



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant

DATE: July 20, 2011

RE: Enterprise Terminals and Storage / 051-30687-00007

FROM: Matthew Stuckey, Branch 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 13-17-3-4 and 326 IAC 2, this approval 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 13-15-7-3 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 Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204, **within eighteen (18) calendar days of the mailing of this notice**. 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.

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.

Enclosures
FNPER-MOD.dot 12/3/07



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Mr. Chandra Sripadam
Enterprise Terminals & Storage LLC
P.O. Box 4324
Houston, TX 77210

July 20, 2011

Re: 051-30687-00007
Second Administrative Amendment to
Part 70 Renewal No.: T 051-21723-00007

Dear Mr. Sripadam:

Enterprise Terminals & Storage LLC was issued a Part 70 Operating Permit Renewal on January 22, 2008 for a bulk petroleum product storage and transfer terminal. A letter requesting changes to this permit was received on July 6, 2011. The source is constructing one (1) internal floating roof tank, identified as Tank No. 2207. Pursuant to 326 IAC 2-7-11(a)(8), this change to the permit qualifies as an administrative amendment because it incorporates an insignificant activity.

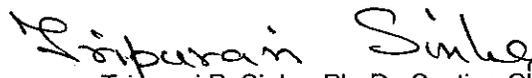
- (a) One (1) internal floating roof tank, identified as Tank No. 2207, permitted in 2011, with a capacity of 630,000 gallons, storing ethanol, gasoline, diesel and transmix.

Pursuant to the provisions of 326 IAC 2-7-11 an administrative amendment to this permit is hereby approved as described in the attached Technical Support Document.

All other conditions of the permit shall remain unchanged and in effect. For your convenience, the entire Part 70 Operating Permit as modified will be provided at issuance.

This decision is subject to the Indiana Administrative Orders and Procedures Act – IC 4-21.5-3-5. If you have any questions on this matter, please contact Heath Hartley, OAQ, 100 North Senate Avenue, MC 61-53, Room 1003, Indianapolis, Indiana, 46204-2251, or call at (800) 451-6027, and ask for Heath Hartley or extension (2-8217), or dial (317) 232-8217.

Sincerely,


Tripurari P. Sinha, Ph. D., Section Chief
Permits Branch
Office of Air Quality

Attachments:
Updated Permit
Technical Support Document
PTE Calculations

hh

cc: File – Gibson County
Gibson County Health Department
U.S. EPA, Region V
IDEM Southwest Regional Office
Air Compliance and Enforcement Branch

Mr. Kevin Bodenhamer
Enterprise Terminals & Storage LLC
P.O. Box 4324
Houston, TX 77210



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PART 70 Operating Permit Renewal
OFFICE OF AIR QUALITY

Enterprise Terminals & Storage, LLC
RR # 1 Box 184A
Oakland City, Indiana 47560

(herein known as the Permittee) is hereby authorized to 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.: T051-21723-00007	
Issued by: Original Signed Matt Stuckey, Deputy Branch Chief Permits Branch Office of Air Quality	Issuance Date: January 22, 2008 Expiration Date: January 22, 2013

First Administrative Amendment No. 051-29296-00007, issued June 29, 2010.

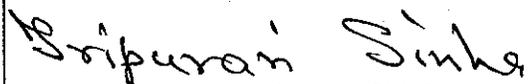
Second Administrative Amendment No.: 051-30687-00007	
Issued by:  Tripurari Sinha, PhD, Section Chief Permits Branch Office of Air Quality	Issuance Date: July 20, 2011 Expiration Date: January 22, 2013

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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)]

The Permittee owns and operates a stationary bulk petroleum product storage and transfer terminal.

Source Address:	RR #1 Box 184A, Oakland City, Indiana 47560
General Source Phone Number:	(713) 381-6595
SIC Code:	4789, 4613
County Location:	Gibson
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Operating Permit Program Minor Source, under PSD Rules Minor Source, Section 112 of the Clean Air Act 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)]

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

- (a) One (1) internal floating roof tank, identified as Tank No. 2201, with a capacity of 1,470,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel and raffinates, and exhausting to stack 01 (constructed in 1957).
- (b) One (1) domed external floating roof tank, identified as Tank No. 2202, with a capacity of 1,470,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 02 (constructed in 1957).
- (c) One (1) domed external floating roof tank, identified as Tank No. 2203, with a capacity of 2,814,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, alkylate naphtha and exhausting to stack 03 (modified in 1994 to replace seals and store materials with higher RVP).
- (d) One (1) internal floating roof tank, identified as Tank No. 2204, with a capacity of 1,470,000 gallons and a maximum withdrawal rate of 168,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 04 (modified in 1994 to replace seals and store materials with higher RVP).
- (e) One (1) internal floating roof tank, identified as Tank No. 2205, with a capacity of 3,209,800 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, alkylate naphtha and exhausting to stack 05 (constructed in 1965).

- (f) One (1) internal floating roof tank, identified as Tank No. 2206, with a capacity of 3,360,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 06A (constructed in 2002).
- (g) One (1) internal floating roof tank, identified as Tank No. 2261, with a capacity of 84,000 gallons and a maximum withdrawal rate of 84,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 061 (constructed in 1957).
- (h) One (1) internal floating roof tank, identified as Tank No. 2262, with a capacity of 85,000 gallons, storing transmix or pipeline interface (a mixture of gasoline, diesel and jet fuel, with maximum vapor pressure of 13.5 RVP), and exhausting to stack 07 (originally constructed in 1967 and modified in 2003 to install the internal floating roof tank).
- (i) One (1) tank truck loading rack, identified as LOAD, equipped with twelve (12) arms, with a maximum capacity of loading 551,880,000 gallons per year of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel and raffinates, utilizing a vapor recovery unit, or VRU, for VOC control, and exhausting to stack 08 (modified in 1974). The VRU is equipped with a continuous emission monitor (CEM) for volatile organic compounds.
- (j) Process fugitive VOC emissions from component equipment leaks.
- (k) One (1) internal floating roof tank, identified as Tank No. 2207, permitted in 2011, with a capacity of 630,000 gallons, storing ethanol, gasoline, diesel or transmix.
- (l) Roof Landing Emissions from Tanks 2201, 2202, 2203, 2204, 2205, 2206 or 2207.

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

This stationary source does not currently have any insignificant activities, as defined in 326 IAC 2-7-1(21) that have applicable requirements.

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]

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)]

- (a) The Part 70 Operating Permit, T051-21723-00007, is issued for a fixed term of five (5) years 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]

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]

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)]

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)]

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)]

- (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. 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) A certification required by this permit meets the requirements of 326 IAC 2-7-6(1) if:

- (i) it contains a certification by a "responsible official", as defined by 326 IAC 2-7-1 (34), and
 - (ii) the certification states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) The Permittee may use the attached Certification Form, or its equivalent, 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. All 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 and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
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 a certification that meets the requirements of 326 IAC 2 7 6(1) by a "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]

(a) A Preventive Maintenance Plan meets the requirements of 326 IAC 1-6-3 if it includes, at a minimum:

- (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.

The Permittee shall implement the PMPs.

(b) If required by specific condition(s) in Section D of this permit where no PMP was previously required, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) no later than ninety (90) days after issuance of this permit or ninety (90) days after initial start-up, whichever is later, 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 time frame specified in Section D, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

The Permittee shall implement the PMPs.

- (c) 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. The PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) 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]

- (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, no later than 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
Southwest Regional Office phone: (812) 380-2305; fax: (812) 380-2304.

- (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 and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

no later than 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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "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.

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]

- (a) All terms and conditions of permits established prior to T051-21723-00007 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) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit.

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 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 Operating 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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "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.16 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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
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 reasonable deadline specified, pursuant to 326 IAC 2-7-4(a)(2)(D), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.17 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
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Any such application shall be certified by a "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.18 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 or notice 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.19 Operational Flexibility [326 IAC 2-7-20][326 IAC 2-7-10.5]

- (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
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "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.20 Source Modification Requirement [326 IAC 2-7-10.5]

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

B.21 Inspection and Entry [326 IAC 2-7-6][IC 13-14-2-2][IC 13-30-3-1][IC 13-17-3-2]

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.22 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

- (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
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

The application which shall be submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "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.23 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.24 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 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 5-1-1 (Applicability) and 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.

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

The Permittee shall not operate an incinerator except as provided in 326 IAC 4-2 or in this permit. The Permittee shall not operate a refuse incinerator or refuse burning equipment except as provided in 326 IAC 9-1-2 or in this permit.

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
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-52 IGCN 1003
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 a "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. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

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

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

- (a) For performance testing required by this permit, a test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "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. The extension request submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

Compliance Requirements [326 IAC 2-1.1-11]

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

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)]

Unless otherwise specified in this permit, for all monitoring requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or of initial start-up, whichever is later, to begin such monitoring. If due to circumstances beyond the Permittee's control, any monitoring equipment required by this permit cannot be installed and operated no later than ninety (90) days after permit issuance or the date of initial startup, whichever is later, 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 and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "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 Maintenance of Continuous Emission Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

- (a) The Permittee shall install, calibrate, maintain, and operate all necessary continuous emission monitoring systems (CEMS) and related equipment.
- (b) In the event that a breakdown of a continuous emission monitoring system occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.
- (c) Whenever a continuous emission monitor other than an opacity monitor is malfunctioning or will be down for calibration, maintenance, or repairs for a period of four (4) hours or more, a calibrated backup CEMS shall be brought online within four (4) hours of shutdown of the primary CEMS, and shall be operated until such time as the primary CEMS is back in operation.
- (d) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous emission monitoring system pursuant to 326 IAC 3-5.

C.11 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

- (a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale.
- (b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

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

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]

Upon detecting an excursion where a response step is required by the D Section or an exceedance of a limitation in this permit:

- (a) The Permittee shall take reasonable response steps to 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 excess emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction. The response may include, but is not limited to, the following:
 - (1) initial inspection and evaluation;

- (2) recording that operations returned or are returning 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 normal or usual manner of operation.
- (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 necessarily limited to, the following:
- (1) monitoring results;
 - (2) review of operation and maintenance procedures and records; and/or
 - (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 record the reasonable response steps 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 submit a description of its response actions to IDEM, OAQ, no later than seventy-five (75) days after the date of the test.
- (b) A retest to demonstrate compliance shall be performed no later than one hundred eighty (180) days after the date of the test. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred eighty (180) 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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "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]

Pursuant to 326 IAC 2-6-3(b)(2), starting in 2005 and every three (3) years thereafter, the Permittee shall submit no later than 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:

- (a) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
- (b) 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
MC 61-50, IGCN 1003
Indianapolis, Indiana 46204-2251

The emission statement does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

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, for all record keeping requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.

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 except that 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. This report shall be submitted not later than thirty (30) days after the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.
- (b) The address for report submittal is:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
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.

- (e) 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.

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 applicable standards for recycling and emissions reduction:.

SECTION D.1

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

- (a) One (1) internal floating roof tank, identified as Tank No. 2201, with a capacity of 1,470,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel and raffinates, and exhausting to stack 01 (constructed in 1957).
- (b) One (1) domed external floating roof tank, identified as Tank No. 2202, with a capacity of 1,470,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 02 (constructed in 1957).
- (c) One (1) domed external floating roof tank, identified as Tank No. 2203, with a capacity of 2,814,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, alkylate naphtha and exhausting to stack 03 (modified in 1994 to replace seals and store materials with higher RVP).
- (d) One (1) internal floating roof tank, identified as Tank No. 2204, with a capacity of 1,470,000 gallons and a maximum withdrawal rate of 168,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 04 (modified in 1994 to replace seals and store materials with higher RVP).
- (e) One (1) internal floating roof tank identified as Tank No. 2205, with a capacity of 3,209,800 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, alkylate naphtha and exhausting to stack 05 (constructed in 1965).
- (f) One (1) internal floating roof tank, identified as Tank No. 2261, with a capacity of 84,000 gallons and a maximum withdrawal rate of 84,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 061 (constructed in 1957).
- (g) One (1) internal floating roof tank, identified as Tank No. 2206, with a capacity of 3,360,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 06A (constructed in 2002).
- (h) One (1) internal floating roof tank, identified as Tank No. 2262, with a capacity of 85,000 gallons, storing transmix or pipeline interface (a mixture of gasoline, diesel and jet fuel, with maximum vapor pressure of 13.5 RVP), and exhausting to stack 07 (originally constructed in 1967 and modified in 2003 to install the internal floating roof tank).
- (i) One (1) tank truck loading rack, identified as LOAD, equipped with twelve (12) arms, with a maximum capacity of loading 551,880,000 gallons per year of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel and raffinates, utilizing a vapor recovery unit, or VRU, for VOC control, and exhausting to stack 08 (modified in 1974). The VRU is equipped with a continuous emission monitor (CEM) for volatile organic compounds.
- (j) Process fugitive VOC emissions from component equipment leaks.

Under the National Emissions Standards for Hazardous Air Pollutants for Gasoline Distribution Facilities (Bulk Gasoline Terminal) [40 CFR Part 63, Subpart R], Storage tanks 2201 through 2206 and 2261; component equipment leaks; and loading rack (LOAD), are considered affected

sources at this existing affected bulk gasoline terminal.

- (k) One (1) internal floating roof tank, identified as Tank No. 2207, permitted in 2011, with a capacity of 630,000 gallons, storing ethanol, gasoline, diesel or transmix.
- (l) Roof Landing Emissions from Tanks 2201, 2202, 2203, 2204, 2205, 2206 or 2207.

(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 2-8-4(1)]

D.1.1 Volatile Organic Compounds (VOC) [326 IAC 2-2] [40 CFR 63, Subpart R]

In accordance with Condition D.1.11, emissions to the atmosphere from the vapor collection and processing system due to the loading of gasoline cargo tanks shall not exceed 10 milligrams of total organic compounds per liter of gasoline loaded.

Compliance with this condition in conjunction with the potential to emit of VOC from other emission units shall limit the source wide VOC emissions to less than 100 tons per year and render the requirements of 326 IAC 2-2 (PSD) not applicable.

D.1.2 Volatile Organic Compounds (VOC) [326 IAC 8-4-3]

Pursuant to 326 IAC 8-4-3, Storage tanks 2203, 2204, 2206 and 2207 are subject to the following:

- (a) The facility must be retrofitted 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 retrofitted with equally effective alternative control which has been approved.
- (b) The facility is maintained such that there are no visible holes, tears, or other openings in the seal or any seal fabric or materials.
- (c) All openings, except stub drains, are equipped with covers, lids, or seals such that:
 - (1) the cover, lid, or seal is in the closed position at all times except when in actual use;
 - (2) automatic bleeder vents are closed at all times except when the roof is floated off or landed on the roof leg supports;
 - (3) 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.

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

A Preventive Maintenance Plan (PMP) is required for this unit and its control device. Section B - Preventive Maintenance Plan contains the Permittee's obligations with regard to the preventive maintenance plan required by this condition.

Compliance Determination Requirements

D.1.4 VOC and HAPs [40 CFR 63, Subpart R] [326 IAC 2-2]

In order to comply with 40 CFR 63, Subpart R - National Emissions Standards for Hazardous Air Pollutants for Gasoline Distribution Facilities (Bulk Gasoline Terminal) and Condition D.1.1, the carbon adsorber vapor recovery unit, for VOC and HAPs control shall be in operation and control emissions from the loading rack (LOAD) at all times gasoline is being loaded.

D.1.5 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]

In order to demonstrate compliance with 40 CFR 63, Subpart R, the Permittee shall perform VOC testing for the Vapor Recovery Unit (VRU) controlling the truck loading rack (LOAD) within 180 days after issuance of this permit, 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 the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C - Performance Testing contains the Permittee's obligations with regard to the performance testing required by this condition.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

D.1.6 Vapor Recovery Unit (VRU) Monitoring

- (a) A continuous emission monitoring system shall be calibrated, maintained, and operated on the loading rack Vapor Recovery Unit (VRU) for measuring the outlet VOC concentration. The outlet VOC concentration shall be monitored at all times during gasoline loading rack operation.
- (b) The continuous emission monitoring system shall measure VRU outlet VOC concentration as a percentage (%) of the total VOC concentration. The normal operating range of the continuous emission monitoring system shall be zero (0) percent to one (1) percent, with one (1) percent corresponding to a total VOC concentration of approximately ten (10) milligrams per liter (mg/l) of gasoline loaded. From the date of issuance of this permit until the approved stack test results are available, the Permittee shall take appropriate response steps in accordance with Section C - Response to Excursions or Exceedances whenever the percent VOC concentration exceeds fifty-six one hundredths percent (0.56%). Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.
- (c) The Permittee shall maintain as part of the continuous emission monitoring system an automated alarm which shall shutdown the truck loading rack and alert the facility's operators when the percent VOC concentration exceeds 0.56% for over a one (1) minute period. If the alarm fails to sound or the truck loading rack fails to shut down when a percent VOC concentration exceeds 0.56% for any one (1) reading the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions and Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

Record Keeping and Reporting Requirement [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.1.7 Record Keeping Requirements [326 IAC 8-4-3]

- (a) To document the compliance status with Condition D.1.6, the Permittee shall maintain records of the following:
 - (1) Continuous records of the percent VOC concentration when the loading rack is in operation, pursuant to 326 IAC 3-5-6 and 40 CFR 63.428(c).

- (2) Instances when the percent VOC concentration exceeded 0.56% for over one (1) minute and the alarm failed to sound or the truck loading rack failed to shut down.
- (b) Pursuant to 326 IAC 8-4-3, the permittee shall be subject to the following record keeping requirements:
 - (1) the types of volatile petroleum liquids stored;
 - (2) the maximum true vapor pressure; and
 - (3) records of the inspections.
- (c) Section C - General Record Keeping Requirements contains the Permittee's obligations with regard to the record keeping required by this condition.

SECTION E.1

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]:

- (c) One (1) domed external floating roof tank, identified as Tank No. 2203, with a capacity of 2,814,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, alkylate naphtha and exhausting to stack 03 (modified in 1994 to replace seals and store materials with higher RVP).
- (d) One (1) internal floating roof tank, identified as Tank No. 2204, with a capacity of 1,470,000 gallons and a maximum withdrawal rate of 168,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 04 (modified in 1994 to replace seals and store materials with higher RVP).
- (g) One (1) internal floating roof tank, identified as Tank No. 2206, with a capacity of 3,360,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 06A (constructed in 2002).
- (h) One (1) internal floating roof tank, identified as Tank No. 2262, with a capacity of 85,000 gallons, storing transmix or pipeline interface (a mixture of gasoline, diesel and jet fuel, with maximum vapor pressure of 13.5 RVP), and exhausting to stack 07 (originally constructed in 1967 and modified in 2003 to install the internal floating roof tank).
- (k) One (1) internal floating roof tank, identified as Tank No. 2207, permitted in 2011, with a capacity of 630,000 gallons, storing ethanol, gasoline, diesel or transmix.

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

New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]

E.1.1 General Provisions Relating to New Source Performance Standards [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 as 326 IAC 12-1, for tanks 2203, 2204, 2206, 2262 and 2207 except as otherwise specified in 40 CFR Part 60, Subpart Kb.

E.1.2 Standards of performance for volatile organic liquid storage vessels (including petroleum liquid storage vessels) for which construction, reconstruction, or modification commenced July 23, 1984 Requirements [40 CFR Part 60, Subpart Kb] [326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart Kb, the Permittee shall comply with the provisions of 40 CFR Part 60, Subpart Kb which are incorporated by reference as 326 IAC 12 for tanks 2203, 2204, 2206, 2262 and 2207 as specified as follows.

- (1) 40 CFR 60.110b;
- (2) 40 CFR 60.111b;
- (3) 40 CFR 60.112b (a);
- (4) 40 CFR 60.113b (a);
- (5) 40 CFR 60.114b;
- (6) 40 CFR 60.115b (a);
- (7) 40 CFR 60.116b (a) through (e);
- (8) 40 CFR 60.117b.

SECTION E.2

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]:

- (a) One (1) internal floating roof tank, identified as Tank No. 2201, with a capacity of 1,470,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel and raffinates, and exhausting to stack 01 (constructed in 1957).
- (b) One (1) domed external floating roof tank, identified as Tank No. 2202, with a capacity of 1,470,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 02 (constructed in 1957).
- (c) One (1) domed external floating roof tank, identified as Tank No. 2203, with a capacity of 2,814,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, alkylate naphtha and exhausting to stack 03 (modified in 1994 to replace seals and store materials with higher RVP).
- (d) One (1) internal floating roof tank, identified as Tank No. 2204, with a capacity of 1,470,000 gallons and a maximum withdrawal rate of 168,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 04 (modified in 1994 to replace seals and store materials with higher RVP).
- (e) One (1) internal floating roof tank identified as Tank No. 2205, with a capacity of 3,209,800 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, alkylate naphtha and exhausting to stack 05 (constructed in 1965).
- (f) One (1) internal floating roof tank, identified as Tank No. 2261, with a capacity of 84,000 gallons and a maximum withdrawal rate of 84,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 061 (constructed in 1957).
- (g) One (1) internal floating roof tank, identified as Tank No. 2206, with a capacity of 3,360,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 06A (constructed in 2002).
- (h) One (1) internal floating roof tank, identified as Tank No. 2262, with a capacity of 85,000 gallons, storing transmix or pipeline interface (a mixture of gasoline, diesel and jet fuel, with maximum vapor pressure of 13.5 RVP), and exhausting to stack 07 (originally constructed in 1967 and modified in 2003 to install the internal floating roof tank).
- (i) One (1) tank truck loading rack, identified as LOAD, equipped with twelve (12) arms, with a maximum capacity of loading 551,880,000 gallons per year of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel and raffinates, utilizing a vapor recovery unit, or VRU, for VOC control, and exhausting to stack 08 (modified in 1974). The VRU is equipped with a continuous emission monitor (CEM) for volatile organic compounds.
- (k) One (1) internal floating roof tank, identified as Tank No. 2207, permitted in 2011, with a capacity of 630,000 gallons, storing ethanol, gasoline, diesel or transmix.

(The information describing the process contained in this facility description box is descriptive

information and does not constitute enforceable conditions.)

National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements

E.2.1 General Provisions Relating to NESHAP Subpart R [40 CFR Part 63, Subpart A]

The provisions of 40 CFR Part 63, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 20-1, apply to the facilities described in this section except when otherwise specified in 40 CFR Part 63, Subpart R.

E.2.2 National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations [40 CFR Part 63, Subpart R])

Pursuant to CFR Part 63, Subpart R, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart R, which are incorporated by reference as 326 IAC 12-1, as specified as follows:

- (1) 40 CFR 63.420 (a) and (e) through (j);
- (2) 40 CFR 63.421;
- (3) 40 CFR 63.422;
- (4) 40 CFR 63.423 (a) and (c);
- (5) 40 CFR 63.424;
- (6) 40 CFR 63.425 (a) through (h);
- (7) 40 CFR 63.427 (a)(1), (b), and (c);
- (8) 40 CFR 63.428 (b) through (e), (f)(1), (g), (h) and (k);
- (9) 40 CFR 63.429

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: Enterprise Terminals & Storage, LLC
Source Address: RR #1 Box 184A, Oakland City, Indiana 47560
Part 70 Permit No.: T051-21723-00007

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 AND ENFORCEMENT BRANCH
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
Phone: 317-233-0178
Fax: 317-233-6865**

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: Enterprise Terminals & Storage, LLC
Source Address: RR #1 Box 184A, Oakland City, Indiana 47560
Part 70 Permit No.: T051-21723-00007

This form consists of 2 pages

Page 1 of 2

- This is an emergency as defined in 326 IAC 2-7-1(12)
- The Permittee must notify the Office of Air Quality (OAQ), no later than four (4) daytime business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and
 - The Permittee must submit notice in writing or by facsimile no later than two (2) days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16.

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 ₂ , VOC, NO _x , 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 AND ENFORCEMENT BRANCH
PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Enterprise Terminals & Storage, LLC
Source Address: RR #1 Box 184A, Oakland City, Indiana 47560
Part 70 Permit No.: T051-21723-00007

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

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

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

Attachment A
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
[NPS 40 CFR Part 60, Subpart Kb]

Source Description and Location
--

Source Name:	Enterprise Terminals & Storage LLC
Source Location:	RR #1 Box 184A, Oakland City, IN 47560
County:	Gibson

NPS [40 CFR 60, Subpart Kb]

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 (m³) that is used to store volatile organic liquids (VOL) for which construction, reconstruction, or modification is commenced after July 23, 1984.

(b) This subpart does not apply to storage vessels with a capacity greater than or equal to 151 m³ storing a liquid with a maximum true vapor pressure less than 3.5 kilopascals (kPa) or with a capacity greater than or equal to 75 m³ but less than 151 m³ storing a liquid with a maximum true vapor pressure less than 15.0 kPa.

(c) [Reserved]

(d) This subpart does not apply to the following:

- (1) Vessels at coke oven by-product plants.
- (2) Pressure vessels designed to operate in excess of 204.9 kPa and without emissions to the atmosphere.
- (3) Vessels permanently attached to mobile vehicles such as trucks, railcars, barges, or ships.
- (4) Vessels with a design capacity less than or equal to 1,589.874 m³ used for petroleum or condensate stored, processed, or treated prior to custody transfer.
- (5) Vessels located at bulk gasoline plants.
- (6) Storage vessels located at gasoline service stations.
- (7) Vessels used to store beverage alcohol.
- (8) Vessels subject to subpart GGGG of 40 CFR part 63.

(e) *Alternative means of compliance* —(1) *Option to comply with part 65.* Owners or operators may choose to comply with 40 CFR part 65, subpart C, to satisfy the requirements of §§60.112b through 60.117b for storage vessels that are subject to this subpart that meet the specifications in paragraphs (e)(1)(i) and (ii) of this section. When choosing to comply with 40 CFR part 65, subpart C, the monitoring requirements of §60.116b(c), (e), (f)(1), and (g) still apply. Other provisions applying to owners or operators who choose to comply with 40 CFR part 65 are provided in 40 CFR 65.1.

(i) A storage vessel with a design capacity greater than or equal to 151 m³ containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa; or

(ii) A storage vessel with a design capacity greater than 75 m³ but less than 151 m³ containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa.

(2) *Part 60, subpart A.* Owners or operators who choose to comply with 40 CFR part 65, subpart C, must also comply with §§60.1, 60.2, 60.5, 60.6, 60.7(a)(1) and (4), 60.14, 60.15, and 60.16 for those storage vessels. All sections and paragraphs of subpart A of this part that are not mentioned in this paragraph (e)(2) do not apply to owners or operators of storage vessels complying with 40 CFR part 65, subpart C, except that provisions required to be met prior to implementing 40 CFR part 65 still apply. Owners and operators who choose to comply with 40 CFR part 65, subpart C, must comply with 40 CFR part 65, subpart A.

(3) *Internal floating roof report.* If an owner or operator installs an internal floating roof and, at initial startup, chooses to comply with 40 CFR part 65, subpart C, a report shall be furnished to the Administrator stating that the control equipment meets the specifications of 40 CFR 65.43. This report shall be an attachment to the notification required by 40 CFR 65.5(b).

(4) *External floating roof report.* If an owner or operator installs an external floating roof and, at initial startup, chooses to comply with 40 CFR part 65, subpart C, a report shall be furnished to the Administrator stating that the control equipment meets the specifications of 40 CFR 65.44. This report shall be an attachment to the notification required by 40 CFR 65.5(b).

[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 m³ 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 m³ but less than 151 m³ 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.

(2) An external floating roof. An external floating roof means a pontoon-type or double-deck type cover that rests on the liquid surface in a vessel with no fixed roof. Each external floating roof must meet the following specifications:

(i) Each external floating roof shall be equipped with a closure device between the wall of the storage vessel and the roof edge. The closure device is to consist of two seals, one above the other. The lower seal is referred to as the primary seal, and the upper seal is referred to as the secondary seal.

(A) The primary seal shall be either a mechanical shoe seal or a liquid-mounted seal. Except as provided in §60.113b(b)(4), the seal shall completely cover the annular space between the edge of the floating roof and tank wall.

(B) The secondary seal shall completely cover the annular space between the external floating roof and the wall of the storage vessel in a continuous fashion except as allowed in §60.113b(b)(4).

(ii) Except for automatic bleeder vents and rim space vents, each opening in a noncontact external floating roof shall provide a projection below the liquid surface. Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof is to be equipped with a gasketed cover, seal, or lid that is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. Automatic bleeder vents 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. Rim vents are to be set to open when the roof is being floated off the roof legs supports or at the manufacturer's recommended setting. Automatic bleeder vents and rim space vents are to be gasketed. Each emergency roof drain is to be provided with a slotted membrane fabric cover that covers at least 90 percent of the area of the opening.

(iii) The roof shall be floating on the liquid at all times (i.e., off the roof leg supports) except during initial fill until the roof is lifted off leg supports and when the tank is completely emptied and subsequently refilled. The process of filling, emptying, or refilling when the roof is resting on the leg supports shall be continuous and shall be accomplished as rapidly as possible.

(3) A closed vent system and control device meeting the following specifications:

(i) The closed vent system shall be designed to collect all VOC vapors and gases discharged from the storage vessel and operated with no detectable emissions as indicated by an instrument reading of less than 500 ppm above background and visual inspections, as determined in part 60, subpart VV, §60.485(b).

(ii) The control device shall be designed and operated to reduce inlet VOC emissions by 95 percent or greater. If a flare is used as the control device, it shall meet the specifications described in the general control device requirements (§60.18) of the General Provisions.

(4) A system equivalent to those described in paragraphs (a)(1), (a)(2), or (a)(3) of this section as provided in §60.114b of this subpart.

(b) The owner or operator of each storage vessel with a design capacity greater than or equal to 75 m³ which contains a VOL that, as stored, has a maximum true vapor pressure greater than or equal to 76.6 kPa shall equip each storage vessel with one of the following:

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

(2) A system equivalent to that described in paragraph (b)(1) as provided in §60.114b of this subpart.

(c) *Site-specific standard for Merck & Co., Inc.'s Stonewall Plant in Elkton, Virginia.* This paragraph applies only to the pharmaceutical manufacturing facility, commonly referred to as the Stonewall Plant, located at Route 340 South, in Elkton, Virginia ("site").

(1) For any storage vessel that otherwise would be subject to the control technology requirements of paragraphs (a) or (b) of this section, the site shall have the option of either complying directly with the requirements of this subpart, or reducing the site-wide total

criteria pollutant emissions cap (total emissions cap) in accordance with the procedures set forth in a permit issued pursuant to 40 CFR 52.2454. If the site chooses the option of reducing the total emissions cap in accordance with the procedures set forth in such permit, the requirements of such permit shall apply in lieu of the otherwise applicable requirements of this subpart for such storage vessel.

(2) For any storage vessel at the site not subject to the requirements of 40 CFR 60.112b (a) or (b), the requirements of 40 CFR 60.116b (b) and (c) and the General Provisions (subpart A of this part) shall not apply.

[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.

(b) After installing the control equipment required to meet §60.112b(a)(2) (external floating roof), the owner or operator shall:

(1) Determine the gap areas and maximum gap widths, between the primary seal and the wall of the storage vessel and between the secondary seal and the wall of the storage vessel according to the following frequency.

(i) Measurements of gaps between the tank wall and the primary seal (seal gaps) shall be performed during the hydrostatic testing of the vessel or within 60 days of the initial fill with VOL and at least once every 5 years thereafter.

(ii) Measurements of gaps between the tank wall and the secondary seal shall be performed within 60 days of the initial fill with VOL and at least once per year thereafter.

(iii) If any source ceases to store VOL for a period of 1 year or more, subsequent introduction of VOL into the vessel shall be considered an initial fill for the purposes of paragraphs (b)(1)(i) and (b)(1)(ii) of this section.

(2) Determine gap widths and areas in the primary and secondary seals individually by the following procedures:

(i) Measure seal gaps, if any, at one or more floating roof levels when the roof is floating off the roof leg supports.

(ii) Measure seal gaps around the entire circumference of the tank in each place where a 0.32-cm diameter uniform probe passes freely (without forcing or binding against seal) between the seal and the wall of the storage vessel and measure the circumferential distance of each such location.

(iii) The total surface area of each gap described in paragraph (b)(2)(ii) of this section shall be determined by using probes of various widths to measure accurately the actual distance from the tank wall to the seal and multiplying each such width by its respective circumferential distance.

(3) Add the gap surface area of each gap location for the primary seal and the secondary seal individually and divide the sum for each seal by the nominal diameter of the tank and compare each ratio to the respective standards in paragraph (b)(4) of this section.

(4) Make necessary repairs or empty the storage vessel within 45 days of identification in any inspection for seals not meeting the requirements listed in (b)(4) (i) and (ii) of this section:

(i) The accumulated area of gaps between the tank wall and the mechanical shoe or liquid-mounted primary seal shall not exceed 212 Cm^2 per meter of tank diameter, and the width of any portion of any gap shall not exceed 3.81 cm.

(A) One end of the mechanical shoe is to extend into the stored liquid, and the other end is to extend a minimum vertical distance of 61 cm above the stored liquid surface.

(B) There are to be no holes, tears, or other openings in the shoe, seal fabric, or seal envelope.

(ii) The secondary seal is to meet the following requirements:

(A) The secondary seal is to be installed above the primary seal so that it completely covers the space between the roof edge and the tank wall except as provided in paragraph (b)(2)(iii) of this section.

(B) The accumulated area of gaps between the tank wall and the secondary seal shall not exceed 21.2 cm^2 per meter of tank diameter, and the width of any portion of any gap shall not exceed 1.27 cm.

(C) There are to be no holes, tears, or other openings in the seal or seal fabric.

(iii) If a failure that is detected during inspections required in paragraph (b)(1) of §60.113b(b) 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(b)(4). Such extension request must include a demonstration of unavailability of alternate storage capacity and a specification of a schedule that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

(5) Notify the Administrator 30 days in advance of any gap measurements required by paragraph (b)(1) of this section to afford the Administrator the opportunity to have an observer present.

(6) Visually inspect the external floating roof, the primary seal, secondary seal, and fittings each time the vessel is emptied and degassed.

(i) If the external 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, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before filling or refilling the storage vessel with VOL.

(ii) For all the inspections required by paragraph (b)(6) of this section, the owner or operator shall notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel to afford the Administrator the opportunity to inspect the storage vessel prior to refilling. If the inspection required by paragraph (b)(6) of this section is not planned and the owner or operator could not have known about the inspection 30 days in advance of 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.

(c) The owner or operator of each source that is equipped with a closed vent system and control device as required in §60.112b (a)(3) or (b)(2) (other than a flare) is exempt from §60.8 of the General Provisions and shall meet the following requirements.

(1) Submit for approval by the Administrator as an attachment to the notification required by §60.7(a)(1) or, if the facility is exempt from §60.7(a)(1), as an attachment to the notification required by §60.7(a)(2), an operating plan containing the information listed below.

(i) Documentation demonstrating that the control device will achieve the required control efficiency during maximum loading conditions. This documentation is to include a description of the gas stream which enters the control device, including flow and VOC content under varying liquid level conditions (dynamic and static) and manufacturer's design specifications for the control device. If the control device or the closed vent capture system receives vapors, gases, or liquids other than fuels from sources that are not designated sources under this subpart, the efficiency demonstration is to include consideration of all vapors, gases, and liquids received by the closed vent capture system and control device. If an enclosed combustion device with a minimum residence time of 0.75 seconds and a minimum temperature of 816 °C is used to meet the 95 percent requirement, documentation that those conditions will exist is sufficient to meet the requirements of this paragraph.

(ii) A description of the parameter or parameters to be monitored to ensure that the control device will be operated in conformance with its design and an explanation of the criteria used for selection of that parameter (or parameters).

(2) Operate the closed vent system and control device and monitor the parameters of the closed vent system and control device in accordance with the operating plan submitted to the Administrator in accordance with paragraph (c)(1) of this section, unless the plan was modified by the Administrator during the review process. In this case, the modified plan applies.

(d) The owner or operator of each source that is equipped with a closed vent system and a flare to meet the requirements in §60.112b (a)(3) or (b)(2) shall meet the requirements as specified in the general control device requirements, §60.18 (e) and (f).

[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 §61.112b(a)(1) or §60.113b(a)(3) and list each repair made.

(b) After installing control equipment in accordance with §61.112b(a)(2) (external 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)(2) and §60.113b(b)(2), (b)(3), and (b)(4). This report shall be an attachment to the notification required by §60.7(a)(3).

(2) Within 60 days of performing the seal gap measurements required by §60.113b(b)(1), furnish the Administrator with a report that contains:

(i) The date of measurement.

(ii) The raw data obtained in the measurement.

(iii) The calculations described in §60.113b (b)(2) and (b)(3).

(3) Keep a record of each gap measurement performed as required by §60.113b(b). Each record shall identify the storage vessel in which the measurement was performed and shall contain:

(i) The date of measurement.

(ii) The raw data obtained in the measurement.

(iii) The calculations described in §60.113b (b)(2) and (b)(3).

(4) After each seal gap measurement that detects gaps exceeding the limitations specified by §60.113b(b)(4), submit a report to the Administrator within 30 days of the inspection. The report will identify the vessel and contain the information specified in paragraph (b)(2) of this section and the date the vessel was emptied or the repairs made and date of repair.

(c) After installing control equipment in accordance with §60.112b (a)(3) or (b)(1) (closed vent system and control device other than a flare), the owner or operator shall keep the following records.

(1) A copy of the operating plan.

(2) A record of the measured values of the parameters monitored in accordance with §60.113b(c)(2).

(d) After installing a closed vent system and flare to comply with §60.112b, the owner or operator shall meet the following requirements.

(1) A report containing the measurements required by §60.18(f) (1), (2), (3), (4), (5), and (6) shall be furnished to the Administrator as required by §60.8 of the General Provisions. This report shall be submitted within 6 months of the initial start-up date.

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

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

§ 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 m³ 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 m³ but less than 151 m³ 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.

(d) Except as provided in paragraph (g) of this section, the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m³ storing a liquid with a maximum true vapor pressure that is normally less than 5.2 kPa or with a design capacity greater than or equal to 75 m³ but less than 151 m³ storing a liquid with a maximum true vapor pressure that is normally less than 27.6 kPa shall notify the Administrator within 30 days when the maximum true vapor pressure of the liquid exceeds the respective maximum true vapor pressure values for each volume range.

(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.

(3) For other liquids, the vapor pressure:

(i) May be obtained from standard reference texts, or

(ii) Determined by ASTM D2879–83, 96, or 97 (incorporated by reference—see §60.17); or

(iii) Measured by an appropriate method approved by the Administrator; or

(iv) Calculated by an appropriate method approved by the Administrator.

(f) The owner or operator of each vessel storing a waste mixture of indeterminate or variable composition shall be subject to the following requirements.

(1) Prior to the initial filling of the vessel, the highest maximum true vapor pressure for the range of anticipated liquid compositions to be stored will be determined using the methods described in paragraph (e) of this section.

(2) For vessels in which the vapor pressure of the anticipated liquid composition is above the cutoff for monitoring but below the cutoff for controls as defined in §60.112b(a), an initial physical test of the vapor pressure is required; and a physical test at least once every 6 months thereafter is required as determined by the following methods:

(i) ASTM D2879–83, 96, or 97 (incorporated by reference—see §60.17); or

(ii) ASTM D323–82 or 94 (incorporated by reference—see §60.17); or

(iii) As measured by an appropriate method as approved by the Administrator.

(g) The owner or operator of each vessel equipped with a closed vent system and control device meeting the specification of §60.112b or with emissions reductions equipment as specified in 40 CFR 65.42(b)(4), (b)(5), (b)(6), or (c) is exempt from the requirements of paragraphs (c) and (d) of this section.

[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]

Attachment B
Bulk Gasoline Terminals and Pipeline Breakout Stations NESHAP
[40 CFR Part 63, Subpart R]

Source Description and Location

Source Name:	Enterprise Terminals & Storage LLC
Source Location:	RR #1 Box 184A, Oakland City, IN 47560
County:	Gibson

NESHAP [40 CFR 63, Subpart R]

Source: 59 FR 64318, Dec. 14, 1994, unless otherwise noted.

§ 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 = 4.52×10^{-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

(2) For which the owner or operator has documented and recorded to the Administrator's satisfaction that the facility is not a major source, or is not located within a contiguous area and under common control of a facility that is a major source, as defined in §63.2 of subpart A of this part.

(b) The affected source to which the provisions of this subpart apply is each pipeline breakout station, except those pipeline breakout stations:

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

$$E_P = CF [6.7(T_F)(1-CE) + 0.21(T_E) + 0.093(T_{ES}) + 0.1(T_I) + 5.31 \times 10^{-6}(C)] + 0.04(OE);$$

where:

E_P =emissions screening factor for pipeline breakout stations,

and the definitions for CF , T_F , CE , T_E , T_{ES} , T_I , C , and OE are the same as provided in paragraph (a)(1) of this section; or

(2) For which the owner or operator has documented and recorded to the Administrator's satisfaction that the facility is not a major source, or is not located within a contiguous area and under common control of a facility that is a major source, as defined in §63.2 of subpart A of this part.

(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.

(i) A bulk gasoline terminal or pipeline breakout station with a Standard Industrial Classification code 2911 located within a contiguous area and under common control with a refinery complying with subpart CC, §§63.646, 63.648, 63.649, and 63.650 is not subject to subpart R standards, except as specified in subpart CC, §63.650.

(j) *Rules stayed for reconsideration.* Notwithstanding any other provision of this subpart, the December 14, 1995 compliance date for existing facilities in §63.424(e) and §63.428(a), (i)(1), and (j)(1) of this subpart is stayed from December 8, 1995, to March 7, 1996.

[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]

§ 63.422 Standards: Loading racks.

(a) Each owner or operator of loading racks at a bulk gasoline terminal subject to the provisions of this subpart shall comply with the requirements in §60.502 of this chapter except for paragraphs (b), (c), and (j) of that section. For purposes of this section, the term "affected facility" used in §60.502 of this chapter means the loading racks that load gasoline cargo tanks at the bulk gasoline terminals subject to the provisions of this subpart.

(b) Emissions to the atmosphere from the vapor collection and processing systems due to the loading of gasoline cargo tanks shall not exceed 10 milligrams of total organic compounds per liter of gasoline loaded.

(c) Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall comply with §60.502(e) of this chapter as follows:

(1) For the purposes of this section, the term "tank truck" as used in §60.502(e) of this chapter means "cargo tank."

(2) Section 60.502(e)(5) of this chapter is changed to read: The terminal owner or operator shall take steps assuring that the nonvapor-tight gasoline cargo tank will not be reloaded at the facility until vapor tightness documentation for that gasoline cargo tank is obtained which documents that:

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

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

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

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

(d) Each owner or operator shall meet the requirements in all paragraphs of this section as expeditiously as practicable, but no later than December 15, 1997, at existing facilities and upon startup for new facilities.

(e) As an alternative to 40 CFR 60.502(h) and (i) as specified in paragraph (a) of this section, the owner or operator may comply with paragraphs (e)(1) and (2) of this section.

(1) The owner or operator shall design and operate the vapor processing system, vapor collection system, and liquid loading equipment to prevent gauge pressure in the railcar gasoline cargo tank from exceeding the applicable test limits in §63.425(e) and (i) during product loading. This level is not to be exceeded when measured by the procedures specified in 40 CFR 60.503(d) of this chapter.

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

[59 FR 64318, Dec. 14, 1994; 60 FR 32913, June 26, 1995, as amended at 68 FR 70965, Dec. 19, 2003]

§ 63.423 Standards: Storage vessels.

(a) Each owner or operator of a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart shall equip each gasoline storage vessel with a design capacity greater than or equal to 75 m³ according to the requirements in §60.112b(a) (1) through (4) of this chapter, except for the requirements in §§60.112b(a)(1) (iv) through (ix) and 60.112b(a)(2)(ii) of this chapter.

(b) Each owner or operator shall equip each gasoline external floating roof storage vessel with a design capacity greater than or equal to 75 m³ according to the requirements in §60.112b(a)(2)(ii) of this chapter if such storage vessel does not currently meet the requirements in paragraph (a) of this section.

(c) Each gasoline storage vessel at existing bulk gasoline terminals and pipeline breakout stations shall be in compliance with the requirements in paragraphs (a) and (b) of this section as expeditiously as practicable, but no later than December 15, 1997. At new bulk gasoline terminals and pipeline breakout stations, compliance shall be achieved upon startup.

§ 63.424 Standards: Equipment leaks.

(a) Each owner or operator of a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart shall perform a monthly leak inspection of all equipment in gasoline service. For this inspection, detection methods incorporating sight, sound, and smell are acceptable. Each piece of equipment shall be inspected during the loading of a gasoline cargo tank.

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

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

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

(e) Initial compliance with the requirements in paragraphs (a) through (d) of this section shall be achieved by existing sources as expeditiously as practicable, but no later than December 15, 1997. For new sources, initial compliance shall be achieved upon startup.

(f) As an alternative to compliance with the provisions in paragraphs (a) through (d) of this section, owners or operators may implement an instrument leak monitoring program that has been demonstrated to the Administrator as at least equivalent.

(g) Owners and operators shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:

(1) Minimize gasoline spills;

(2) Clean up spills as expeditiously as practicable;

(3) Cover all open gasoline containers with a gasketed seal when not in use;

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

[59 FR 64318, Dec. 14, 1994, as amended at 61 FR 7723, Feb. 29, 1996]

§ 63.425 Test methods and procedures.

(a) Each owner or operator subject to the emission standard in §63.422(b) or 40 CFR 60.112b(a)(3)(ii) shall comply with the requirements in paragraphs (a)(1) and (2) of this section.

(1) Conduct a performance test on the vapor processing and collection systems according to either paragraph (a)(1)(i) or (ii) of this section.

(i) Use the test methods and procedures in 40 CFR 60.503 of this chapter, except a reading of 500 ppm shall be used to determine the level of leaks to be repaired under 40 CFR 60.503(b), or

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

(2) The performance test requirements of 40 CFR 60.503(c) do not apply to flares defined in §63.421 and meeting the flare requirements in §63.11(b). The owner or operator shall demonstrate that the flare and associated vapor collection system is in compliance with the requirements in §63.11(b) and 40 CFR 60.503(a), (b), and (d), respectively.

(b) For each performance test conducted under paragraph (a) of this section, the owner or operator shall determine a monitored operating parameter value for the vapor processing system using the following procedure:

(1) During the performance test, continuously record the operating parameter under §63.427(a);

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

(3) Provide for the Administrator's approval the rationale for the selected operating parameter value, and monitoring frequency and averaging time, including data and calculations used to develop the value and a description of why the value, monitoring frequency, and averaging time demonstrate continuous compliance with the emission standard in §63.422(b) or §60.112b(a)(3)(ii) of this chapter.

(c) For performance tests performed after the initial test, the owner or operator shall document the reasons for any change in the operating parameter value since the previous performance test.

(d) The owner or operator of each gasoline storage vessel subject to the provisions of §63.423 shall comply with §60.113b of this chapter. If a closed vent system and control device are used, as specified in §60.112b(a)(3) of this chapter, to comply with the requirements in §63.423, the owner or operator shall also comply with the requirements in paragraph (b) of this section.

(e) *Annual certification test.* The annual certification test for gasoline cargo tanks shall consist of the following test methods and procedures:

(1) Method 27, appendix A, 40 CFR part 60. Conduct the test using a time period (t) for the pressure and vacuum tests of 5 minutes. The initial pressure (P_i) for the pressure test shall be 460 mm H₂O (18 in. H₂O), gauge. The initial vacuum (V_i) for the vacuum test shall be 150 mm H₂O (6 in. H₂O), gauge. The maximum allowable pressure and vacuum changes (Δ p, Δ v) are as shown in the second column of Table 2 of this paragraph.

Table 2—Allowable Cargo Tank Test Pressure or Vacuum Change

Cargo tank or compartment capacity, liters (gal)	Annual certification-allowable pressure or vacuum change (Δ p, Δ v) in 5 minutes, mm H₂O (in. H₂O)	Allowable pressure change (Δ p) in 5 minutes at any time, mm H₂O (in. H₂O)
9,464 or more (2,500 or more)	25 (1.0)	64 (2.5)
9,463 to 5,678 (2,499 to 1,500)	38 (1.5)	76 (3.0)
5,679 to 3,785 (1,499 to 1,000)	51 (2.0)	89 (3.5)
3,782 or less (999 or less)	64 (2.5)	102 (4.0)

(2) Pressure test of the cargo tank's internal vapor valve as follows:

(i) After completing the tests under paragraph (e)(1) of this section, use the procedures in Method 27 to repressurize the tank to 460 mm H₂O (18 in. H₂O), gauge. Close the tank's internal vapor valve(s), thereby isolating the vapor return line and manifold from the tank.

(ii) Relieve the pressure in the vapor return line to atmospheric pressure, then reseal the line. After 5 minutes, record the gauge pressure in the vapor return line and manifold. The maximum allowable 5-minute pressure increase is 130 mm H₂O (5 in. H₂O).

(f) *Leak detection test.* The leak detection test shall be performed using Method 21, appendix A, 40 CFR part 60, except omit section 4.3.2 of Method 21. A vapor-tight gasoline cargo tank shall have no leaks at any time when tested according to the procedures in this paragraph.

(1) The leak definition shall be 21,000 ppm as propane. Use propane to calibrate the instrument, setting the span at the leak definition. The response time to 90 percent of the final stable reading shall be less than 8 seconds for the detector with the sampling line and probe attached.

(2) In addition to the procedures in Method 21, include the following procedures:

- (i) Perform the test on each compartment during loading of that compartment or while the compartment is still under pressure.
- (ii) To eliminate a positive instrument drift, the dwell time for each leak detection shall not exceed two times the instrument response time. Purge the instrument with ambient air between each leak detection. The duration of the purge shall be in excess of two instrument response times.
- (iii) Attempt to block the wind from the area being monitored. Record the highest detector reading and location for each leak.
- (g) *Nitrogen pressure decay field test.* For those cargo tanks with manifolded product lines, this test procedure shall be conducted on each compartment.

(1) Record the cargo tank capacity. Upon completion of the loading operation, record the total volume loaded. Seal the cargo tank vapor collection system at the vapor coupler. The sealing apparatus shall have a pressure tap. Open the internal vapor valve(s) of the cargo tank and record the initial headspace pressure. Reduce or increase, as necessary, the initial headspace pressure to 460 mm H₂O (18.0 in. H₂O), gauge by releasing pressure or by adding commercial grade nitrogen gas from a high pressure cylinder capable of maintaining a pressure of 2,000 psig.

(i) The cylinder shall be equipped with a compatible two-stage regulator with a relief valve and a flow control metering valve. The flow rate of the nitrogen shall be no less than 2 cfm. The maximum allowable time to pressurize cargo tanks with headspace volumes of 1,000 gallons or less to the appropriate pressure is 4 minutes. For cargo tanks with a headspace of greater than 1,000 gallons, use as a maximum allowable time to pressurize 4 minutes or the result from the equation below, whichever is greater.

$$T = V_h \times 0.004$$

where:

T = maximum allowable time to pressurize the cargo tank, min;

V_h = cargo tank headspace volume during testing, gal.

(2) It is recommended that after the cargo tank headspace pressure reaches approximately 460 mm H₂O (18 in. H₂O), gauge, a fine adjust valve be used to adjust the headspace pressure to 460 mm H₂O (18.0 in. H₂O), gauge for the next 30 ±5 seconds.

(3) Reseal the cargo tank vapor collection system and record the headspace pressure after 1 minute. The measured headspace pressure after 1 minute shall be greater than the minimum allowable final headspace pressure (P_F) as calculated from the following equation:

$$P_F = 18 \left(\frac{(18 - N)}{18} \right)^{\left(\frac{V_s}{3V_h} \right)}$$

where:

(P_F) = minimum allowable final headspace pressure, in. H₂O, gauge;

V_s = total cargo tank shell capacity, gal;

V_h = cargo tank headspace volume after loading, gal;

18.0 = initial pressure at start of test, in. H₂O, gauge;

N = 5-minute continuous performance standard at any time from the third column of Table 2 of §63.425(e)(i), inches H₂O.

(4) Conduct the internal vapor valve portion of this test by repressurizing the cargo tank headspace with nitrogen to 460 mm H₂O (18 in. H₂O), gauge. Close the internal vapor valve(s), wait for 30 ±5 seconds, then relieve the pressure downstream of the vapor valve in the vapor collection system to atmospheric pressure. Wait 15 seconds, then reseal the vapor collection system. Measure and record the pressure every minute for 5 minutes. Within 5 seconds of the pressure measurement at the end of 5 minutes, open the vapor valve and record the headspace pressure as the “final pressure.”

(5) If the decrease in pressure in the vapor collection system is less than at least one of the interval pressure change values in Table 3 of this paragraph, or if the final pressure is equal to or greater than 20 percent of the 1-minute final headspace pressure determined in the test in paragraph (g)(3) of this section, then the cargo tank is considered to be a vapor-tight gasoline cargo tank.

Table 3—Pressure Change for Internal Vapor Valve Test

Time interval	Interval pressure change, mm H ₂ O (in. H ₂ O)
After 1 minute	28 (1.1)
After 2 minutes	56 (2.2)
After 3 minutes	84 (3.3)
After 4 minutes	112 (4.4)
After 5 minutes	140 (5.5)

(h) *Continuous performance pressure decay test.* The continuous performance pressure decay test shall be performed using Method 27, appendix A, 40 CFR Part 60. Conduct only the positive pressure test using a time period (t) of 5 minutes. The initial pressure (P_i) shall be 460 mm H₂O (18 in. H₂O), gauge. The maximum allowable 5-minute pressure change (Δ p) which shall be met at any time is shown in the third column of Table 2 of §63.425(e)(1).

(i) *Railcar bubble leak test procedures.* As an alternative to paragraph (e) of this section for annual certification leakage testing of gasoline cargo tanks, the owner or operator may comply with paragraphs (i)(1) and (2) of this section for railcar gasoline cargo tanks, provided the railcar tank meets the requirement in paragraph (i)(3) of this section.

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

(2) The leakage pressure test procedure required under 49 CFR 180.509(j) and used to show no indication of leakage under 49 CFR 180.511(f) shall be ASTM E 515–95 (incorporated by reference, see §63.14), BS EN 1593:1999 (incorporated by reference, see §63.14), or another bubble leak test procedure meeting the requirements in 49 CFR 179.7, 180.505, and 180.509.

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

[59 FR 64318, Dec. 14, 1994; 60 FR 7627, Feb. 8, 1995; 60 FR 32913, June 26, 1995; 68 FR 70965, Dec. 19, 2003]

§ 63.426 Alternative means of emission limitation.

For determining the acceptability of alternative means of emission limitation for storage vessels under §63.423, the provisions of §60.114b of this chapter apply.

§ 63.427 Continuous monitoring.

(a) Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall install, calibrate, certify, operate, and maintain, according to the manufacturer's specifications, a continuous monitoring system (CMS) as specified in paragraph (a)(1), (a)(2), (a)(3), or (a)(4) of this section, except as allowed in paragraph (a)(5) of this section.

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

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

(3) Where a thermal oxidation system other than a flare is used, a CPMS capable of measuring temperature must be installed in the firebox or in the ductwork immediately downstream from the firebox in a position before any substantial heat exchange occurs.

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

(5) Monitoring an alternative operating parameter or a parameter of a vapor processing system other than those listed in this paragraph will be allowed upon demonstrating to the Administrator's satisfaction that the alternative parameter demonstrates continuous compliance with the emission standard in §63.422(b) or §60.112b(a)(3)(ii) of this chapter.

(b) Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall operate the vapor processing system in a manner not to exceed the operating parameter value for the parameter described in paragraphs (a)(1) and (a)(2) of this section, or to go below the operating parameter value for the parameter described in paragraph (a)(3) of this section, and established using the procedures in §63.425(b). In cases where an alternative parameter pursuant to paragraph (a)(5) of this section is approved, each owner or operator shall operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the alternative operating parameter value. Operation of the vapor processing system in a manner exceeding or going below the operating parameter value, as specified above, shall constitute a violation of the emission standard in §63.422(b).

(c) Each owner or operator of gasoline storage vessels subject to the provisions of §63.423 shall comply with the monitoring requirements in §60.116b of this chapter, except records shall be kept for at least 5 years. If a closed vent system and control device are used, as specified in §60.112b(a)(3) of this chapter, to comply with the requirements in §63.423, the owner or operator shall also comply with the requirements in paragraph (a) of this section.

[59 FR 46350, Sept. 8, 1994, as amended at 68 FR 70966, 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.

(b) Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall keep records of the test results for each gasoline cargo tank loading at the facility as follows:

(1) Annual certification testing performed under §63.425(e) and railcar bubble leak testing performed under §63.425(i); and

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

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

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

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

(iii) Cargo tank identification number.

(iv) Test location and date.

(v) Tester name and signature.

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

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

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

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

- (1) Keep an up-to-date, readily accessible record of the continuous monitoring data required under §63.427(a). This record shall indicate the time intervals during which loadings of gasoline cargo tanks have occurred or, alternatively, shall record the operating parameter data only during such loadings. The date and time of day shall also be indicated at reasonable intervals on this record.
- (2) Record and report simultaneously with the notification of compliance status required under §63.9(h):
- (i) All data and calculations, engineering assessments, and manufacturer's recommendations used in determining the operating parameter value under §63.425(b); and
- (ii) The following information when using a flare under provisions of §63.11(b) to comply with §63.422(b):
- (A) Flare design (i.e., steam-assisted, air-assisted, or non-assisted); and
- (B) All visible emissions readings, heat content determinations, flow rate measurements, and exit velocity determinations made during the compliance determination required under §63.425(a).
- (3) If an owner or operator requests approval to use a vapor processing system or monitor an operating parameter other than those specified in §63.427(a), the owner or operator shall submit a description of planned reporting and recordkeeping procedures. The Administrator will specify appropriate reporting and recordkeeping requirements as part of the review of the permit application.
- (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.
- (e) Each owner or operator complying with the provisions of §63.424 (a) through (d) shall record the following information in the log book for each leak that is detected:
- (1) The equipment type and identification number;
- (2) The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., sight, sound, or smell);
- (3) The date the leak was detected and the date of each attempt to repair the leak;
- (4) Repair methods applied in each attempt to repair the leak;
- (5) "Repair delayed" and the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak;
- (6) The expected date of successful repair of the leak if the leak is not repaired within 15 days; and
- (7) The date of successful repair of the leak.
- (f) Each owner or operator subject to the provisions of §63.424 shall report to the Administrator a description of the types, identification numbers, and locations of all equipment in gasoline service. For facilities electing to implement an instrument program under §63.424(f), the report shall contain a full description of the program.
- (1) In the case of an existing source or a new source that has an initial startup date before the effective date, the report shall be submitted with the notification of compliance status required under §63.9(h), unless an extension of compliance is granted under §63.6(i). If an extension of compliance is granted, the report shall be submitted on a date scheduled by the Administrator.
- (2) In the case of new sources that did not have an initial startup date before the effective date, the report shall be submitted with the application for approval of construction, as described in §63.5(d).
- (g) Each owner or operator of a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart shall include in a semiannual report to the Administrator the following information, as applicable:
- (1) Each loading of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the facility;
- (2) Periodic reports required under paragraph (d) of this section; and

(3) The number of equipment leaks not repaired within 5 days after detection.

(h) Each owner or operator of a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart shall submit an excess emissions report to the Administrator in accordance with §63.10(e)(3), whether or not a CMS is installed at the facility. The following occurrences are excess emissions events under this subpart, and the following information shall be included in the excess emissions report, as applicable:

(1) Each exceedance or failure to maintain, as appropriate, the monitored operating parameter value determined under §63.425(b). The report shall include the monitoring data for the days on which exceedances or failures to maintain have occurred, and a description and timing of the steps taken to repair or perform maintenance on the vapor collection and processing systems or the CMS.

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

(3) Each reloading of a nonvapor-tight gasoline cargo tank at the facility before vapor tightness documentation for that cargo tank is obtained by the facility in accordance with §63.422(c)(2).

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

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

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

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

(iv) The date of successful repair.

(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.

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

[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	
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	
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	
63.11(c), (d), and (e)	Yes	
63.12(a)–(c)	Yes	
63.13(a)–(c)	Yes	
63.14(a)–(b)	Yes	
63.15(a)–(b)	Yes	

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

Technical Support Document (TSD) for an Administrative Amendment

Source Description and Location

Source Name:	Enterprise Terminals & Storage LLC
Source Location:	RR #1 Box 184A, Oakland City, IN 47560
County:	Gibson
SIC Code:	4613
Operation Permit No.:	T 051-21723-00007
Operation Permit Issuance Date:	January 22, 2008
Administrative Amendment No.:	051-30687-00007
Permit Reviewer:	Heath Hartley

Existing Approvals

The source was issued Part 70 Operating Permit Renewal No. T 051-21723-00007 on January 22, 2008. The source has since received the following approvals:

- (a) Administrative Amendment No. 051-29296-00007, issued on June 29, 2010.

County Attainment Status

The source is located in Gibson County.

Pollutant	Designation
SO ₂	Cannot be classified.
CO	Unclassifiable or attainment effective November 15, 1990.
O ₃	Unclassifiable or attainment effective June 15, 2004, for the 8-hour ozone standard. ¹
PM ₁₀	Unclassifiable effective November 15, 1990.
PM _{2.5}	Basic nonattainment designation effective federally April 5, 2005, for the Montgomery Twp for PM _{2.5} . The remainder of Gibson County is unclassifiable or attainment effective April 5, 2005.
NO ₂	Cannot be classified or better than national standards.
Pb	Not designated.

¹Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.

- (a) **Ozone Standards**
Volatile organic compounds (VOC) 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. Gibson 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.

- (b) **PM_{2.5}**
Gibson County, Oakland City Township has been classified as attainment for PM_{2.5}. On May 8, 2008 U.S. EPA promulgated the requirements for Prevention of Significant Deterioration (PSD) for PM_{2.5} emissions. These rules became effective on July 15, 2008. On May 4, 2011 the air pollution control board issued an emergency rule establishing the direct PM_{2.5} significant level at ten (10) tons per year. This rule became effective, June 28, 2011. Therefore, direct PM_{2.5} and SO₂ 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) **Other Criteria Pollutants**
Gibson County has been classified as attainment or unclassifiable in Indiana for SO₂, CO, PM₁₀, NO₂ and Pb. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

Fugitive Emissions

Since this source is classified as a petroleum storage and transfer units with a total storage capacity exceeding three hundred thousand barrels, it is considered one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2, 326 IAC 2-3, or 326 IAC 2-7. Therefore, fugitive emissions are counted toward the determination of PSD, Emission Offset, and Part 70 Permit applicability.

Source Status

The table below summarizes the potential to emit of the entire source, prior to the proposed modification, after consideration of all enforceable limits established in the effective permits:

Pollutant	Emissions (ton/yr)
PM	0.02
PM ₁₀	0.05
PM _{2.5}	0.05
SO ₂	negl.
VOC	55.5
CO	0.45
NO _x	0.93
GHGs	0
Hexane	< 10
Total HAPs	< 25

- (a) This existing source is not a major stationary source, under PSD (326 IAC 2-2), because no regulated pollutant, excluding GHGs, is emitted at a rate of 100 tons per year or more, emissions of GHGs are less than one hundred thousand (100,000) tons of CO₂ equivalent emissions (CO₂e) per year, and it is one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(ff)(1).
- (b) These emissions are based upon Part 70 Operating Permit Renewal No. T 051-21723-00007 on January 22, 2008.
- (c) This existing source is not a major source of HAPs, as defined in 40 CFR 63.2, because HAPs emissions are less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs. Therefore, this source is an area source under Section 112 of the Clean Air Act (CAA).

Description of Proposed Modification

The Office of Air Quality (OAQ) has reviewed a modification application, submitted by Enterprise Terminals & Storage, LLC on July 6, 2011, relating to the addition of Tank 2207. The following is a list of the proposed emission unit:

- (a) One (1) internal floating roof tank, identified as Tank No. 2207, permitted in 2011, with a capacity of 630,000 gallons, storing ethanol, gasoline, diesel or transmix.

Enforcement Issues

There are no pending enforcement actions related to this modification.

Emission Calculations

See Appendix A of this Technical Support Document for detailed emission calculations.

Permit Level Determination – Part 70

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as “the maximum capacity of a stationary source or emission 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, IDEM, or the appropriate local air pollution control agency.”

The following table is used to determine the appropriate permit level under 326 IAC 2-7-10.5. This table reflects the PTE before controls. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Increase in PTE Before Controls of the Modification	
Pollutant	Potential To Emit (ton/yr)
PM	0
PM ₁₀	0
PM _{2.5}	0
SO ₂	0
VOC	0.98
CO	0
NO _x	0
CO ₂ e	0
Single HAPs	0
Total HAPs	0

Pursuant to 326 IAC 2-7-11(a)(8), this modification is subject to a administrative amendment because it incorporates an insignificant activity.

Permit Level Determination – PSD

The table below summarizes the potential to emit, reflecting all limits, of the emission units. Any control equipment is considered federally enforceable only after issuance of this Part 70 source and permit modification, and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

Process / Emission Unit	Potential to Emit (ton/yr)								
	PM	PM ₁₀	PM _{2.5} *	SO ₂	VOC	CO	NO _x	GHGs	HAPs
Tank 2207	0	0	0	0	0.98	0	0	0	0
Total before Modification	negl.	negl.	negl.	negl.	55.5	0.5	1	0	Single 0.81 Total 2.89
Total PTE After Modification	negl.	negl.	negl.	negl.	56.5	0.5	1	0	Single 0.81 Total 2.89
PSD Major Source Thresholds	100	100	100	100	100	100	100	100,000 CO ₂ e	10 Single 25 Total

*PM_{2.5} listed is direct PM_{2.5}.

This modification to an existing minor stationary source is not major because the sourcewide emissions is still less than the PSD major source thresholds. Therefore, pursuant to 326 IAC 2-2, the PSD requirements do not apply to this modification.

Federal Rule Applicability Determination

The following federal rules are applicable to the Tank 2207:

NSPS:

(a) The requirements of the New Source Performance Standards for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) For Which Construction, Reconstruction, Or Modification Commenced After July 23, 1984 (40 CFR 60, Subpart Kb, 326 IAC 12) are included in this permit for storage tanks identified as 2207 because it was constructed after the rule applicability date of July 23, 1984, and 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, storage tank 2207 is subject to the requirements in 40 CFR 60, Subpart Kb.

Storage tank 2207 is subject to the following portions of 40 CFR 60, Subpart Kb:

- (1) 40 CFR 60.110b;
- (2) 40 CFR 60.111b;
- (3) 40 CFR 60.112b (a);
- (4) 40 CFR 60.113b (a);
- (5) 40 CFR 60.114b;
- (6) 40 CFR 60.115b (a);
- (7) 40 CFR 60.116b (a) through (e);
- (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 storage tank 2207, except when otherwise specified in 40 CFR 60, Subpart Kb.

State Rule Applicability Determination

The following state rules are applicable to the source due to the modification:

There are no new state rules applicable for Tank 2207.

Compliance Determination and Monitoring Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with all applicable state and federal rules on a continuous basis. All state and federal rules contain compliance provisions; however, these provisions do not always fulfill the requirement for a 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 Determination Requirements are included in the permit. The Compliance Determination Requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

If the Compliance Determination Requirements 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.

There are no compliance determination requirements or compliance monitoring requirements beyond what is required by the NSPS.

Proposed Changes

The changes listed below have been made to Part 70 Operating Permit No. T 051-21723-00007. Deleted language appears as ~~strikethroughs~~ and new language appears in **bold**:

Change 1: Tank 2207 added.

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

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

.....

- (h) One (1) internal floating roof tank, identified as Tank No. 2262, with a capacity of 85,000 gallons, storing transmix or pipeline interface (a mixture of gasoline, diesel and jet fuel, with maximum vapor pressure of 13.5 RVP), and exhausting to stack 07 (originally constructed in 1967 and modified in 2003 to install the internal floating roof tank).

~~Under the 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 [40 CFR Part 60, Subpart Kb], Storage tanks 2201 through 2206, and 2261, are considered affected storage vessels.~~

-
- (j) Process fugitive VOC emissions from component equipment leaks.

~~Under the National Emissions Standards for Hazardous Air Pollutants for Gasoline Distribution Facilities (Bulk Gasoline Terminal) [40 CFR Part 63, Subpart R], Storage tanks 2201 through 2206, 2261, and 2262; component equipment leaks; and the loading rack (LOAD), are considered affected sources at this existing affected bulk gasoline terminal.~~

- (k) **One (1) internal floating roof tank, identified as Tank No. 2207, permitted in 2011, with a capacity of 630,000 gallons, storing ethanol, gasoline, diesel or transmix.**
- (l) **Roof Landing Emissions from Tanks 2201, 2202, 2203, 2204, 2205, 2206 or 2207.**

.....

SECTION D.1 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

-
- (h) One (1) internal floating roof tank, identified as Tank No. 2262, with a capacity of 85,000 gallons, storing transmix or pipeline interface (a mixture of gasoline, diesel and jet fuel, with maximum vapor pressure of 13.5 RVP), and exhausting to stack 07 (originally constructed in 1967 and modified in 2003 to install the internal floating roof tank).

~~Under the 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 [40 CFR Part 60, Subpart Kb], Storage tanks 2201 through 2206, and 2261, are considered affected storage vessels.~~

-
- (j) Process fugitive VOC emissions from component equipment leaks.

~~Under the National Emissions Standards for Hazardous Air Pollutants for Gasoline Distribution Facilities (Bulk Gasoline Terminal) [40 CFR Part 63, Subpart R], Storage tanks 2201 through 2206, 2261, and 2262; component equipment leaks; and the loading rack (LOAD), are considered affected sources at this existing affected bulk gasoline terminal.~~

- (k) **One (1) internal floating roof tank, identified as Tank No. 2207, permitted in 2011, with a capacity of 630,000 gallons, storing ethanol, gasoline, diesel or transmix.**
- (l) **Roof Landing Emissions from Tanks 2201, 2202, 2203, 2204, 2205, 2206 or 2207.**

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

.....

D.1.2 Volatile Organic Compounds (VOC) [326 IAC 8-4-3]

Pursuant to 326 IAC 8-4-3, Storage tanks 2203, 2204, ~~and~~ 2206 **and 2207** are subject to the following:

.....
Change 2: IDEM, OAQ has decided to clarify Section B - Certification to be consistent with the rule.

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

- (a) A certification required by this permit meets the requirements of 326 IAC 2-7-6(1) if:
- (i) it contains a certification by a "responsible official" as defined by 326 IAC 2-7-1(34), and
 - (ii) the certification **is states that**, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
-

Change 3: IDEM, OAQ has decided to clarify Section B - Preventive Maintenance Plan to be consistent with the rule.

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]

- (a) **A Preventive Maintenance Plan meets the requirements of 326 IAC 1-6-3 if it includes, at a minimum:**
- (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.**

The Permittee shall implement the PMPs.

~~(a)~~(b) If required by specific condition(s) in Section D of this permit where no PMP was previously required, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) no later than ninety (90) days after issuance of this permit or ninety (90) days after initial start-up, whichever is later, 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:

Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

The Permittee shall implement the PMPs.

- (c) 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. The PMPs **and their submittal** do not require a certification that meets the requirements of 326 IAC XXX by a "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) 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.

Change 4: IDEM, OAQ has decided to remove all references to the source mailing address. IDEM, OAQ will continue to maintain records of the mailing address.

Change 5: Permit Format revised for NSPS and NESHAP conditions.

SECTION D.1 FACILITY OPERATION CONDITIONS

.....

New Source Performance Standards (NSPS) Requirements: for Volatile Organic Liquid Storage Vessels

~~D.1.8 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 storage tanks described in this section except when otherwise specified in 40 CFR Part 60, Subpart Kb.~~

~~D.1.9 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 [40 CFR Part 60, Subpart Kb]~~

~~Pursuant to 40 CFR Part 60, Subpart Kb, the Permittee shall comply with the provisions of the National Source Performance Standards for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, as specified as follows.~~

~~§ 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 (m³) that is used to store volatile organic liquids (VOL) for which construction, reconstruction, or modification is commenced after July 23, 1984.~~

~~(b) This subpart does not apply to storage vessels with a capacity greater than or equal to 151m³ storing a liquid with a maximum true vapor pressure less than 3.5 kilopascals (kPa) or with a capacity greater than~~

or equal to 75 m³ but less than 151 m³ storing a liquid with a maximum true vapor pressure less than 15.0 kPa.

(c) [Reserved]

(d) This subpart does not apply to the following:

(1) Vessels at coke oven by product plants.

(2) Pressure vessels designed to operate in excess of 204.9 kPa and without emissions to the atmosphere.

(3) Vessels permanently attached to mobile vehicles such as trucks, rail cars, barges, or ships.

(4) Vessels with a design capacity less than or equal to 1,589.874 m³ used for petroleum or condensate stored, processed, or treated prior to custody transfer.

(5) Vessels located at bulk gasoline plants.

(6) Storage vessels located at gasoline service stations.

(7) Vessels used to store beverage alcohol.

(8) Vessels subject to subpart GGGG of 40 CFR part 63.

(e) Alternative means of compliance — (1) Option to comply with part 65. Owners or operators may choose to comply with 40 CFR part 65, subpart C, to satisfy the requirements of §§ 60.112b through 60.117b for storage vessels that are subject to this subpart that meet the specifications in paragraphs (e)(1)(i) and (ii) of this section. When choosing to comply with 40 CFR part 65, subpart C, the monitoring requirements of § 60.116b(e), (e), (f)(1), and (g) still apply. Other provisions applying to owners or operators who choose to comply with 40 CFR part 65 are provided in 40 CFR 65.1.

(i) A storage vessel with a design capacity greater than or equal to 151 m³ containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa; or

(ii) A storage vessel with a design capacity greater than 75 m³ but less than 151 m³ containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa.

(2) Part 60, subpart A. Owners or operators who choose to comply with 40 CFR part 65, subpart C, must also comply with §§ 60.1, 60.2, 60.5, 60.6, 60.7(a)(1) and (4), 60.14, 60.15, and 60.16 for those storage vessels. All sections and paragraphs of subpart A of this part that are not mentioned in this paragraph (e)(2) do not apply to owners or operators of storage vessels complying with 40 CFR part 65, subpart C, except that provisions required to be met prior to implementing 40 CFR part 65 still apply. Owners and operators who choose to comply with 40 CFR part 65, subpart C, must comply with 40 CFR part 65, subpart A.

(3) Internal floating roof report. If an owner or operator installs an internal floating roof and, at initial startup, chooses to comply with 40 CFR part 65, subpart C, a report shall be furnished to the Administrator stating that the control equipment meets the specifications of 40 CFR 65.43. This report shall be an attachment to the notification required by 40 CFR 65.5(b).

(4) External floating roof report. If an owner or operator installs an external floating roof and, at initial startup, chooses to comply with 40 CFR part 65, subpart C, a report shall be furnished to the Administrator stating that the control equipment meets the specifications of 40 CFR 65.44. This report shall be an attachment to the notification required by 40 CFR 65.5(b).

§ 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 Method D2879-83, 96, or 97 (incorporated by reference—see § 60.17);~~

~~(4) Any other method approved by the Administrator.~~

~~*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).~~

~~*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.~~

~~*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.~~

§ 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 m³ 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 m³ but less than 151 m³ 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.

§ 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.

§ 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 m³ 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 m³ but less than 151 m³ 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.~~

~~(d) Except as provided in paragraph (g) of this section, the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m³ storing a liquid with a maximum true vapor pressure that is normally less than 5.2 kPa or with a design capacity greater than or equal to 75 m³ but less than 151 m³ storing a liquid with a maximum true vapor pressure that is normally less than 27.6 kPa shall notify the Administrator within 30 days when the maximum true vapor pressure of the liquid exceeds the respective maximum true vapor pressure values for each volume range.~~

~~(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.~~

~~(3) For other liquids, the vapor pressure:~~

~~(i) May be obtained from standard reference texts, or~~

~~(ii) Determined by ASTM Method D2879—83, 96, or 97 (incorporated by reference—see § 60.17); or~~

~~(iii) Measured by an appropriate method approved by the Administrator; or~~

~~(iv) Calculated by an appropriate method approved by the Administrator.~~

§ 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).~~

National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements: for Gasoline

Distribution Facilities

~~D.1.10 General Provisions Relating to NESHAP Subpart R [40 CFR Part 63, Subpart A]~~

~~The provisions of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated by reference in 326 IAC 20-1, apply to the facilities described in this section except when otherwise specified in 40 CFR Part 63, Subpart R.~~

~~D.1.11 NESHAP Subpart R Requirements [40 CFR Part 63, Subpart R]~~

~~Pursuant to CFR Part 63, Subpart R, the Permittee shall comply with the provisions of 40 CFR Part 63.420, as specified as follows:~~

~~§ 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, ET, 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:~~

~~ET = emissions screening factor for bulk gasoline terminals;~~

~~CF = 0.161 for bulk gasoline terminals and pip-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 that handle reformulated or oxygenated gasoline containing 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)];~~

~~TF = total number of fixed-roof gasoline storage vessels without an internal floating roof;~~

~~TE = total number of external floating roof gasoline storage vessels with only primary seals;~~

~~TES = total number of external floating roof gasoline storage vessels with primary and secondary seals;~~

~~TI = 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 x 10⁻⁶ for bulk gasoline terminals with uncontrolled loading racks (no vapor collection and processing systems), or~~

~~K = (4.5 x 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 ET or EP. If the value of 0.04(OE) is greater than 5 percent of either ET or EP 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~~

~~(2) For which the owner or operator has documented and recorded to the Administrator's satisfaction that the facility is not a major source, or is not located within a contiguous area and under common control of a facility that is a major source, as defined in § 63.2 of subpart A of this part.~~

~~(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.~~

~~(i) A bulk gasoline terminal or pipeline breakout station with a Standard Industrial Classification code 2911 located within a contiguous area and under common control with a refinery complying with subpart CC, §§ 63.646, 63.648, 63.649, and 63.650 is not subject to subpart R standards, except as specified in subpart CC, § 63.650.~~

~~(j) *Rules Stayed for Reconsideration.* Notwithstanding any other provision of this subpart, the December 14, 1995 compliance date for existing facilities in § 63.424(e) and § 63.428(a), (i)(1), and (j)(1) of this subpart is stayed from December 8, 1995, to March 7, 1996.~~

§ 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 omit means limitation(s) limiting a source's potential to emit 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.~~

§63.422 Standards: Loading racks.

~~(a) Each permittee of loading racks at a bulk gasoline terminal subject to the provisions of this subpart shall comply with the requirements in §60.502 of this chapter except for paragraphs (b), (c), and (j) of that section. For purposes of this section, the term "affected facility" used in §60.502 of this chapter means the loading racks that load gasoline cargo tanks at the bulk gasoline terminals subject to the provisions of this subpart. [40 CFR 63.422(a)]~~

~~(b) Emissions to the atmosphere from the vapor collection and processing systems due to the loading of gasoline cargo tanks shall not exceed 10 milligrams of total organic compounds per liter of gasoline loaded. [40 CFR 63.422(b)]~~

~~(c) Each permittee of a bulk gasoline terminal subject to the provisions of this subpart shall comply with §60.502(e) of this chapter as follows:~~

~~(1) For the purposes of this section, the term "tank truck" as used in §60.502(e) means "cargo tank."~~

~~(2) §60.502(e)(5) is changed to read: The terminal permittee shall take steps assuring that the nonvapor-tight gasoline cargo tank will not be reloaded at the facility until vapor tightness documentation for that gasoline cargo tank is obtained which documents that:~~

~~(i) The tank truck or railcar gasoline cargo tank meets the test requirements in Sec. 63.425(e), or the railcar gasoline cargo tank meets applicable test requirements in Sec. 63.425(i);~~

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

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

~~(B) After repair work is performed on the cargo tank before or during the tests in §63.425(g) or (h), subsequently passes the annual certification test described in §63.425(e). [40 CFR 63.422(e)]~~

~~(d) Each permittee shall comply with all paragraphs of this section as expeditiously as practicable, but no later than 12/14/97 at existing facilities, and upon startup for new facilities. [40 CFR 63.422(d)]~~

~~(e) As an alternative to 40 CFR 60.502(h) and (i) as specified in paragraph (a) of this section, the owner or operator may comply with paragraphs (e)(1) and (2) of this section.~~

~~(1) The owner or operator shall design and operate the vapor processing system, vapor collection system, and liquid loading equipment to prevent gauge pressure in the railcar gasoline cargo tank from exceeding the applicable test limits in Sec. 63.425(e) and (i) during product loading. This level is not to be exceeded when measured by the procedures specified in 40 CFR 60.503(d) of this chapter.~~

~~(2) No pressure vacuum vent in the bulk gasoline terminal's vapor processing system or vapor collection system may begin to open at a system pressure less than the applicable test limits in Sec. 63.425(e) or (i).~~

~~§63.423 Standards: Storage vessels.~~

~~(a) Each permittee of a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart shall equip each gasoline storage vessel with a design capacity greater than or equal to 75 m³ according to the requirements in §60.112b(a)(1) through (4) of this chapter, except for the requirements in §60.112b(a)(1)(iv) through (ix) and §60.112b(a)(2)(ii). [40 CFR 63.423(a)]~~

~~(c) Each gasoline storage vessel at existing bulk gasoline terminals and pipeline breakout stations shall be in compliance with the requirements in paragraphs (a) and (b) as expeditiously as practicable, but no later than 12/14/97. At new bulk gasoline terminals and pipeline breakout stations, compliance shall be achieved upon startup. [40 CFR 63.423(c)]~~

~~§63.424 Standards: Equipment leaks.~~

~~(a) Each permittee of a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart shall perform a monthly leak inspection of all equipment in gasoline service. For this inspection, detection methods incorporating sight, sound, and smell are acceptable. Each piece of equipment shall be inspected during the loading of a gasoline cargo tank. [40 CFR 63.424(a)]~~

~~(b) A log book shall be used and shall be signed by the permittee at the completion of each inspection. A section of the log shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility. [40 CFR 63.424(b)]~~

~~(c) Each detection of a liquid or vapor leak shall be recorded in the log book. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided in paragraph (d) of this section. [40 CFR 63.424(c)]~~

~~(d) Delay of repair of leaking equipment will be allowed upon a demonstration to the Permitting Authority that repair within 15 days is not feasible. The permittee shall provide the reason(s) a delay is needed and the date by which each repair is expected to be completed. [40 CFR 63.424(d)]~~

~~(e) Initial compliance with the requirements in paragraphs (a) through (d) of this section shall be achieved by existing sources as expeditiously as practicable, but no later than 12/15/97. For new sources, initial compliance shall be achieved upon startup. [40 CFR 63.424(e)]~~

~~(f) As an alternative to compliance with the provisions in paragraphs (a) through (d) of this section, owners~~

~~or operators may implement an instrument leak monitoring program that has been demonstrated to the Permitting Authority as at least equivalent. [40 CFR 63.424(f)]~~

~~(g) Owners and operators shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:~~

~~(1) Minimize gasoline spills;~~

~~(2) Clean up spills as expeditiously as practicable;~~

~~(3) Cover all open gasoline containers with a gasketed seal when not in use;~~

~~(4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators. [40 CFR 63.424(g)]~~

~~§63.425 Test methods and procedures.~~

~~(a) Each owner or operator subject to the emission standard in Sec. 63.422(b) or 40 CFR 60.112b(a)(3)(ii) shall comply with the requirements in paragraphs (a)(1) and (2) of this section.~~

~~(1) Conduct a performance test on the vapor processing and collection systems according to either paragraph (a)(1)(i) or (ii) of this section.~~

~~(i) Use the test methods and procedures in 40 CFR 60.503 of this chapter, except a reading of 500 ppm shall be used to determine the level of leaks to be repaired under 40 CFR 60.503(b), or~~

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

~~(2) The performance test requirements of 40 CFR 60.503(c) do not apply to flares defined in Sec. 63.421 and meeting the flare requirements in Sec. 63.11(b). The owner or operator shall demonstrate that the flare and associated vapor collection system is in compliance with the requirements in Sec. 63.11(b) and 40 CFR 60.503(a), (b), and (d), respectively.~~

~~(b) For each performance test conducted under paragraph (a) of this section, the permittee shall determine a monitored operating parameter value for the vapor processing system using the following procedure:~~

~~(1) During the performance test, continuously record the operating parameter under §63.427(a);~~

~~(2) Determine an operating parameter value based on the parameter data monitored during the performance test, supplemented by engineering assessments and the manufacturer's recommendations; and~~

~~(3) Provide for the Permitting Authority's approval the rationale for the selected operating parameter value, and monitoring frequency and averaging time, including data and calculations used to develop the value and a description of why the value, monitoring frequency, and averaging time demonstrate continuous compliance with the emission standard in §63.422(b) or §60.112b(a)(3)(ii) of this chapter. [40 CFR 63.425(b)]~~

~~(c) For performance tests performed after the initial test, the permittee shall document the reasons for any change in the operating parameter value since the previous performance test. [40 CFR 63.425(c)]~~

~~(d) The permittee of each gasoline storage vessel subject to the provisions of §63.423 shall comply with §60.113b of this chapter. If a closed vent system and control device are used, as specified in §60.112b(a)(3), to comply with the requirements in §63.423, the permittee shall also comply with the requirements in paragraph (b) of this section. [40 CFR 63.425(d)]~~

~~(e) Annual certification test. The annual certification test for gasoline cargo tanks shall consist of the following test methods and procedures:~~

~~(1) Method 27, appendix A, 40 CFR 60. Conduct the test using a time period (t) for the pressure and vacuum tests of 5 minutes. The initial pressure (P_i) for the pressure test shall be 460 mm H₂O (18 in. H₂O), gauge. The initial vacuum (V_i) for the vacuum test shall be 150 mm H₂O (6 in. H₂O), gauge. The maximum allowable pressure and vacuum changes (p, v) are as shown in the second column of Table 2.~~

~~TABLE 2 – ALLOWABLE CARGO TANK TEST PRESSURE OR VACUUM CHANGE~~

Cargo Tank or Compartment Capacity, liters (gal)	Annual Certification Allowable Pressure or Vacuum Change (p, v) in 5 Minutes, mm H₂O (in. H₂O)	Allowable Pressure Change (p) in 5 Minutes at Any Time, mm H₂O (in. H₂O)
9,464 or more (2,500 or more)	25 (1.0)	64 (2.5)
9,463 to 5,678 (2,499 to 1,500)	38 (1.5)	76 (3.0)
5,679 to 3,785 (1,499 to 1,000)	51 (2.0)	89 (3.5)
3,782 or less (999 or less)	64 (2.5)	102 (4.0)

~~(2) Pressure test of the cargo tank's internal vapor valve as follows:~~

~~(i) After completing the tests under paragraph (e)(1) of this section, use the procedures in Method 27 to repressurize the tank to 460 mm H₂O (18 in. H₂O), gauge. Close the tank's internal vapor valve(s), thereby isolating the vapor return line and manifold from the tank.~~

~~(ii) Relieve the pressure in the vapor return line to atmospheric pressure, then reseal the line. After 5 minutes, record the gauge pressure in the vapor return line and manifold. The maximum allowable 5-minute pressure increase is 130 mm H₂O (5 in. H₂O). [40 CFR 63.425(e)]~~

~~(f) Leak detection test. The leak detection test shall be performed using Method 21, appendix A, 40 CFR 60, except omit section 4.3.2 of Method 21. A vapor tight gasoline cargo tank shall have no leaks at any time when tested according to the procedures in this paragraph.~~

~~(1) The leak definition shall be 21,000 ppm as propane. Use propane to calibrate the instrument, setting the span at the leak definition. The response time to 90 percent of the final stable reading shall be less than 8 seconds for the detector with the sampling line and probe attached.~~

~~(2) In addition to the procedures in Method 21, include the following procedures:~~

~~(i) Perform the test on each compartment during loading of that compartment or while the compartment is still under pressure.~~

~~(ii) To eliminate a positive instrument drift, the dwell time for each leak detection shall not exceed two times the instrument response time. Purge the instrument with ambient air between each leak detection. The duration of the purge shall be in excess of two instrument response times.~~

~~(iii) Attempt to block the wind from the area being monitored. Record the highest detector reading and location for each leak. [40 CFR 63.425(f)]~~

~~(g) Nitrogen pressure decay field test. For those cargo tanks with manifolded product lines, this test procedure shall be conducted on each compartment.~~

(1) Record the cargo tank capacity. Upon completion of the loading operation, record the total volume loaded. Seal the cargo tank vapor collection system at the vapor coupler. The sealing apparatus shall have a pressure tap. Open the internal vapor valve(s) of the cargo tank and record the initial headspace pressure. Reduce or increase, as necessary, the initial headspace pressure to 460 mm H₂O (18.0 in. H₂O), gauge by releasing pressure or by adding commercial grade nitrogen gas from a high pressure cylinder capable of maintaining a pressure of 2,000 psig.

(i) The cylinder shall be equipped with a compatible two-stage regulator with a relief valve and a flow control metering valve. The flow rate of the nitrogen shall be no less than 2 cfm. The maximum allowable time to pressurize cargo tanks with headspace volumes of 1,000 gallons or less to the appropriate pressure is 4 minutes. For cargo tanks with a headspace of greater than 1,000 gallons, use as a maximum allowable time to pressurize 4 minutes or the result from the equation below, whichever is greater.

$$T = V_h \times 0.004$$

where:

T = maximum allowable time to pressurize the cargo tank, min;

V_h = cargo tank headspace volume during testing, gal.

(2) It is recommended that after the cargo tank headspace pressure reaches approximately 460 mm H₂O (18 in. H₂O), gauge, a fine adjust valve be used to adjust the headspace pressure to 460 mm H₂O (18.0 in. H₂O), gauge for the next 30 ± 5 seconds.

(3) Reseal the cargo tank vapor collection system and record the headspace pressure after 1 minute. The measured headspace pressure after 1 minute shall be greater than the minimum allowable final headspace pressure (P_F) as calculated from the following equation:

$$P_F = 18 \left(\frac{(18 - N)}{18} \right)^{(V_s / 5V_h)}$$

where:

P_F = minimum allowable final headspace pressure, in. H₂O, gauge;

V_s = total cargo tank shell capacity, gal;

V_h = cargo tank headspace volume after loading, gal;

18.0 = initial pressure at start of test, in. H₂O, gauge;

N = 5 minute continuous performance standard at any time from the third column of Table 2, in. H₂O.

(4) Conduct the internal vapor valve portion of this test by repressurizing the cargo tank headspace with nitrogen to 460 mm H₂O (18 in. H₂O), gauge. Close the internal vapor valve(s), wait for 30 ± 5 seconds, then relieve the pressure downstream of the vapor valve in the vapor collection system to atmospheric pressure. Wait 15 seconds, then reseal the vapor collection system. Measure and record the pressure every minute for 5 minutes. Within 5 seconds of the pressure measurement at the end of 5 minutes, open the vapor valve and record the headspace pressure as the "final pressure."

(5) If the decrease in pressure in the vapor collection system is less than at least one of the interval pressure change values in Table 3 of this paragraph, or if the final pressure is equal to or greater than 20 percent of the 1 minute final headspace pressure determined in the test in paragraph (g)(3), then the cargo tank is considered to be a vapor tight gasoline cargo tank. [40 CFR 63.425(g)]

TABLE 3 – PRESSURE CHANGE FOR INTERNAL VAPOR VALVE TEST

Time Interval	Interval Pressure Change, mm H ₂ O (in. H ₂ O)
After 1 minute	28 (1.1)
After 2 minutes	56 (2.2)
After 3 minutes	84 (3.3)
After 4 minutes	112 (4.4)
After 5 minutes	140 (5.5)

(h) Continuous performance pressure decay test. The continuous performance pressure decay test shall be performed using Method 27, appendix A, 40 CFR 60. Conduct only the positive pressure test using a time period (t) of 5 minutes. The initial pressure (P_i) shall be 460 mm H₂O (18 in. H₂O), gauge. The maximum allowable 5-minute pressure change (p) which shall be met at any time is shown in the third column of Table 2 of Sec. 63.425(e)(1). [40 CFR 63.425(h)]

§63.426 Alternative means of emission limitation.

For determining the acceptability of alternative means of emission limitation for storage vessels under §63.423, the provisions of §60.114b of this chapter apply.

§63.427 Continuous monitoring.

(a) Each permittee of a bulk gasoline terminal subject to the provisions of this subpart shall install, calibrate, certify, operate, and maintain, according to the manufacturer's specifications, a continuous monitoring system (CMS) as specified in paragraph (a)(1), (a)(2), (a)(3), or (a)(4) of this section, except as allowed in paragraph (a)(5) of this section.

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

(b) Each permittee of a bulk gasoline terminal subject to the provisions of this subpart shall operate the vapor processing system in a manner not to exceed the operating parameter value for the parameter described in paragraphs (a)(1) and (a)(2) of this section, or to go below the operating parameter value for the parameter described in paragraph (a)(3) of this section, and established using the procedures in §63.425(b). In cases where an alternative parameter pursuant to paragraph (a)(5) of this section is approved, each permittee shall operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the alternative operating parameter value. Operation of the vapor processing system in a manner exceeding or going below the operating parameter value, as specified above, shall constitute a violation of the emission standard in §63.422(b). [40 CFR 63.427(b)]

(c) Each permittee of gasoline storage vessels subject to the provisions of §63.423 shall comply with the monitoring requirements in §60.116b of this chapter, except records shall be kept for at least 5 years. If a closed vent system and control device are used, as specified in §60.112b(a)(3), to comply with the requirements in §63.423, the permittee shall also comply with the requirements in paragraph (a) of this section. [40 CFR 63.427(c)]

§63.428 Reporting and recordkeeping.

(b) Each permittee of a bulk gasoline terminal subject to the provisions of this subpart shall keep records of the test results for each gasoline cargo tank loading at the facility as follows:

(1) Annual certification testing performed under Sec. 63.425(e) and railcar bubble leak testing performed under Sec. 63.425(i); and

~~(2) Continuous performance testing performed at any time at that facility under §63.425(f), (g), and (h).~~

~~(3) The documentation file shall be kept up to date for each gasoline cargo tank loading at the facility. The documentation for each test shall include, as a minimum, the following information:~~

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

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

~~(iii) Cargo tank identification number.~~

~~(iv) Test location and date.~~

~~(v) Tester name and signature.~~

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

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

~~(viii) Test results: test pressure; pressure or vacuum change, mm of water; time period of test; number of leaks found with instrument; and leak definition. [40 CFR 63.428(b)]~~

~~(c) Each permittee of a bulk gasoline terminal subject to the provisions of this subpart shall:~~

~~(1) Keep an up-to-date, readily accessible record of the continuous monitoring data required under §63.427(a). This record shall indicate the time intervals during which loadings of gasoline cargo tanks have occurred or, alternatively, shall record the operating parameter data only during such loadings. The date and time of day shall also be indicated at reasonable intervals on this record.~~

~~(2) Record and report simultaneously with the notification of compliance status required under §63.9(h):~~

~~(i) All data and calculations, engineering assessments, and manufacturer's recommendations used in determining the operating parameter value under §63.425(b); and~~

~~(ii) The following information when using a flare under provisions of §63.11(b) to comply with §63.422(b):~~

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

~~(B) All visible emissions readings, heat content determinations, flow rate measurements, and exit velocity determinations made during the compliance determination required under §63.425(a).~~

~~(3) If an permittee requests approval to use a vapor processing system or monitor an operating parameter other than those specified in §63.427(a), the permittee shall submit a description of planned reporting and recordkeeping procedures. The Permitting Authority will specify appropriate reporting and recordkeeping requirements as part of the review of the permit application. [40 CFR 63.428(c)]~~

~~(d) Each permittee 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. [40 CFR 63.428(e)]~~

~~(e) Each permittee complying with the provisions of §63.424(a) through (d) shall record the following information in the log book for each leak that is detected:~~

~~(1) The equipment type and identification number,~~

~~(2) The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., sight, sound, or smell),~~

~~(3) The date the leak was detected and the date of each attempt to repair the leak,~~

~~(4) Repair methods applied in each attempt to repair the leak,~~

~~(5) "Repair delayed" and the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak,~~

~~(6) The expected date of successful repair of the leak if the leak is not repaired within 15 days, and~~

~~(7) The date of successful repair of the leak. [40 CFR 63.428(e)]~~

~~(f) Each permittee subject to the provisions of §63.424 shall report to the Permitting Authority a description of the types, identification numbers, and locations of all equipment in gasoline service. For facilities electing to implement an instrument program under §63.424(f), the report shall contain a full description of the program.~~

~~(1) In the case of an existing source or a new source that has an initial startup date before the effective date, the report shall be submitted with the notification of compliance status required under Section 63.9(h), unless an extension of compliance is granted under §63.6(i). If an extension of compliance is granted, the report shall be submitted on a date scheduled by the Permitting Authority. [40 CFR 63.428(f)]~~

~~(g) Each owner or operator of a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart shall include in a semiannual report to the Administrator the following information, as applicable:~~

~~(1) Each loading of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the facility,~~

~~(2) Periodic reports required under paragraph (d) of this section, and~~

~~(3) The number of equipment leaks not repaired within 5 days after detection. [40 CFR 63.428(g)]~~

~~(h) Each owner or operator of a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart shall submit an excess emissions report to the Administrator in accordance with §63.10(e), whether or not a CMS is installed at the facility. The following occurrences are excess emissions events under this subpart, and the following information shall be included in the excess emissions report as applicable:~~

~~(1) Each exceedance or failure to maintain, as appropriate, the monitored operating parameter value determined under §63.425(b). The report shall include the monitoring data for the days on which exceedances or failures to maintain have occurred, and a description and timing of the steps taken to repair or perform maintenance on the vapor collection and processing systems or the CMS.~~

~~(2) Each instance of a nonvapor tight gasoline cargo tank loading at the facility in which the permittee failed to take steps to assure that such cargo tank would not be reloaded at the facility before vapor tightness documentation for that cargo tank was obtained.~~

~~(3) Each reloading of a nonvapor tight gasoline cargo tank at the facility before vapor tightness documentation for that cargo tank is obtained by the facility in accordance with §63.422(e)(2).~~

~~(4) For each occurrence of an equipment leak for which no repair attempt was made within 5 days or for which repair was not completed within 15 days after detection:~~

~~(i) The date on which the leak was detected,~~

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

~~(iii) The reasons for the delay of repair, and~~

~~(iv) The date of successful repair. [40 CFR 63.428(h)]~~

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

~~§63.429 Delegation of authority.~~

~~(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 Sec. 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 Sec. 63.423 must follow the procedures in Sec. 63.426.~~

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

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

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

SECTION E.1 FACILITY OPERATION CONDITIONS



Facility Description [326 IAC 2-7-5(15)]:

- (c) One (1) domed external floating roof tank, identified as Tank No. 2203, with a capacity of 2,814,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, alkylate naphtha and exhausting to stack 03 (modified in 1994 to replace seals and store materials with higher RVP).
- (d) One (1) internal floating roof tank, identified as Tank No. 2204, with a capacity of 1,470,000 gallons and a maximum withdrawal rate of 168,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 04 (modified in 1994 to replace seals and store materials with higher RVP).
- (g) One (1) internal floating roof tank, identified as Tank No. 2206, with a capacity of 3,360,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 06A (constructed in 2002).
- (h) One (1) internal floating roof tank, identified as Tank No. 2262, with a capacity of 85,000 gallons, storing transmix or pipeline interface (a mixture of gasoline, diesel and jet fuel, with maximum vapor pressure of 13.5 RVP), and exhausting to stack 07 (originally constructed in 1967 and modified in 2003 to install the internal floating roof tank).
- (k) One (1) internal floating roof tank, identified as Tank No. 2207, permitted in 2011, with a capacity of 630,000 gallons, storing ethanol, gasoline, diesel or transmix.

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

New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]

E.1.1 General Provisions Relating to New Source Performance Standards [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 as 326 IAC 12-1, for tanks 2203, 2204, 2206, 2262 and 2207 except as otherwise specified in 40 CFR Part 60, Subpart Kb.

E.1.2 Standards of performance for volatile organic liquid storage vessels (including petroleum liquid storage vessels) for which construction, reconstruction, or modification commenced July 23, 1984 Requirements [40 CFR Part 60, Subpart Kb] [326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart Kb, the Permittee shall comply with the provisions of 40 CFR Part 60, Subpart Kb which are incorporated by reference as 326 IAC 12 for tanks 2203, 2204, 2206, 2262 and 2207 as specified as follows.

- (1) 40 CFR 60.110b;
- (2) 40 CFR 60.111b;
- (3) 40 CFR 60.112b (a);
- (4) 40 CFR 60.113b (a);
- (5) 40 CFR 60.114b;
- (6) 40 CFR 60.115b (a);
- (7) 40 CFR 60.116b (a) through (e);
- (8) 40 CFR 60.117b.

SECTION E.2

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]:

- (a) One (1) internal floating roof tank, identified as Tank No. 2201, with a capacity of 1,470,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel and raffinates, and exhausting to stack 01 (constructed in 1957).
- (b) One (1) domed external floating roof tank, identified as Tank No. 2202, with a capacity of 1,470,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 02 (constructed in 1957).
- (c) One (1) domed external floating roof tank, identified as Tank No. 2203, with a capacity of 2,814,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, alkylate naphtha and exhausting to stack 03 (modified in 1994 to replace seals and store materials with higher RVP).
- (d) One (1) internal floating roof tank, identified as Tank No. 2204, with a capacity of 1,470,000 gallons and a maximum withdrawal rate of 168,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 04 (modified in 1994 to replace seals and store materials with higher RVP).
- (e) One (1) internal floating roof tank identified as Tank No. 2205, with a capacity of 3,209,800 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, alkylate naphtha and exhausting to stack 05 (constructed in 1965).
- (f) One (1) internal floating roof tank, identified as Tank No. 2261, with a capacity of 84,000 gallons and a maximum withdrawal rate of 84,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 061 (constructed in 1957).
- (g) One (1) internal floating roof tank, identified as Tank No. 2206, with a capacity of 3,360,000 gallons and a maximum withdrawal rate of 420,000 gallons per hour of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel or raffinates, and exhausting to stack 06A (constructed in 2002).
- (h) One (1) internal floating roof tank, identified as Tank No. 2262, with a capacity of 85,000 gallons, storing transmix or pipeline interface (a mixture of gasoline, diesel and jet fuel, with maximum vapor pressure of 13.5 RVP), and exhausting to stack 07 (originally constructed in 1967 and modified in 2003 to install the internal floating roof tank).
- (i) One (1) tank truck loading rack, identified as LOAD, equipped with twelve (12) arms, with a maximum capacity of loading 551,880,000 gallons per year of natural gasoline, conventional gasolines (RVP 13.5), fuel oils, kerosene, jet A kerosene, diesel and raffinates, utilizing a vapor recovery unit, or VRU, for VOC control, and exhausting to stack 08 (modified in 1974). The VRU is equipped with a continuous emission monitor (CEM) for volatile organic compounds.
- (k) One (1) internal floating roof tank, identified as Tank No. 2207, permitted in 2011, with a capacity of 630,000 gallons, storing ethanol, gasoline, diesel or transmix.

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

E.2.1 General Provisions Relating to NESHAP Subpart R [40 CFR Part 63, Subpart A]

The provisions of 40 CFR Part 63, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 20-1, apply to the facilities described in this section except when otherwise specified in 40 CFR Part 63, Subpart R.

E.2.2 National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations [40 CFR Part 63, Subpart R])

Pursuant to CFR Part 63, Subpart R, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart R, which are incorporated by reference as 326 IAC 12-1, as specified as follows:

- (1) 40 CFR 63.420 (a) and (e) through (j);
- (2) 40 CFR 63.421;
- (3) 40 CFR 63.422;
- (4) 40 CFR 63.423 (a) and (c);
- (5) 40 CFR 63.424;
- (6) 40 CFR 63.425 (a) through (h);
- (7) 40 CFR 63.427 (a)(1), (b), and (c);
- (8) 40 CFR 63.428 (b) through (e), (f)(1), (g), (h) and (k);
- (9) 40 CFR 63.429

Conclusion and Recommendation

The construction of this proposed modification shall be subject to the conditions of the attached proposed Part 70 Administrative Amendment No. 051-30687-00007. The staff recommend to the Commissioner that this Part 70 Administrative Amendment be approved.

IDEM Contact

- (a) Questions regarding this proposed permit can be directed to Heath Hartley at the Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or by telephone at (317) 232-8217 or toll free at 1-800-451-6027 extension 232-8217.
- (b) A copy of the findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>
- (c) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM's Guide for Citizen Participation and Permit Guide on the Internet at: www.idem.in.gov

**Appendix A: Emission Calculations
Tank VOC Emissions - Maximum PTE**

Company Name: Enterprise Terminals & Storage, LLC
Address City IN Zip: 3217 S 950E, Oakland City, Indiana 47560
Permit No.: 051-30687-00007
Reviewer: Heath Hartley
Date: July 6, 2011

Tank Number	Product Stored	Losses (Lbs per Year)				Total VOC Tons/yr
		Rim Seal	Withdrawal	Deck Fitting	Deck Seam	
2207	Ethanol	17.57	237.64	108.44	0	0.18
	Gasoline (RVP 10)	245.46	201.33	1515.02	0	0.98
Worst Case VOC						0.98

Note: All storage tank emissions estimated using USEPA's Tanks 4.09d software program and are based on the estimated maximum annual throughput for each tank.

**Appendix A: Emission Calculations
VOC Emissions - Roof Landing Emissions**

Company Name: Enterprise Terminals & Storage, LLC
Address City IN Zip: 3217 S 950E, Oakland City, Indiana 47560
Permit No.: 051-30687-00007
Reviewer: Heath Hartley
Date: July 6, 2011

Tank Service = Gasoline RVP 11 (specified by user) Height of deck above the bottom of the tank shel 3.84 (ft) (specified by user)
 Tank Number = 2205 (specified by user) Height of liquid (for cases with liquid heel) = 1 (ft) (specified by user)
 Tank Diameter = 110 (ft) (specified by user)

Equation 6	Ke	Tmax = 522.9 (deg R) daily max ambient temperature (deg R = deg F + 460) (AP 42 Table 7.1-7 page 7.1-56)
		Tmin = 512.2 (deg R) daily min ambient temperature (deg R = deg F + 460) (AP 42 Table 7.1-7 page 7.1-56)
		alpha = 0.17 solar absorbtance factor (AP 42 Table 7.1-6 page 7.1-55)
		I = 1334.9 daily total solar insolation insolation factor (AP 42 Table 7.1-7 page 7.1-56)
		delta (Tv) = 14.058124 daily vapor temperature range (deg R)
		T = 517.53 (deg R) average temperature of vapor and liquid below roof (deg R = avg ambient temperature deg F + 460)
		B = 5237.3 constant from antoinies equation (deg R) (API document Table 2)
		P = 5.5 true vapor pressure of the stock liquid (psia) (API document Table 2)
		Pa = 14.56 atmospheric pressure at tank location (psia) (specified by user)
		Ke = 0.11060272 vapor space expansion factor (dimensionless)

Equation 8	Ks	hv = 2.84 height of vapor space (ft)
		Ks = 0.5 saturation factor (dimensionless) Ks cannot exceed S used for filling

Standing Idle (Breathing Losses)		
Equation 5	Ls	nd = 1 number of days the tank stays idle (specified by user)
		Vv = 26989.4225 volume of the vapor space (ft3)
		R = 10.731 gas constant [(psia ft^3)/(lb-mole R)]
		Mv = 66 (lb/lb mole) stock vapor molecular weight (API document Table 2 or specified by user)
		Ks = 0.5 saturation factor
		Ls = 97.56 (lbs)
		Kscal= 0.54708785

Equation 10	Lsmax	hle = 1.00 (ft) effective height of stock liquid (specified by user)
		Wl = 5.60 (lbs/gal) stock liquid density (API document table 2 or specified by user)
		Lsmax = 399,784.00 (lbs)

Filling Losses (count only on day of refill)		
IFRT with liquid Heel		
Equation 20	Lf	S = 0.5 filling saturation factor (dimensionless) (API document Table 1)
		Lf = 882.05 (lbs) (count only on day of re-fill)
		0.44 tons

S=0.6 for full liquid heel
S=0.5 for partial liquid heel

Total	979.61 (lbs)	per event	No. of events =	12 per year
Total	5.88 (tons/yr)			

Note: The roof landing emissions from Tanks 2201, 2202, 2203, 2204, 2205, 2206 or 2207 were not previously included in Part 70 Operating Permit Renewal 051-21723-0



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
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(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

SENT VIA U.S. MAIL: CONFIRMED DELIVERY AND SIGNATURE REQUESTED

TO: Chandra Sripadam
Enterprise Terminals & Storage, LLC
PO Box 4324
Houston TX 77210-4324

DATE: July 20, 2011

FROM: Matt Stuckey, Branch Chief
Permits Branch
Office of Air Quality

SUBJECT: Final Decision
Title V
051-30687-00007

Enclosed is the final decision and supporting materials for the air permit application referenced above. Please note that this packet contains the original, signed, permit documents.

The final decision is being sent to you because our records indicate that you are the contact person for this application. However, if you are not the appropriate person within your company to receive this document, please forward it to the correct person.

A copy of the final decision and supporting materials has also been sent via standard mail to:
Kevin Bodenhamer, Responsible Official
OAQ Permits Branch Interested Parties List

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178, or toll-free at 1-800-451-6027 (ext. 3-0178), and ask to speak to the permit reviewer who prepared the permit. If you think you have received this document in error, please contact Joanne Smiddie-Brush of my staff at 1-800-451-6027 (ext 3-0185), or via e-mail at jbrush@idem.IN.gov.

Final Applicant Cover letter.dot 11/30/07

Mail Code 61-53

IDEM Staff	DPABST 7/20/2011 Enterprise Terminals & Storage, LLC 051-30687-00007 (Final)		AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING	
Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail: CERTIFICATE OF MAILING ONLY	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		Chandra Sripadam Enterprise Terminals & Storage, LLC PO Box 4324 Houston TX 77210-4324 (Source CAATS) (CONFIRM DELIVERY)										
2		Kevin Bodenhamer Sr VP Enterprise Terminals & Storage, LLC PO Box 4324 Houston TX 77210-4324 (RO CAATS)										
3		Mr. Wendell Hibdon Plumbers & Steam Fitters Union, Local 136 2300 St. Joe Industrial Park Dr Evansville IN 47720 (Affected Party)										
4		Gibson County Health Department 800 S. Prince St., Courthouse Annex Princeton IN 47670-2664 (Health Department)										
5		Eric Anderson 25 Atlantic Avenue Erlanger KY 41018 (Affected Party)										
6		Gibson County Commissioners 101 N. Main Street Princeton IN 47670 (Local Official)										
7		Oakland City Town Council and Mayors Office 210 E. Washington St. Oakland City IN 47660 (Local Official)										
8		Mr. Bil Musgrove PO Box 520 Chandler IN 47610 (Affected Party)										
9		Mr. John Blair 800 Adams Ave Evansville IN 47713 (Affected Party)										
10												
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