



COMMONWEALTH of VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
PIEDMONT REGIONAL OFFICE

Molly Joseph Ward
Secretary of Natural Resources

4949A Cox Road, Glen Allen, Virginia 23060
(804) 527-5020 Fax (804) 527-5106
www.deq.virginia.gov

David K. Paylor
Director

Michael P. Murphy
Regional Director

May 8, 2015

Mr. Robert McKinley
Manager - Operations
Kinder Morgan Southeast Terminals LLC
Richmond Terminal 1
2000 Trenton Ave.
Richmond, VA 23234

Location: Richmond City
Registration No.: 50258

Dear Mr. McKinley:

Attached is a renewal of your Title V permit to operate a bulk petroleum terminal pursuant to 9 VAC 5 Chapter 80 of the Virginia Regulations for the Control and Abatement of Air Pollution.

This permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all conditions carefully.

This approval to operate does not relieve Kinder Morgan Southeast Terminals LLC of the responsibility to comply with all other local, state, and federal permit regulations.

Issuance of this permit is a case decision. The Regulations, at 9 VAC 5-170-200, provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this permit is mailed or delivered to you. Please consult that and other relevant provisions for additional requirements for such requests.

Additionally, as provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal to court by filing a Notice of Appeal with:

Mr. David K. Paylor, Director
Department of Environmental Quality
P.O. Box 1105
Richmond, VA 23218

In the event that you receive this permit by mail, three days are added to the period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for additional information including filing dates and the required content of the Notice of Appeal.

If you have any questions concerning this permit, please contact the regional office at (804) 527-5020.

Sincerely,



Kyle Ivar Winter, P.E.
Deputy Regional Director

KIW/AMS/50258_018_2015_Title V permit renewal.docx

Attachments: Permit

The following federal regulations can be found at:

<http://www.gpo.gov/fdsys/search/showcitation.action>

Title 40, Chapter I, Subchapter C

40 CFR 60 Subpart Ka

40 CFR 60 Subpart Kb

40 CFR 60 Subpart XX

40 CFR 63, Subpart BBBB

40 CFR 63, Subpart ZZZZ

cc: Chief, Air Enforcement Branch (3AP13), U.S. EPA, Region III
Inspector, Air Compliance



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Federal Operating Permit
Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: Kinder Morgan Southeast Terminals LLC
Facility Name: Kinder Morgan Southeast Terminals LLC - Richmond Terminal 1
Facility Location: 2000 Trenton Avenue
Richmond, Virginia

Registration Number: 50258
Permit Number: PRO50258

This permit includes the following programs:
Federally Enforceable Requirements - Clean Air Act (Condition numbers 1 through 96)
State Only Enforceable Requirements (Condition number 97)

May 11, 2015
Effective Date

May 10, 2020
Expiration Date



Kyle Ivar Winter, P.E., Deputy Regional Director

07 May 2015
Signature Date

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Facility Information

Permittee

Kinder Morgan Southeast Terminals LLC
1000 Windward Concourse, Suite 450
Alpharetta, GA 30005

Responsible Official

Mr. Robert McKinley
Manager - Operations

Facility

Kinder Morgan Southeast Terminals LLC
Richmond Terminal 1
2000 Trenton Avenue
Richmond, VA 23234

Contact Person

Mr. J. Patrick Davis
Senior EHS Specialist
(804) 743-5778

County-Plant Identification Number: 760-0098

Facility Description: NAICS 493190 – Petroleum Bulk Terminals. The gasoline tanks receive gasoline from a pipeline and distribute to the truck loading rack (LRT). The gasoline additive tanks receive additives from tanker trucks that are mixed at the loading rack while loading. Petroleum products can be unloaded from the barge loading rack (LRB) to the tanks. Denatured ethanol is delivered via tank truck and can also be delivered by barge. Gasoline vapors are controlled at the truck loading rack with a vapor recovery unit (VRU), and a back-up vapor combustion unit (VCU). Loading of distillate product onto barges is permitted without controls.

The facility is a Title V Major source of VOC. Kinder Morgan Southeast Terminals LLC is located in an attainment area for all pollutants. The facility is located in the City of Richmond ozone maintenance area.

Emission Units

The emissions units at this facility consist of the following

Emission Unit ID	Emission Unit Description (construction date)	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
T-01	Storage tank with internal floating roof-mechanical shoe primary seal and rim mounted secondary seal (1953)	811,230 gallons	None	None	None	March 30, 2015
T-02	Storage tank with internal floating roof-mechanical shoe primary seal and rim mounted secondary seal (1953)	615,594 gallons	None	None	None	March 30, 2015
T-03	Storage tank with internal floating roof-vapor mounted primary seal and rim mounted secondary seal (1953)	299,166 gallons	None	None	None	March 30, 2015
T-04	Storage tank with internal floating roof-mechanical shoe primary seal and rim mounted secondary seal (1953)	820,596 gallons	None	None	None	March 30, 2015
T-05	Vertical fixed roof storage tank (1953)	847,350 gallons	None	None	None	March 30, 2015
T-06	Vertical fixed roof storage tank (1953)	2,254,896 gallons	None	None	None	March 30, 2015
T-07	Storage tank with internal floating roof-mechanical shoe primary seal and rim mounted secondary seal (1953)	2,405,844 gallons	None	None	None	March 30, 2015
T-08	Storage tank with domed external floating roof-mechanical shoe primary seal and rim mounted secondary seal (1953)	2,771,664 gallons	None	None	None	March 30, 2015
T-09	Storage tank with domed external floating roof-mechanical shoe primary seal and rim mounted secondary seal (1953)	2,247,294 gallons	None	None	None	March 30, 2015
T-10	Storage tank with internal floating roof-vapor mounted primary seal and rim mounted secondary seal (1953)	3,967,992 gallons	None	None	None	March 30, 2015
T-11	Vertical fixed roof storage tank (1953)	4,099,410 gallons	None	None	None	March 30, 2015
T-12	Storage tank with internal floating roof-vapor mounted primary seal and rim mounted secondary seal (1953)	3,921,750 gallons	None	None	None	March 30, 2015
T-13	Storage tank with domed external floating roof-mechanical shoe primary seal and rim mounted secondary seal (1953)	799,848 gallons	None	None	None	March 30, 2015
T-16	Storage tank with internal floating roof, bolted deck construction, mechanical shoe primary seal, and a shoe mounted secondary seal (1957)	4,207,686 gallons	None	None	None	March 30, 2015

Emission Unit ID	Emission Unit Description (construction date)	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
T-17	Storage tank with internal floating roof – mechanical shoe primary seal and secondary wiper seal (2009)	3,790,164 gallons	None	None	None	March 30, 2015
T-18	Vertical fixed roof tank (1966)	707,196 gallons	None	None	None	March 30, 2015
T-19	Vertical fixed roof tank (1990)	10,500 gallons	None	None	None	March 30, 2015
T-20	Vertical fixed roof tank (1994)	10,000 gallons	None	None	None	March 30, 2015
T-21	Vertical fixed roof tank (1990)	10,500 gallons	None	None	None	March 30, 2015
T-22	Vertical fixed roof tank (OWS waste oil)(1987)	10,700 gallons	None	None	None	March 30, 2015
T-24	horizontal fixed roof tank (2005)	4,000 gallons	None	None	None	Exempted June 13, 2005
LRT	One 7-lane truck loading rack loading gasoline (including interface, non-HAP VOCs, and denatured ethanol), petroleum distillates, and additives	252,000 gallons/hr	John Zink Vapor Recovery Unit Jordan Technologies Direct Flame Afterburner (or mobile combustor)	VRU-1 VCU-1	VOC (99%)	March 30, 2015
LRB	Barge loading rack loading petroleum distillates	1,000,000 gallons/hr				March 30, 2015
E-1	Emergency diesel foam pump engine	26 kW (35 hp)	None	None	None	None

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

Process Equipment Requirements – Petroleum Product and Additive Storage Tanks

T01 – T22

1. **Process Equipment – Petroleum Product Storage Tanks – Limitations – Emission Controls** - The gasoline storage tanks (T-01, T-02, T-04, T-07, and T-17) that are subject to, and comply with, the control requirements of 40 CFR Subpart Kb, will be deemed in compliance with MACT Subpart BBBBBB [40 CFR 63.11087(f)].
(9 VAC 5-80-110 and 9 VAC 5-60-100)
2. **Process Equipment – Petroleum Product Storage Tanks – Limitations – Emission Controls** - Each 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.
(9 VAC 5-50-410 and 9 VAC 5-80-110)
3. **Process Equipment – Petroleum Product Storage Tanks – Limitations – Emission Controls** - Volatile organic compound emissions from Tanks T-01, T-02, T-04, T-07 and T-17 shall be controlled by the following:
 - a. Total surface contact internal floating roofs;
 - b. Primary rim seals installed between the wall of the storage tank and the edge of the internal floating roof tank and are liquid-mounted;
 - c. Secondary rim seals;
 - d. A gasket on the automatic bleeder vents and total closure for the vents except when the roof is being floated off or is being landed on the roof leg supports;
 - e. Bolted covers on each access hatch and automatic gauge float well except when they are in use;
 - f. A gasket on the rim space vents and total closure for the vents except only when the internal floating roof is not floating or at the manufacturer's recommended setting;
 - g. A slit fabric cover that covers at least 90 percent of the sample well opening;
 - h. A flexible fabric sleeve seal or a gasketed sliding cover on each column;
 - i. A gasketed sliding cover for each ladder; and
 - j. A cover or lid equipped with a gasket for 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 and total closure (i.e., no visible gap) for each opening except when the device is in actual use.
(9 VAC 5-80-110 and 9 VAC 5-50-410)
4. **Process Equipment – Petroleum Product and Additive Storage Tanks – Limitations – Operational Limitation** - The permittee shall store only the following specifically permitted

product or products with lower hourly emissions for all regulated air pollutants under identical storage conditions in each storage tank:

<u>Tank Number</u>	<u>Allowed Product</u>
1, 2, 3, 4, 7, 8, 9, 10, 12, 13, 16, 17	Gasoline (including interface, Non-HAP VOCs and denatured ethanol)
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18	Petroleum Distillates
19, 20, 21 (9 VAC 5-80-110 and Condition 8 of 3/30/15 Permit)	Gasoline Additives, as described in Condition 6.

5. **Process Equipment – Petroleum Product Storage Tanks – Limitations – Operational Limitation** - Roof landings shall not occur more than 44 times annually for all of the facility’s storage tanks combined.
(9 VAC 5-80-110 and Condition 9 of 3/30/15 Permit)

6. **Process Equipment – Additive Storage Tanks – Limitations – Operational Limitation** - The gasoline additives stored in Tanks T-19, T-20, and T-21 shall have a vapor pressure of not more than 1.0 psi at actual storage conditions. Storage of an additive with a higher vapor pressure may require a permit amendment.
(9 VAC 5-80-110 and Condition 11 of 3/30/15 Permit)

7. **Process Equipment – Petroleum Product and Additive Storage Tanks – Limitations – Throughput Limitations** - The annual throughput of petroleum products stored in the tanks at the terminal shall not exceed the limitations specified below, calculated as the sum of each consecutive 12 month period:

<u>Product</u>	<u>Annual Limitation</u>
Gasoline (including Non-HAP VOC and denatured ethanol)	1,268,000,000 gallons/year
Interface (via pipeline)	280,000,000 gallons/year
Petroleum Distillates	337,000,000 gallons/year
Additive (9 VAC 5-80-110 and Conditions 15 and 16 of 3/30/15 Permit)	1,000,000 gallons/year

8. **Process Equipment – Petroleum Product and Additive Storage Tanks – Limitations - Emissions Limitations** - Emissions from the operation of each storage tank shall not exceed the limits specified below. These limitations are included for emissions inventory purposes only. Compliance shall be determined by limitations listed in Conditions 17, 4, 6, and 7.

<u>Volatile Organic Compound Emissions</u>		
<u>Tank No.</u>	<u>lbs/hr</u>	<u>tons/yr</u>
1	3.4	0.3
2	2.9	2.8

Volatile Organic Compound Emissions		
Tank No.	lbs/hr	tons/yr
3	1.9	0.2
4	3.2	0.3
5	25.2	0.5
6	67.0	1.2
7	6.2	5.0
8	5.0	0.9
9	4.5	0.8
10	8.1	6.9
11	122.9	2.3
12	8.2	7.8
13	3.3	2.2
16	8.1	7.4
17	1.2	5.3
18	21.0	0.4
19	2.5	0.1
20	2.3	0.1
21	2.5	0.1
22	0.3	0.1

(9 VAC 5-80-110 and Condition 17 of 3/30/15 Permit)

9. **Process Equipment – Petroleum Product Storage Tanks – Limitations – Emissions Limitations** - The emissions from roof landings shall not exceed the limits specified below:

Volatile Organic Compounds 247.4 lbs/hr 24.1 tons/yr (9 VAC 5-50-260)

The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this condition.

(9 VAC 5-80-110 and Condition 18 of the 3/30/15 Permit)

10. **Process Equipment – Petroleum Product Storage Tanks – Testing and Monitoring Procedures – NSPS Subpart Kb Requirement** - The permittee shall visually inspect the internal floating roofs, the primary seals, and the secondary seals for Tanks T-01, T-02, T-04, T-07 and T-17 as required by 40 CFR Part 60 Subpart Kb, §60.113b(a)(1) prior to filling each petroleum product storage tank with liquid product. Additionally, the permittee shall repair any holes, tears, or other openings in the primary seal, secondary seal, or the seal fabric or defects in the internal floating roof or both for each petroleum product storage tank before filling the petroleum product storage tank.

(9 VAC 5-50-410, 9 VAC 5-80-110, and Condition 5 of the 3/30/15 Permit)

11. **Process Equipment – Petroleum Product Storage Tanks – Testing and Procedures – NSPS Subpart Kb Requirement** - The permittee shall visually inspect through manholes and roof hatches on the fixed roof of the internal floating roofs, the primary seals, and secondary seals for Tanks T-01, T-02, T-04, T-07 and T-17 at least once every 12 months after initial fill as required by 40 CFR Part 60 Subpart Kb, §60.113b(a)(2).

(9 VAC 5-50-410, 9 VAC 5-80-110, and Condition 6 of the 3/30/15 Permit)

12. **Process Equipment – Petroleum Product Storage Tanks – Testing and Procedures – NSPS Subpart Kb Requirement** – The permittee shall, within 45 days as required by 40

CFR Part 60 Subpart Kb, §60.113b(a)(2), repair or empty and remove the affected petroleum product storage tank (T-01, T-02, T-04, T-07 and T-17) from service for the following:

- a. If the internal floating roof is not resting on the surface of the liquid product inside the petroleum storage tank;
- b. There is liquid accumulated on the roof;
- c. The seal is detached; or
- d. There are holes or tears in the seal fabric.

(9 VAC 5-50-410, 9 VAC 5-80-110, and Condition 7 of the 3/30/15 Permit)

13. **Process Equipment – Petroleum Product Storage Tanks – Limitations – NSPS Subpart Kb Requirement** - The permittee shall apply to the DEQ for a 30 day extension if the items listed in Condition 12 cannot be repaired for the applicable tanks (T-01, T-02, T-04, T-07 and T-17) or the applicable tanks (T-01, T-02, T-04, T-07 and T-17) cannot be emptied and removed from service within 45 days. The request for an extension may be contained in the inspection report required by 40 CFR Part 60 Subpart Kb, §60.115b(a)(3). This request must document that alternate storage capacity is unavailable and must specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the tank will be emptied as soon as possible. A copy of this request shall also be sent to the EPA at the electronic address listed in Condition 72.g.

(9 VAC 5-50-410 and 9 VAC 5-80-110)

14. **Process Equipment – Petroleum Product Storage Tanks – Testing and Procedures – NSPS Subpart Kb Requirement** - The permittee shall visually inspect, as required by 40 CFR Part 60 Subpart Kb, §60.113b(a)(4), the internal floating roofs, the primary seals, the secondary seals, gaskets, slotted membranes and sleeve seals for Tanks T-01, T-02, T-04, T-07 and T-17 each time the tank is emptied and degassed.

(9 VAC 5-80-110 and 9 VAC 5-50-410)

15. **Process Equipment – Petroleum Product Storage Tanks – Periodic Monitoring** - The permittee shall conduct the inspections required by Condition 14 at a minimum of every 10 years as required by 40 CFR Part 60 Subpart Kb, §60.113b(a)(4).

(9 VAC 5-80-110, 9 VAC 5-50-410, and 9 VAC 5-50-20 E)

16. **Process Equipment – Petroleum Product Storage Tanks – Limitations – Rule 4-37 Requirements** - For each tank equipped with a fixed roof that is also equipped with an internal floating roof, the permittee shall perform a complete inspection of the cover and seal when the tank is emptied for non-operational reasons such as maintenance, an emergency, or other similar purposes. The permittee shall record the condition of the cover and seal.

(9 VAC 5-80-110 and 9 VAC 5-40-5220.A.4.b)

17. **Process Equipment – Petroleum Product Storage Tanks – Limitations – Rule 4-37 Requirements by Reference** - When storing a product with a vapor pressure of 1.5 psia or higher, Tanks T-01, T-02, T-03, T-04, T-07, T-08, T-09, T-10, T-12, T-13, T-16 and T-17

shall comply with all applicable requirements of 9 VAC 5-40-5200 et. seq. (Rule 4-37). The tanks shall be provided with adequate access for inspection.
(9 VAC 5-80-110 and Condition 2 of the 3/30/15 Permit)

- 18. Process Equipment – Petroleum Product Storage Tanks – Limitations – NSPS Requirements by Reference** - Except where this permit is more restrictive than the applicable requirement, Tanks T-01, T-02, T-04, T-07 and T-17 shall be operated in compliance with the NSPS requirements of Subpart Kb; and T-03 shall be operated in accordance with the NSPS requirements of Subpart Ka as applicable.
(9 VAC 5-80-110, 9 VAC 5-50-410 and Condition 24 of the 3/30/15 Permit)
- 19. Process Equipment – Petroleum Product Storage Tanks – MACT Requirements – Requirements by Reference** – The gasoline storage tanks at this facility must meet the requirements of MACT Subpart BBBBBB [40 CFR 63.11087].
(9 VAC 5-80-110 and 9 VAC 5-60-100)
- 20. Process Equipment – Petroleum Product Storage Tanks – Recordkeeping** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Piedmont Region. These records shall include, but are not limited to:
- a. The yearly throughput of interface via pipeline, calculated monthly as the sum of each consecutive 12 month period, expressed in units to determine compliance.
 - b. Records of the type of volatile organic liquids stored in each tank, the period of storage, and the average vapor pressure of the liquid for the time period. Available data on Reid vapor pressure for each volatile organic liquid and calendar-month average temperature from the National Weather service may be used as sources of information.
 - c. Records of the HAP content of the volatile organic liquids stored at the facility.
 - d. Performance test records and results.
 - e. Records demonstrating compliance with 9 VAC 5-40-5200 et. seq. (Rule 4-37), including:
 - i. Listing of each exempt tank and reason for exemption
 - ii. VOC standard to which each applicable tank is subject
 - iii. Method under 9 VAC 5-40-5230 which is used to meet the applicable VOC standard or alternative control demonstration
 - f. Tank inspection reports pursuant to 9 VAC 5-40-5200 et. seq. (Rule 4-37).
 - g. Monthly inspection records pursuant to 63.11092(e).
 - h. Records for the landings of the storage tanks, indicating the number of landings and estimated emissions associated with the landings.
 - i. Records for the inspections and associated repairs as required by Conditions 10, 11, and 14.

- j. All records required by MACT Subpart BBBBBB, 40 CFR 63.11094.

These records shall be available for inspection by the DEQ and shall be retained for the most recent five years.

(9 VAC 5-40-5200, 9 VAC 5-50-410, 9 VAC 5-80-110, 9 VAC 5-60-100 and Condition 26 of 3/30/15 Permit)

21. **Process Equipment – Petroleum Product Storage Tanks – Testing** - The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-80-110)
22. **Process Equipment – Petroleum Product Storage Tanks – Testing** - If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.
(9 VAC 5-80-110)

Process Equipment Requirements - Loading Racks

LRB & LRT

23. **Process Equipment – Loading Racks – Limitations – Emission Controls** - Volatile organic compound (VOC) emissions from loading products with a vapor pressure of 1.5 psia or higher at the truck loading rack (LRT) shall be controlled by a vapor recovery system utilizing a vapor absorption recovery unit (VRU) and/or a vapor control unit (VCU) (thermal oxidizer type) (collectively the Vapor Recovery System). The emissions to the atmosphere from either the VCU or VRU stacks due to loading shall not exceed 0.0837 lbs/1000 gallons loaded (10 mg/liter loaded). In the event of failure of the permanent vapor recovery system, a mobile combustor may be used as specified in the permit application. The permittee shall notify the Director, Piedmont Regional Office within 4 hours of any malfunction of control equipment as specified elsewhere in this permit.
(9 VAC 5-80-110, 9 VAC 5-50-410, and Condition 3 of the 3/30/15 Permit)
24. **Process Equipment – Loading Racks – Limitations – Operation** - The permittee is authorized to offload gasoline (including interface, Non-HAP VOCs and denatured ethanol) and distillate petroleum products at the LRB. A change in the products offloaded may require a permit to modify and operate.
(9 VAC 5-80-110 and Condition 10 of 3/30/15 Permit)
25. **Process Equipment – Loading Racks – Limitations – Operations** - The permittee is authorized to transfer gasoline (including interface, Non-HAP VOCs and denatured ethanol), petroleum distillates, and additive at the LRT. A change in the products loaded may require a permit to modify and operate.
(9 VAC 5-80-110 and Condition 12 of 3/30/15 Permit)

26. **Process Equipment – Loading Racks – Limitations – Operations** - The permittee is authorized to transfer gasoline at the truck loading rack (LRT) only into vapor-tight gasoline tank trucks, as defined by 40 CFR 60.501.
(9 VAC 5-80-110, 9 VAC 5-50-410, and Condition 13 of 3/30/15 Permit)

27. **Process Equipment – Loading Racks – Limitations – Throughput** - The annual throughput of petroleum products through the LRT and the LRB at the terminal shall not exceed the limitations specified below, calculated as the sum of each consecutive 12 month period:

<u>Product</u>	<u>Annual Limitation</u>
Gasoline (including interface, Non-HAP VOCs, and denatured ethanol at the LRT)	1,268,000,000 gallons/year
Petroleum Distillates (LRT + LRB combined)	337,000,000 gallons/year
Additive (LRT)	1,000,000 gallons/year

(9 VAC 5-80-110 and Condition 14 of the 3/30/15 Permit)

28. **Process Equipment – Loading Racks – Limitations – Emissions** - Stack emissions from the operation of the LRT when loading products with a vapor pressure of 1.5 psia or higher shall not exceed the limits specified below.

Volatile Organic Compounds	9.0 lbs/hr	53.1 tons/yr (9 VAC 5-50-260)
	0.0837 lbs/1000 gallons (10 mg/liter)	

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits shall be determined as stated in Condition numbers 23, 25, 27, and 44.

(9 VAC 5-80-110, and Condition 19 of the 3/30/15 Permit)

29. **Process Equipment – Loading Racks – Limitations – Emissions** - Stack emissions from the operation of the LRT when performing submerged loading of petroleum distillates shall not exceed the limits specified below.

Volatile Organic Compounds	4.1 lbs/hr	2.4 tons/yr (9 VAC 5-50-260)
	0.0142 lbs/1000 gallons (1.7 mg/liter)	

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits shall be determined as stated in Condition numbers 25, 27, and 44.

(9 VAC 5-80-110 and Condition 20 of the 3/30/15 Permit)

30. **Process Equipment – Loading Racks – Limitations – Emissions** - Fugitive emissions from the operation of the LRT shall not exceed the limits specified below:

- j. The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in delivery tank from exceeding 450 mm of water during product loading.
- k. No pressure vacuum-vent in the bulk gasoline terminal's vapor collection system shall begin to open at system pressure less than 450 mm of water.
(9 VAC 5-80-110, 9 VAC 5-60-100 and 9 VAC 5-50-410)
- 33. Process Equipment – Loading Racks – Limitations – NSPS Requirements - Requirements by Reference** - Except where this permit is more restrictive than the applicable requirement, the loading rack LRT shall be operated in compliance with the requirements of 40 CFR 60, Subpart XX.
(9 VAC 5-80-110, 9 VAC 5-50-410 and Condition 24 of the 3/30/15 Permit)
- 34. Process Equipment – Loading Rack LRT – MACT Requirements – Requirements by Reference** – Except where this permit is more restrictive than the applicable requirement, the truck loading rack LRT must meet the requirements of MACT Subpart BBBBBB.
(9 VAC 5-80-110 and 9 VAC 5-60-100)
- 35. Process Equipment – Loading Racks – Monitoring** - Once per calendar month, while the unit is operating, the permittee shall perform a visible emissions observation on the vapor collection system to determine if it is in compliance with the opacity limit in Condition 31.
(9 VAC 5-80-110)
- 36. Process Equipment – Loading Racks – Monitoring** - Each calendar month, the vapor collection system, the vapor processing system, and each loading rack handling gasoline shall be inspected during the loading of gasoline tank trucks for total organic compounds liquid or vapor leaks. For purposes of this paragraph, detection methods incorporating sight, sound or smell are acceptable. Each detection of a leak shall be recorded and the source of the leak repaired within 15 days after it is detected as per 40 CFR 60.502(j). When a leak cannot be repaired within 15 days, the permittee shall notify the compliance manager of the Piedmont Regional Notice. The notification shall state the circumstances of the leak and the reason repair cannot be made within the prescribed 15 day time frame. A schedule for repair must accompany the notification.
(9 VAC 5-80-110, 9 VAC 5-50-410 and Condition 4 of the 3/30/15 Permit)
- 37. Process Equipment – Loading Racks – Monitoring** - The permittee shall equip the VCU with an ultraviolet flame scanner (UFS) to monitor presence of the pilot flame on a continuous basis when the system is operating. The UFS shall monitor the presence of the pilot flame in the VCU on a continuous basis during VCU operation. The permittee shall verify the calibration of the UFS during the semi-annual preventative maintenance period using a voltage meter provided by the ultraviolet flame vendor. The permittee shall keep a log of the result of UFS flame status indicator and pilot flame checks.
(9 VAC 5-80-110)
- 38. Process Equipment – Loading Racks – Monitoring** - The permittee shall perform an inspection for verification of operation status of the VCU each day the VCU is operating.

The inspection shall include visual verification that the VCU flame is on during the product loading cycle.

(9 VAC 5-80-110)

39. **Process Equipment – Loading Racks – Monitoring** – The control equipment referenced in Condition 23, used to control vapors during the loading and unloading of gasoline from the trucks at the loading rack (LRT), shall be monitored to determine if the control equipment is working properly as per Conditions 40 or 41.

(9 VAC 5-80-110)

40. **Process Equipment – Loading Racks – Monitoring** - The VCU temperature shall be monitored to verify that it operates at equal to or greater than the stack temperature established during the most recent stack test. The control equipment sensors shall be located in the outlet duct or stack, and the minimum frequency of sampling shall be hourly. Temperature monitoring may be performed manually, continuously on a chart or by a data acquisition system.

(9 VAC 5-80-110)

41. **Process Equipment – Loading Racks – Monitoring** - At all times that the VRU is operating, volatile organic compound and total organic compound emissions through the VRU must be monitored by either a flame ionization detector (FID), a photo ionization detector (PID), or infrared detector (IR). The control equipment sensors shall be located in the outlet duct or stack, and the minimum sampling frequency shall be hourly. Monitoring may be performed manually, continuously on a chart or by a data acquisition system.

(9 VAC 5-80-110)

42. **Process Equipment – Loading Racks – Monitoring** - If monitoring done in Condition 39 shows that the VRU or VCU is not operating correctly, action shall be taken to minimize excess emissions. This may include timely correction of the problem, stopping activity at the loading rack (LRT), shutting off the VCU vapor stream, employing a backup portable VCU, or other, similar procedure. Records shall be kept of the date, time, description of the problem, and action taken to resolve the problem.

(9 VAC 5-80-110)

43. **Process Equipment – Loading Racks – Monitoring** - The permittee shall implement a preventative maintenance schedule on the VCU and the UFS at a minimum of semi-annually.

(9 VAC 5-80-110)

44. **Process Equipment – Loading Racks – Recordkeeping** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Piedmont Region. These records shall include, but are not limited to:

- a. The yearly throughput of gasoline (to include interface, ethanol and non-HAP VOC's), additive, and petroleum distillates loaded at the truck loading rack, calculated monthly as the sum of each consecutive 12 month period, expressed in units to determine compliance.

- b. The yearly throughput of petroleum distillates loaded at the barge loading rack, calculated monthly as the sum of each consecutive 12 month period, expressed in units to determine compliance.
- c. Records of the annual certification testing as required by 40 CFR 60.505 for each gasoline cargo tank loaded at the facility, including, but not limited to, the date of the most recent annual certification test and the test results. These records may be kept at an alternate location so long as they can be supplied upon request to the Director, Piedmont Region within 10 business days.
- d. Monthly leak inspection records pursuant to 40 CFR 60.502(j) in Condition 32.e.
- e. Process and instrumentation drawing for the vapor recovery system (VRU and VCU) for the latest performance test and a current process and instrumentation drawing.
- f. Operation and control device monitoring records for the loading rack.
- g. Visible Emissions Observations as described in Condition 35.
- h. Log of UFS flame status indicator and pilot flame checks as described in Condition 37.
- i. Temperature monitoring records as described in Condition 40.
- j. VOC and TOC monitoring results as described in Condition 41.
- k. Scheduled and unscheduled maintenance, and operator training for the vapor recovery unit and the vapor combustion unit.
- l. Results of all stack tests, visible emission evaluations and performance evaluations.

These records shall be available for inspection by the DEQ and shall be retained for the most recent five years.

(9 VAC 5-80-900, 9 VAC 5-40-5200, 9 VAC 5-50-410, 9 VAC 5-80-110 and Condition 26 of 3/30/15 Permit)

45. Process Equipment – Loading Racks – Test Methods - When requested, the VRU shall be stack tested to demonstrate that maximum TOC emissions through the unit do not exceed 10 mg/l loaded. The following test methods and procedures shall be used from 40 CFR Part 60, Appendix A and Subpart XX:

- a. Method 27 - Vapor Tightness of Gasoline Delivery Trucks using Pressure Vacuum Test.
- b. Method 25 - Determination of Total Gaseous Nonmethane Organic Emissions as Carbon.
- c. Method 21 - Determination of Volatile Organic Compound Leaks.
- d. Method 18-Measurement of Gaseous Organic Compound Emissions by Gas Chromatography.
- e. Method 2A-Direct Measurement of Gas Volume through pipes and small ducts (9 VAC 5-80-110, 5-50-410, and 9 VAC 5-40-5290)

46. **Process Equipment – Loading Racks – Testing** - Beginning on January 7, 2008 and once every 60 months thereafter, the permittee shall conduct performance tests for volatile organic compounds from the VRU/VCU stack while loading gasoline to determine compliance with the emission limits contained in Condition 28. Tests shall be conducted and reported and data reduced as set forth in 9 VAC 5-50-30, and the test methods and procedures contained in each applicable section or subpart listed in 9 VAC 5-50-410. The details of the tests are to be arranged with the Director, Piedmont Region. The permittee shall submit a test protocol at least 30 days prior to testing to the Director, Piedmont Region. One copy of the test results shall be submitted to the Director, Piedmont Region within 45 days after test completion and shall conform to the test report format enclosed with this permit.
(9 VAC 5-50-30, 9 VAC 5-80-1200, 9 VAC 5-50-410, 9 VAC 5-80-110 and Condition 29 of 3/30/15 Permit)

Process Equipment Requirements – Emergency Diesel Foam-Pump Engine

E-1

47. **Process Equipment – Emergency Diesel Foam-Pump – Requirements by Reference** - Except where this permit is more restrictive than the applicable requirement, the emergency diesel foam-pump engine (E-1) shall be operated in compliance with the requirements of 40 CFR 60, Subpart IIII.
(9 VAC 5-80-110)
48. **Process Equipment – Emergency Diesel Foam-Pump – Requirements by Reference** - Except where this permit is more restrictive than the applicable requirement, the emergency diesel foam-pump engine (E-1) shall be operated in compliance with the requirements of 40 CFR 63, Subpart ZZZZ.
(9 VAC 5-80-110)
49. **Process Equipment – Emergency Diesel Foam-Pump – NSPS Requirements** – The permittee shall purchase only a certified engine and maintain USEPA Certificates of Conformity that demonstrate compliance with the applicable emission limits based on the year of engine manufacture.
(9 VAC 5-80-110 and 40 CFR 60.4202 and 40 CFR 60.4211(c))
50. **Process Equipment – Emergency Diesel Foam-Pump – NSPS Requirements** – The emergency diesel foam-pump engine (E-1) shall meet the emission standards applicable to that engine based on its rated capacity and use.
(9 VAC 5-80-110 and 40 CFR 60.5205)
51. **Process Equipment – Emergency Diesel Foam-Pump – NSPS Requirements** – The owner/operator of the diesel foam-pump engine (E-1) shall operate and maintain the unit so that it achieves the emission standards as required in 40 CFR 60.4205 over the entire life of the engine.
(9 VAC 5-80-110 and 40 CFR 60.4206)

52. **Process Equipment – Emergency Diesel Foam-Pump – NSPS Requirements** – The diesel foam-pump engine (E-1) shall use ultra-low sulfur diesel with a sulfur content of no more than 0.0015 percent by weight.
(9 VAC 5-80-110 and 40 CFR 60.4207 and 40 CFR 80.510)
53. **Process Equipment – Emergency Diesel Foam-Pump – NSPS Requirements** – The diesel foam-pump engine (E-1) shall be operated with a non-resettable hour meter.
(9 VAC 5-80-110 and 40 CFR 60.4209)
54. **Process Equipment – Emergency Diesel Foam-Pump – NSPS Requirements** – The permittee shall install, configure, operate, and maintain the control devices on the diesel foam-pump engine (E-1) as recommended by the manufacturer and only change the emission-related settings that are allowed by the manufacturer.
(9 VAC 5-80-110 and 40 CFR 60.4211(a))
55. **Process Equipment – Emergency Diesel Foam-Pump – NSPS/MACT Requirements – Hours of Operation** - During emergency situations, there is no limitation on the hours of operation of the emergency diesel foam-pump engine (E-1). The diesel foam-pump engine is limited to 100 hours of operation/yr for maintenance, testing, and emergency demand response, including 50 hours of operation/yr for non-emergency situations (not including peak shaving, non emergency demand response, or as part of a financial arrangement with another entity) and for local reliability. If the diesel foam-pump engine (E-1) is not operated as per 40 CFR 63.4211(f)(1) through (3), the engine is not considered an emergency unit as must meet the requirements for non-emergency engines.
(9 VAC 5-80-110, 40 CFR 60.4211(f), and 40 CFR 63.6640(f))
56. **Process Equipment – Emergency Diesel Foam-Pump – NSPS/MACT Requirements – Recordkeeping** - The permittee shall monitor and maintain records of the hours of operation/year, the reason for operation, and a reason why the operation was an emergency. These records shall be accessible for at least 5 years after the date of each occurrence, measurement, maintenance activity, corrective action, report, or record.
(9 VAC 5-80-110, 40 CFR 60.4214(b), 40 CFR 63.6655(f) and 40 CFR 63.6660(c))
57. **Process Equipment – Emergency Diesel Foam-Pump – MACT Requirements** – The permittee shall perform the following maintenance activities for the diesel foam-pump engine (E-1):
- a. Change the oil and filter every 500 hours of operation or annually, whichever comes first;
 - b. Inspect the air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
 - c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
- (9 VAC 5-80-110 and 40 CFR 63.6603)

58. **Process Equipment – Emergency Diesel Foam-Pump – MACT Requirements** – If the permittee starts up the new or reconstructed stationary RICE, located at an area source of HAP emissions, after January 18, 2008, the engine must be in compliance with applicable emission limitations and operating limitations in MACT Subpart ZZZZ by the startup of the engine.
(9 VAC 5-80-110 and 40 CFR 63.6595(a)(7))

Facility Wide Conditions

59. **Facility Wide Limitations – Management Practices** – The owner/operator of the facility must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.
(9 VAC 5-80-110 and 9 VAC 5-60-100)

60. **Facility Wide Limitations – Emission Limits** - Emissions from the operation of the bulk terminal shall not exceed the limits specified below:

Volatile Organic Compounds 384.6 lbs/hr 198.2 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits shall be determined as stated in Condition numbers 4 through 9; 17; 23 through 30; and 36.
(9 VAC 5-80-110 and Condition 22 of the 3/30/15 Permit)

61. **Facility Wide Recordkeeping** - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Piedmont Regional Office. These records shall include, but are not limited to:
- a. Performance test records and results.
 - b. Maintenance records for all permitted equipment, as listed in Condition 1 of the March 30, 2015 permit.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-80-900, 9 VAC 5-40-5200, 9 VAC 5-50-410, 9 VAC 5-80-110 and Condition 26 of 3/30/15 Permit)

62. **Facility Wide Monitoring** – The owner or operator of this facility shall perform a monthly leak inspection of all equipment in gasoline service as per MACT Subpart BBBBBB for Monitoring [40 CFR 63.11089].
(9 VAC 5-80-110 and 9 VAC 5-60-100)

63. **Facility Wide Testing and Monitoring** – The owner or operator of this facility shall comply with the requirements of MACT Subpart BBBBBB for testing and monitoring [40 CFR 63.11092].
(9 VAC 5-80-110 and 9 VAC 5-60-100)
64. **Facility Wide Reporting** – The owner or operator of this facility shall submit a semi annual compliance report and excess emission report to the Piedmont Regional Office as per 40 CFR 63.11095(a) and (b).
(9 VAC 5-80-110 and 9 VAC 5-60-100)
65. **Facility Wide Testing** - The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.
(9 VAC 5-80-110)

Insignificant Emission Units

66. **Insignificant Emission Units** - The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
T-16A	Water Draw Tank	9 VAC 5-80-720.B.2	VOC	1,000 gallons
T-17A	Water Draw Tank	9 VAC 5-80-720.B.2	VOC	1,000 gallons
T-24	Horizontal Fixed Roof Lubricity Additive Tank	9 VAC 5-80-720.B.2	VOC	4,000 gallons
T-26	Jet Fuel Deicer Additive Tank	9 VAC 5-80-720.B.2	VOC	2,000 gallons
T-27	Red Dye Additive Tank	9 VAC 5-80-720.B.2	VOC	500 gallons
OWS-1	Oil/Water Separator	9 VAC 5-80-720.B.2	VOC	20,000 gallons
B-01	Rack Slop Tank	9 VAC 5-80-720.B.2	VOC	2,000 gallons
B-02	Water Draw Tank	9 VAC 5-80-720.B.2	VOC	8,000 gallons
T-28	Above-Ground Butane Tank	9 VAC 5-80-720.B.2	VOC	74,000 gallons
T-29	Above-Ground Butane Tank	9 VAC 5-80-720.B.2	VOC	74,000 gallons
T-30	Above-Ground Propane Tank (for VCU-1)	9 VAC 5-80-720.B.2	VOC	1,000 gallons
T-31	Above-Ground Propane Tank (for VCU-1)	9 VAC 5-80-720.B.2	VOC	1,000 gallons
T-32	Sample Recovery Tank	9 VAC 5-80-720.B.2	VOC	80 gallons
T-33	Sample Recovery Tank	9 VAC 5-80-720.B.2	VOC	80 gallons
T-34	Dock Tank	9 VAC 5-80-720.A.72	VOC	2,000 gallons
E-1	Diesel-Fired Emergency Stationary Engine	9 VAC 5-80-720.C.4.b	NO _x , SO ₂ , PM, CO, VOC	26 kW

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

Permit Shield & Inapplicable Requirements

67. **Permit Shield & Inapplicable Requirements** - Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR 60 Subpart K	Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced after June 11, 1973 and Prior to May 19, 1978	This regulation applies to storage tanks that were constructed, reconstructed or modified between 1973 and 1978. No tanks at this facility are subject to this regulation as they were either constructed prior to these dates, or modified after these dates.
40 CFR 60 Subpart GGG	Standards of Performance for Equipment Leaks of VOC from Petroleum Refineries	This facility is not a petroleum refinery.
40 CFR 63 Subpart R	Nat'l Emissions Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)	This regulation applies to major sources of HAP. This source is an area source of HAP.
40 CFR 63 Subpart Y	Nat'l Emission Standards for Marine Tank Vessel Loading Operations	No gasoline is loaded into barges at this facility.
40 CFR 63 Subpart CC	Nat'l Emission Standards for HAPs from Petroleum Refineries	This facility is not a petroleum refinery.
40 CFR 63 Subpart CCCCCC	Nat'l Emission Standards for HAPs for Source Category: Gasoline Dispensing Facilities	This regulation applies to area sources of HAP at facilities that receive gasoline (by tank truck or railcar) to dispense into motor vehicles. This source is a bulk gasoline terminal, not a gasoline dispensing facility.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.

(9 VAC 5-80-140)

General Conditions

68. **General Conditions - Federal Enforceability** - All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-110 N)
69. **General Conditions - Permit Expiration** - This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.
- a. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
 - b. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
 - c. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
 - d. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
 - e. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
70. **General Conditions - Recordkeeping and Reporting** - All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
- a. The date, place as defined in the permit, and time of sampling or measurements.
 - b. The date(s) analyses were performed.
 - c. The company or entity that performed the analyses.
 - d. The analytical techniques or methods used.

- e. The results of such analyses.
- f. The operating conditions existing at the time of sampling or measurement.
(9 VAC 5-80-110 F)

Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

71. **General Conditions – Monitoring Report** - The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
 - b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
 - i. Exceedance of emissions limitations or operational restrictions;
 - ii. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
 - iii. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
 - c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”
(9 VAC 5-80-110 F)

72. **General Conditions - Annual Compliance Certification** - Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
- a. The time period included in the certification. The time period to be addressed is January 1 to December 31.
 - b. The identification of each term or condition of the permit that is the basis of the certification.

- c. The compliance status.
 - d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
 - e. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
 - f. Such other facts as the permit may require to determine the compliance status of the source.
 - g. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address: R3_APD_Permits@epa.gov
- (9 VAC 5-80-110 K.5)

73. General Conditions - Permit Deviation Reporting - The permittee shall notify the Director, Piedmont Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition 70 of this permit.
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

74. General Conditions - Failure/Malfunction Reporting - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Piedmont Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Piedmont Regional Office.
(9 VAC 5-20-180 C)

75. General Conditions – Severability - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9 VAC 5-80-110 G.1)

76. **General Conditions - Duty to Comply** - The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9 VAC 5-80-110 G.2)
77. **General Conditions - Need to Halt or Reduce Activity not a Defense** - It shall not be a defense for a 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.
(9 VAC 5-80-110 G.3)
78. **General Conditions - Permit Modification** - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1605, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9 VAC 5-80-190 and 9 VAC 5-80-260)
79. **General Conditions - Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)
80. **General Conditions - Duty to Submit Information**
- a. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9 VAC 5-80-110 G.6)
 - b. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
(9 VAC 5-80-110 K.1)
81. **General Conditions - Duty to Pay Permit Fees** - The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

82. **General Conditions - Fugitive Dust Emission Standards** - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:
- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
 - b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
 - c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
 - d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
 - e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.
- (9 VAC 5-40-90 and 9 VAC 5-50-90)
83. **General Conditions - Startup, Shutdown, and Malfunction** - At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
- (9 VAC 5-50-20 E and 9 VAC 5-40-20 E)
84. **General Conditions - Alternative Operating Scenarios** - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.
- (9 VAC 5-80-110 J)
85. **General Conditions - Inspection and Entry Requirements** - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

- a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
- b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
- c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
- d. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

86. General Conditions - Reopening For Cause - The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

- a. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

87. General Conditions - Permit Availability - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

88. General Conditions - Transfer of Permits

- a. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
- b. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.

(9 VAC 5-80-160)

- c. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.

(9 VAC 5-80-160)

89. General Conditions - Malfunction as an Affirmative Defense

- a. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
- b. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - i. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - ii. The permitted facility was at the time being properly operated.
 - iii. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
 - iv. The permittee notified the Board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.
- c. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
- d. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

- 90. General Conditions - Permit Revocation or Termination for Cause** - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may

prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-190 C and 9 VAC 5-80-260)

91. **General Conditions - Duty to Supplement or Correct Application** - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.
(9 VAC 5-80-80 E)
92. **General Conditions - Stratospheric Ozone Protection** - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(40 CFR Part 82, Subparts A-F)
93. **General Conditions - Asbestos Requirements** - The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)
94. **General Conditions - Accidental Release Prevention** - If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)
95. **General Conditions - Changes to Permits for Emissions Trading** - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-110 I)
96. **General Conditions - Emissions Trading** - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:
 - a. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
 - b. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.

- c. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.
(9 VAC 5-80-110 I)

State-Only Enforceable Requirements

- 97. **State-Only Enforceable Requirements** - The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.
 - a. Odor – not applicable
 - b. State Toxics Rule - Hazardous air pollutant (HAP) emissions, as defined by §112(b) of the Clean Air Act, from the entire facility shall be less than 10.0 tons per year of any individual HAP and less than 25.0 tons per year of any combination, calculated monthly as the sum of each consecutive 12 month period. The permittee shall keep records of the annual throughput of HAP.
(Conditions 27 and 28 of the 3/30/15 Permit)
 - c. Compliance with the opacity standard for existing sources except during startup, shutdown, and malfunction. – Not applicable.
(9 VAC 5-80-110 N and 9 VAC 5-80-300)