



NRO-135-10

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN REGIONAL OFFICE

13901 Crown Court, Woodbridge, Virginia 22193

(703) 583-3800 Fax (703) 583-3821

www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

Thomas A. Faha
Regional Director

April 19, 2010

Mr. Michael Santee, CSP
Environmental, Health, Safety, and Security Manager
CITGO Petroleum Corporation
P.O. Box 655
Pennsauken, NJ 08110

Registration No.70224

Dear Mr. Santee:

Attached is a Title V permit to operate your facility 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 CITGO Petroleum Corporation 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 Gary Beeson at
(703) 583-3969

Sincerely,

Terry H. Darton
Regional Permit Manager

THD/HGB/NRO-10-135

Attachments: Permit
Statement of Legal and Factual Basis

cc: Director, OAPP (electronic file submission)
Manager, Data Analysis (electronic file submission)
Chief, Air Enforcement Branch (3AP13), U.S. EPA, Region III
Air Compliance Manager, Northern Regional Office



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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: CITGO Petroleum Corporation
Facility Name: Fairfax Terminal
Facility Location: 9600 Colonial Ave., Fairfax City, VA 22031
Registration Number: 70224
Permit Number: NRO70224

This permit includes the following programs:

Federally Enforceable Requirements – Clean Air Act (Sections I through VI)

April 19, 2010
Effective Date

April 18, 2015
Expiration Date

Thomas A. Faha
Regional Director, Department of Environmental Quality

Signature Date

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I. Facility Information

Permittee:

CITGO Petroleum Corporation
9600 Colonial Ave.
Fairfax City, Virginia 22031

Responsible Official

Mr. Michael Santee
EHS & S Manager
(856) 952-0390

Facility:

CITGO Petroleum Fairfax Terminal
9600 Colonial Ave.
Fairfax City, Virginia 22031

Contact Person:

Mr. Michael Santee
EHS & S Manager
(856) 952-0390

County-Plant Identification Number: 51-059-0063

Facility Description: NAICS 424710 – CITGO Petroleum operates a bulk petroleum storage and transfer terminal at its Fairfax City location. The facility stores various grades of gasoline, ethanol, and distillate oil in large above ground storage tanks and dispenses this fuel to tanker trucks through a loading rack. The emissions of volatile organic compounds (VOC) generated by dispensing fuel through the loading rack are controlled by a vapor combustion unit (VCU) equipped with temperature and flame sensing devices to monitor the parameters indicative of proper operation of the VCU.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Fuel Storage Equipment							
TK-1	---	Aboveground Gasoline/Distillate Oil/Ethanol Storage Tank	3,093,930 gal	Internal Floating Roof with Vapor Mounted Primary Seal	---	VOC	May 1, 2006 and exemption letter 8/27/09
TK-2	---	Aboveground Gasoline/Distillate Oil/Ethanol Storage Tank	828,828 gal	Internal Floating Roof with Primary and Secondary Seals	---	VOC	May 1, 2006
TK-3	---	Aboveground Gasoline/Distillate Oil/Ethanol Storage Tank	1,290,786 gal	Internal Floating Roof with Primary and Secondary Seals	---	VOC	May 1, 2006 and exemption letter 8/27/09
TK-4	---	Aboveground Distillate Oil Storage Tank – Fixed Roof	4,859,316 gal	---	---	VOC	May 1, 2006
TK-6	---	Aboveground Gasoline/Distillate Oil/Ethanol Storage Tank	2,035,152 gal	Internal Floating Roof with Primary and Secondary Seals	---	VOC	May 1, 2006 and exemption letter 8/27/09
TK-7	---	Aboveground Gasoline/Distillate Oil/Ethanol Storage Tank	3,226,9025 gal	Internal Floating Roof with Primary and Secondary Seals	---	VOC	May 1, 2006 and exemption letter 8/27/09
Fuel Dispensing Equipment							
R-1	VCU-1	Truck Loading Rack	Gasoline: 180,000 gal/hr Distillate Oil: 225,000 gal/hr	John Zink, Model ZCT-3-8-45-X-2/8-2/8	VCU-1	VOC	May 1, 2006

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

III. Petroleum Storage and Transfer Equipment Requirements – (Emission units TK-1, TK-2, TK-3, TK-4, TK-6, TK-7, and R-1)

A. Storage and Processing Equipment Requirements

1. *Gasoline Storage Tank Emissions Control* - Volatile organic compound (VOC) emissions from the operation of the gasoline storage tanks (TK-1, TK-2, TK-3, TK-6, and TK-7) shall be controlled by internal floating roofs with appropriate seal(s). The storage tanks shall be provided with adequate access for inspection.
(9 VAC 5-80-110, 9 VAC 5-40-5220A and Condition 3 of the 5/1/2006 NSR Permit)
2. *Loading Rack Vapor Collection System* - The facility shall be equipped with a vapor collection system designed to collect the VOC emissions displaced from tank trucks during product loading and prevent any VOC vapors collected from passing to another loading rack.
(9 VAC 5-80-110, 40 CFR 60.502(a), 40 CFR 60.502(d) and Condition 5 of the 5/1/06 NSR Permit)
3. *Loading Rack VOC Emissions Control* – VOC emissions from the vapor processing system shall be controlled by a vapor combustion unit (VCU) (R-1).
(9 VAC 5-80-110 and Condition 6 of the 5/1/06 NSR Permit)
4. *VCU Flame Sensing Device and Alarm System*- The vapor combustion unit shall be equipped with a flame-sensing device which ensures that the pilot flame on the vapor combustion unit is in operation and stable at all times when vapors are being transferred to the vapor processing system.
 - a. The flame sensing device shall be operated to fail in safe mode.
 - b. The VCU shall also be equipped with an alarm that, when triggered, prevents fuel from being transferred through the loading rack. The alarm shall also be triggered when the sensing device shows no presence of pilot flame.
(9 VAC 5-80-110, 40 CFR 64.3, 40 CFR 64.6 and Condition 6 of the 5/1/06 NSR Permit)
5. *VCU Temperature Control System* - The vapor combustion unit shall be equipped with a temperature control system that is used to control flow of flue gases through the unit to maintain an optimum combustion environment during combustion of displaced fuel vapors. The temperature control system shall consist of a temperature monitor mounted in the stack of the VCU, air dampers/louvers to allow air flow into the combustion zone and an electronic system to process measured data and affect positioning of the dampers/louvers.
(9 VAC 5-80-110, 40 CFR 64.3, 40 CFR 64.6, 40 CFR 60.7 and Condition 6 of the 5/1/06 NSR Permit)

6. *Vapor Collection System and Tanker Truck Compatibility* - The permittee shall ensure that loading of gasoline is made only into tank trucks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system. (9 VAC 5-80-110, 40 CFR 60.502(f) and Condition 9 of the 5/1/06 NSR Permit)
7. *Vapor Collection System Connection During Loading* – The permittee shall act to ensure that the terminal's and the tank truck's vapor collection systems are connected during loading of each gasoline tank truck. This shall be accomplished by training drivers in hookup procedures and posting visible reminder signs at the loading racks. (9 VAC 5-80-110, 40 CFR 60.502(g) and Condition 10 of the 5/1/06 NSR Permit)
8. *Delivery Tank Truck Gauge Pressure* – The vapor collection system and liquid loading equipment shall be operated such that gauge pressure in the delivery truck does not exceed 4,500 Pascals (450 mm H₂O) during product loading. (9 VAC 5-80-110, 40 CFR 60.502(h) and Condition 11 of the 5/1/06 NSR Permit)
9. *Vapor Collection System Pressure-Vacuum Vents* - The permittee shall ensure that no pressure-vacuum vent in the vapor collection system opens at a pressure less than 4,500 Pascals (450 mm H₂O). (9 VAC 5-80-110, 40 CFR 60.502(i) and Condition 13 of the 5/1/06 NSR Permit)

B. Operational and Emissions Limitations

1. *Gasoline Throughput* – The annual throughput of gasoline through the truck loading rack shall not exceed 310 million gallons, calculated monthly as the sum of each consecutive twelve-month period. Compliance shall be demonstrated through record keeping in accordance with Condition III.D.4.b. (9 VAC 5-80-110 and Condition 14 of the 5/1/06 NSR Permit)
2. *Distillate Oil Throughput* - The annual throughput of distillate oil through the truck loading rack shall not exceed 500 million gallons, calculated monthly as the sum of each consecutive twelve-month period. Compliance shall be demonstrated through record keeping in accordance with Condition III.D.4.c. (9 VAC 5-80-110 and Condition 15 of the 5/1/06 NSR Permit)
3. *Ethanol Throughput* - The annual throughput of ethanol through the ethanol tanks shall not exceed 41 million gallons, calculated monthly as the sum of each consecutive twelve-month period. Compliance shall be demonstrated through record keeping in accordance with Condition III.D.4.d. (9 VAC 5-80-110 and Condition 16 of the 5/1/06 NSR Permit)
4. *Storage Tank VOC Emissions* – The combined VOC emissions from the operation of storage tanks TK-1 through TK-7 shall not exceed 25.06 ton per year, calculated monthly as the sum of each consecutive twelve-month period. Compliance shall be demonstrated by calculations utilizing the present version of the TANKS program and be recorded in accordance with Condition III.D.4.e. (9 VAC 5-80-110 and Condition 17 of 5/1/06 NSR Permit)

5. *Loading Rack VOC Emissions* – VOC emissions from the operation of the vapor processing system due to the loading of gasoline into tank trucks shall not exceed 10 milligrams per liter (8.34×10^{-5} lbs/gal) of gasoline loaded, measured as total organic compounds. Reasonable assurance of continuous compliance shall be demonstrated by:
 - a. Ensuring a continuous stable pilot flame, when product is being loaded (Condition III.A.4),
 - b. Ensuring that the temperature control system which maintains temperature during combustion of product vapors is properly operating (Condition III.A.5), and
 - c. The performance test demonstrates compliance with the emission limits (Condition III.E.3).
(9 VAC 5-80-110 and Condition 18 of 5/1/06 NSR Permit)

6. *Vapor Processing System VOC Emissions* – VOC emissions from the processing of fuel through the truck loading rack, including fugitives, and vapor combustion unit shall not exceed 31.11 tons per year, calculated monthly as the sum of each consecutive twelve-month period. Compliance shall be demonstrated by record keeping in accordance with Condition III.D.4.f.
(9 VAC 5-80-110 and Condition 21 of 5/1/06 NSR Permit)

7. *VCU Emissions* – Criteria pollutant emissions from the operation of the vapor combustion unit shall not exceed the following:

NO _x	19.2 lb/hr	4.4 tpy
CO	48.1 lb/hr	11.1 tpy

Compliance with the annual limit shall be demonstrated by maintaining compliance with the fuel throughput limits in Conditions III.B.1, 2 and 3. Compliance with short-term limits shall be demonstrated by proper operation and maintenance.
(9 VAC 5-80-110 and Condition 19 of 5/1/06 NSR Permit)

8. *VCU Visible Emissions* – The vapor combustion unit shall be operated such that no visible emissions are present, except for periods not to exceed a total of five minutes during any two consecutive hours, as determined by EPA Method 22.
(9 VAC 5-80-110 and Condition 20 of 5/1/06 NSR Permit)

C. Monitoring

1. *Visible Emissions Observation (VEO)* – At least once per week, during operation testing, a visible emissions observation (VEO) of the exhaust stack from the vapor combustion unit (VCU) shall be made. Each VEO shall be performed for a sufficient period of time to identify the presence of visible emissions.
 - a. If no visible emissions are observed, only documentation of the observation shall be required in the visible emission observation log.

- b. If visible emissions are observed, as described in Condition III.C.1, the permittee shall conduct an EPA Reference Method 22, for a period of not less than two hours, to determine compliance with Condition III.B.8 and take corrective action such that the visible emissions from the VCU are eliminated and resumes operation with no visible emissions.
2. *VCU Flame Sensing Device Inspection* – The permittee shall inspect the flame sensing device quarterly to ensure that the device is properly registering positive or negative signals corresponding to the presence or lack of presence of flame. The results of the inspection shall be recorded. In the event the flame sensing device is discovered to be operating improperly, the permittee shall discontinue fuel transfer operations at the loading rack until such time as the device is repaired or replaced. The permittee shall record the actions taken to correct the occurrence.
(9 VAC 5-80-110 and, 40 CFR 64.3, 40 CFR 64.7, 40CFR 64.9 and Condition 6 of the 5/1/06 NSR Permit)
3. *VCU Temperature* – The permittee shall continuously monitor the temperature in the stack of the VCU to ensure proper operation. Temperature measurements shall be continuously recorded on a device that yields a minimum 24-hour period of operation. The permittee shall ensure that temperatures at the monitoring device remain between 200 °F and 1500 °F when displaced fuel vapors are being combusted in the VCU, taking into account the time that elapses before hot gases reach the elevated monitoring device. Temperatures within this range are considered to reflect good operation of the VCU. Temperatures outside of this range for periods of time greater than sixty consecutive minutes indicate excursions. The permittee shall initiate actions to correct the out of range condition as soon as practicable. The permittee shall record periods of out of range values, the temperatures that existed during the out of range period and actions taken to correct the out of range condition.
(9 VAC 5-80-110, 40 CFR 64.3, 40 CFR 64.7, 40 CFR 64.9 and Condition 6 of the 5/1/06 NSR Permit)
4. *VCU Temperature Monitoring Device Inspection* – The permittee shall inspect the temperature monitoring system each facility operating day to ensure the system is properly measuring and registering temperatures of combustion gases in the VCU. The permittee shall repair or replace temperature malfunctioning monitoring devices as soon as practicable, and maintain replacements on site to minimize the time the VCU operates without a temperature monitoring device. The permittee shall maintain records of all repair and replacement activity.
(9 VAC 5-80-110, 40 CFR 64.7, and 40 CFR 64.9)
5. *VCU Burner Inspection and Maintenance* – The permittee shall inspect the burners of the VCU on a semi-annual basis and maintain the burner according to manufacturer's written instructions for proper operation and maintenance. The permittee shall maintain records of all inspection and maintenance activity of the burner.
(9 VAC 5-80-110, 40 CFR 64.7, and 40 CFR 64.9)

6. *Tank Visual Inspections (Initial Filling or refilling with Gasoline or Ethanol)* – The permittee shall make visual inspections of the internal floating roofs and associated seals, and the fittings of TK-1 through TK-7, prior to initially filling each tank with gasoline, or ethanol or refilling with gasoline or ethanol. If there are holes, tears, or other openings in the seals, defects in the floating roofs, or leakage in or around the fittings, the permittee shall repair the items before initial filling with gasoline or ethanol or refilling with gasoline or ethanol. The permittee shall notify the Regional Air Compliance Manager, Northern Regional Office, in writing at least thirty days prior to any filling of a tank with gasoline or ethanol following repairs of the storage tank for which an inspection is required. In the event it is impossible, by reason of extenuating circumstances, that a thirty day notice cannot be made, the Regional Air Compliance Manager, Northern Regional Office shall be notified by telephone at least seven days prior to the filling/refilling of the storage vessel. Notification shall be made immediately following the telephone call by a written document explaining why an inspection was unplanned.
(9 VAC 5-80-110, 40 CFR 60.113.b.(a) and Condition 25 of 5/1/06 NSR Permit)
7. *Tank Visual Inspections (After Tank Emptying or Degassing)* – The permittee shall visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) of each tank identified in Condition III.C.6 each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than ten percent open area, the permittee shall repair the items as necessary such that none of these conditions exist before refilling. In no event shall these visual inspections be conducted at intervals greater than ten years. The permittee shall notify the Regional Air Compliance Manager, Northern Regional Office, in writing at least thirty days prior to filling or refilling of each storage tank for which an inspection is required. In the event it is impossible, by reason of extenuating circumstances, that a thirty day notice cannot be made, the Regional Air Compliance Manager, Northern Regional Office shall be notified by telephone at least seven days prior to the filling/refilling of the storage vessel. Notification shall be made immediately following the telephone call by a written document explaining why an inspection was unplanned.
(9 VAC 5-80-110, 40 CFR 60.113.b.(a) and Condition 26 of 5/1/06 NSR Permit)
8. *Tank Annual Visual Inspection* – The permittee shall also visually inspect, at least every twelve months after initial fill, each tank's (identified in Condition III.C.6) internal floating roof and seals through available manholes and roof hatches on the fixed roof of each tank. Fittings for each tank shall be inspected for leaks during this inspection. If the inspection reveals that the internal floating roof is not resting on the surface of the petroleum product inside the tank, or there is liquid accumulated on the roof, or a seal is detached, or there is a hole or tear in a seal, or there is a fitting found to be leaking, the permittee shall repair the items or empty and remove the tank from service within forty five-days. If a failure that is detected during the inspection required by this condition can't be repaired in forty-five days, the tank shall remain out of service until the completion of such repairs.
(9 VAC 5-80-110, 40 CFR 60.113.b.(a) and Condition 27 of 5/1/06 NSR Permit)

9. *Vapor Processing System Inspections* – Each calendar month, the vapor processing system and the loading rack handling gasoline shall be inspected during the loading of gasoline tank trucks for liquid or vapor leaks. For purposes of these inspections, detection methods incorporating sight, sound, or smell is acceptable. Each determination of a leak shall be recorded and the source of the leak repaired within fifteen calendar days after it is detected.
(9 VAC 5-80-110, 40 CFR 60.502.(j) and Condition 28 of 5/1/06 NSR Permit)

D. Recordkeeping

1. *Visible Emissions Observation Log* - The permittee shall maintain an observation log to demonstrate compliance Condition III.C.1. The log shall include the date and time of the observations, whether or not there were visible emissions, and any necessary corrective action.
2. *Vapor Tightness Documentation* – The permittee shall obtain documentation of vapor tightness from the tanker truck owner prior to gasoline loading. The permittee shall keep this documentation, from each tank truck, on file in permanent form and be available for inspection by DEQ. The documentation file shall be updated at least once per year to reflect the current vapor tightness test results as determined by EPA Reference Method 27. At a minimum, the documentation shall include the test title, tank truck owner and address, tank truck identification number, test location, date of test, tester name and signature, witnessing inspector, if any, and test results. The facility shall retain this information on file for DEQ inspection for a period of at least five years.
(9 VAC 5-80-110, 40 CFR 60.502(e)(1), 40 CFR 60.505(a), 40 CFR 60.505(b) and Conditions 7 and 29 of 5/1/06 NSR Permit)
3. *Vapor Tight Tank Trucks: Tank Truck Identification* – The permittee shall record the tank truck identification number as each tank truck is loaded with gasoline and cross-check each tank truck identification number with the file of that tank truck's vapor tightness documentation within two weeks after the corresponding tank truck is loaded. Cross-checking of this information for each tank truck may be performed quarterly or semi-annually, instead of within two weeks, provided the frequency of trucks loaded without vapor tightness documentation averages less than once per twenty-six weeks or fifty-two weeks, respectively, as detailed in 40 CFR 60.502(e)(3). Use of a computerized system for tracking is acceptable. The facility shall retain this information on file for DEQ inspection for a period of at least five years. The record shall indicate which, if any, tank truck without up to date vapor tightness documentation was loaded with gasoline.
(9 VAC 5-80-110, 40 CFR 60.502(e)(2), 40 CFR 60.502(e)(3) and Conditions 7 and 29 of 5/1/06 NSR Permit)
4. *Emission Data and Operating Parameters* – 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 Regional Air Compliance Manager, Northern Regional Office. These records shall include, but are not limited to:

- a. Pressure readings from the vapor collection system and liquid loading equipment recorded during product loading to comply with Condition III.A.8 and III.A.9 at the time of the stack test.
- b. Monthly and rolling twelve-month volume of gasoline delivered through the truck loading rack as required in Condition III.B.1.
- c. Monthly and rolling twelve-month volume of distillate oil delivered through the truck loading rack as required in Condition III.B.2.
- d. Monthly and rolling twelve-month volume of ethanol through the ethanol tank(s) as required in Condition III.B.3.
- e. Monthly and twelve-month rolling throughputs from the storage and processing of fuel in Tanks TK-1 through TK-7, as required in Condition III.B.4.
- f. Monthly and twelve-month rolling throughputs from the processing of fuel through the vapor processing system as required in Condition III.B.6.
- g. Results of flame sensing device, temperature monitoring device and VCU burner inspections, and corrective actions taken, to comply with Conditions III.C.2, 3, and 4, respectively.
- h. Temperature monitoring data recorded and corrective actions taken to comply with Condition III.C.3.
- i. Results of tank visual inspections conducted in accordance with Conditions III.C.6, 7 and 8.
- j. Results of vapor processing system inspections conducted in accordance with Condition III.C.9.
- k. The results of performance tests conducted in accordance with Conditions III.E.3 and 4.

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 5-80-110, 40 CFR 60.116.b, 40 CFR 64.9 and Condition 29 of 5/1/06 NSR Permit)

E. Testing

1. *Testing/Monitoring Ports* –Test ports on the vapor combustion unit shall be provided when requested at the appropriate locations or in accordance with the applicable performance specification (reference 40 CFR Part 60, Appendix A).
(9 VAC 5-80-110 and Condition 23 of 5/1/06 NSR Permit)

2. *Pilot Flame Monitoring Port* – The vapor combustion unit shall be equipped with a monitoring port to allow for visual inspection of the pilot flame while fuel is being transferred in the loading rack.
(9 VAC 5-80-110 and Condition 24 of 5/1/06 NSR Permit)
3. *VCU Performance Test* – Once each permit term (five years), the permittee shall conduct a stack test for VOC's from the VCU to demonstrate compliance with the emission limits in Condition III.B.5. Tests shall be conducted and reported and data reduced as set forth in 9 VAC 5-50-30. Should an application shield be in place and the renewed permit has not been issued, the five year period will continue to proceed as if the permit had been renewed. The permittee shall submit a test protocol to the Regional Air Compliance Manager and Regional Air Permit Manager at least thirty days prior to testing to the following address:

Department of Environmental Quality
Northern Regional Office
13901 Crown Court
Woodbridge, Virginia 22193

One copy of the test results shall be submitted to the Regional Air Compliance Manager of the DEQ's NRO within sixty days after test completion.
(9 VAC 5-80-110 and 9 VAC 5-50-30)

4. *Additional Testing* – If emission testing is required in addition to that specified in this permit, the method and procedures shall be coordinated with the Regional Air Compliance Manager of DEQ's NRO and approved by DEQ prior to conducting the testing.
(9 VAC 5-80-110)

F. Reporting

The permittee shall provide a report to the Regional Air Compliance Manager of the DEQ's Northern Regional Office at the address in Condition III.E.3 following the annual tank visual inspection. If any of the conditions presented in Condition III.C.8 exist, the permittee shall furnish a report of the specific condition and actions taken to correct the condition within 30 days of the inspection.

(9 VAC 5-80-110, 40 CFR 60.115b and Condition 31 of 5/1/06 NSR Permit)

IV. 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)
TK-5	Fixed Coned Roof Slop Tank – 1964	9 VAC 5-80-720 B	VOC	21,000 gal
TK-9	Gasoline Additive Tank, Horizontal Fixed Roof – 1996	9 VAC 5-80-720 B	VOC	9,000 gal
TK-10	Rack Pour Back Tank, Horizontal Fixed Roof – 1997	9 VAC 5-80-720 B	VOC	3,600 gal
TK-11	Distillate Additive Tank, Horizontal Fixed Roof – 1998	9 VAC 5-80-720 B	VOC	3,000 gal
TK-12	Red Dye Tank, Horizontal Fixed Roof – 1980	9 VAC 5-80-720 B	VOC	550 gal
TK-14	Lubricity Additive Tank, Horizontal Fixed Roof – 2006 Proposed	9 VAC 5-80-720B	VOC	9,700 gal
OWS	Oil Water Separator	9 VAC 5-80-720 B	VOC	8,000 gal

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.

V. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed in 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
None identified		

Nothing in this permit shield shall alter the provisions of (i) §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)

VI. General Conditions

A. 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)

B. 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.

1. 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.
2. 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.
3. 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.
4. 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.
5. 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)

C. Recordkeeping and Reporting

1. 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)
2. 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)
3. Records of the training provided including the names of trainees, the date of training and the nature of the training.
(9 VAC 5-80-110F and Condition 38 of the May 1, 2006 permit)
4. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than January 30th and July 30th 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 purposes of this permit, deviations include, but are not limited to:
 - (1). Exceedance of emissions limitations or operational restrictions;

- (2). Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,
 - (3). 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)

D. 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:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. 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.
6. Such other facts as the permit may require determining the compliance status of the source.
7. 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)

E. Permit Deviation Reporting

The permittee shall notify the Regional Air Compliance Manager, Northern 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. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition VI.C.4 of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. 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 Regional Air Compliance Manager, Northern Regional Office by facsimile transmission, telephone or e-mail 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 Regional Air Compliance Manager, Northern Regional Office.

(9 VAC 5-20-180 C)

G. 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)

H. 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 grounds 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)

I. 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)

J. 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 5-80-1790, 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)

K. Property Rights

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

(9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. 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)

2. 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)

M. 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 DEQ.

(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. 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:

1. Use, where possible, of water for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt or water 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;
3. The installation and use of hoods, fans, and fabric filters to enclose and vent dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. 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,
5. 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)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, 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 5-40-20 E)

P. 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)

Q. 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:

1. 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.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times of substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.
(9 VAC 5-80-110 K.2)

R. 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.

1. 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.
2. 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.
3. 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)

S. 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)

T. Transfer of Permits

1. 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.
(9 VAC 5-80-160)
2. 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)
3. 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)

U. Malfunction as an Affirmative Defense

1. 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.
2. 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:
 - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. 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.
 - d. 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.

- e. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
- f. 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)

V. 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 of the 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)

W. 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)

X. 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)

Y. 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)

Z. 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)

AA. 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:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. 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.
3. 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)