requested in this paragraph.

63.11095(a)(1)

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

The terminal, being an affected source under this subpart, is required to file semiannual reports with the information requested in this paragraph.

The terminal stores gasoline in the following storage tanks: Tanks 12, 13, 164, 165, 166, 200, 202, 203, 204, and 208. Tanks storing other materials at the site do not meet the definition of "gasoline," either because their Reid vapor pressure (RVP) is lower than 27.6 kPa (4.0 psia) or because they are not used as fuel for internal combustion engines. Tanks storing diesel, jet kerosene, and ethanol are not "gasoline" because their RVP are below the threshold. Tanks storing transmix, wastewater, and fuel additives are not storing gasoline because those liquids are not used as fuel for internal combustion engines.

The terminal operates three gasoline storage tanks that are subject to and comply with NSPS Kb: Tanks 202, 203, and 204. §63.11087(f) specifies that these tanks are deemed in compliance with §63.11087. No further work practice, monitoring, recordkeeping, or reporting requirements under this section apply to Tanks 202, 203, and 204. Therefore, no provisions under §63.11095 apply to Tanks 202, 203 and 204.

The remaining gasoline storage tanks (12, 13, 164, 165, 166, 200, 208) are external floating roof tanks complying with option 2(c) of Table 1, so they are subject to the reporting requirements of §63.11095(a)(1).

63.11095(a)(2)

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

The terminal, being an affected source under this subpart, is required to file semiannual reports with the information requested in this paragraph. The terminal's product loading rack is subject to this subpart, and is required to comply with the reporting requirement for semiannual compliance reporting at this paragraph (§63.11095(a)(2)).

63.11095(a)(3)

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

The terminal, being an affected source under this subpart, is required to file semiannual reports with the information requested in this paragraph. The terminal comprises some equipment in liquid or vapor gasoline service. Therefore, this provision applies to the terminal.

63.11095(a)(4)

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

This section is marked not applicable because the terminal's gasoline storage tanks were in compliance with NESHAP 6B prior to January 10, 2011. No future semiannual compliance reports are expected to contain notifications of tank initial compliance status.

63.11095(b)

Each owner or operator of an affected source subject to the control requirements of this subpart shall

submit an excess emissions report to the Administrator at the time the semiannual compliance report is submitted. Excess emissions events under this subpart, and the information to be included in the excess emissions report, are specified in paragraphs (b)(1) through (5) of this section.

The terminal, being an affected source under this subpart, is required to file excess emission reports with the information requested in this paragraph. Paragraphs (b)(1) through (4) apply to gasoline loading racks, and paragraph (b)(5) applies to equipment in gasoline service. The terminal's product loading rack and the terminal's equipment in gasoline service are subject to control requirements under this subpart. Details on the product loading rack's control requirement can be found in the applicability description of §§ 63.11081(i), 63.11088(a) and 63.11092(b)(5). Therefore, this provision (§63.11095(b)) applies to the terminal.

63.11095(b)(1)

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

The terminal, being an affected source under this subpart, is required to file excess emission reports with the information requested in paragraph (b). The terminal's product loading rack is subject to control requirements under this subpart. Details on the product loading rack's control requirement can be found in the applicability description of §§ 63.11081(i), 63.11088(a) and 63.11092(b)(5). The product loading rack is subject to the control requirement at item 1(d) of Table 2, limiting gasoline loading to vapor tight trucks. Therefore, this provision applies to the terminal.

63.11095(b)(2)

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

The terminal, being an affected source under this subpart, is required to file excess emission reports with the information requested in paragraph (b). The terminal's product loading rack is subject to control requirements under this subpart. Details on the product loading rack's control requirement can be found in the applicability description of §§ 63.11081(i), 63.11088(a) and 63.11092(b)(5). The product loading rack is subject to the control requirement at item 1(d) of Table 2, limiting gasoline loading to vapor tight trucks. Therefore, this provision applies to the terminal.

63.11095(b)(3)

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

The terminal, being an affected source under this subpart, is required to file excess emission reports with the information requested in paragraph (b). The terminal's product loading rack is subject to control requirements under this subpart. Details on the product loading rack's control requirement can be found in the applicability description of §§ 63.11081(i), 63.11088(a) and 63.11092(b)(5). The terminal is not subject to the 80 mg/L TOC emission standard at item 1(b) of Table 2 for gasoline loading racks, because the terminal is subject to a more stringent 35 mg/L TOC limit which becomes part of NESHAP 6B under the overlap provision of §63.11081(i). §63.11092(b) requires a continuous compliance demonstration method for the product loading rack, including a monitored parameter which is specified in this Form FRA at §63.11092(b)(5). Therefore, this provision (§63.11095(b)(3)) applies to the terminal.

63.11095(b)(4)

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

The terminal, being an affected source under this subpart, is required to file excess emission reports with the information requested in paragraph (b). The terminal's product loading rack is subject to control requirements under this subpart. Details on the product loading rack's control requirement can be found in the applicability description of §§ 63.11081(i), 63.11088(a) and 63.11092(b)(5).

This provision (§63.11095(b)(4)) is marked not applicable because the terminal's product loading rack demonstrated initial compliance by complying with a preexisting emission limit (§63.11092(a)(2)) rather than by conducting an initial performance test ((a)(1)). Therefore, the monitoring provisions of §63.11092(b)(1) do not apply to the terminal.

However, it should be noted in this context that the terminal is required to submit a monitoring parameter and value for administrator approval under §63.11092(b)(5). Details on the monitoring parameter can be found in this Form FRA in the §63.11092(b)(5) applicability discussion.

63.11095(b)(5)

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

The terminal, being an affected source under this subpart, is required to file semiannual reports with the information requested in this paragraph. The terminal comprises some equipment in liquid or vapor gasoline service. Therefore, this provision (§63.11095(b)(5)) applies to the terminal.

63.11095(b)(5)(i)

The date on which the leak was detected;

63.11095(b)(5)(ii)

The date of each attempt to repair the leak;

63.11095(b)(5)(iii)

The reasons for the delay of repair; and

63.11095(b)(5)(iv)

The date of successful repair.

The terminal, being an affected source under this subpart, is required to file semiannual reports with the information requested in this paragraph. The terminal comprises some equipment in liquid or vapor gasoline service. Therefore, this provision (§63.11095(b)(5)(i) through (iv)) applies to the terminal.

63.11095(c)

Each owner or operator of a bulk gasoline plant or a pipeline pumping station shall submit a semiannual

excess emissions report, including the information specified in paragraphs (a)(3) and (b)(5) of this section, only for a 6-month period during which an excess emission event has occurred. If no excess emission events have occurred during the previous 6-month period, no report is required.

The terminal is not a bulk gasoline plant or a pipeline pumping station, so this provision (§63.11095(c)) is not applicable.

63.11095(d)

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

The terminal, being an affected source under this subpart, is required to file semiannual reports with the information requested in this paragraph. TLO complies with the requirement to submit semiannual monitoring report, excess emissions reports, and malfunction reports.

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

Other Requirements and Information

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

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

TLO complies with applicable general requirements of 40 CFR 63 Subpart A.

§ 63.11099 Who implements and enforces this subpart?

The provisions of this section apply to the administrator and delegated authority of this subpart, not to the terminal.

63.11099(a)

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

63.11099(b)

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

63.11099(c)

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

63.11099(c)(1)

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

63.11099(c)(2)

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

63.11099(c)(3)

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

63.11099(c)(4)

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

§ 63.11100 What definitions apply to this subpart?

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

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

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

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

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

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

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

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

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

- (1) Frames, housing, auxiliary supports, or other components that are not directly involved in the containment of gasoline or gasoline vapors;
- (2) Subsurface caverns or porous rock reservoirs;
- (3) Oil/water separators and sumps, including butane blending sample recovery tanks, used to collect drained material such that it can be pumped to storage or back into a process; or
- (4) Tanks or vessels permanently attached to mobile sources such as trucks, railcars, barges, or ships.

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

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

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

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

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

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

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

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

vapor processor system.

Vapor-tight gasoline cargo tank means a gasoline cargo tank which has demonstrated within the 12 preceding months that it meets the annual certification test requirements in § 63.11092(f).

TLO has used these definitions in preparing this regulatory applicability assessment.

[76 FR page 4178, Jan. 24, 2011]

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

If you own or operate . . .

1. A gasoline storage tank meeting either of the following conditions: (i) a capacity of less than 75 cubic meters (m³); or (ii) a capacity of less than 151 m³ and a gasoline throughput of 480 gallons per day or less. Gallons per day is calculated by summing the current day's throughput, plus the throughput for the previous 364 days, and then dividing that sum by 365

The terminal does not operate any gasoline tanks below this size. No tanks apply.

2. A gasoline storage tank with a capacity of greater than or equal to 75 m³ and not meeting any of the criteria specified in item 1 of this Table

The terminal stores gasoline in the following storage tanks: Tanks 12, 13, 164, 165, 166, 200, 202, 203, 204, and 208. Tanks storing other materials at the site do not meet the definition of "gasoline," either because their Reid vapor pressure (RVP) is lower than 27.6 kPa (4.0 psia) or because they are not used as fuel for internal combustion engines. Tanks storing diesel, jet kerosene, and ethanol are not "gasoline" because their RVP are below the threshold. Tanks storing transmix, wastewater, and fuel additives are not storing gasoline because those liquids are not used as fuel for internal combustion engines.

Tanks 202, 203, and 204 comply with NSPS Kb and are deemed in compliance with NESHAP 6B. For these tanks, no emission standards or work practice requirements apply under NESHAP 6B. For reference, the requirements applicable under NSPS Kb are listed on the Form FRA for NSPS Kb.

The work practice requirements applying to the gasoline storage tanks (other than those subject

Then you must . . .

Equip each gasoline storage tank with a fixed roof that is mounted to the storage tank in a stationary manner, and maintain all openings in a closed position at all times when not in use.

Do the following: (a) Reduce emissions of total organic HAP or TOC by 95 weight-percent with a closed vent system and control device, as specified in § 60.112b(a)(3) of this chapter; or

to NSPS Kb) is item 2(c) of Table 1 of NESHAP 6B, because the tanks are equipped with external floating roofs, and the terminal does not currently demonstrate compliance according to item 2(d) of the table.

- (b) Equip each internal floating roof gasoline storage tank according to the requirements in § 60.112b(a)(1) of this chapter, except for the secondary seal requirements under § 60.112b(a)(1)(ii)(B) and the requirements in § 60.112b(a)(1)(iv) through (ix) of this chapter; and
- (c) Equip each external floating roof gasoline storage tank according to the requirements in § 60.112b(a)(2) of this chapter, except that the requirements of § 60.112b(a)(2)(ii) of this chapter shall only be required if such storage tank does not currently meet the requirements of § 60.112b(a)(2)(i) of this chapter; or
- (d) Equip and operate each internal and external floating roof gasoline storage tank according to the applicable requirements in § 63.1063(a)(1) and (b), except for the secondary seal requirements under § 63.1063(a)(1)(i)(C) and (D), and equip each external floating roof gasoline storage tank according to the requirements of § 63.1063(a)(2) if such storage tank does not currently meet the requirements of § 63.1063(a)(1).

3. A surge control tank

The terminal does not operate surge control tanks; it is a terminus and may designate empty tanks for relief service, but does not maintain surge control tanks containing liquid.

Equip each tank with a fixed roof that is mounted to the tank in a stationary manner and with a pressure/vacuum vent with a positive cracking pressure of no less than 0.50 inches of water. Maintain all openings in a closed position at all times when not in use.

[76 FR page 4179, Jan. 24, 2011]

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

If you own or operate . . .

1. A bulk gasoline terminal loading rack(s) with a gasoline throughput (total of all racks) of 250,000 gallons per day, or greater. Gallons per day is calculated by summing the current day's throughput, plus the throughput for the previous 364 days, and then dividing that sum by 365

Then you must . . .

- (a) Equip your loading rack(s) with a vapor collection system designed to collect the TOC vapors displaced from cargo tanks during product loading; and (b) Reduce emissions of TOC to less than or equal to 80 mg/l of gasoline loaded into gasoline cargo tanks at the loading rack; and (c) Design and operate the vapor collection system to

The terminal operates one gasoline loading rack. This loading rack has historically operated at greater than 250,000 gal/day and complies with item 1 of this table.

prevent any TOC vapors collected at one loading rack or lane from passing through another loading rack or lane to the atmosphere; and

(d) Limit the loading of gasoline into gasoline cargo tanks that are vapor tight using the procedures specified in § 60.502(e) through (j) of this chapter. For the purposes of this section, the term "tank truck" as used in § 60.502(e) through (j) of this chapter means "cargo tank" as defined in § 63.11100.

2. A bulk gasoline terminal loading rack(s) with a gasoline throughput (total of all racks) of less than 250,000 gallons per day. Gallons per day is calculated by summing the current day's throughput, plus the throughput for the previous 364 days, and then dividing that sum by 365

(a) Use submerged filling with a submerged fill pipe that is no more than 6 inches from the bottom of the cargo tank; and (b) Make records available within 24 hours of a request by the Administrator to document your gasoline throughput.

[76 FR page 4179, Jan. 24, 2011]

The following emission limits and management practices from Table 1 apply to the terminal's product loading rack:

- **Item 1a**
- **Item 1c**
- **Item 1d**

Item 1b, the 80 mg/L TOC emission standard from NESHAP 6B, is superseded by the NSPS XX emission standard of 35 mg/L TOC at §60.502(b) and by the unit-specific emission limit proposed in this PTC application. Because of the overlap provision specified at §63.11081(i), the NESHAP 6B emission limit does not apply to the terminal. However, as described under §63.11092 in this Form FRA, the monitoring, recordkeeping, and reporting requirements of NESHAP 6B do apply. They are more stringent than those in NSPS XX, and their applicability is not nullified under the overlap provision in §63.11081(i).

Items 2a and 2b of Table 2 do not apply to the terminal's product loading rack because the terminal's product loading rack has a gasoline throughput greater than 250,000 gal/day (365-day average).

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

Citation	Subject	Brief description	Applies to subpart BBBBBB
§ 63.1	Applicability	Initial applicability determination; applicability after standard established; permit requirements; extensions, notifications	Yes, specific requirements given in § 63.11081.
§ 63.1(c)(2)	Title V permit	Requirements for obtaining a title V permit from the applicable permitting authority	Yes, § 63.11081(b) of subpart BBBBBB exempts identified area

			sources from the obligation to obtain title V operating permits.
§ 63.2	Definitions	Definitions for part 63 standards	Yes, additional definitions in § 63.11100.
§ 63.3	Units and Abbreviations	Units and abbreviations for part 63 standards	Yes.
§ 63.4	Prohibited Activities and Circumvention	Prohibited activities; circumvention, severability	Yes.
§ 63.5	Construction/Reconstruction	Applicability; applications; approvals	Yes.
§ 63.6(a)	Compliance with Standards/Operation & Maintenance Applicability	General Provisions apply unless compliance extension; General Provisions apply to area sources that become major	Yes.
§ 63.6(b)(1)–(4)	Compliance Dates for New and Reconstructed Sources	Standards apply at effective date; 3 years after effective date; upon startup; 10 years after construction or reconstruction commences for CAA section 112(f)	Yes.
§ 63.6(b)(5)	Notification	Must notify if commenced construction or reconstruction after proposal	Yes.
§ 63.6(b)(6)	[Reserved]		
§ 63.6(b)(7)	Compliance Dates for New and Reconstructed Area Sources that Become Major	Area sources that become major must comply with major source standards immediately upon becoming major, regardless of whether required to comply when they were an area source	No.
§ 63.6(c)(1)–(2)	Compliance Dates for Existing Sources	Comply according to date in this subpart, which must be no later than 3 years after effective date; for CAA section 112(f) standards, comply within 90 days of effective date unless compliance extension	No, § 63.11083 specifies the compliance dates.
§ 63.6(c)(3)–(4)	[Reserved]		
§ 63.6(c)(5)	Compliance Dates for Existing Area Sources that Become Major	Area sources that become major must comply with major source standards by date indicated in this subpart or by equivalent time period (e.g., 3 years)	No.
§ 63.6(d)	[Reserved]		
63.6(e)(1)(i)	General duty to minimize emissions	Operate to minimize emissions at all times; information Administrator will use to determine if operation and maintenance requirements were met	No. See § 63.11085 for general duty requirement.
63.6(e)(1)(ii)	Requirement to correct malfunctions as soon as possible	Owner or operator must correct malfunctions as soon as possible	No.
§ 63.6(e)(2)	[Reserved]		
§ 63.6(e)(3)	Startup, Shutdown, and Malfunction (SSM)	Requirement for SSM plan; content of SSM plan; actions during SSM	No.

§ 63.6(f)(1)	plan Compliance Except During SSM	You must comply with emission standards at all times except during SSM	No.
§ 63.6(f)(2)–(3)	Methods for Determining Compliance	Compliance based on performance test, operation and maintenance plans, records, inspection	Yes.
§ 63.6(g)(1)–(3)	Alternative Standard	Procedures for getting an alternative standard	Yes.
§ 63.6(h)(1)	Compliance with Opacity/VE Standards	You must comply with opacity/VE standards at all times except during SSM	No.
§ 63.6(h)(2)(i)	Determining Compliance with Opacity/VE Standards	If standard does not State test method, use EPA Method 9 for opacity in appendix A of part 60 of this chapter and EPA Method 22 for VE in appendix A of part 60 of this chapter	No.
§ 63.6(h)(2)(ii)	[Reserved]		
§ 63.6(h)(2)(iii)	Using Previous Tests to Demonstrate Compliance with Opacity/VE Standards	Criteria for when previous opacity/VE testing can be used to show compliance with this subpart	No.
§ 63.6(h)(3)	[Reserved]		
§ 63.6(h)(4)	Notification of Opacity/VE Observation Date	Must notify Administrator of anticipated date of observation	No.
§ 63.6(h)(5)(i), (iii)–(v)	Conducting Opacity/VE Observations	Dates and schedule for conducting opacity/VE observations	No.
§ 63.6(h)(5)(ii)	Opacity Test Duration and Averaging Times	Must have at least 3 hours of observation with 30 6-minute averages	No.
§ 63.6(h)(6)	Records of Conditions During Opacity/VE Observations	Must keep records available and allow Administrator to inspect	No.
§ 63.6(h)(7)(i)	Report Continuous Opacity Monitoring System (COMS) Monitoring Data from Performance Test	Must submit COMS data with other performance test data	No.
§ 63.6(h)(7)(ii)	Using COMS Instead of EPA Method 9	Can submit COMS data instead of EPA Method 9 results even if rule requires EPA Method 9 in appendix A of part 60 of this chapter, but must notify Administrator before performance test	No.
§ 63.6(h)(7)(iii)	Averaging Time for COMS During Performance Test	To determine compliance, must reduce COMS data to 6-minute averages	No.
§ 63.6(h)(7)(iv)	COMS Requirements	Owner/operator must demonstrate that COMS performance evaluations are conducted according to § 63.8(e); COMS are properly maintained and operated according to § 63.8(c) and data quality as § 63.8(d)	No.
§ 63.6(h)(7)(v)	Determining	COMS is probable but not conclusive evidence of	No.

	Compliance with Opacity/VE Standards	compliance with opacity standard, even if EPA Method 9 observation shows otherwise. Requirements for COMS to be probable evidence-proper maintenance, meeting Performance Specification 1 in appendix B of part 60 of this chapter, and data have not been altered	
§ 63.6(h)(8)	Determining Compliance with Opacity/VE Standards	Administrator will use all COMS, EPA Method 9 (in appendix A of part 60 of this chapter), and EPA Method 22 (in appendix A of part 60 of this chapter) results, as well as information about operation and maintenance to determine compliance	No.
§ 63.6(h)(9)	Adjusted Opacity Standard	Procedures for Administrator to adjust an opacity standard	No.
§ 63.6(i)(1)-(14)	Compliance Extension	Procedures and criteria for Administrator to grant compliance extension	Yes.
§ 63.6(j)	Presidential Compliance Exemption	President may exempt any source from requirement to comply with this subpart	Yes.
§ 63.7(a)(2)	Performance Test Dates	Dates for conducting initial performance testing; must conduct 180 days after compliance date	Yes.
§ 63.7(a)(3)	Section 114 Authority	Administrator may require a performance test under CAA section 114 at any time	Yes.
§ 63.7(b)(1)	Notification of Performance Test	Must notify Administrator 60 days before the test	Yes.
§ 63.7(b)(2)	Notification of Re-scheduling	If have to reschedule performance test, must notify Administrator of rescheduled date as soon as practicable and without delay	Yes.
§ 63.7(c)	Quality Assurance (QA)/Test Plan	Requirement to submit site-specific test plan 60 days before the test or on date Administrator agrees with; test plan approval procedures; performance audit requirements; internal and external QA procedures for testing	Yes.
§ 63.7(d) 63.7(e)(1)	Testing Facilities Conditions for Conducting Performance Tests	Requirements for testing facilities Performance test must be conducted under representative conditions	Yes. No, § 63.11092(g) specifies conditions for conducting performance tests.
§ 63.7(e)(2)	Conditions for Conducting Performance Tests	Must conduct according to this subpart and EPA test methods unless Administrator approves alternative	Yes.
§ 63.7(e)(3)	Test Run Duration	Must have three test runs of at least 1 hour each; compliance is based on arithmetic mean of three runs; conditions when data from an additional test run can be used	Yes, except for testing conducted under § 63.11092(a).
§ 63.7(f)	Alternative Test Method	Procedures by which Administrator can grant approval to use an intermediate or major change, or alternative to a test method	Yes.
§ 63.7(g)	Performance Test Data Analysis	Must include raw data in performance test report; must submit performance test data 60 days after end of test with the notification of compliance status; keep data for 5 years	Yes.

§ 63.7(h)	Waiver of Tests	Procedures for Administrator to waive performance test	Yes.
§ 63.8(a)(1)	Applicability of Monitoring Requirements	Subject to all monitoring requirements in standard	Yes.
§ 63.8(a)(2)	Performance Specifications	Performance specifications in appendix B of 40 CFR part 60 apply	Yes.
§ 63.8(a)(3)	[Reserved]		
§ 63.8(a)(4)	Monitoring of Flares	Monitoring requirements for flares in § 63.11 apply	Yes.
§ 63.8(b)(1)	Monitoring	Must conduct monitoring according to standard unless Administrator approves alternative	Yes.
§ 63.8(b)(2)–(3)	Multiple Effluents and Multiple Monitoring Systems	Specific requirements for installing monitoring systems; must install on each affected source or after combined with another affected source before it is released to the atmosphere provided the monitoring is sufficient to demonstrate compliance with the standard; if more than one monitoring system on an emission point, must report all monitoring system results, unless one monitoring system is a backup	Yes.
§ 63.8(c)(1)	Monitoring System Operation and Maintenance	Maintain monitoring system in a manner consistent with good air pollution control practices	Yes.
§ 63.8(c)(1)(i)	Operation and Maintenance of CMS	Must maintain and operate each CMS as specified in § 63.6(e)(1)	No.
§ 63.8(c)(1)(ii)	Operation and Maintenance of CMS	Must keep parts for routine repairs readily available	Yes.
§ 63.8(c)(1)(iii)	Operation and Maintenance of CMS	Requirement to develop SSM Plan for CMS	No.
§ 63.8(c)(2)–(8)	CMS Requirements	Must install to get representative emission or parameter measurements; must verify operational status before or at performance test	Yes.
§ 63.8(d)	CMS Quality Control	Requirements for CMS quality control, including calibration, etc.; must keep quality control plan on record for 5 years; keep old versions for 5 years after revisions	No.
§ 63.8(e)	CMS Performance Evaluation	Notification, performance evaluation test plan, reports	Yes.
§ 63.8(f)(1)–(5)	Alternative Monitoring Method	Procedures for Administrator to approve alternative monitoring	Yes.
§ 63.8(f)(6)	Alternative to Relative Accuracy Test	Procedures for Administrator to approve alternative relative accuracy tests for CEMS	Yes.
§ 63.8(g)	Data Reduction	COMS 6-minute averages calculated over at least 36 evenly spaced data points; CEMS 1 hour averages computed over at least 4 equally spaced data points; data that cannot be used in average	Yes.
§ 63.9(a)	Notification Requirements	Applicability and State delegation	Yes.
§ 63.9(b)(1)–(2), (4)–(5)	Initial Notifications	Submit notification within 120 days after effective date; notification of intent to	Yes.

		construct/reconstruct, notification of commencement of construction/reconstruction, notification of startup; contents of each	
§ 63.9(c)	Request for Compliance Extension	Can request if cannot comply by date or if installed best available control technology or lowest achievable emission rate	Yes.
§ 63.9(d)	Notification of Special Compliance Requirements for New Sources	For sources that commence construction between proposal and promulgation and want to comply 3 years after effective date	Yes.
§ 63.9(e)	Notification of Performance Test	Notify Administrator 60 days prior	Yes.
§ 63.9(f)	Notification of VE/Opacity Test	Notify Administrator 30 days prior	No.
§ 63.9(g)	Additional Notifications When Using CMS	Notification of performance evaluation; notification about use of COMS data; notification that exceeded criterion for relative accuracy alternative	Yes, however, there are no opacity standards.
§ 63.9(h) (1)–(6)	Notification of Compliance Status	Contents due 60 days after end of performance test or other compliance demonstration, except for opacity/VE, which are due 30 days after; when to submit to Federal vs. State authority	Yes, except as specified in § 63.11095(a)(4); also, there are no opacity standards.
§ 63.9(i)	Adjustment of Submittal Deadlines	Procedures for Administrator to approve change when notifications must be submitted	Yes.
§ 63.9(j)	Change in Previous Information	Must submit within 15 days after the change	Yes.
§ 63.10(a)	Record-keeping/Reporting	Applies to all, unless compliance extension; when to submit to Federal vs. State authority; procedures for owners of more than one source	Yes.
§ 63.10(b)(1)	Record-keeping/Reporting	General requirements; keep all records readily available; keep for 5 years	Yes.
§ 63.10(b)(2)(i)	Records related to SSM	Recordkeeping of occurrence and duration of startups and shutdowns	No.
§ 63.10(b)(2)(ii)	Records related to SSM	Recordkeeping of malfunctions	No. See § 63.11094(g) for recordkeeping of (1) occurrence and duration and (2) actions taken during malfunction.
§ 63.10(b)(2)(ii)	Maintenance records	Recordkeeping of maintenance on air pollution control and monitoring equipment	Yes.
§ 63.10(b)(2)(iv)	Records Related to SSM	Actions taken to minimize emissions during SSM	No.
§ 63.10(b)(2)(v)	Records Related to SSM	Actions taken to minimize emissions during SSM	No.
§ 63.10(b)(2)(vi)–(xi)	CMS Records	Malfunctions, inoperative, out-of-control periods	Yes.
§ 63.10(b)(2)(xii)	Records	Records when under waiver	Yes.

§ 63.10(b)(2)(xiii)	Records	Records when using alternative to relative accuracy test	Yes.
§ 63.10(b)(2)(xiv)	Records	All documentation supporting initial notification and notification of compliance status	Yes.
§ 63.10(b)(3)	Records	Applicability determinations	Yes.
§ 63.10(c)	Records	Additional records for CMS	No.
§ 63.10(d)(1)	General Reporting Requirements	Requirement to report	Yes.
§ 63.10(d)(2)	Report of Performance Test Results	When to submit to Federal or State authority	Yes.
§ 63.10(d)(3)	Reporting Opacity or VE Observations	What to report and when	No.
§ 63.10(d)(4)	Progress Reports	Must submit progress reports on schedule if under compliance extension	Yes.
§ 63.10(d)(5)	SSM Reports	Contents and submission	No. See § 63.11095(d) for malfunction reporting requirements.
§ 63.10(e)(1)–(2)	Additional CMS Reports	Must report results for each CEMS on a unit; written copy of CMS performance evaluation; 2–3 copies of COMS performance evaluation	No.
§ 63.10(e)(3)(i)–(iii)	Reports	Schedule for reporting excess emissions	Yes, note that § 63.11095 specifies excess emission events for this subpart.
§ 63.10(e)(3)(iv)–(v)	Excess Emissions Reports	Requirement to revert to quarterly submission if there is an excess emissions and parameter monitor exceedances (now defined as deviations); provision to request semiannual reporting after compliance for 1 year; submit report by 30th day following end of quarter or calendar half; if there has not been an exceedance or excess emissions (now defined as deviations), report contents in a statement that there have been no deviations; must submit report containing all of the information in §§ 63.8(c)(7)–(8) and 63.10(c)(5)–(13)	Yes, § 63.11095 specifies excess emission events for this subpart.
§ 63.10(e)(3)(vi)–(viii)	Excess Emissions Report and Summary Report	Requirements for reporting excess emissions for CMS; requires all of the information in §§ 63.8(c)(7)–(8) and 63.10(c)(5)–(13)	Yes.
§ 63.10(e)(4)	Reporting COMS Data	Must submit COMS data with performance test data	Yes.
§ 63.10(f)	Waiver for Recordkeeping/Reporting	Procedures for Administrator to waive	Yes.
§ 63.11(b)	Flares	Requirements for flares	Yes, the section references § 63.11(b).
§ 63.12	Delegation	State authority to enforce standards	Yes.
§ 63.13	Addresses	Addresses where reports, notifications, and requests are sent	Yes.
§ 63.14	Incorporations by	Test methods incorporated by reference	Yes.

§ 63.15	Reference Availability of Information	Public and confidential information	Yes.
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[Amended at 76 FR page 4180, Jan. 24, 2011]

Appendix B - Facility Comments on Draft Permit

Facility Comment: “Section 4 3rd paragraph and table 4.2 and Section 5 3rd paragraph and table 5.2
The dates are inconsistent and conflict with each other. Should these dates all be 5/8/19?”

DEQ Response: All dates should be 5/8/19 and the permit has been corrected to show these dates.
