



Mitchell E. Daniels, Jr.  
Governor

Thomas W. Easterly  
Commissioner

100 North Senate Avenue  
Indianapolis, Indiana 46204  
(317) 232-8603  
(800) 451-6027  
www.IN.gov/idem

TO: Interested Parties / Applicant  
DATE: January 24, 2007  
RE: Lassus Bros. Terminal, Inc. / 069-23395-00039  
FROM: Nisha Sizemore  
Chief, Permits Branch  
Office of Air Quality

### Notice of Decision: Approval – Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-6-1(b) or IC 13-15-6-1(a) require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204.

For an **initial Title V Operating Permit**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **thirty (30)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(b).

For a **Title V Operating Permit renewal**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **fifteen (15)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(a).

The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

Pursuant to 326 IAC 2-7-18(d), any person may petition the U.S. EPA to object to the issuance of an initial Title V operating permit, permit renewal, or modification within sixty (60) days of the end of the forty-five (45) day EPA review period. Such an objection must be based only on issues that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such issues, or if the grounds for such objection arose after the comment period.

To petition the U.S. EPA to object to the issuance of a Title V operating permit, contact:

U.S. Environmental Protection Agency  
401 M Street  
Washington, D.C. 20406

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.



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www.IN.gov/idem

## NEW SOURCE CONSTRUCTION AND PART 70 OPERATING PERMIT OFFICE OF AIR QUALITY

**Lassus Brothers Terminal, Inc.  
4413 North Meridian Road  
Huntington, Indiana 46750**

(herein known as the Permittee) is hereby authorized to construct and operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

**The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.**

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: T069-23395-00039	
Issued by: Original signed by  Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date: January 24, 2007  Expiration Date: January 24, 2012

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## SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

### A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]

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The Permittee owns and operates a stationary bulk gasoline terminal.

Responsible Official:	Company President
Source Address:	4413 North Meridian Road, Huntington, Indiana 46750
Mailing Address:	1800 Magnavox Way, Fort Wayne, Indiana 46804
General Source Phone Number:	(260) 436-1415
SIC Code:	5171
County Location:	Huntington
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Permit Program Minor Source, under PSD; Major Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

### A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]

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This stationary source consists of the following emission units and pollution control devices:

One (1) truck loading rack (identified as ES-TLR) equipped with two (2) bottom-loading truck bays with a maximum throughput rate of 150,000,000 gallons of gasoline per year or 17,123 gallons per hour; maximum throughput rate of 19,422,704 gallons of ethanol per year; and maximum throughput rate of 32,623 gallons of additives per year.

The truck loading rack is controlled by a hydrocarbon combustion flare system (VCU) having a rated efficiency of 96 percent and a collection efficiency of 100 percent, and exhausts at vent S-VCU. The flare utilizes LPG fired pilot to preheat the system prior to the start of product transfer at an annual throughput rate of 7,260 gallons of LPG. This unit was originally constructed in 1963 and modified in 1994, 2000, 2004, 2005, and 2006. Note: The pipe connections to the truck loading rack will be modified in 2006 to accommodate the new tanks (identified as Tank 9 and 10) and modified tanks (identified as Tank 3, 4, 5, and 6).

Under 40 CFR 63, Subpart R and 40 CFR 60, Subpart XX this existing source is considered as a bulk gasoline terminal.

### A.3 Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]

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This stationary source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (a) One (1) unleaded gasoline storage tank (identified as Tank 1), with a maximum storage capacity of 588,000 gallons and emissions exhausting to vent V-TK1a&b. This unit was constructed in 1963.
- (b) One (1) unleaded gasoline storage tank (identified as Tank 2), with a maximum storage capacity of 1,210,440 gallons and emissions exhausting to vent V-TK2a&b. This unit was constructed in 1963.
- (c) One (1) ethanol storage tank (identified as Tank 3), with a maximum storage capacity of 25,500 gallons, and emissions exhausting to vent V-TK3. This unit was constructed in 1993.

and modified in 2006. Note: Tank 3, which has previously used to store gasoline additives, and was modified in 2006 to store ethanol.

- (d) Three (3) ethanol storage tanks (identified as Tank 4, 5, and 6), each with a maximum storage capacity of 25,500 gallons, and emissions exhausting to vents V-TK4, V-TK5, and V-TK6. These units were constructed in 1993.
- (e) One (1) gasoline additive storage tank (identified as Tank 7), with a maximum storage capacity of 500 gallons, and emissions exhausting to vents V-TK7. This unit was constructed in 2004.
- (f) One (1) diesel additive storage tank (identified as Tank 8), with a maximum storage capacity of 550 gallons. This unit was constructed in 1998.
- (g) One (1) unleaded gasoline storage tank (identified as Tank 9), permitted to construct in 2006, with a maximum storage capacity of 2,286,060 gallons and emissions exhausting to vent V-TK9. [40 CFR 60.110, Subpart Kb] [326 IAC 8-4-3]
- (h) One (1) gasoline additive storage tank (identified as Tank 10), permitted to construct in 2006, with a maximum storage capacity of 3,000 gallons and emissions exhausting to vent V-TK10.
- (i) Equipment leak losses consisting of pumps, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, flanges and other connectors.
- (j) Paved and unpaved roads. [326 IAC 6-4]

A.4 Part 70 Permit Applicability [326 IAC 2-7-2]

This stationary source is required to have a Part 70 permit by 326 IAC 2-7-2 (Applicability) because:

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

## SECTION B

## GENERAL CONDITIONS

### B.1 Definitions [326 IAC 2-7-1]

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Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

### B.2 Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5] [326 IAC 2-7-4(a)(1)(D)] [IC 13-15-3-6(a)]

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- (a) This permit, T069-23395-00039, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

### B.3 Term of Conditions [326 IAC 2-1.1-9.5]

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Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

- (a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

### B.4 Enforceability [326 IAC 2-7-7]

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Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

### B.5 Severability [326 IAC 2-7-5(5)]

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The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

### B.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

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This permit does not convey any property rights of any sort or any exclusive privilege.

### B.7 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

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- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.8 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted no later than July 1 of each year to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V  
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
  - (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether compliance was continuous or intermittent;
  - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
  - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ, may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)][326 IAC 1-6-3]

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- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
  - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
  - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

The PMP extension notification does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

B.11 Emergency Provisions [326 IAC 2-7-16]

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- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
  - (2) The permitted facility was at the time being properly operated;
  - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
  - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality,  
Compliance Section), or  
Telephone Number: 317-233-0178 (ask for Compliance Section)  
Facsimile Number: 317-233-6865

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
  - (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
  - (e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.
  - (f) Failure to notify IDEM, OAQ, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
  - (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
  - (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

B.12 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that

either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.

- (b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.
- (d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
  - (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
  - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
  - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
  - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]

**B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]**

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- (a) All terms and conditions of permits established prior to T069-23395-00039 and issued pursuant to permitting programs approved into the state implementation plan have been either
  - (1) incorporated as originally stated,
  - (2) revised under 326 IAC 2-7-10.5, or
  - (3) deleted under 326 IAC 2-7-10.5.

B.14 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, determines any of the following:
- (1) That this permit contains a material mistake.
  - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
  - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.17 Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4] [326 IAC 2-7-8(e)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

- (b) A timely renewal application is one that is:
- (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
  - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source’s failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, any additional information identified as being needed to process the application.

B.18 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:  
Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251
- Any such application shall be certified by the “responsible official” as defined by 326 IAC 2-7-1(34).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request.  
[326 IAC 2-7-11(c)(3)]

B.19 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12(b)(2)]

- (a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.
- (b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for

in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

**B.20 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]**

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(a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
- (3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V  
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-7-20(b), (c), or (e). The Permittee shall make such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

(b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(c) Emission Trades [326 IAC 2-7-20(c)]

The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).

- (d) **Alternative Operating Scenarios [326 IAC 2-7-20(d)]**  
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

**B.21 Source Modification Requirement [326 IAC 2-7-10.5]**

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A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.

**B.22 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2] [IC 13-30-3-1] [IC 13-17-3-2]**

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Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

**B.23 Transfer of Ownership or Operational Control [326 IAC 2-7-11]**

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- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

The application which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.25 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314][326 IAC 1-1-6]

For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit if the appropriate performance or compliance test or procedure had been performed.

**SECTION C**

**SOURCE OPERATION CONDITIONS**

Entire Source

**Emission Limitations and Standards [326 IAC 2-7-5(1)]**

**C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]**

Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply and shall not exceed 0.551 pounds per hour.

**C.2 Opacity [326 IAC 5-1]**

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

**C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]**

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.

**C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2]**

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2.

**C.5 Fugitive Dust Emissions [326 IAC 6-4]**

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.

**C.6 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]**

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
  - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
  - (2) If there is a change in the following:

- (A) Asbestos removal or demolition start date;
  - (B) Removal or demolition contractor; or
  - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

Indiana Department of Environmental Management  
Asbestos Section, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (e) **Procedures for Asbestos Emission Control**  
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and renovation**  
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Accredited Asbestos Inspector**  
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos.

### **Testing Requirements [326 IAC 2-7-6(1)]**

#### **C.7 Performance Testing [326 IAC 3-6]**

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- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

### **Compliance Requirements [326 IAC 2-1.1-11]**

#### **C.8 Compliance Requirements [326 IAC 2-1.1-11]**

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The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

### **Compliance Monitoring Requirements [326 IAC 2-7-5(1)] [326 IAC 2-7-6(1)]**

#### **C.9 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]**

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Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units or emission units added through a source modification shall be implemented when operation begins.

#### **C.10 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]**

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Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, 40 CFR 60 Appendix B, 40 CFR 63, or other approved methods as specified in this permit.

### **Corrective Actions and Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]**

#### **C.11 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]**

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Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (b) These ERPs shall be submitted for approval to:

Indiana Department of Environmental Management

Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251  
within ninety (90) days after the date of issuance of this permit.

The ERP does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.
- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.
- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.
- (f) Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level.  
[326 IAC 1-5-3]

C.12 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.

C.13 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

- (a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:
  - (1) initial inspection and evaluation;
  - (2) recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or
  - (3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.
- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:
  - (1) monitoring results;
  - (2) review of operation and maintenance procedures and records;
  - (3) inspection of the control device, associated capture system, and the process.
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.

- (e) The Permittee shall maintain the following records:
  - (1) monitoring data;
  - (2) monitor performance data, if applicable; and
  - (3) corrective actions taken.

**C.14 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]**

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

**C.15 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]**

- (a) In accordance with the compliance schedule specified in 326 IAC 2-6-3(b)(1), starting in 2004 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:
  - (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
  - (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1 (32) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

Indiana Department of Environmental Management  
Technical Support and Modeling Section, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

The emission statement does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

C.16 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

C.17 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:  
  
Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (f) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1.

**Stratospheric Ozone Protection**

C.18 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

- (a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.

- (b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

## SECTION D.1

## FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-7-5-(1)]:

One (1) truck loading rack (identified as ES-TLR) equipped with two (2) bottom-loading truck bays with a maximum throughput rate of 150,000,000 gallons of gasoline per year or 17,123 gallons per hour; maximum throughput rate of 19,422,704 gallons of ethanol per year; and maximum throughput rate of 32,623 gallons of additives per year.

The truck loading rack is controlled by a hydrocarbon combustion flare system (VCU) having a rated efficiency of 96 percent and a collection efficiency of 100 percent, and exhausts at vent S-VCU. The flare utilizes LPG fired pilot to preheat the system prior to the start of product transfer at an annual throughput rate of 7,260 gallons of LPG. This unit was originally constructed in 1963 and modified in 1994, 2000, 2004, 2005, and 2006. Note: The pipe connections to the truck loading rack will be modified in 2006 to accommodate the new tanks (identified as Tank 9 and 10) and modified tanks (identified as Tank 3, 4, 5, and 6).

Under 40 CFR 63, Subpart R and 40 CFR 60, Subpart XX, this existing source is considered as a bulk gasoline terminal.

### Insignificant Activities:

- (a) One (1) unleaded gasoline storage tank (identified as Tank 1), with a maximum storage capacity of 588,000 gallons and emissions exhausting to vent V-TK1a&b. This unit was constructed in 1963.
- (b) One (1) unleaded gasoline storage tank (identified as Tank 2), with a maximum storage capacity of 1,210,440 gallons and emissions exhausting to vent V-TK2a&b. This unit was constructed in 1963.
- (c) One (1) ethanol storage tank (identified as Tank 3), with a maximum storage capacity of 25,500 gallons, and emissions exhausting to vent V-TK3. This unit was constructed in 1993 and modified in 2006. Note: Tank 3, which was previously used to store gasoline additives, and was modified in 2006 to store ethanol.
- (d) Three (3) ethanol storage tanks (identified as Tank 4, 5, and 6), each with a maximum storage capacity of 25,500 gallons, and emissions exhausting to vents V-TK4, V-TK5, and V-TK6. These units were constructed in 1993.
- (e) One (1) gasoline additive storage tank (identified as Tank 7), with a maximum storage capacity of 500 gallons, and emissions exhausting to vents V-TK7. This unit was constructed in 2004.
- (f) One (1) diesel additive storage tank (identified as Tank 8), with a maximum storage capacity of 550 gallons. This unit was constructed in 1998.
- (g) One (1) unleaded gasoline storage tank (identified as Tank 9), permitted to construct in 2006, with a maximum storage capacity of 2,286,060 gallons and emissions exhausting to vent V-TK9. [40 CFR 60.110, Subpart Kb] [326 IAC 8-4-3]
- (h) One (1) gasoline additive storage tank (identified as Tank 10), permitted to construct in 2006, with a maximum storage capacity of 3,000 gallons and emissions exhausting to vent V-TK10.
- (i) Equipment leak losses consisting of pumps, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, flanges and other connectors.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

## **Emission Limitations and Standards [326 IAC 2-7-5(1)]**

### **D.1.1 Volatile Organic Compounds [326 IAC 2-2]**

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- (a) The VOC emissions from the truck loading rack (ES-TLR) shall be limited to less than 0.293 pounds per 1,000 gallons throughput (gasoline, ethanol, and/or additives). This shall be achieved by using a vapor combustion unit (VCU) with a control efficiency of at least 96%.
- (b) The maximum combined throughput of truck loading rack (ES-TLR) shall not exceed 169,455,327 gallons throughput per 12-consecutive month period, with compliance determined at the end of each month.

Compliance with these limits is equivalent to VOC emissions less than 24.5 tons per year and will render 326 IAC 2-2 PSD not applicable.

### **D.1.2 Volatile Organic Compounds [326 IAC 8-4-3]**

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- (a) Pursuant to 326 IAC 8-4-3(b), no owner or operator of an affected fixed roof tank (Tank 9) shall permit the use of such facility unless:
  - (A) The facility has been fitted with an internal floating roof equipped with a closure seal, or seals, to close the space between the roof edge and tank wall unless the source has been fitted with equally effective alternative control which has been approved.
  - (B) The facility is maintained such that there are no visible holes, tears, or other opening in the seal or any seal fabric or materials.
  - (C) All openings, except stub drains, are equipped with covers, lids, or seals such that:
    - (i) the cover, lid, or seal is in the closed position at all times except when in actual use;
    - (ii) automatic bleeder vents are closed at all time except when the roof is floated off or landed on the roof leg supports;
    - (iii) rim vents, if provided, are set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting.
- (b) Pursuant to 326 IAC 8-4-3(d), owners or operators of petroleum liquid storage vessels shall maintain records of the types of volatile petroleum liquid stored, the maximum true vapor pressure of the liquid as stored, and the results of the inspections performed on the storage vessels. Such records shall be maintained for a period of two (2) years and shall be made available to the commissioner upon written request.

### **D.1.3 Preventive Maintenance Plan [326 IAC 2-7-5(13)]**

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A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for this facility and its control device.

## **Compliance Determination Requirements**

### **D.1.4 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]**

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In order to demonstrate compliance with Condition D.1.1, the Permittee shall perform VOC testing for the Vapor Combustion Unit (VCU) controlling the truck loading rack (ES-TLR) utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of the latest valid compliance demonstration. Testing shall be conducted in accordance with Section C- Performance Testing.

### **D.1.5 Pollution Control Project [326 IAC 2-2.3(1)]**

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- (a) Pursuant to Exemption No.: 069-20811-00039, issued on April 15, 2005, the Permittee shall operate the hydrocarbon combustion flare system (VCU) in a manner consistent with proper industry and engineering practices, and in a way as to minimize, within the physical

configuration and operational standards usually associated with the emissions control device or strategy, emissions of collateral pollutants.

- (b) The Permittee shall maintain copies on site of monitoring and other emission records to prove that the hydrocarbon combustion flare system (VCU) operated consistent with the general duty requirements given in (a) and by complying with the following requirements:
  - (1) The hydrocarbon combustion flare system (VCU) at all times that the tanker loading rack (identified as ES-TLR) is in operation. The presence of pilot flame shall be verified by using a thermocouple or flame sensor, and the result shall be recorded once per business day.
  - (2) The Permittee shall maintain a log of pilot flame inspections.
  - (3) The Permittee shall operate the VCU in compliance with the requirements of 40 CFR 60, Subpart XX – New Source Performance Standards for Bulk Gasoline Terminals (326 IAC 12).

### **Compliance Monitoring Requirements [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]**

#### **D.1.6 Vapor Collection System and Vapor Combustion Unit Inspections**

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- (a) Each calendar month, the vapor collection system, the vapor processing system, and the loading rack (ES-TLR) shall be inspected during the loading of gasoline tank trucks for total organic compounds liquid or vapor leaks. For purposes of this paragraph, detection methods incorporating sight, sound, or smell are acceptable.
- (b) Each detection of a leak shall be recorded and the source of the leak repaired within 15 calendar days after it is detected

### **Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

#### **D.1.7 Record Keeping Requirements**

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- (a) To document compliance with Condition D.1.1, the Permittee shall maintain monthly records of the number of gallons of liquid product loaded at the truck loading rack (ES-TLR).
- (b) To document compliance with Condition D.1.4, the Permittee shall maintain copies on site of the records specified in paragraphs (1) through (3) below.
  - (1) The presence of a pilot flame shall be verified by using a thermocouple or flame sensor, and the result shall be recorded once per business day;
  - (2) The Permittee shall maintain a log of pilot flame inspections; and
  - (3) Records required by 40 CFR 60, Subpart XX.
- (c) To demonstrate compliance with Condition D.1.2, the Permittee shall maintain records of the types of volatile petroleum liquid stored, the maximum true vapor pressure of the liquid as stored, and the results of the inspections performed on the storage vessels.
- (d) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### **D.1.8 Reporting Requirements**

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A quarterly summary of the information to document compliance with Condition D.1.1 shall be submitted to the addresses listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

## **New Source Performance Standards (NSPS) Requirements: for Bulk Gasoline Terminals**

### **D.1.9 General Provisions Relating to NSPS [326 IAC 12-1][40 CFR Part 60, Subpart A]**

The provisions of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the loading rack (ES-TLR) described in this section, except when otherwise specified in 40 CFR Part 60, Subpart XX.

### **D.1.10 NSPS for Bulk Gasoline Terminals: Requirements [40 CFR Part 60.500, Subpart XX]**

Pursuant to CFR Part 60, Subpart XX, the Permittee shall comply with the provisions of 40 CFR Part 60.500, for the tanker loading rack (ES-TLR), as specified below.

## **Subpart XX—Standards of Performance for Bulk Gasoline Terminals**

### **§ 60.500 Applicability and designation of affected facility.**

(a) The affected facility to which the provisions of this subpart apply is the total of all the loading racks at a bulk gasoline terminal which deliver liquid product into gasoline tank trucks.

(b) Each facility under paragraph (a) of this section, the construction or modification of which is commenced after December 17, 1980, is subject to the provisions of this subpart.

(c) For purposes of this subpart, any replacement of components of an existing facility, described in paragraph (a) of this section, commenced before August 18, 1983 in order to comply with any emission standard adopted by a State or political subdivision thereof will not be considered a reconstruction under the provisions of 40 CFR 60.15.

Note: The intent of these standards is to minimize the emissions of VOC through the application of best demonstrated technologies (BDT). The numerical emission limits in this standard are expressed in terms of total organic compounds. This emission limit reflects the performance of BDT.

### **§ 60.501 Definitions.**

The terms used in this subpart are defined in the Clean Air Act, in §60.2 of this part, or in this section as follows:

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

*Continuous vapor processing system* means a vapor processing system that treats total organic compounds vapors collected from gasoline tank trucks on a demand basis without intermediate accumulation in a vapor holder.

*Existing vapor processing system* means a vapor processing system [capable of achieving emissions to the atmosphere no greater than 80 milligrams of total organic compounds per liter of gasoline loaded], the construction or refurbishment of which was commenced before December 17, 1980, and which was not constructed or refurbished after that date.

*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 tank truck* means a delivery tank truck used at bulk gasoline terminals which is loading gasoline or which has loaded gasoline on the immediately previous load.

*Intermittent vapor processing system* means a vapor processing system that employs an intermediate vapor holder to accumulate total organic compounds vapors collected from gasoline tank trucks, and treats the accumulated vapors only during automatically controlled cycles.

*Loading rack* means the loading arms, pumps, meters, shutoff valves, relief valves, and other piping and valves necessary to fill delivery tank trucks.

*Refurbishment* means, with reference to a vapor processing system, replacement of components of, or addition of components to, the system within any 2-year period such that the fixed capital cost of the new components required for such component replacement or addition exceeds 50 percent of the cost of a comparable entirely new system.

*Thermal oxidation system* means a combustion device used to mix and ignite fuel, air pollutants, and air to provide a flame to heat and oxidize hazardous air pollutants. Auxiliary fuel may be used to heat air pollutants to combustion temperatures.

*Total organic compounds* means those compounds measured according to the procedures in §60.503.

*Vapor collection system* means any equipment used for containing total organic compounds vapors displaced during the loading of gasoline tank trucks.

*Vapor processing system* means all equipment used for recovering or oxidizing total organic compounds vapors displaced from the affected facility.

*Vapor-tight gasoline tank truck* means a gasoline tank truck which has demonstrated within the 12 preceding months that its product delivery tank will sustain a pressure change of not more than 750 pascals (75 mm of water) within 5 minutes after it is pressurized to 4,500 pascals (450 mm of water). This capability is to be demonstrated using the pressure test procedure specified in Method 27.

#### **§ 60.502 Standard for Volatile Organic Compound (VOC) emissions from bulk gasoline terminals.**

On and after the date on which §60.8(a) requires a performance test to be completed, the owner or operator of each bulk gasoline terminal containing an affected facility shall comply with the requirements of this section.

(a) Each affected facility shall be equipped with a vapor collection system designed to collect the total organic compounds vapors displaced from tank trucks during product loading.

(b) The emissions to the atmosphere from the vapor collection system due to the loading of liquid product into gasoline tank trucks are not to exceed 35 milligrams of total organic compounds per liter of gasoline loaded, except as noted in paragraph (c) of this section.

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

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

(1) The owner or operator shall obtain the vapor tightness documentation described in §60.505(b) for each gasoline tank truck which is to be loaded at the affected facility.

(2) The owner or operator shall require the tank identification number to be recorded as each gasoline tank truck is loaded at the affected facility.

(3)(i) The owner or operator shall cross-check each tank identification number obtained in paragraph (e)(2) of this section with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded, unless either of the following conditions is maintained:

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

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

(ii) If either the quarterly or semiannual cross-check provided in paragraphs (e)(3)(i) (A) through (B) of this section reveals that these conditions were not maintained, the source must return to biweekly monitoring until such time as these conditions are again met.

(4) The terminal owner or operator shall notify the owner or operator of each non-vapor-tight gasoline tank truck loaded at the affected facility within 1 week of the documentation cross-check in paragraph (e)(3) of this section.

(5) The terminal owner or operator shall take steps assuring that the nonvapor-tight gasoline tank truck will not be reloaded at the affected facility until vapor tightness documentation for that tank is obtained.

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

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

(h) The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 mm of water) during product loading. This level is not to be exceeded when measured by the procedures specified in §60.503(d).

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

(j) Each calendar month, the vapor collection system, the vapor processing system, and each loading rack handling gasoline shall be inspected during the loading of gasoline tank trucks for total organic compounds liquid or vapor leaks. For purposes of this paragraph, detection methods incorporating sight, sound, or smell are acceptable. Each detection of a leak shall be recorded and the source of the leak repaired within 15 calendar days after it is detected.

### **§ 60.503 Test methods and procedures.**

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b). The three-run requirement of §60.8(f) does not apply to this subpart.

(b) Immediately before the performance test required to determine compliance with §60.502 (b), (c), and (h), the owner or operator shall use Method 21 to monitor for leakage of vapor all potential sources in the terminal's vapor collection system equipment while a gasoline tank truck is being loaded. The owner or operator shall repair all leaks with readings of 10,000 ppm (as methane) or greater before conducting the performance test.

(d) The owner or operator shall determine compliance with the standard in §60.502(h) as follows:

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

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

(e) The performance test requirements of paragraph (c) of this section do not apply to flares defined in §60.501 and meeting the requirements in §60.18(b) through (f). The owner or operator shall demonstrate that the flare and associated vapor collection system is in compliance with the requirements in §§60.18(b) through (f) and 60.503(a), (b), and (d).

**§ 60.505 Reporting and recordkeeping.**

(a) The tank truck vapor tightness documentation required under §60.502(e)(1) shall be kept on file at the terminal in a permanent form available for inspection.

(b) The documentation file for each gasoline tank truck shall be updated at least once per year to reflect current test results as determined by Method 27. This documentation shall include, as a minimum, the following information:

(1) Test title: Gasoline Delivery Tank Pressure Test—EPA Reference Method 27.

(2) Tank owner and address.

(3) Tank identification number.

(4) Testing location.

(5) Date of test.

(6) Tester name and signature.

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

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

(c) A record of each monthly leak inspection required under §60.502(j) shall be kept on file at the terminal for at least 2 years. Inspection records shall include, as a minimum, the following information:

(1) Date of inspection.

(2) Findings (may indicate no leaks discovered; or location, nature, and severity of each leak).

(3) Leak determination method.

(4) Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days).

(5) Inspector name and signature.

(d) The terminal owner or operator shall keep documentation of all notifications required under §60.502(e)(4) on file at the terminal for at least 2 years.

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

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

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

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

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

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

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

(f) The owner or operator of an affected facility shall keep records of all replacements or additions of components performed on an existing vapor processing system for at least 3 years.

**D.1.11 One Time Deadlines Relating to NSPS, Subpart XX**

The Permittee shall comply with the following requirements by the dates listed below:

Requirement	Rule Citation	Affected Facility	Deadline
Performance Test	40 CFR 60.8 40 CFR 60.502	Truck loading rack	Within 60 days after achieving the maximum production rate, but not later than 180 days after initial start-up.

**National Emission Standards (NESHAP) Requirements: for Gasoline Distribution Facilities (Bulk Gasoline Terminal)**

**D.1.12 General Provisions Relating to NESHAP [326 IAC 20-10][40 CFR Part 60, Subpart A]**

The provisions of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 20-10, apply to the affected source as described in this section except when otherwise specified in 40 CFR Part 60, Subpart R.

**D.1.13 NEHSAP for Gasoline Distribution Facilities (Bulk Gasoline Terminals): Requirements [40 CFR Part 60.420, Subpart R]**

Pursuant to CFR Part 60, Subpart R, the Permittee shall comply with the provisions of 40 CFR Part 60.500, for the bulk gasoline terminal (all operations covered in Section D.1 and D.2), as specified below.

**Subpart R—National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)**

**§ 63.420 Applicability.**

(a) The affected source to which the provisions of this subpart apply is each bulk gasoline terminal, except those bulk gasoline terminals:

(1) For which the owner or operator has documented and recorded to the Administrator's satisfaction that the result,  $E_T$ , of the following equation is less than 1, and complies with requirements in paragraphs (c), (d), (e), and (f) of this section:

$$E_T = CF[0.59(T_F)(1-CE)+0.17(T_E)+0.08(T_{ES})+0.038(T_I)+8.5 \times 10^{-6}(C)+KQ]+0.04(OE)$$

where:

$E_T$  = emissions screening factor for bulk gasoline terminals;

$CF=0.161$  for bulk gasoline terminals and pipeline breakout stations that do not handle any reformulated or oxygenated gasoline containing 7.6 percent by volume or greater methyl tert-butyl ether (MTBE), OR

$CF=1.0$  for bulk gasoline terminals and pipeline breakout stations that handle reformulated or oxygenated gasoline containing 7.6 percent by volume or greater MTBE;

$CE$ =control efficiency limitation on potential to emit for the vapor processing system used to control emissions from fixed-roof gasoline storage vessels [value should be added in decimal form (percent divided by 100)];

$T_F$  = total number of fixed-roof gasoline storage vessels without an internal floating roof;

$T_E$  = total number of external floating roof gasoline storage vessels with only primary seals;

$T_{ES}$  = total number of external floating roof gasoline storage vessels with primary and secondary seals;

$T_I$  = total number of fixed-roof gasoline storage vessels with an internal floating roof;

C = number of valves, pumps, connectors, loading arm valves, and open-ended lines in gasoline service;

Q=gasoline throughput limitation on potential to emit or gasoline throughput limit in compliance with paragraphs (c), (d), and (f) of this section (liters/day);

$K = 4.52 \times 10^{-6}$  for bulk gasoline terminals with uncontrolled loading racks (no vapor collection and processing systems), OR

$K = (4.5 \times 10^{-9})(EF + L)$  for bulk gasoline terminals with controlled loading racks (loading racks that have vapor collection and processing systems installed on the emission stream);

EF=emission rate limitation on potential to emit for the gasoline cargo tank loading rack vapor processor outlet emissions (mg of total organic compounds per liter of gasoline loaded);

OE=other HAP emissions screening factor for bulk gasoline terminals or pipeline breakout stations (tons per year). OE equals the total HAP from other emission sources not specified in parameters in the equations for  $E_T$  or  $E_P$ . If the value of  $0.04(OE)$  is greater than 5 percent of either  $E_T$  or  $E_P$ , then paragraphs (a)(1) and (b)(1) of this section shall not be used to determine applicability;

L = 13 mg/l for gasoline cargo tanks meeting the requirement to satisfy the test criteria for a vapor-tight gasoline tank truck in §60.501 of this chapter, OR

L = 304 mg/l for gasoline cargo tanks not meeting the requirement to satisfy the test criteria for a vapor-tight gasoline tank truck in §60.501 of this chapter; or

(c) A facility for which the results,  $E_T$  or  $E_P$ , of the calculation in paragraph (a)(1) or (b)(1) of this section has been documented and is less than 1.0 but greater than or equal to 0.50, is exempt from the requirements of this subpart, except that the owner or operator shall:

(1) Operate the facility such that none of the facility parameters used to calculate results under paragraph (a)(1) or (b)(1) of this section, and approved by the Administrator, is exceeded in any rolling 30-day period; and

(2) Maintain records and provide reports in accordance with the provisions of §63.428(i).

(d) A facility for which the results,  $E_T$  or  $E_P$ , of the calculation in paragraph (a)(1) or (b)(1) of this section has been documented and is less than 0.50, is exempt from the requirements of this subpart, except that the owner or operator shall:

(1) Operate the facility such that none of the facility parameters used to calculate results under paragraph (a)(1) or (b)(1) of this section is exceeded in any rolling 30-day period; and

(2) Maintain records and provide reports in accordance with the provisions of §63.428(j).

(e) The provisions of paragraphs (a)(1) and (b)(1) of this section shall not be used to determine applicability to bulk gasoline terminals or pipeline breakout stations that are either:

(1) Located within a contiguous area and under common control with another bulk gasoline terminal or pipeline breakout station, or

(2) Located within a contiguous area and under common control with other sources not specified in paragraphs (a)(1) or (b)(1) of this section, that emit or have the potential to emit a hazardous air pollutant.

(f) Upon request by the Administrator, the owner or operator of a bulk gasoline terminal or pipeline breakout station subject to the provisions of any paragraphs in this section including, but not limited to, the parameters and assumptions used in the applicable equation in paragraph (a)(1) or (b)(1) of this section, shall demonstrate compliance with those paragraphs.

(g) Each owner or operator of a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart that is also subject to applicable provisions of 40 CFR part 60, subpart Kb or XX of this chapter shall comply only with the provisions in each subpart that contain the most stringent control requirements for that facility.

(h) Each owner or operator of an affected source bulk gasoline terminal or pipeline breakout station is subject to the provisions of 40 CFR part 63, subpart A—General Provisions, as indicated in Table 1.

[59 FR 64318, Dec. 14, 1994, as amended at 60 FR 43260, Aug. 18, 1995; 60 FR 62992, Dec. 8, 1995; 62 FR 9092, Feb. 28, 1997]

### **§ 63.421 Definitions.**

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

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

*Controlled loading rack*, for the purposes of §63.420, means a loading rack equipped with vapor collection and processing systems that reduce displaced vapor emissions to no more than 80 milligrams of total organic compounds per liter of gasoline loaded, as measured using the test methods and procedures in §60.503 (a) through (c) of this chapter.

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

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

*Limitation(s) on potential to emit* means limitation(s) limiting a source's potential to emit as defined in §63.2 of subpart A of this part.

*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 outlined in §63.425(b).

*Oxygenated gasoline* means the same as defined in 40 CFR 80.2(rr).

*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 reinjection and continued transportation by pipeline or to other facilities.

*Reformulated gasoline* means the same as defined in 40 CFR 80.2(ee).

*Thermal oxidation system* means a combustion device used to mix and ignite fuel, air pollutants, and air to provide a flame to heat and oxidize hazardous air pollutants. Auxiliary fuel may be used to heat air pollutants to combustion temperatures.

*Uncontrolled loading rack* means a loading rack used to load gasoline cargo tanks that is not a controlled loading rack.

*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 §63.425(e), and which is subject at all times to the test requirements in §63.425 (f), (g), and (h).

*Volatile organic liquid (VOL)* means, for the purposes of this subpart, gasoline.

[59 FR 64318, Dec. 14, 1994, as amended at 62 FR 9093, Feb. 28, 1997; 68 FR 70965, Dec. 19, 2003]

**§ 63.428 Reporting and recordkeeping.**

(a) The initial notifications required for existing affected sources under §63.9(b)(2) shall be submitted by 1 year after an affected source becomes subject to the provisions of this subpart or by December 16, 1996, whichever is later. Affected sources that are major sources on December 16, 1996 and plan to be area sources by December 15, 1997 shall include in this notification a brief, non-binding description of and schedule for the action(s) that are planned to achieve area source status.

(d) Each owner or operator of storage vessels subject to the provisions of this subpart shall keep records and furnish reports as specified in §60.115b of this chapter, except records shall be kept for at least 5 years.

(i) Each owner or operator of a facility meeting the criteria in §63.420(c) shall perform the requirements of this paragraph (i), all of which will be available for public inspection:

(1) Document and report to the Administrator not later than December 16, 1996 for existing facilities, within 30 days for existing facilities subject to §63.420(c) after December 16, 1996, or at startup for new facilities the methods, procedures, and assumptions supporting the calculations for determining criteria in §63.420(c);

(2) Maintain records to document that the facility parameters established under §63.420(c) have not been exceeded; and

(3) Report annually to the Administrator that the facility parameters established under §63.420(c) have not been exceeded.

(4) At any time following the notification required under paragraph (i)(1) of this section and approval by the Administrator of the facility parameters, and prior to any of the parameters being exceeded, the owner or operator may submit a report to request modification of any facility parameter to the Administrator for approval. Each such request shall document any expected HAP emission change resulting from the change in parameter.

(j) Each owner or operator of a facility meeting the criteria in §63.420(d) shall perform the requirements of this paragraph (j), all of which will be available for public inspection:

(1) Document and report to the Administrator not later than December 16, 1996 for existing facilities, within 30 days for existing facilities subject to §63.420(d) after December 16, 1996, or at startup for new facilities the use of the emission screening equations in §63.420(a)(1) or (b)(1) and the calculated value of  $E_T$  or  $E_P$ ;

(2) Maintain a record of the calculations in §63.420 (a)(1) or (b)(1), including methods, procedures, and assumptions supporting the calculations for determining criteria in §63.420(d); and

(3) At any time following the notification required under paragraph (j)(1) of this section, and prior to any of the parameters being exceeded, the owner or operator may notify the Administrator of modifications to the facility parameters. Each such notification shall document any expected HAP emission change resulting from the change in parameter.

[59 FR 64318, Dec. 14, 1994, as amended at 61 FR 7723, Feb. 29, 1996; 62 FR 9093, Feb. 28, 1997; 68 FR 70966, Dec. 19, 2003; 71 FR 17358, Apr. 6, 2006]

**§ 63.429 Implementation and enforcement.**

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

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

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

(1) Approval of alternatives to the requirements in §§63.420, 63.422 through 63.423, and 63.424. Any owner or operator requesting to use an alternative means of emission limitation for storage vessels covered by §63.423 must follow the procedures in §63.426.

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

(3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart, and any alternatives to §63.427(a)(1) through (4) per §63.427(a)(5).

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

[68 FR 37348, June 23, 2003]

**Table 1 to Subpart R of Part 63—General Provisions Applicability to Subpart R**

Reference	Applies to subpart R	Comment
63.1(a)(1)	Yes	
63.1(a)(2)	Yes	
63.1(a)(3)	Yes	
63.1(a)(4)	Yes	
63.1(a)(5)	No	Section reserved
63.1(a)(6)(8)	Yes	
63.1(a)(9)	No	Section reserved
63.1(a)(10)	Yes	
63.1(a)(11)	Yes	
63.1(a)(12)-(a)(14)	Yes	
63.1(b)(1)	No	Subpart R specifies applicability in § 63.420
63.1(b)(2)	Yes	
63.1(b)(3)	No	Subpart R specifies reporting and recordkeeping for some large area sources in § 63.428
63.1(c)(1)	Yes	
63.1(c)(2)	Yes	Some small sources are not subject to subpart R
63.1(c)(3)	No	Section reserved
63.1(c)(4)	Yes	
63.1(c)(5)	Yes	
63.1(d)	No	Section reserved
63.1(e)	Yes	
63.2	Yes	Additional definitions in § 63.421
63.3(a)-(c)	Yes	
63.4(a)(1)-(a)(3)	Yes	
63.4(a)(4)	No	Section reserved
63.4(a)(5)	Yes	
63.4(b)	Yes	
63.4(c)	Yes	
63.5(a)(1)	Yes	
63.5(a)(2)	Yes	
63.5(b)(1)	Yes	
63.5(b)(2)	No	Section reserved
63.5(b)(3)	Yes	

63.5(b)(4)..... Yes.....  
63.5(b)(5)..... Yes.....

**Table 1 to Subpart R of Part 63—General Provisions Applicability to Subpart R**

63.5(b)(6)..... Yes.....  
63.5(c)..... No..... Section reserved  
63.5(d)(1)..... Yes.....  
63.5(d)(2)..... Yes.....  
63.5(d)(3)..... Yes.....  
63.5(d)(4)..... Yes.....  
63.5(e)..... Yes.....  
63.5(f)(1)..... Yes.....  
63.5(f)(2)..... Yes.....  
63.6(a)..... Yes.....  
63.6(b)(1)..... Yes.....  
63.6(b)(2)..... Yes.....  
63.6(b)(3)..... Yes.....  
63.6(b)(4)..... Yes.....  
63.6(b)(5)..... Yes.....  
63.6(b)(6)..... No..... Section reserved  
63.6(b)(7)..... Yes.....  
63.6(c)(1)..... No..... Subpart R specifies the compliance date  
63.6(c)(2)..... Yes.....  
63.6(c)(3)-(c)(4)..... No..... Sections reserved  
63.6(c)(5)..... Yes.....  
63.6(d)..... No..... Section reserved  
63.6(e)..... Yes.....  
63.6(f)(1)..... Yes.....  
63.6(f)(2)..... Yes.....  
63.6(f)(3)..... Yes.....  
63.6(g)..... Yes.....  
63.6(h)..... No..... Subpart R does not require COMS  
63.6(i)(1)-(i)(14)..... Yes.....  
63.6(i)(15)..... No..... Section reserved  
63.6(i)(16)..... Yes.....  
63.6(j)..... Yes.....  
63.7(a)(1)..... Yes.....  
63.7(a)(2)..... Yes.....  
63.7(a)(3)..... Yes.....  
63.7(b)..... Yes.....  
63.7(c)..... Yes.....  
63.7(d)..... Yes.....  
63.7(e)(1)..... Yes.....  
63.7(e)(2)..... Yes.....  
63.7(e)(3)..... Yes.....  
63.7(e)(4)..... Yes.....  
63.7(f)..... Yes.....  
63.7(g)..... Yes.....  
63.7(h)..... Yes.....  
63.8(a)(1)..... Yes.....  
63.8(a)(2)..... Yes.....  
63.8(a)(3)..... No..... Section reserved  
63.8(a)(4)..... Yes.....  
63.8(b)(1)..... Yes.....  
63.8(b)(2)..... Yes.....  
63.8(b)(3)..... Yes.....

63.8(c)(1)..... Yes.....  
63.8(c)(2)..... Yes.....

**Table 1 to Subpart R of Part 63—General Provisions Applicability to Subpart R**

63.8(c)(3)..... Yes.....  
63.8(c)(4)..... Yes.....  
63.8(c)(5)..... No..... Subpart R does not require COMS  
63.8(c)(6)-(c)(8)..... Yes.....  
63.8(d)..... Yes.....  
63.8(e)..... Yes.....  
63.8(f)(1)-(f)(5)..... Yes.....  
63.8(f)(6)..... Yes.....  
63.8(g)..... Yes.....  
63.9(a)..... Yes.....  
63.9(b)(1)..... Yes.....  
63.9(b)(2)..... No..... Subpart R allows additional time for existing sources to submit initial notification. Sec. 63.428(a) specifies submittal by 1 year after being subject to the rule or December 16, 1996, whichever is later.  
  
63.9(b)(3)..... Yes.....  
63.9(b)(4)..... Yes.....  
63.9(b)(5)..... Yes.....  
63.9(c)..... Yes.....  
63.9(d)..... Yes.....  
63.9(e)..... Yes.....  
63.9(f)..... Yes.....  
63.9(g)..... Yes.....  
63.9(h)(1)-(h)(3)..... Yes.....  
63.9(h)(4)..... No..... Section reserved  
63.9(h)(5)-(h)(6)..... Yes.....  
63.9(i)..... Yes.....  
63.9(j)..... Yes.....  
63.10(a)..... Yes.....  
63.10(b)(1)..... Yes.....  
63.10(b)(2)..... Yes.....  
63.10(b)(3)..... Yes.....  
63.10(c)(1)..... Yes.....  
63.10(c)(2)-(c)(4)..... No..... Sections reserved  
63.10(c)(5)-(c)(8)..... Yes.....  
63.10(c)(9)..... No..... Section reserved  
63.10(c)(5)-(c)(8)..... Yes.....  
63.10(d)(1)..... Yes.....  
63.10(d)(2)..... Yes.....  
63.10(d)(3)..... Yes.....  
63.10(d)(4)..... Yes.....  
63.10(d)(5)..... Yes.....  
63.10(e)..... Yes.....  
63.10(f)..... Yes.....  
63.11(a)-(b)..... Yes.....  
63.12(a)-(c)..... Yes.....  
63.13(a)-(c)..... Yes.....  
63.14(a)-(b)..... Yes.....  
63.15(a)-(b)..... Yes.....

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[59 FR 64318, Dec. 14, 1994, as amended at 61 FR 7724, Feb. 29, 1996]

**D.1.14 One Time Deadlines Relating to NESHAP, Subpart R**

The Permittee shall comply with the following requirements by the dates listed below:

Requirement	Rule Citation	Affected Facility	Deadline
Initial Notification	40 CFR 63.428(a) 40 CFR 63.9(b)(2)	Bulk Gasoline Terminal	Submitted by one year after an affected source becomes subject to the provisions of this subpart or by December 16, 1996, whichever is later.
Notification of Initial startup and compliance report	40 CFR 60.7(a)(3) 40 CFR 60.115b(a)(1) 40 CFR 63.428(d)	Storage Vessels	Within 15 days of startup
Documentation and Reporting of Emission Rate Limitations (ET)	40 CFR 63.420(c) or (d) 40 CFR 63.428(i) or (j)	Bulk Gasoline Terminal	No later than December 16, 1996

**New Source Performance Standards (NSPS) Requirements: Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels)**

**D.1.15 General Provisions Relating to NSPS [326 IAC 12-1][40 CFR Part 60, Subpart A]**

The provisions of 40 CFR 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the affected source as described below, except when otherwise specified in 40 CFR 60.110b, Subpart Kb.

**D.1.16 NSPS for Volatile Organic Liquid Storage Vessels: Requirements [40 CFR Part 60.110b, Subpart Kb]**

Pursuant to CFR Part 60, Subpart Kb, the Permittee shall comply with the provisions of 40 CFR Part 60.11b, for the one (1) gasoline storage tank (Tank 9), as specified below.

**Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984**

**Source:** 52 FR 11429, Apr. 8, 1987, unless otherwise noted.

§ 60.110b *Applicability and designation of affected facility.*

(a) Except as provided in paragraph (b) of this section, the affected facility to which this subpart applies is each storage vessel with a capacity greater than or equal to 75 cubic meters (m<sup>3</sup>) that is used to store volatile organic liquids (VOL) for which construction, reconstruction, or modification is commenced after July 23, 1984.

[52 FR 11429, Apr. 8, 1987, as amended at 54 FR 32973, Aug. 11, 1989; 65 FR 78275, Dec. 14, 2000; 68 FR 59332, Oct. 15, 2003]

**§ 60.111b Definitions.**

Terms used in this subpart are defined in the Act, in subpart A of this part, or in this subpart as follows:

*Bulk gasoline plant* means any gasoline distribution facility that has a gasoline throughput less than or equal to 75,700 liters per day. Gasoline throughput shall be the maximum calculated design throughput as may be limited by compliance with an enforceable condition under Federal requirement or Federal, State or local law, and discoverable by the Administrator and any other person.

*Condensate* means hydrocarbon liquid separated from natural gas that condenses due to changes in the temperature or pressure, or both, and remains liquid at standard conditions.

*Custody transfer* means the transfer of produced petroleum and/or condensate, after processing and/or treatment in the producing operations, from storage vessels or automatic transfer facilities to pipelines or any other forms of transportation.

*Fill* means the introduction of VOL into a storage vessel but not necessarily to complete capacity.

*Gasoline service station* means any site where gasoline is dispensed to motor vehicle fuel tanks from stationary storage tanks.

*Maximum true vapor pressure* means the equilibrium partial pressure exerted by the volatile organic compounds (as defined in 40 CFR 51.100) in the stored VOL at the temperature equal to the highest calendar-month average of the VOL storage temperature for VOL's stored above or below the ambient temperature or at the local maximum monthly average temperature as reported by the National Weather Service for VOL's stored at the ambient temperature, as determined:

- (1) In accordance with methods described in American Petroleum Institute Bulletin 2517, Evaporation Loss From External Floating Roof Tanks, (incorporated by reference—see §60.17); or
- (2) As obtained from standard reference texts; or
- (3) As determined by ASTM D2879–83, 96, or 97 (incorporated by reference—see §60.17);
- (4) Any other method approved by the Administrator.

*Petroleum* means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal.

*Petroleum liquids* means petroleum, condensate, and any finished or intermediate products manufactured in a petroleum refinery.

*Process tank* means a tank that is used within a process (including a solvent or raw material recovery process) to collect material discharged from a feedstock storage vessel or equipment within the process before the material is transferred to other equipment within the process, to a product or by-product storage vessel, or to a vessel used to store recovered solvent or raw material. In many process tanks, unit operations such as reactions and blending are conducted. Other process tanks, such as surge control vessels and bottoms receivers, however, may not involve unit operations.

*Reid vapor pressure* means the absolute vapor pressure of volatile crude oil and volatile nonviscous petroleum liquids except liquified petroleum gases, as determined by ASTM D323–82 or 94 (incorporated by reference—see §60.17).

*Storage vessel* means each tank, reservoir, or container used for the storage of volatile organic liquids but does not include:

- (1) Frames, housing, auxiliary supports, or other components that are not directly involved in the containment of liquids or vapors;
- (2) Subsurface caverns or porous rock reservoirs; or
- (3) Process tanks.

*Volatile organic liquid (VOL)* means any organic liquid which can emit volatile organic compounds (as defined in 40 CFR 51.100) into the atmosphere.

*Waste* means any liquid resulting from industrial, commercial, mining or agricultural operations, or from community activities that is discarded or is being accumulated, stored, or physically, chemically, or biologically treated prior to being discarded or recycled.

[52 FR 11429, Apr. 8, 1987, as amended at 54 FR 32973, Aug. 11, 1989; 65 FR 61756, Oct. 17, 2000; 68 FR 59333, Oct. 15, 2003]

#### **§ 60.112b Standard for volatile organic compounds (VOC).**

- (a) The owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m<sup>3</sup> containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa but

less than 76.6 kPa or with a design capacity greater than or equal to 75 m<sup>3</sup> but less than 151 m<sup>3</sup> containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa but less than 76.6 kPa, shall equip each storage vessel with one of the following:

(1) A fixed roof in combination with an internal floating roof meeting the following specifications:

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

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

(A) A foam- or liquid-filled seal mounted in contact with the liquid (liquid-mounted seal). A liquid-mounted seal means a foam- or liquid-filled seal mounted in contact with the liquid between the wall of the storage vessel and the floating roof continuously around the circumference of the tank.

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

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

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

(iv) Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use.

(v) Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.

(vi) Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting.

(vii) Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.

(viii) Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.

(ix) Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

[52 FR 11429, Apr. 8, 1987, as amended at 62 FR 52641, Oct. 8, 1997]

#### **§ 60.113b Testing and procedures.**

The owner or operator of each storage vessel as specified in §60.112b(a) shall meet the requirements of paragraph (a), (b), or (c) of this section. The applicable paragraph for a particular storage vessel depends on the control equipment installed to meet the requirements of §60.112b.

(a) After installing the control equipment required to meet §60.112b(a)(1) (permanently affixed roof and internal floating roof), each owner or operator shall:

(1) Visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with VOL. If there are holes, tears, or other openings in the primary seal, the

secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.

(2) For Vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in §60.115b(a)(3). Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

(3) For vessels equipped with a double-seal system as specified in §60.112b(a)(1)(ii)(B):

(i) Visually inspect the vessel as specified in paragraph (a)(4) of this section at least every 5 years; or

(ii) Visually inspect the vessel as specified in paragraph (a)(2) of this section.

(4) Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel with VOL. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as specified in paragraphs (a)(2) and (a)(3)(ii) of this section and at intervals no greater than 5 years in the case of vessels specified in paragraph (a)(3)(i) of this section.

(5) Notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by paragraphs (a)(1) and (a)(4) of this section to afford the Administrator the opportunity to have an observer present. If the inspection required by paragraph (a)(4) of this section is not planned and the owner or operator could not have known about the inspection 30 days in advance or refilling the tank, the owner or operator shall notify the Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Administrator at least 7 days prior to the refilling.

[52 FR 11429, Apr. 8, 1987, as amended at 54 FR 32973, Aug. 11, 1989]

**§ 60.114b Alternative means of emission limitation.**

(a) If, in the Administrator's judgment, an alternative means of emission limitation will achieve a reduction in emissions at least equivalent to the reduction in emissions achieved by any requirement in §60.112b, the Administrator will publish in the Federal Register a notice permitting the use of the alternative means for purposes of compliance with that requirement.

(b) Any notice under paragraph (a) of this section will be published only after notice and an opportunity for a hearing.

(c) Any person seeking permission under this section shall submit to the Administrator a written application including:

(1) An actual emissions test that uses a full-sized or scale-model storage vessel that accurately collects and measures all VOC emissions from a given control device and that accurately simulates wind and accounts for other emission variables such as temperature and barometric pressure.

(2) An engineering evaluation that the Administrator determines is an accurate method of determining equivalence.

(d) The Administrator may condition the permission on requirements that may be necessary to ensure operation and maintenance to achieve the same emissions reduction as specified in §60.112b.

**§ 60.115b Reporting and recordkeeping requirements.**

The owner or operator of each storage vessel as specified in §60.112b(a) shall keep records and furnish reports as required by paragraphs (a), (b), or (c) of this section depending upon the control equipment installed to meet the requirements of §60.112b. The owner or operator shall keep copies of all reports and records required by this section, except for the record required by (c)(1), for at least 2 years. The record required by (c)(1) will be kept for the life of the control equipment.

(a) After installing control equipment in accordance with §60.112b(a)(1) (fixed roof and internal floating roof), the owner or operator shall meet the following requirements.

(1) Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of §60.112b(a)(1) and §60.113b(a)(1). This report shall be an attachment to the notification required by §60.7(a)(3).

(2) Keep a record of each inspection performed as required by §60.113b (a)(1), (a)(2), (a)(3), and (a)(4). Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

(3) If any of the conditions described in §60.113b(a)(2) are detected during the annual visual inspection required by §60.113b(a)(2), a report shall be furnished to the Administrator within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made.

(4) After each inspection required by §60.113b(a)(3) that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in §60.113b(a)(3)(ii), a report shall be furnished to the Administrator within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of §60.112b(a)(1) or §60.113b(a)(3) and list each repair made.

**§ 60.116b Monitoring of operations.**

(a) The owner or operator shall keep copies of all records required by this section, except for the record required by paragraph (b) of this section, for at least 2 years. The record required by paragraph (b) of this section will be kept for the life of the source.

(b) The owner or operator of each storage vessel as specified in §60.110b(a) shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel.

(c) Except as provided in paragraphs (f) and (g) of this section, the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m<sup>3</sup> storing a liquid with a maximum true vapor pressure greater than or equal to 3.5 kPa or with a design capacity greater than or equal to 75 m<sup>3</sup> but less than 151 m<sup>3</sup> storing a liquid with a maximum true vapor pressure greater than or equal to 15.0 kPa shall maintain a record of the VOL stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period.

(e) Available data on the storage temperature may be used to determine the maximum true vapor pressure as determined below.

(1) For vessels operated above or below ambient temperatures, the maximum true vapor pressure is calculated based upon the highest expected calendar-month average of the storage temperature. For vessels operated at ambient temperatures, the maximum true vapor pressure is calculated based upon the maximum local monthly average ambient temperature as reported by the National Weather Service.

(2) For crude oil or refined petroleum products the vapor pressure may be obtained by the following:

(i) Available data on the Reid vapor pressure and the maximum expected storage temperature based on the highest expected calendar-month average temperature of the stored product may be used to determine the

maximum true vapor pressure from nomographs contained in API Bulletin 2517 (incorporated by reference—see §60.17), unless the Administrator specifically requests that the liquid be sampled, the actual storage temperature determined, and the Reid vapor pressure determined from the sample(s).

(ii) The true vapor pressure of each type of crude oil with a Reid vapor pressure less than 13.8 kPa or with physical properties that preclude determination by the recommended method is to be determined from available data and recorded if the estimated maximum true vapor pressure is greater than 3.5 kPa.

[52 FR 11429, Apr. 8, 1987, as amended at 65 FR 61756, Oct. 17, 2000; 65 FR 78276, Dec. 14, 2000; 68 FR 59333, Oct. 15, 2003]

**§ 60.117b Delegation of Authority.**

(a) In delegating implementation and enforcement authority to a State under section 111(c) of the Act, the authorities contained in paragraph (b) of this section shall be retained by the Administrator and not transferred to a State.

(b) Authorities which will not be delegated to States: §§60.111b(f)(4), 60.114b, 60.116b(e)(3)(iii), 60.116b(e)(3)(iv), and 60.116b(f)(2)(iii).

[52 FR 11429, Apr. 8, 1987, as amended at 52 FR 22780, June 16, 1987]

**D.1.17 One Time Deadlines Relating to NSPS Subpart Kb**

The Permittee shall comply with the following requirements by the dates listed below:

<b>Requirement</b>	<b>Rule Citation</b>	<b>Affected Facility</b>	<b>Deadline</b>
Notification of the date of construction commencement	40 CFR 60.7(a)(1)	Tank 9	No later than 30 days after commencement of construction
Notification of initial startup and Compliance Report	40 CFR 60.7(a)(3) and 40 CFR 60.115b(a)(1)	Tank 9	Within 15 days of startup
First visual inspection	40 CFR 60.113b(a)(1)	Tank 9	Prior to filling the storage tank
Notify Administrator of initial filling of storage tank	40 CFR 60.113b(a)(5)	Tank 9	At least 30 days prior to initial filling

## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

### PART 70 OPERATING PERMIT CERTIFICATION

Source Name: Lassus Brothers Terminal, Inc.  
Source Address: 4413 North Meridian Road, Huntington, Indiana 46750  
Mailing Address: 1800 Magnavox Way, Fort Wayne, Indiana 46804  
Part 70 Permit No.: 069-23395-00039

**This certification shall be included when submitting monitoring, testing reports/results  
or other documents as required by this permit.**

Please check what document is being certified:

- Annual Compliance Certification Letter
- Test Result (specify)
- Report (specify)
- Notification (specify)
- Affidavit (specify)
- Other (specify)

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Phone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE BRANCH  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251  
Phone: 317-233-0178  
Fax: 317-233-6865**

**PART 70 OPERATING PERMIT  
EMERGENCY OCCURRENCE REPORT**

Source Name: Lassus Brothers Terminal, Inc.  
Source Address: 4413 North Meridian Road, Huntington, Indiana 46750  
Mailing Address: 1800 Magnavox Way, Fort Wayne, Indiana 46804  
Part 70 Permit No.: 069-23395-00039

**This form consists of 2 pages**

**Page 1 of 2**

- |  |
|--|
| <input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12) <ul style="list-style-type: none"><li>C The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and</li><li>C The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16.</li></ul> |
|--|

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:
Control Equipment:
Permit Condition or Operation Limitation in Permit:
Description of the Emergency:
Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A

**Page 2 of 2**

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency?    Y    N
Type of Pollutants Emitted: TSP, PM-10, SO <sub>2</sub> , VOC, NO <sub>x</sub> , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: \_\_\_\_\_  
Title / Position: \_\_\_\_\_  
Date: \_\_\_\_\_  
Phone: \_\_\_\_\_

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE DATA SECTION**

**Part 70 Quarterly Report**

Source Name: Lassus Brothers Terminal, Inc.  
Source Address: 4413 North Meridian Road, Huntington, Indiana 46750  
Mailing Address: 1800 Magnavox Way, Fort Wayne, Indiana 46804  
Part 70 Permit No.: 069-23395-00039  
Facility: Truck Loading Rack (ES-TLR)  
Parameter: VOC  
Limit: Less than 0.293 lbs per 1,000 gallons of throughput and less than 169,455,327 gallons throughput (gasoline, ethanol and/or additives, with compliance determined the end of each month.

QUARTER :

YEAR:

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

No deviation occurred in this quarter.

Deviation/s occurred in this quarter.  
Deviation has been reported on:

Form Completed by: \_\_\_\_\_

Title / Position: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE DATA SECTION**

**PART 70 OPERATING PERMIT  
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Lassus Brothers Terminal, Inc.  
Source Address: 4413 North Meridian Road, Huntington, Indiana 46750  
Mailing Address: 1800 Magnavox Way, Fort Wayne, Indiana 46804  
Part 70 Permit No.: 069-23395-00039

Months: \_\_\_\_\_ to \_\_\_\_\_ Year: \_\_\_\_\_

Page 1 of 2

<p>This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".</p>	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
<b>Permit Requirement (specify permit condition #)</b>	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	
<b>Permit Requirement (specify permit condition #)</b>	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	

<b>Permit Requirement (specify permit condition #)</b>	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	
<b>Permit Requirement (specify permit condition #)</b>	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	
<b>Permit Requirement (specify permit condition #)</b>	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	

Form Completed by: \_\_\_\_\_  
Title / Position: \_\_\_\_\_  
Date: \_\_\_\_\_  
Phone: \_\_\_\_\_

Attach a signed certification to complete this report.

**Indiana Department of Environmental Management  
Office of Air Quality**

Technical Support Document (TSD) for a  
New Source Construction and Part 70 Operating Permit

**Source Background and Description**

Source Name:	Lassus Brothers Terminal, Inc.
Source Location:	4413 North Meridian Road, Huntington, Indiana 46750
County:	Huntington
SIC Code:	5171
Operation Permit No.:	069-23395-00039
Permit Reviewer:	ERG/SD

The Office of Air Quality (OAQ) has reviewed a New Source Construction and Part 70 Operating Permit application from Lassus Brothers Terminal, Inc. relating to the construction and operation of a stationary bulk gasoline terminal.

This Part 70 Operating Permit contains provisions intended to satisfy the requirements of the construction permit rules.

**History**

Lassus Brothers Terminal, Inc. (Lassus) purchased the bulk gasoline terminal, located at 4413 North Meridian Road, Huntington, Indiana 46750 in 1989 from Mobil Oil Corporation and Lassus has been operating the terminal without an air permit as indicated in their voluntary self-disclosure letter submitted to IDEM, OAQ on February 1, 2005. Prior to April 15, 2005, none of the emission units at this source were covered by a permit or other approvals.

On July 20, 2006, Lassus submitted an application to IDEM, OAQ requesting permission to operate their existing terminal under the provisions of 326 IAC 2-7 (Part 70 Operating Permit Program). Currently, the terminal is equipped with eight (8) storage tanks and a tanker loading rack. The terminal receives gasoline by pipeline; additives and ethanol are added to the appropriate storage tanks via delivery trucks. Gasoline, ethanol and additives are transferred from the bulk storage tanks to tanker trucks at the terminal's loading rack. The loading rack has two bottom-loading equipped truck bays. Only one bay is used for tanker truck loading while the second bay is used exclusively for offloading of products from tanker trucks to the terminal's bulk storage tanks. All of the tanker trucks coming in to the source are equipped with a vapor recovery system.

Lassus was issued an Exemption No.: 069-20811-00039 on April 15, 2005 for the construction and operation of a hydrocarbon combustion flare system (vapor combustion unit - VCU) to be used in conjunction with the tanker loading rack. The VCU ensures compliance with requirements of New Source Performance Standards for Bulk Gasoline Terminals, 40 CFR 60, Subpart XX. The potential to emit of VOC after the VCU is equal to 21.5 tons per year. Based on the information provided by Lassus and as included on Page 7 of Appendix A, the actual emissions of VOC from the entire source have never exceeded the 250 tons per year major source threshold levels for Prevention of Significant Deterioration (PSD).

This source originally applied for a Federally Enforceable State Operating Permit (FESOP) on April 12, 2006. On July 20, 2006, Lassus submitted a Title V operating permit application, which replaced the FESOP application because this source must operate under a Title V permit since they are subject to 40 CFR 63, Subpart R.

### **Permitted Emission Units and Pollution Control Equipment**

There are no permitted emission units at this source during this review process. However, for the hydrocarbon combustion flare system, IDEM, OAQ issued the Permittee an Exemption No.: 069-20811-00039 on April 15, 2005.

### **Unpermitted Emission Units and Pollution Control Equipment**

The source consists of the following unpermitted emission units:

One (1) truck loading rack (identified as ES-TLR) equipped with two (2) bottom-loading truck bays with a maximum throughput rate of 150,000,000 gallons of gasoline per year or 17,123 gallons per hour; maximum throughput rate of 19,422,704 gallons of ethanol per year; and maximum throughput rate of 32,623 gallons of additives per year.

The truck loading rack is controlled by a hydrocarbon combustion flare system (VCU) having a rated efficiency of 96 percent and a collection efficiency of 100 percent, and exhausts at vent S-VCU. The flare utilizes a LPG-fired pilot to preheat the system prior to the start of product transfer at an annual throughput rate of 7,260 gallons of LPG. This unit was originally constructed in 1963 and modified in 1994, 2000, 2004, 2005, and 2006. Note: The pipe connections to the truck loading rack will be modified in 2006 to accommodate the new tanks (identified as Tank 9 and 10) and modified tanks (identified as Tank 3, 4, 5, and 6).

Under 40 CFR 63, Subpart R and 40 CFR 60, Subpart XX, this existing source is considered as a bulk gasoline terminal.

### **New Emission Units and Pollution Control Equipment**

The application includes information relating to new construction and operation of the following equipment:

- (a) One (1) unleaded gasoline storage tank (identified as Tank 9), permitted to construct in 2006, with a maximum storage capacity of 2,286,060 gallons and emissions exhausting to vent V-TK9. [40 CFR 60.110, Subpart Kb]
- (b) One (1) gasoline additive storage tank (identified as Tank 10) permitted to construct in 2006, with a maximum storage capacity of 3,000 gallons and emissions exhausting to vent V-TK10.

### **Insignificant Activities**

The source also consists of the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (a) One (1) unleaded gasoline storage tank (identified as Tank 1), with a maximum storage capacity of 588,000 gallons and emissions exhausting to vent V-TK1a&b. This unit was constructed in 1963.
- (b) One (1) unleaded gasoline storage tank (identified as Tank 2), with a maximum storage capacity of 1,210,440 gallons and emissions exhausting to vent V-TK2a&b. This unit was constructed in 1963.
- (c) One (1) ethanol storage tank (identified as Tank 3), with a maximum storage capacity of 25,500 gallons, and emissions exhausting to vent V-TK3. This unit was constructed in 1993 and modified in 2006. Note: Tank 3 was previously used to store gasoline additives, and was modified in 2006 to store ethanol.
- (d) Three (3) ethanol storage tanks (identified as Tank 4, 5, and 6), each with a maximum storage capacity of 25,500 gallons, and emissions exhausting to vents V-TK4, V-TK5, and V-TK6. These units were constructed in 1993.

- (e) One (1) gasoline additive storage tank (identified as Tank 7), with a maximum storage capacity of 500 gallons, and emissions exhausting to vents V-TK7. This unit was constructed in 2004.
- (f) One (1) diesel additive storage tank (identified as Tank 8), with a maximum storage capacity of 550 gallons. This unit was constructed in 1998.
- (g) One (1) unleaded gasoline storage tank (identified as Tank 9) permitted to construct in 2006, with a maximum storage capacity of 2,286,060 gallons and emissions exhausting to vent V-TK9. [40 CFR 60.110, Subpart Kb] [326 IAC 8-4-3]
- (h) One (1) gasoline additive storage tank (identified as Tank 10) permitted to construct in 2006, with a maximum storage capacity of 3,000 gallons and emissions exhausting to vent V-TK10.
- (i) Equipment leak losses consisting of pumps, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, flanges and other connectors.
- (j) Paved and unpaved roads. [326 IAC 6-4]

### Existing Approvals

No previous air permits have been issued to this source.

However, the source was issued Exemption No.: 069-20811-00039 on April 15, 2005 for the installation of a flare to control emissions from the loading rack.

### Enforcement Issue

- (a) IDEM is aware that equipment (tanker loading rack) has been operated prior to receipt of the proper permit. The subject equipment is listed in this Technical Support Document under the condition entitled "Unpermitted Emission Units and Pollution Control Equipment".
- (b) IDEM is aware that the source did not submit a Part 70 Operating Permit by December 14, 1996.
- (c) This source failed to submit reports of actual emissions as required by 326 IAC 2-6. Between December 1993 and March 2004, sources with a potential to emit greater than 100 tons per year of VOC were required to submit emission statements by July 1 of each year. After the revisions to 326 IAC 2-6 became effective on March 26, 2004, the source remained subject to the annual emission reporting requirement because the potential to emit VOC was greater than 250 tons per year.
- (d) IDEM, OAQ is aware that the Permittee is in violation of the provisions of 40 CFR 60, Subpart XX and 40 CFR 63, Subpart R.

### Recommendation

The staff recommends to the Commissioner that the Part 70 permit be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An administratively complete Part 70 Operating Permit application for the purposes of this review was received on July 20, 2006. Additional information was received on August 8, 2006.

There was no notice of completeness letter mailed to the Permittee.

## Emission Calculations

See Appendix A of this document for detailed emission calculations (Appendix A, pages 1 through 7).

## Potential to Emit of the Source

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as “the maximum capacity of a stationary source or emissions unit to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U.S. EPA, the department, or the appropriate local air pollution control agency.”

Pollutant	Potential to Emit (tons/year)
PM	1.42E-03
PM10	1.42E-03
SO <sub>2</sub>	1.77E-06
VOC	547
CO	5.16
NO <sub>x</sub>	1.00

HAPs	Potential to Emit (tons/year)
Benzene	4.96
Ethylbenzene	0.29
Xylene	1.21
n-Hexane	21.4
Toluene	5.20
MTBE	0.04
Methyl Tertiary Butyl Ether	2.20
Total	35.3

- (a) The potential to emit (as defined in 326 IAC 2-7-1(29)) of VOC are equal to or greater than 100 tons per year. Therefore, the source is subject to the provisions of 326 2-7.
- (b) The potential to emit (as defined in 326 IAC 2-7-1(29)) of any single HAP is equal to or greater than ten (10) tons per year and the potential to emit (as defined in 326 IAC 2-7-1(29)) of a combination of HAPs is equal to or greater than twenty-five (25) tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.
- (c) Fugitive Emissions  
Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 (the total storage capacity at this source does not exceed 300,000 barrels), the fugitive particulate matter (PM) and volatile organic compound (VOC) emissions are not counted toward determination of PSD and Emission Offset applicability.

## Actual Emissions

The following table shows the actual emissions from the source. This information reflects the 2004 emission data, which is the most recent data provided by the source.

Pollutant	Actual Emissions (tons/year)
PM	0.00
PM10	0.00
SO <sub>2</sub>	0.00
VOC*	140
CO	0.00
NO <sub>x</sub>	0.00
Single HAP (n-hexane)	4.78

Pollutant	Actual Emissions (tons/year)
Combination of HAPs	8.71

\* Actual VOC emissions data for 2004 are prior to installation of VCU. The control device was installed in 2005. [See exemption E:69-20811-00039, issued April 15, 2005.]

### County Attainment Status

The source is located in Huntington County.

Pollutant	Status
PM10	Attainment
PM 2.5	Attainment
SO <sub>2</sub>	Attainment
NO <sub>2</sub>	Attainment
8-hour Ozone	Attainment
CO	Attainment
Lead	Attainment

- (a) Huntington County has been classified as unclassifiable or attainment for PM2.5. U.S. EPA has not yet established the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 for PM 2.5 emissions. Therefore, until the U.S.EPA adopts specific provisions for PSD review for PM2.5 emissions, it has directed states to regulate PM10 emissions as surrogate for PM2.5 emissions. See the State Rule Applicability – Entire Source section.
- (b) Volatile organic compounds (VOC) emissions and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for Ozone. Therefore, VOC and NOx emissions are considered when evaluating the rule applicability relating to Ozone. Huntington County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2. See the State Rule Applicability – Entire Source section.
- (c) Huntington County has been classified as attainment or unclassifiable in Indiana for all other criteria. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2. See the State Rule Applicability-Entire Source section.
- (d) Fugitive Emissions  
Since this type of operation is not one of the 28 listed source categories under 326 IAC 2-2 or 2-3 (the total storage capacity at this source does not exceed 300,000 barrels), the fugitive particulate matter (PM) and volatile organic compound (VOC) emissions are not counted toward determination of PSD and Emission Offset applicability.
- (e) On August 7, 2006, a temporary emergency rule took effect revoking the one-hour ozone standard in Indiana. The Indiana Air Pollution Control Board has approved a permanent rule revision to incorporate this revocation into 326 IAC 1-4-1. The permanent revision to 326 IAC 1-4-1 will take effect prior to the expiration of the emergency rule.

### Part 70 Permit Conditions

This source is subject to the requirements of 326 IAC 2-7, pursuant to which the source has to meet the following:

- (a) Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of issuance of Part 70 permits.
- (b) Monitoring and related record keeping requirements which assure that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

### Federal Rule Applicability

- (a) The truck loading rack controlled by a hydrocarbon combustion flare system (vapor combustion system – VCU) is subject to the requirements of the New Source Performance Standard for Bulk Gasoline Terminals (326 IAC 12), 40 CFR 60, Subpart XX, because the tanker loading rack at the existing bulk gasoline terminal was modified after December 17, 1980, the applicability date for this rule.

Dates	Description of Modification
1992	Addition of tanks 3, 4, 5 and 6 to pre-existing loading rack.
1994	Scully overflow system installed.
2000	Rack converted from top-loading to bottom-loading.
2004	Injectors and piping installed for tank 7.

The existing truck loading rack controlled by a hydrocarbon combustion flare system (vapor combustion system – VCU) is subject to the following sections of 40 CFR 60, Subpart XX. Non-applicable portions of the NSPS are not included in the permit.

1. 40 CFR 60.500
2. 40 CFR 60.501
3. 40 CFR 60.502
4. 40 CFR 60.503
5. 40 CFR 60.505

The provisions of 40 CFR 60, Subpart A – General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the VCU except when otherwise specified in 40 CFR 60, Subpart XX.

- (b) The requirements of 40 CFR 60, Subpart K - New Source Performance Standard for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction or Modification Commenced After June 11, 1973 and prior to May 19, 1978 (326 IAC 12) are not included in this permit for storage tanks 1 and 2. These tanks were constructed prior to June 11, 1973.
- (c) The requirements of 40 CFR 60, Subpart K - New Source Performance Standard for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction or Modification Commenced After June 11, 1973 and prior to May 19, 1978 (326 IAC 12) are not included in the permit for storage tanks 3 through 10. All of these tanks were constructed after May 19, 1978.
- (d) The requirements of 40 CFR 60, Subpart Ka - New Source Performance Standard for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction or Modification Commenced After May 18, 1978 and prior to July 23, 1984 (326 IAC 12) are not included in this permit for storage tanks 1 and 2. These tanks were constructed in 1963.
- (e) The requirements of 40 CFR 60, Subpart Ka - New Source Performance Standard for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction or Modification Commenced After May 18, 1978 and prior to July 23, 1984 (326 IAC 12) are not included in this permit for the storage tanks 3 through 10. All of these tanks were constructed after 1984.

- (f) The requirements of the 40 CFR 60.110b - New Source Performance Standard for Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction or Modification Commenced After July 23, 1984 are not included in this permit for storage tanks 1 and 2. These tanks were constructed in 1963.
- (g) The requirements of 40 CFR 60.110b – New Source Performance Standard for Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After July 23, 1984 are not included in this permit for four (4) existing storage tanks 3 through 6, because although constructed after 1984, these tanks have storage capacities greater than 75 cubic meters (19, 813 gallons) but less than 151 cubic meters (39,900 gallons) and store liquid with a maximum true vapor pressure less than 15.0 kPa.
- (h) Although constructed after July 23, 1984, storage tanks 7, 8 and 10 are not subject to the 40 CFR 60, Subpart Kb – New Source Performance Standards for Volatile Organic Liquid Storage Vessels (included Petroleum Liquid Storage Vessels) for which Construction, Reconstruction or Modification Commenced After July 23, 1984 because the storage capacities of these tanks are less than 75 cubic meters (19, 813 gallons).
- (i) The requirements of 40 CFR 60.110b – New Source Performance Standard for Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After July 23, 1984 is included in this permit for one (1) new gasoline storage tank (Tank 9) because this tank has a storage capacity greater than 151 cubic meters (39,900 gallons) and stores liquid with a maximum true vapor pressure greater than 3.0 kPa. Therefore, the new gasoline storage tank (Tank 9) is subject to the requirements in 40 CFR 60.112b. [40 CFR 60.110b(b)]

The storage tank (Tank 9) is subject to the following sections of 40 CFR 60.110b, Subpart Kb. Non-applicable portions of the NSPS are not included in the permit.

1. 40 CFR 60.110b (a), (i), and (3)
2. 40 CFR 60.111b
3. 40 CFR 60.112b (a)(1)
4. 40 CFR 60.113b (a)
5. 40 CFR 60.114b
6. 40 CFR 60.115b (a)
7. 40 CFR 60.116b (a), (b), (c), (e),(1), (e)(2), and (g)
8. 40 CFR 60.117b

The provisions of 40 CFR 60, Subpart A – General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the one (1) gasoline storage tank (Tank 9), except when otherwise specified in 40 CFR 60.110b, Subpart Kb.

- (j) The provisions of 40 CFR 60.480, Subpart VV - New Source Performance Standards for Equipment Leaks of VOC in Synthetic Organic Chemicals Manufacturing Industry are not included in this permit because the facilities at this source do not manufacture organic chemicals. This facility is a bulk gasoline terminal.
- (k) The requirements of 40 CFR 63, Subpart R - National Emissions Standards for Hazardous Air Pollutants for Gasoline Distribution Facilities (Bulk Gasoline Terminal) (326 IAC 20-10-1) are included in this permit for the source because it is a bulk gasoline terminal.

Lassus has demonstrated that the resultant emission screening factor for bulk gasoline terminals ( $E_T$ ) is less than one (1), as determined by the equation given in 40 CFR 63.420 (a)(1).

Therefore, the existing affected source is subject to the following sections of 40 CFR 63, Subpart R. Non-applicable portions of the NESHAP are not included in the permit.

1. 40 CFR 63.420(a)(1)
2. 40 CFR 63.420(c), (d), (e), (f), (g), (h)
3. 40 CFR 63.421
4. 40 CFR 63.428(a),(d), (i), (j)
5. 40 CFR 63.429

The provisions of 40 CFR 60, Subpart A – General Provisions, which are incorporated by reference in 326 IAC 20-10, apply to the affected facilities in the bulk gasoline terminal, except when otherwise specified in 40 CFR 63.420, Subpart R.

- (j) The requirements of 40 CFR 63, Subpart EEEE – National Emission Standards for Hazardous Air Pollutants: Organic Liquid Distribution (Non-Gasoline) are not included in this permit for the source because this source distributes only gasoline products that meet the definition of gasoline provided in 40 CFR 63.2406.

### State Rule Applicability – Entire Source

#### 326 IAC 1-6-3 (Preventive Maintenance Plan)

The source submitted a Preventive Maintenance Plan (PMP) on February 7, 2005.

#### 326 IAC 2-3 (Emission Offset)

The source is located in Huntington County, which is designated as attainment for all criteria pollutants.

#### 326 IAC 2-2 (Prevention of Significant Deterioration)

- (a) Lassus was constructed prior to August 7, 1977. This source is not 1 of the 28 source categories because the total storage capacity at this petroleum storage and transfer facility does not exceed 300,000 barrels. At the time of its construction and subsequent modifications to the loading rack (addition of tanks 3, 4, 5, and 6 in 1993; installation of a Scully overflow system in 1994; rack conversion to bottom loading in 2000; injectors and piping installation for tank 7 in 2004; and installation of two (2) storage tanks 9 and 10 in 2006), the potential VOC emissions were greater than 250 tons per year. However, according to the data provided by the source for year 1993, 1994 and 2004, the actual VOC emissions from the entire source have never exceeded the 250 tons per year threshold.
- (b) The loading rack was equipped with a hydrocarbon combustion flare system (vapor combustion unit - VCU) in 2005, which controls VOC emissions and ensures compliance with the requirements of New Source Performance Standards for Bulk Gasoline Terminals, 40 CFR 60, Subpart XX. Pursuant to Exemption 069-20811-00039, issued April 15, 2005, the hydrocarbon combustion flare system (VCU) qualified as a Pollution Control Project (PCP) (326 IAC 2-2.3-1) because it met criteria (1) through (4) as follows:
- (1) Project Description:  
The flare is used to comply with an applicable New Source Performance Standards for Bulk Gasoline Terminals, 40 CFR 60, Subpart XX, including uses of flares during startup, shutdown, or malfunction permitted under the standard.
  - (2) Environmental Benefit:  
The Permittee indicated the technology used is specifically listed in 326 IAC 2-2-1(II)(4). Therefore, the operation of a hydrocarbon combustion flare system is considered an environmentally beneficial project.
  - (3) No increased utilization after construction of VCU:  
The operation of a hydrocarbon combustion flare system (VCU) reduces VOC emissions from the tanker loading rack to less than 35 mg per liter as required by the New Source Performance Standards for Bulk Gasoline Terminals, 40 CFR

60, Subpart XX. This project does not result in increased utilization of the existing tanker loading rack.

(4) Adverse Impacts:

A PCP does not cause or contribute to a violation of the NAAQS or PSD increment. The potential VOC emissions after controls are equal to 21.5 tons per year. Also, according to an EPA memo from Mr. John S. Seitz dated July 1, 1994, for control technology specifically listed under this rule, a PSD review is not necessary.

(5) Pursuant to 326 IAC 2-2.3-1(g),

(A) The source shall operate the hydrocarbon combustion flare system (VCU) in a manner consistent with proper industry and engineering practices, and in a way as to minimize, within the physical configuration and operational standards usually associated with the emissions control device or strategy, emissions of collateral pollutants.

(B) The source shall maintain copies on site of monitoring and other emission records to prove that the hydrocarbon combustion flare system (VCU) operated consistent with the general duty requirements in paragraph (c)(1) and by complying with the following monitoring requirements:

- (i) The hydrocarbon combustion flare system (vapor combustion unit - VCU) shall operate at all times that the tanker loading rack (identified as TLR) is in operation. The presence of a pilot flame shall be verified by using a thermocouple or flame sensor, and the result shall be recorded once per business day.
- (ii) The source shall maintain a log of pilot flame inspections.
- (iii) The source shall operate the VCU in compliance with the requirements in 40 CFR 60, Subpart XX (New Source Performance Standards for Bulk Gasoline Terminals) (326 IAC12)).

(c) The VOC emissions from the truck loading rack (ES-TLR) shall be limited to less than 0.293 pounds per thousand (1,000) gallons of throughput based on the maximum combined annual throughput of 169,455,327 gallons. This limit shall be achieved using a control device with a control (destruction) efficiency of at least 96% and is equivalent to less than 24.5 tons of VOC per year (169,455,327 gallons/yr x 0.293 lbs/kgallons x 1 ton/2,000 lbs).

Compliance with these conditions render the requirements of 326 IAC 2-2 (PSD) not applicable to the 2005 construction of the vapor collection system and flare, and ensures a minor source status for the source under 326 IAC 2-2, PSD.

Process/emission unit	Potential To Emit (tons/year)					
	PM	PM10	SO <sub>2</sub>	VOC	CO	NO <sub>x</sub>
Tanker Loading Rack	0	0	0	24.1	0	0
Product Storage Tanks	0	0	0	9.66	0	0
VCU	1.42E-03	1.42E-03	1.77E-06	1.95	5.16	1.00
Limited Emissions	1.42E-03	1.42E-03	1.77E-06	35.7	5.16	1.00
PSD Thresholds	250	250	250	250	250	250

326 IAC 2-4.1 (Major Source of Hazardous Air Pollutants (HAPs))

All major sources of HAPs were constructed prior to the July 27, 1997 applicability date for this rule. Moreover, on and after December 15, 1997 the source was subject to the provisions of 40 CFR 63.420, Subpart R – National Emission Standards for Hazardous Air Pollutants for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations). Therefore, the provisions of 326 IAC 2-4.1 do not apply.

**326 IAC 2-6 (Emission Reporting)**

This source is subject to 326 IAC 2-6 (Emission Reporting) because it is required to have an operating permit under the provisions of 326 IAC 2-7, Part 70 Operating Permit Program. In accordance with the compliance schedule in 326 IAC 2-6-3, an emission statement must be submitted triennially by July 1 beginning 2004 and every 3 years after. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

**326 IAC 5-1 (Opacity Limitations)**

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in the permit:

- (a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

**326 IAC 6-4 (Fugitive Dust Emissions)**

The source shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4.

**326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations)**

The source is not subject to the requirements of 326 IAC 6-5 because the potential fugitive particulate matter emissions are negligible.

**State Rule Applicability - Volatile Liquid Product Storage Tanks**

**326 IAC 8-1-6 (New Facilities; General Reduction Requirements)**

- (a) Storage tanks 3 through 8 are not subject to the provisions of 326 IAC 8-1-6 because, although constructed after January 1, 1980, the applicability date for this rule, each storage tank has potential VOC emissions less than 25 tons per year.
- (b) Storage tanks 1 and 2 are not subject to the requirements of 326 IAC 8-1-6 because these tanks were constructed before the January 1, 1980 applicability date for this rule.
- (c) Storage tanks 9 and 10 are not subject to the provisions of 326 IAC 8-1-6 because, although constructed after January 1, 1980 the applicability date for this rule, each storage tank has potential VOC emissions less than 25 tons per year.

**326 IAC 8-4-3 (Petroleum Liquid Storage Facilities)**

- (a) The gasoline additive storage tanks (identified as Tanks 7, 8, and 10) are not subject to the requirements of 326 IAC 8-4-3 (Petroleum Liquid Storage Facilities) because these tanks have a capacity less than thirty-nine thousand (39,000) gallons.
- (b) The storage tanks used for storing unleaded gasoline (identified as Tanks 1 and 2) are not subject to this rule because they were constructed before the January 1, 1980 applicability date for this rule.

- (c) The four (4) storage tanks (identified as Tanks 3, 4, 5, and 6) constructed in 1993, are not subject to the provisions of this rule because these units store ethanol, which is not a petroleum product.
- (d) The storage tank used for storing unleaded gasoline (identified as Tank 9) is subject to this rule because this tank will be constructed in 2006, has a storage capacity greater than 39,000 gallons, and has a true vapor pressure greater than 10.5 kPa (1.52 psi).
  - (1) Pursuant to 326 IAC 8-4-3(b), no owner or operator of an affected fixed roof tank shall permit the use of such facility unless:
    - (A) The facility has been fitted with an internal floating roof equipped with a closure seal, or seals, to close the space between the roof edge and tank wall unless the source has been fitted with equally effective alternative control which has been approved.
    - (B) The facility is maintained such that there are no visible holes, tears, or other opening in the seal or any seal fabric or materials.
    - (C) All openings, except stub drains, are equipped with covers, lids, or seals such that:
      - (i) the cover, lid, or seal is in the closed position at all times except when in actual use;
      - (ii) automatic bleeder vents are closed at all time except when the roof is floated off or landed on the roof leg supports;
      - (iii) rim vents, if provided, are set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting.
  - (2) Pursuant to 326 IAC 8-4-3(d), owners or operators of petroleum liquid storage vessels shall maintain records of the types of volatile petroleum liquid stored, the maximum true vapor pressure of the liquid as stored, and the results of the inspections performed on the storage vessels. Such records shall be maintained for a period of two (2) years and shall be made available to the commissioner upon written request.

**326 IAC 8-9-1 (Volatile Organic Liquid Storage Vessels)**

The source is not located in Lake, Porter, Clark or Floyd counties. Therefore, the requirements of 326 IAC 8-9-1 do not apply.

**State Rule Applicability - Truck Loading Rack**

**326 IAC 8-1-6 (New Facilities; General Reduction Requirements)**

Although the potential VOC emissions from the truck loading rack (identified as TLR) are greater than 25 tons per year, it is not subject to the provisions of 326 IAC 8-1-6 (New Facilities; General Reduction Requirements) because it was constructed before January 1, 1980, the applicability date for this rule. There are no other Article 8 rules that apply to this facility.

**326 IAC 8-6 (Organic Solvent Emission Limitations)**

This source is not subject to the requirements of 326 IAC 8-6 because it is located in Huntington County and was constructed prior to October 7, 1974.

**326 IAC 8-4-4 (Bulk Gasoline Terminals)**

The source is not subject to the provisions of 326 IAC 8-4-4 because this source is not located in Boone, Dearborn, Hamilton, Hancock, Harrison, Johnson, Morgan, or Shelby counties as listed under this rule and the source was constructed prior to January 1, 1980. The source is located in Huntington County.

#### 326 IAC 8-4-5 (Bulk Gasoline Plants)

The source is not subject to the provisions of 326 IAC 8-4-5 because this source is not located in Boone, Dearborn, Hamilton, Hancock, Harrison, Johnson, Morgan, or Shelby counties as listed under this rule and the source was constructed prior to January 1, 1980. The source is located in Huntington County.

#### 326 IAC 8-4-6 (Gasoline Dispensing Facilities)

Although the gasoline additive storage tanks (identified as Tanks 3, 7 and 10) were installed after July 1, 1989, the applicability date for this rule, the source is not subject to the requirements of 326 IAC 8-4-6 since the source does not dispense gasoline into motor vehicles or portable containers from storage tanks. Therefore, the requirements of this rule do not apply. Furthermore, Tank 3 was modified in 2006 to store ethanol.

#### 326 IAC 8-4-7 (Gasoline Transports)

The source is not subject to the provisions of 326 IAC 8-4-7 because this source is not located in Boone, Dearborn, Hamilton, Hancock, Harrison, Johnson, Morgan, or Shelby counties as listed under this rule and the source was constructed prior to January 1, 1980. The source is located in Huntington County.

#### 326 IAC 8-4-9 (Leaks from Transports and Vapor Collection Systems; Records)

The source is not subject to the requirements of 326 IAC 8-4-9 because it was constructed and in operation prior to January 1, 1980, is not located in any of the listed counties under 326 IAC 8-4-1 and is not subject to 326 IAC 8-4-4.

### Testing Requirements

The testing necessary to determine if the vapor combustion unit is functioning according to design specifications and is keeping total VOC emissions at this source below PSD levels is described as follows:

#### Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]

From the date of the last compliant stack test, in order to demonstrate compliance with provisions of 326 IAC 2-2, the Permittee shall perform VOC testing for the Vapor Combustion Unit (VCU) controlling the truck loading rack (ES-TLR) utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C-Performance Testing.

### Compliance Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with applicable state and federal rules on a more or less continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a more or less continuous demonstration. When this occurs IDEM, OAQ in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, compliance requirements are divided into two sections: Compliance Determination Requirements and Compliance Monitoring Requirements.

Compliance Determination Requirements in Section D of the permit are those conditions that are found more or less directly within state and federal rules and the violation of which serves as grounds for enforcement action. If these conditions are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also in Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

The compliance monitoring requirements applicable to this source are as follows:

The vapor combustion unit on the truck loading rack (ES-TLR) has applicable compliance monitoring conditions as specified under 326 IAC 2-2.3-1 (see the State Rule Applicability - Entire Source section), 40 CFR 60, Subpart XX, and 40 CFR 63, Subpart R (see the Federal Rule Applicability section). These monitoring conditions are necessary because the vapor combustion unit must operate properly to ensure compliance with the provisions of 326 IAC 2-2 (PSD), 40 CFR 60, Subpart XX, and 40 CFR 63, Subpart R.

## **Conclusion**

The operation of this gasoline bulk terminal shall be subject to the conditions of this New Source Construction and Part 70 Operating Permit No.: 069-23395-00039.

**Appendix A: Emissions Calculations  
VOC Emissions  
From Tanker Loading Rack Emissions**

**Company Name:** Lassus Brothers Terminal, Inc.  
**Address:** 4413 North Meridian Road, Huntington, Indiana  
**NSC and TV:** 069-23395  
**Plt ID:** 069-00039  
**Reviewer:** ERG/SD  
**Date:** September 27, 2006

Units	Tank Content	<sup>(1)</sup> Max. Throughput (gal/year)	<sup>(2)</sup> Saturation Factor	<sup>(3)</sup> <sup>(4)</sup> Liquid VP (in psia) at bulk temp	<sup>(4)</sup> Vapor MW	<sup>(4)</sup> Liquid Temperature	<sup>(5)</sup> Tanker Loading Emission Factor (lb/1000 gal loaded)	Uncontrolled PTE of VOC (lbs/year)	Uncontrolled PTE of VOC (tons/year)	* VCU Control Efficiency %	Controlled PTE of VOC (tons/year)
Tank 1	Unleaded Gasoline	37,500,000	1.00	4.390	66.0	49.91	7.08	265,470	133	96%	5.31
Tank 2	Unleaded Gasoline	56,250,000	1.00	4.390	66.0	49.91	7.08	398,204	199	96%	7.96
Tank 3	Ethanol	4,855,676	1.00	0.200	106.2	49.91	0.52	2519.45	1.260	96%	0.05
Tank 4	Ethanol	4,855,676	1.00	0.489	46.1	49.91	0.55	2,675	1.34	96%	0.05
Tank 5	Ethanol	4,855,676	1.00	0.489	46.1	49.91	0.55	2,675	1.34	96%	0.05
Tank 6	Ethanol	4,855,676	1.00	0.489	46.1	49.91	0.55	2,675	1.34	96%	0.05
Tank 7	Additive	7,637	1.00	0.320	106	54.23	0.82	6.29	0.003	96%	0.0001
Tank 8	Additive <sup>(6)</sup>	6,171	1.00	0.193	170	68.00	0.77	4.78	0.002	0%	0.002
Tank 9	Unleaded Gasoline	56,250,000	1.00	4.39	66.0	49.9	7.08	398250	199	96%	7.96
Tank 10	Additive	18,815	1.00	0.20	106	54.2	0.51	9.68	0.005	96%	0.0002
<b>Total Throughput =</b>		169,455,327							<b>536</b>		<b>21.5</b>

Information is as derived from the permit application submitted on February 7, 2005.

- (1) Potential product throughput is based on maximum loading rate at the loading rack.
- (2) Submerged loading: dedicated vapor balance service from AP-42, Table 5.2-1, 5th Edition (1995).
- (3) Gasoline vapor pressure is an annual weighted average.
- (4) Values were calculated using U.S.EPA Tanks 4.0 software for each product used.
- (5) Tanker loading emission factor calculation was derived using formula 1, AP-42, Section 5.2.2.1.1, 5th Edition (1995).
- (6) Additive from this tank is transported in portable storage containers. These emissions are not controlled by the VCU.

\* VCU = Vapor Combustion Unit

**METHODOLOGY**

Tanker Loading Emission Factor (lb/1000 gal) = 12.46 \* (Saturation Factor \* Liquid Vapor Pressure (psia) \* Vapor MW) \* 1/(Liquid Temperature +460)  
 Uncontrolled PTE of VOC (lbs/year) = Tanker Loading Emission Factor (lb/1000 gal) \* Max. Throughput (gal/year) \* 1/1000  
 Uncontrolled PTE of VOC (tons/year) = Tanker Loading Emission Factor (lb/1000 gal) \* Max. Throughput (gal/year) \* 1/1000 \* 1 ton/2000 lbs  
 Controlled PTE of VOC (tons/year) = Tanker Loading Emission Factor (lb/1000 gal) \* Max. Throughput (gal/year) \* 1/1000 \* 1 ton/2000 lbs \* (1- Control Efficiency % VCU)

**Appendix A: Emission Calculations**  
**HAP Emissions**  
**From Tanker Loading Rack Emissions**

**Company Name:** Lassus Brothers Terminal, Inc.  
**Address:** 4413 North Meridian Road, Huntington, Indiana  
**NSC and TV:** 069-23395  
**PII ID:** 069-00039  
**Reviewer:** ERG/SD  
**Date:** September 27, 2006

**UNCONTROLLED POTENTIAL TO EMIT**

Units	Tank Content	<sup>(1)</sup> Max. Throughput (gal/year)	<sup>(2)</sup> Tanker Loading Emission Factor (lb/1000 gal loaded)	<sup>(2)</sup> Weight % Benzene	<sup>(2)</sup> Weight % Ethyl Benzene	<sup>(2)</sup> Weight % Xylene	<sup>(2)</sup> Weight % Hexane	<sup>(2)</sup> Weight % Toluene	<sup>(2)</sup> Weight % Methyl Tertiary Butyl Ether	PTE of Benzene	PTE of Ethyl Benzene	PTE of Xylene	PTE of n-Hexane	PTE of Toluene	PTE of Methyl Tertiary Butyl Ether
Tank 1	Unleaded Gasoline	37,500,000	7.08	1.05%	0.06%	0.25%	1.31%	0.95%	1.66%	1.39	0.08	0.33	1.74	1.26	2.20
Tank 2	Unleaded Gasoline	56,250,000	7.08	0.88%	0.05%	0.21%	4.85%	0.96%	0.00%	1.75	0.10	0.42	9.66	1.91	0.00
Tank 3	Ethanol	4,855,676	0.52	0.00%	1.61%	5.67%	0.00%	0.00%	0.00%	0.00	0.02	0.07	0.00	0.00	0.00
Tank 4	Ethanol	4,855,676	0.55	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00	0.00	0.00	0.00	0.00	0.00
Tank 5	Ethanol	4,855,676	0.55	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00	0.00	0.00	0.00	0.00	0.00
Tank 6	Ethanol	4,855,676	0.55	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00	0.00	0.00	0.00	0.00	0.00
Tank 7	Additive	7,637	0.82	0.00%	1.33%	4.86%	0.00%	0.00%	0.00%	0.00	0.00	0.00	0.00	0.00	0.00
Tank 8	Additive (6)	6,171	0.77	0.03%	0.09%	0.19%	0.06%	0.29%	0.00%	7.17E-07	2.15E-06	4.54E-06	1.43E-06	6.93E-06	0.00E+00
Tank 9	Unleaded Gasoline	56,250,000	7.08	0.88%	0.05%	0.21%	4.85%	0.96%	0.00%	1.75	0.10	0.42	9.66	1.91	0.00
Tank 10	Additive	18,815	0.52	0.00%	1.61%	5.67%	0.00%	0.00%	0.00%	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total =</b>										<b>4.90</b>	<b>0.30</b>	<b>1.24</b>	<b>21.1</b>	<b>5.08</b>	<b>2.20</b>

Uncontrolled Highest Single HAP (Hexane) in tons per year = **21.1**  
 Uncontrolled Combination of HAPs in tons per year = **34.8**

Information is as derived from the permit application submitted on February 7, 2005.

- (1) Potential product throughput is based on maximum loading rate at the loading rack.  
 (2) Tanker loading emission factor calculation was derived using equation 1, AP-42, Section 5.2.2.1.1, 5th Edition (1995). See Page 1 of 5 TSD, App A.  
 (3) Values were calculated using U.S.EPA Tanks 4.0 software for each product used.

**METHODOLOGY**

Uncontrolled PTE of HAPs (tons/year) = Tanker Loading Emission Factor (lb/1000 gal) \* Max. Throughput (gal/year) \* 1/1000 \* 1 ton/2000 lbs \* Weight % HAP

**CONTROLLED POTENTIAL TO EMIT**

Units	Tank Content	* VCU Control Efficiency %	PTE of Benzene	PTE of Ethyl Benzene	PTE of Xylene	PTE of Hexane	PTE of Toluene	PTE of Methyl Tertiary Butyl Ether
Tank 1	Unleaded Gasoline	96%	5.6E-02	3.2E-03	1.3E-02	7.0E-02	5.0E-02	8.8E-02
Tank 2	Unleaded Gasoline	96%	7.0E-02	4.0E-03	1.7E-02	3.9E-01	7.6E-02	0.0E+00
Tank 3	Ethanol	96%	0.0	8.1E-04	2.9E-03	0.0E+00	0.0	0.0
Tank 4	Ethanol	96%	0.0	0E+00	0.0	0.0	0.0	0.0
Tank 5	Ethanol	96%	0.0	0E+00	0.0	0.0	0.0	0.0
Tank 6	Ethanol	96%	0.0	0E+00	0.0	0.0	0.0	0.0
Tank 7	Additive (6)	96%	0.0	1.7E-06	6.1E-06	0.0	0.00	0.00
Tank 8	Additive (6)	0%	7.2E-07	2.2E-06	4.5E-06	1.4E-06	6.9E-06	0.0E+00
Tank 9	Unleaded Gasoline	96%	7.0E-02	4.0E-03	1.7E-02	3.9E-01	7.6E-02	0.0
Tank 10	Additive (6)	96%	0.0E+00	3.2E-06	1.1E-05	0.0	0.0	0.0
<b>TOTALS =</b>			<b>0.20</b>	<b>0.01</b>	<b>0.05</b>	<b>0.84</b>	<b>0.20</b>	<b>0.09</b>

\*\* VCU = Vapor Combustion Unit

**METHODOLOGY**

Controlled PTE of HAPs (tons/year) = Uncontrolled PTE of HAPs (tons/year) \* (1 - Control Efficiency % VCU)

**Appendix A: Emission Calculations  
VOC and HAP Emissions  
From Product Storage Tanks**

**Company Name:** Lassus Brothers Terminal, Inc.

**Address:** 4413 North Meridian Road, Huntington, Indiana

**NSC and TV:** 069-23395

**Pit ID:** 069-00039

**Reviewer:** ERG/SD

**Date:** September 27, 2006

**\* POTENTIAL TO EMIT (tons/year)**

Emission Unit	PM/PM10	VOC	n-Hexane	Benzene	Toluene	Ethylbenzene	Xylene	MTBE
Tank 1	0.00	2.36	0.03	0.03	0.03	4.38E-03	0.01	0.04
Tank 2	0.00	3.27	0.16	0.03	0.04	4.38E-03	0.01	
Tank 3	0.00	0.44						
Tank 4	0.00	0.44						
Tank 5	0.00	0.44						
Tank 6	0.00	0.44						
Tank 7	0.00	0.01				9.20E-05	3.33E-04	
Tank 8	0.00	2.41E-03			7.01E-06	2.28E-06	4.82E-06	
Tank 9	0.00	2.23	0.13		4.38E-02	2.63E-03	1.18E-02	
Tank 10	0.00	0.02				4.38E-03	1.31E-03	
<b>TOTALS =</b>	<b>0.00</b>	<b>9.66</b>	<b>0.32</b>	<b>0.06</b>	<b>0.12</b>	<b>0.02</b>	<b>0.04</b>	<b>0.04</b>

Information is as derived from the permit application submitted on July 20, 2006.

\* PTE values were calculated using U.S.EPA Tanks 4.0 software for each product used in each tank.

Note: Emissions from the storage tanks are uncontrolled and released through pressure vents located on the tanks.

**Appendix A: Emissions Calculations  
Vapor Combustion Unit Burning Liquified Petroluem Gas (LPG)  
For Pilot Flame**

**Company Name:** Lassus Brothers Terminal, Inc.  
**Address:** 4413 North Meridian Road, Huntington, Indiana  
**NSC and TV:** 069-23395  
**Plt ID:** 069-00039  
**Reviewer:** ERG/SD  
**Date:** September 27, 2006

**Heat Input Capacity**  
(MMBtu/hour)

**Potential Throughput**  
(kgals/year)

**S = Weight % Sulfur**

0.0731

7.08

0.5%

	Pollutant				
	PM*	SO <sub>2</sub>	NOx	VOC	CO
Emission Factor (lb/kgal)	0.40	5.00E-04 <i>0.10S</i>	14.0	0.50	1.90
Potential To Emit (tons/year)	1.42E-03	1.77E-06	4.95E-02	1.77E-03	6.72E-03

Emission factors are from AP-42, Tables 1.5-1, SCC 1-03-010-02 (October, 1996).  
 Assume that all PM is filterable and equivalent to PM10.  
 One (1) gallon of commercial-grade propane has a heating value of 90,500 Btu per gallon.

**METHODOLOGY**

Potential Throughput (kgals/year) = Heat Input Capacity (MMBtu/hour) \* 1 kgal/1000 gallon \* 1 gallon/90,500 MMBtu \* 10<sup>6</sup> Btu/1 MMBtu  
 Potential To Emit (tons/year) = Potential Throughput (kgals/year) \* Emission Factor (lb/kgal) \* 1ton/2,000 lbs

**Appendix A: Emissions Calculations  
Combustion Emissions from Flare**

**Company Name:** Lassus Brothers Terminal, Inc.  
**Address:** 4413 North Meridian Road, Huntington, Indiana  
**NSC and TV:** 069-23395  
**Plt ID:** 069-00039  
**Reviewer:** ERG/SD  
**Date:** September 27, 2006

**Heat Input Capacity**  
(MMBtu/hour)  
3.18

	Pollutant		
	CO	NOx	VOC
Emission Factor (lb/MMBtu)	0.37	0.068	0.14
Potential To Emit (tons/year)	5.16	0.95	1.95

Emission factors for flare operations are from AP-42, Tables 13.5-1, (01/1995).

**Note 1:** Waste streams to be flared must have a fuel value of at least 200 to 250 Btu per cubic foot for complete combustion (AP-42, 13.5-1. January, 1995. Gasoline mixture at the source has a heat content of 1,400 Btu per cubic foot.

**Note 2:** To obtain the vapor volume, the Permittee assumed that upon return to the terminal, the gasoline transport trucks are 100 % full of product vapors captured during product distribution to service stations.

**METHODOLOGY**

Heat Input Capacity (MMBtu/hour) = Fuel Value (1,400) Btu/cubic ft \* 1 MMBtu/10<sup>6</sup> Btu \* Vapor Volume (19,910,604) cubic ft/year \* 1 year/8760 hours  
Potential To Emit (tons/year) = Heat input capacity (MMBtu/hour) \* Emission Factor (lb/MMBtu) \* 8760 hours/year \* 1ton/2000 lbs

**Appendix A: Emission Calculations  
Summary**

**Company Name:** Lassus Brothers Terminal, Inc.  
**Address:** 4413 North Meridian Road, Huntington, Indiana  
**NSC and TV:** 069-23395  
**Pit ID:** 069-00039  
**Reviewer:** ERG/SD  
**Date:** September 27, 2006

**UNCONTROLLED POTENTIAL TO EMIT**

<b>Emission Units</b>	<b>PM</b>	<b>PM10</b>	<b>SO<sub>2</sub></b>	<b>NOx</b>	<b>VOC</b>	<b>CO</b>
Tanker Loading Rack	0.00	0.00	0.00	0.00	536	0.00
Product Storage Tanks	0.0	0.0	0.00	0.00	9.66	0.00
LPG Combustion in VCU	1.42E-03	1.42E-03	1.77E-06	4.95E-02	1.77E-03	6.72E-03
Combustion Emissions from the Flare				0.95	1.95	5.16
<b>TOTAL</b>	<b>1.42E-03</b>	<b>1.42E-03</b>	<b>1.77E-06</b>	<b>1.00</b>	<b>548</b>	<b>5.16</b>

**UNCONTROLLED POTENTIAL TO EMIT**

<b>HAPs</b>	<b>Potential To Emit in tons per year</b>		<b>TOTAL</b>
	<b>Tanker Loading Rack</b>	<b>Product Storage Tanks</b>	
Benzene	4.90	0.06	4.96
Ethylbenzene	0.30	0.02	0.32
Xylene	1.24	0.04	1.28
n-Hexane	21.1	0.32	21.4
Toluene	5.08	0.12	5.20
Methyl Tertiary Butyl Ether	2.20	0.00	2.20
MTBE	0.00	0.04	0.04

**35.4**

**Appendix A: Emission Calculations  
Actual Emissions**

**Company Name:** Lassus Brothers Terminal, Inc.  
**Address:** 4413 North Meridian Road, Huntington, Indiana  
**NSC and TV:** 069-23395  
**Plt ID:** 069-00039  
**Reviewer:** ERG/SD  
**Date:** September 27, 2006

**\* Detailed actual emissions (in tons/year) for 2004 as provided by the source**

Emission Unit	PM/PM10	VOC	n-Hexane	Benzene	Toluene	Ethylbenzene	Xylene	MTBE
Tanker Loading Rack	0.00	134	4.59	1.25	1.27	0.07	0.30	0.86
Product Transfer (Fugitive)	0.00	0.14	2.31E-03	6.80E-04	6.85E-04	3.05E-04	1.11E-03	5.30E-04
Product Storage - Tank 1	0.00	2.32	0.03	0.03	0.02	1.96E-03	0.01	0.04
Product Storage - Tank 2	0.00	3.23	0.16	0.03	0.03	2.22E-03	0.01	
Product Storage - Tank 3	0.00	0.06				9.40E-04	3.3E-03	
Product Storage - Tank 4	0.00	0.30						
Product Storage - Tank 5	0.00	0.30						
Product Storage - Tank 6	0.00	0.30						
Product Storage - Tank 7	0.00	0.00				6.10E-05	2.22E-04	
Product Storage - Tank 8	0.00	0.00			6.00E-06	2.00E-06	4.00E-06	
<b>TOTALS =</b>	<b>0.00</b>	<b>140</b>	<b>4.78</b>	<b>1.31</b>	<b>1.33</b>	<b>0.08</b>	<b>0.32</b>	<b>0.90</b>

**Summary of actual emissions (in tons/year) for 1992, 1994 and 2004 modifications as provided by the source**

Pollutant	1992	1994	2004
PM/PM10	0.00	0.00	0.00
VOC	30.7	67.7	140
n-Hexane	1.47	3.27	4.78
Benzene	0.27	0.59	1.31
Toluene	0.29	0.65	1.33
Ethylbenzene	0.02	0.03	0.08
Xylene	0.07	0.15	0.32
MTBE	0.00	0.00	0.90