



COMMONWEALTH of VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
PIEDMONT REGIONAL OFFICE

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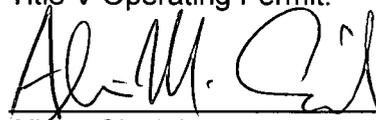
Michael P. Murphy
Regional Director

STATEMENT OF LEGAL AND FACTUAL BASIS

Kinder Morgan Southeast Terminals LLC
Richmond, Virginia
Permit No. PRO50258

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Kinder Morgan Southeast Terminals LLC has applied for a renewal of the Title V Operating Permit for its bulk petroleum terminal in the City of Richmond. The Department has reviewed the application and has prepared a draft renewal Title V Operating Permit.

Permit Contact:



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Date: 5/6/2015

Air Permit Manager:



James E. Kyle, P.E.

Date: 5/6/2015

Deputy Regional Director:



Kyle Ivar Winter, P.E.

Date: 5/7/15

FACILITY INFORMATION

Permittee

Kinder Morgan Southeast Terminals LLC
1100 Alderman Dr. Suite 200
Alpharetta, GA 30005

Facility

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

County Plant ID Number: 760-0098

SOURCE 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.

PERMIT STATUS

The original facility (constructed in the 1950s) operated without a permit until 1989 as an Exxon facility. Tanks and loading racks were modified using new source review and new source performance standard permits. Some of the uncontrolled existing units would have made the facility subject to Title V permitting so a State Operating Permit superseded the Minor NSR permits in 2000 to cap the source below 100 tons of emissions. Kinder Morgan bought the facility in 2004. In 2008 they modified the plant so that it became a State Major facility (VOC permit limits exceed the 100 ton/yr potential) and subject to Title V permitting. The facility is currently permitted under a Minor NSR permit issued on January 7, 2008, as amended August 24, 2009 and March 30, 2015. The facility is now a PSD-sized major source with petroleum storage and transfer units having a total storage capacity exceeding 300,000 barrels and a PTE over 100 tons, however they have not undergone a significant modification since becoming a major source so PSD permitting has not been triggered. The original Title V permit was issued on November 17, 2009.

The facility is subject to:

- 40 CFR 60 (NSPS) Subpart Ka-Standards of Performance for Storage Vessels for Petroleum Liquids for which construction, reconstruction or modification commenced after May 18 1978 and prior to July 23, 1984;

- NSPS Subpart Kb-Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which construction, reconstruction or modification commenced after July 23, 1984;
- NSPS Subpart XX-Standards of Performance for Bulk Gasoline Terminals; and
- NSPS Subpart IIII-Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

The facility is also subject to:

- 40 CFR 63 (MACT) Subpart ZZZZ-National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (DEQ has not taken delegation for the enforcement of this federal regulation, except for major sources of HAP); and
- MACT Subpart BBBBBB-National Emission Standards for Hazardous Air Pollutants for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.

The current Title V permit expired on November 16, 2014. The facility submitted a Title V renewal application which was received by DEQ on May 16, 2014, in a timely manner, and the facility is currently operating under an application shield.

COMPLIANCE STATUS

A full compliance evaluation of this facility, including a site visit, has been conducted. In addition, all reports and other data required by permit conditions or regulations, which are submitted to DEQ, are evaluated for compliance. Based on these compliance evaluations, the facility has not been found to be in violation of any state or federal applicable requirements at this time.

CHANGES TO THE PERMIT

Since the issuance of the initial Federal Operating Permit on November 17, 2009, there has been only one NSR permit action (March 30, 2015) to remove reference to gasoline loading at the barge loading rack (LRB) and update equipment list. The facility is also now subject to NSPS Subpart IIII, and NESHAP Subparts ZZZZ and BBBBBB. A new emergency fire pump engine was installed in the fall of 2014 to replace an older one. The source would be subject to Compliance Assurance Monitoring (CAM) for the vapor recovery system on the loading racks for this renewal, however units that are subject to emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Clean Air Act are exempt from the requirements of CAM [40 CFR 64.2(b)(1)(i)]. Compliance with 40 CFR 63 Subpart BBBBBB would fulfill CAM requirements.

EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION

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

Emission Unit ID	Emission Unit Description (construction date)	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
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
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 (OVS 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	None	None	None	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.

EMISSIONS INVENTORY

A copy of the 2013 annual emission update can be obtained from the Piedmont Regional Office. Emissions are summarized in the following tables.

Emission Unit	2013 Criteria Pollutant Emission in Tons/Year				
	VOC	CO	SO ₂	PM ₁₀	NO _x
Total	95.74	0	0	0	0

Pollutant	2013 Hazardous Air Pollutant Emission in Tons/Yr
Benzene	0.266
Ethyl Benzene	0.025
Isopropyl Benzene (Cumene)	0.002
MTBE	0.188
Methyl Xylene	0.124
n-Hexane	0.223
Toluene	0.312
Xylene	0.025

EMISSION UNIT APPLICABLE REQUIREMENTS – Petroleum Storage Tanks (T01-T22)

The source of specific applicable requirements for the petroleum storage tanks is the NSR permit dated March 30, 2015. Tank T-03 (built in 1953) is subject to NSPS Subpart Ka. Tanks T-01, 02, 04, 07 (built in 1953), and 17 (existing tank modified in 2009) are subject to NSPS Subpart Kb. All the gasoline storage tanks at the facility are subject to MACT Subpart BBBBBB.

The type of tank, and their associated primary and secondary seals, if applicable, as described in the Emission Unit and Control Device Identification Table, above, were originally described in Condition 9 of the December 15, 1997 permit (as amended June 23, 1999). The original citation was that for existing stationary petroleum liquid storage and transfer operations (Rule 4-37) so this was not a BACT determination. The tank description condition was combined with the equipment list in the January 2002 State Operating Permit and the generic SOP citation was used. Subsequent tank upgrades were also included in the equipment list but were not subject to NSR permitting. In 2005 the Virginia Regulations changed, making the equipment list separate from the enforceable part of the permit (see 9 VAC 5-80-1180 D 3). When the SOP was superseded by the NSR permit in 2008, the equipment list with the tank descriptions was carried over. A generic Article 6 citation was used (9 VAC 5-80-1180). Regarding applicable requirements, as long as the permittee can demonstrate that the petroleum storage tanks are in compliance with the requirements for NSPS Subpart Ka, NSPS Subpart Kb, Rule 4-37, and/or MACT Subpart BBBBBB, as applicable, then the tank descriptions, including the associated primary and secondary seals, do not need to be included as a separate condition to be an enforceable part of the permit.

Limitations

- Condition 1 of the Title V permit states that the gasoline storage tanks that are subject to and comply with the control requirements of NSPS Kb will be deemed in compliance with MACT Subpart BBBBBB. *The basis of this requirement is from 40 CFR 63.11087(f) of MACT Subpart BBBBBB.*
- Condition 2 of the Title V permit limits VOC emissions by requiring each internal floating roof to float on the liquid surface within the tank, except during initial fill and intervals when the tank is being completely emptied or refilled. *This requirement is from NSPS Subpart Kb [40 CFR 60.112b(a)(1)(i)] but was also considered BACT in 1990 when the facility was modified.*
- Condition 3 of the Title V permit requires tanks 1, 2, 4, 7 and 17 to control VOC emissions by following NSPS Kb requirements. *The basis of this requirement is NSPS Subpart Kb. 40 CFR 60.112b. This may also be a BACT determination for Tank 7 since at the time it was permitted, controls were required even though BACT was not explicitly stated.*
- Condition 8 of the 03/30/2015 NSR permit (Condition 4 of the Title V permit) restricts the type of product to be stored in each tank, depending on the tank type. *This ensures that the appropriate type of tank is being utilized and the facility is in compliance with Virginia Rule 4-37, NSPS Subpart Ka, NSPS Subpart Kb, and MACT Subpart BBBBBB.*
- Condition 9 of the 03/30/2015 NSR permit (Condition 5 of the Title V permit) limits the combined number of roof landings per year. *Limiting the number of roof landings limits VOC emissions. This condition was added to the permit in January 2008 when the State Operating Permit was superseded. The source had included VOC emissions from roof landings in their application but no additional mention was made in the application, correspondence, or engineering analysis for this permit as to the basis for adding this roof landing condition. Additionally, MACT Subpart BBBBBB refers to MACT Subpart WW recordkeeping requirements [40 CFR 63.1065(c)] for the owner/operator to track roof landings. It is believed that the source was attempting to quantify all emissions from the facility in order to assign a facility-wide emissions cap. Emissions from roof landings had been an underreported source of emissions prior to the inclusion of tank landing emissions in Section 7.1.3.2.2 of AP-42 (November 2006).*
- Condition 11 of the 03/30/2015 NSR permit (Condition 6 of the Title V permit) limits the additive tanks to storing only products which have a vapor pressure of 1.0 psi or less. *This requirement limits the facility-wide VOC emissions from the additive tanks.*
- Conditions 15 and 16 of the 03/30/2015 NSR permit (Condition 7 of the Title V permit) limits the annual throughput of petroleum products to the storage tanks. *This requirement limits the facility-wide VOC emissions from the tanks.*
- Condition 17 of the 03/30/2015 NSR permit (Condition 8 of the Title V permit) limits the VOC emissions from each of the 22 tanks at the facility. *The bases of the emission limits are the type of petroleum product stored, the throughput of the petroleum product, and the type of control on the tank. This condition originally was part of a State Operating permit limiting the facility-wide emissions from existing units.*
- Condition 18 of the 03/30/2015 NSR permit (Condition 9 of the Title V permit) limits VOC emissions from roof landings. *The basis of these emission limits is from the limit on the number of tank landings/yr in Condition 9 of the 03/30/2015 NSR permit (Condition 5 of the Title V permit). This is considered a BACT limit.*

Monitoring

- Conditions 5, 6 and 7 of the 03/30/2015 NSR permit (Conditions 10, 11, and 12 of the Title V permit) require the permittee to perform visual inspections on tanks 1, 2, 4, 7 and 17 to determine the condition of the internal and external components, record the conditions, and

make repairs or shut down the tank, as necessary. . These requirements are considered BACT for these tanks. The bases for these requirements are NSPS Subpart Kb (40 CFR 60. 113b) and ensures that the equipment is not damaged and leaking liquid or vapors.

- Condition 13 of the Title V permit allows the permittee to request an extension to conduct repairs or remove the tank from service if such actions cannot be completed in a timely fashion. This requirement is from NSPS Subpart Kb [40 CFR 60.113b(a)(3)] and requires documentation and a schedule of actions to be taken.
- Conditions 14, 15 and 16 of the Title V permit require a visible inspection when the tanks are emptied or degassed. The visual inspections required in Condition 14 of the Title V permit shall be conducted every 10 years at a minimum frequency. These requirements are considered BACT for these tanks. The bases for these requirements are NSPS Subpart Kb (40 CFR 60. 113b) and Rule 4-37 of Virginia Regulations and ensures that the equipment is not damaged and leaking liquid or vapors. Condition 15 of the Title V permit fulfills the Part 70 periodic monitoring requirements.

Requirements by Reference

- Condition 2 of the 03/30/2015 NSR permit (Condition 17 of the Title V permit) requires the permittee to operate Tanks 1, 2, 3, 4, 7, 8, 9, 10, 12, 13, 16, and 17 in compliance with 9 VAC 5-40-5200 (Rule 4-37) Emission Standards for Petroleum Liquid Storage and Transfer Operations. This is a requirement by reference.
- Condition 24 of the 03/30/2015 NSR permit (Condition 18 of the Title V permit) requires the permittee to operate Tanks 1, 2, 4, 7 and 17 in compliance with NSPS Subpart Kb, and Tank 3 to be in compliance with NSPS Subpart Ka. This is a requirement by reference.
- Condition 19 of the Title V permit requires that the gasoline storage tanks be in compliance with MACT Subpart BBBBBB. This requirement is a requirement by reference.

Recordkeeping

- Condition 26 of the 03/30/2015 NSR permit (Condition 20 of the Title V permit) requires the permittee to keep records to demonstrate compliance with the NSR permit. This record-keeping requirement is necessary to demonstrate compliance with NSPS Subparts Kb and Ka, as well as Rule 4-37 and MACT Subpart BBBBBB.

Testing

- Conditions 21 and 22 of the Title V permit are boilerplate conditions that will allow for testing using proper test methods. This requirement reinforces DEQ's authority to require testing by a source and ensures that the proper test method be used.

EMISSION UNIT APPLICABLE REQUIREMENTS – Loading Racks (LRB & LRT)

The source of specific applicable requirements for the loading racks is the NSR permit dated March 30, 2015. The previous NSR permit had allowed the barge loading rack (LRB) to load gasoline, however, that operation was never constructed so that condition (Condition 3 of the NSR permit), and those references to the barge loading rack loading gasoline are invalid and were removed from the most recently issued permit. The permittee would be allowed to load distillate oil at the barge loading rack with no control requirements at the overall distillate loading throughput. The truck loading rack (LRT) is subject to NSPS Subpart XX and MACT Subpart BBBBBB.

Limitations

- Condition 3 of the 03/30/2015 NSR permit (Condition 23 of the Title V permit) requires VOC emission controls on the truck loading rack when loading product with a vapor pressure of 1.5 psia or higher, to no more than 10 mg/liter of product loaded. *This is a BACT determination to reduce VOC emissions from the loading rack. It is based on NSPS Subpart XX.*
- Conditions 10, 12 and 13 of the 03/30/2015 NSR permit (Conditions 24, 25 and 26 of the Title V permit) allows the transfer of gasoline, interface, ethanol, petroleum distillates, and additives at the LRT and petroleum distillates at the LRB. The LRT shall only transfer product into vapor-tight tank trucks. *The basis for these requirements is NSPS, Subpart XX.*
- Condition 14 of the 03/30/2015 NSR permit (Condition 27 of the Title V permit) limits the throughput of petroleum products to the LRT and LRB. *This condition provides a basis for the emission limits in Condition 19 of the 03/30/2015 NSR permit (Condition 27 of the Title V permit)*
- Conditions 19 and 20 of the 03/30/2015 NSR permit (Conditions 28 and 29 of the Title V permit) limit VOC emissions from the truck loading rack. *These emission limits are based on BACT for emissions from the the truck loading rack stack.*
- Condition 21 of the 03/30/2015 NSR permit (Condition 30 of the Title V permit) limits fugitive VOC emissions from the truck loading rack. *The emission factor of 13.0 mg/l comes from 40 CFR 63.420(a)(1) in MACT Subpart R, where L = 13 mg/l for gasoline cargo tanks meeting the requirement to satisfy the test criteria for a vapor-tight gasoline tank truck in NSPS Subpart XX, and where 13 mg/l will satisfy the truck testing standard of 3" of water column for tightness testing.*
- Condition 23 of the 03/30/2015 NSR permit (Condition 31 of the Title V permit) limits visible emissions from the vapor collection system on the loading rack. *This condition originated in the 1995 NSR permit and ensures that the unit is operating correctly.*
- Condition 32 of the Title V permit describes the procedures for the loading of petroleum product into vapor-tight cargo tank trucks. *The basis of this condition is NSPS Subpart XX [40 CFR 60.502 (e)] and 40 CFR 63.11088(a) [Table 2(1)(d) of MACT Subpart BBBBBB].*

Requirements by Reference

- Condition 24 of the 03/30/2015 NSR permit (Condition 33 of the Title V permit) requires that the truck loading rack be operated in accordance with 40 CFR 60, Subpart XX, except where other requirements are more restrictive. *This is a requirement by reference.*
- Condition 34 of the Title V permit requires that the truck loading rack be operated in accordance with 40 CFR 63, Subpart BBBBBB, except where other requirements are more restrictive. *This is a requirement by reference.*

Monitoring and Recordkeeping

- Condition 35 of the Title V permit requires the permittee to perform a monthly visible emission observation on the vapor collection system to show compliance with the opacity limit in Condition 31 of the Title V permit. *This fulfills the Part 70 requirement for periodic monitoring.*
- Condition 4 of the 03/30/2015 NSR permit (Condition 36 of the Title V permit) requires monthly inspections of the loading rack and associated vapor collection and control system while loading gasoline to look for leaks. *The basis for this requirement is 40 CFR 60.502(j).*
- Condition 37 of the Title V permit requires the permittee to monitor the flame on the vapor control unit with an ultraviolet flame scanner and keep a log of flame status and pilot light

checks. *This requirement ensures that the vapor collection and control system is operating properly.*

- Condition 38 of the Title V permit requires a daily inspection of the VCU during loading of product to verify that the flame is on. *This requirement ensures that the vapor control unit is operating properly and fulfills the requirement for Part 70 periodic monitoring.*
- Condition 39 of the Title V permit requires that the control equipment on the LRT be monitored for operational reliability while loading and unloading trucks. *This requirement ensures that the control units are operating properly.*
- Condition 40 of the Title V permit requires that the temperature on the VCU be monitored and recorded hourly to verify that the operating temperature is equal to or greater than the operating temperature established during recent testing. *This requirement ensures that the control unit is operating properly and fulfills the Part 70 requirement for periodic monitoring.*
- Condition 41 of the Title V permit requires that the VOC and TOC emissions through the VRU be monitored at least hourly. *This requirement ensures that the destruction of organic gases is taking place and fulfills the Part 70 requirement for periodic monitoring.*
- Condition 42 of the Title V permit requires the correction of any problems with the operation of the VRU/VCU. *This requirement allows for the minimization of emissions from the vapor control system during a malfunction.*
- Condition 43 of the Title V permit requires the permittee to implement a schedule for preventative maintenance on the VCU and UFS on a semi-annual basis. *This maintenance frequency will help prevent malfunctions of the control equipment.*
- Condition 26 of the 03/30/2015 NSR permit (Condition 44 of the Title V permit) lists the record-keeping requirements for the facility which will demonstrate compliance with the permit. *This recordkeeping will provide documentation to demonstrate compliance with emission limits in the permit.*

Testing

- Condition 45 of the Title V permit lists the test methods to be used to demonstrate compliance with the 10 mg/l TOC emission rate in NSPS Subpart XX. *These test methods come from NSPS Appendix A and NSPS Subpart XX.*
- Condition 29 of the 03/30/2015 NSR permit (Condition 46 of the Title V permit) requires periodic testing of the VRU/VCU every 60 months to determine continuing compliance with the emission limits in Condition 19 of the 03/30/2015 NSR permit (Condition 28 of the Title V permit). *Periodic testing ensures that the control unit continues to meet emission limits.*

Streamlined Requirements

- None.

EMISSION UNIT APPLICABLE REQUIREMENTS – Emergency Diesel Fire Pump Engine (E-1)

The emergency diesel fire pump engine had no applicable requirements in the original Title V permit because it was not subject to minor NSR permitting and no NSPS or MACT requirements had been promulgated yet. For the Title V renewal, the unit is subject to NSPS Subpart IIII and MACT Subpart ZZZZ. Virginia has not taken delegation from EPA for the enforcement of these federal regulations, however, the facility must still meet the federal applicable requirements so they must be listed in the Title V permit.

Limitations

- Condition 47 of the Title V permit requires the diesel foam-pump engine (E-1) to be in compliance with NSPS, Subpart IIII. *This is a requirement by reference.*
- Condition 48 of the Title V permit requires the diesel foam-pump engine (E-1) to be in compliance with MACT, Subpart ZZZZ. *This is a requirement by reference.*
- Condition 49 of the Title V permit requires the permittee to only purchase a certified emergency diesel fire pump engine according to USEPA requirements. *This ensures the unit meets the requirements of NSPS Subpart IIII.*
- Condition 50 of the Title V permit requires the emergency diesel fire pump engine to meet the appropriate emission standards. *This ensures the unit meets the requirements of NSPS Subpart IIII.*
- Condition 51 of the Title V permit requires the owner/operator to make sure the engine achieves the emission standards over the lifetime of the engine. *This ensures the unit meets the requirements of NSPS Subpart IIII.*
- Condition 52 of the Title V permit requires the emergency diesel fire pump engine to use only ultra low sulfur diesel fuel. *This ensures the unit meets the requirements of NSPS Subpart IIII.*
- Condition 53 of the Title V permit requires the emergency diesel fire pump engine to be operated with a non-resettable hour meter. *This ensures the unit meets the requirements of NSPS Subpart IIII.*
- Condition 54 of the Title V permit requires the permittee to operate the emergency diesel fire pump engine as recommended by the manufacturer. *This ensures the unit meets the requirements of NSPS Subpart IIII.*
- Condition 55 of the Title V permit requires the emergency diesel fire pump engine to be operated within the allowable hourly limitations for an emergency unit according to NSPS Subpart IIII and MACT Subpart ZZZZ. *This ensures the unit meets the requirements of NSPS Subpart IIII and MACT Subpart ZZZZ.*
- Condition 56 of the Title V permit requires the permittee to keep records of the operation of the emergency diesel fire pump engine. *This ensures the unit meets the requirements of NSPS Subpart IIII and MACT ZZZZ.*
- Condition 57 of the Title V permit requires the permittee to perform maintenance on the emergency diesel fire pump engine. *This ensures the unit meets the requirements of MACT Subpart ZZZZ.*
- Condition 58 of the Title V permit requires the emergency diesel fire pump engine be in compliance with the emission limitations of MACT Subpart ZZZZ upon startup. *This ensures the unit meets the requirements of MACT Subpart ZZZZ.*

FACILITY WIDE CONDITIONS

Limitations

- Condition 59 of the Title V permit requires the owner/operator to operate the equipment and air pollution control equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions. *This requirement comes from MACT Subpart BBBBBB (40 CFR 63.11085).*
- Condition 22 of the 03/30/2015 NSR permit (Condition 60 of the Title V permit) limits emissions from the entire facility, compliance with which can be demonstrated by compliance with operating parameters. *This condition provides an overall quantification of the facility's potential to emit.*

Recordkeeping

- Condition 26 of the 03/30/2015 NSR permit (Condition 61 of the Title V permit) includes some facility-wide recordkeeping requirements. *These requirements, along with those in Conditions 20 and 44 of the Title V permit, ensure compliance with the facility-wide emission limit.*

Monitoring, Reporting and Testing

- Conditions 62 and 63 of the Title V permit require the owner/operator of the facility to comply with the monitoring and testing requirements of MACT Subpart BBBBBB. *This ensures that the facility is maintaining equipment properly.*
- Condition 64 of the Title V permit requires the facility to submit compliance reports and excess emissions reports on a semi-annual basis. *The is from 40 CFR 63.11095(a) & (b) and ensures the reporting of any compliance problems.*
- Condition 65 of the Title V permit requires the facility to be constructed to allow testing, using appropriate methods. *This requirement provides for another means of compliance with emission limits, if needed.*

INSIGNIFICANT EMISSION UNITS

Condition 66 of the Title V permit lists the insignificant emission units identified at this facility. The insignificant emission units are presumed to be in compliance with all requirements of the Clean Air Act as may apply. Based on this presumption, no monitoring, record keeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

The citation criteria for insignificant activities are as follows:

9 VAC 5-80-720 A - Listed Insignificant Activity, Not Included in Permit Application

9 VAC 5-80-720 B - Insignificant due to emission levels

9 VAC 5-80-720 C - Insignificant due to size or production rate

PERMIT SHIELD AND INAPPLICABLE REQUIREMENTS

Condition 67 of the Title V permit lists reasons that some of the source types are not subject to applicable requirements that would appear to be applicable.

GENERAL CONDITIONS

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110 that apply to all Federal-operating permitted sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions.

Comments on General Conditions

69. Permit Expiration

This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit application(s) has been

delegated to the Regions as allowed by §§2.2-604 and §§10.1-1185 of the *Code of Virginia*, and the “Department of Environmental Quality Agency Policy Statement No. 2-09”.

74. Failure/Malfunction Reporting

Section 9 VAC 5-20-180 requires malfunction and excess emission reporting within four hours of discovery. Section 9 VAC 5-80-250 of the Title V regulations also requires malfunction reporting; however, reporting is required within two days. Section 9 VAC 5-20-180 is from the general regulations. All affected facilities are subject to section 9 VAC 5-20-180 including Title V facilities. Section 9 VAC 5-80-250 is from the Title V regulations. Title V facilities are subject to both sections. A facility may make a single report that meets the requirements of 9 VAC 5-20-180 and 9 VAC 5-80-250. The report must be made within four daytime business hours of discovery of the malfunction.

89. Malfunction as an Affirmative Defense

The regulations contain two reporting requirements for malfunctions that coincide. The reporting requirements are listed in sections 9 VAC 5-80-250 and 9 VAC 5-20-180. The malfunction requirements are listed in General Condition 89 and General Condition 74. For further explanation see the comments on General Condition 74.

93. Asbestos Requirements

The Virginia Department of Labor and Industry under Section 40.1-51.20 of the Code of Virginia also holds authority to enforce 40 CFR 61 Subpart M, National Emission Standards for Asbestos.

STATE ONLY APPLICABLE REQUIREMENTS

Conditions 27 and 28 of the 3/30/2015 NSR permit (Condition 97 Title V permit) is a State Only Enforceable requirement. In order for the facility to remain an area source of hazardous air pollutants (HAP), emissions of HAP, 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.

FUTURE APPLICABLE REQUIREMENTS

None.

CONFIDENTIAL INFORMATION

The permittee did not submit a request for confidentiality. All portions of the Title V application are suitable for public review.

PUBLIC PARTICIPATION

The proposed permit was placed on public notice in the *Style Weekly* newspaper of Richmond, VA from April 2, 2015 to May 1, 2015. There were no comments from the public.