DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AIR QUALITY OPERATING PERMIT

Permit No. AQ0082TVP03 Issue Date: Public Comment - May 31, 2017
Expiration Date: Five Years

The Alaska Department of Environmental Conservation, under the authority of AS 46.14 and 18 AAC 50, issues an operating permit to the Permittee, **Alyeska Pipeline Service Company (APSC)**, for the operation of the **Valdez Marine Terminal (VMT)**.

This permit satisfies the obligation of the owner and operator to obtain an operating permit as set out in AS 46.14.130(b).

As set out in AS 46.14.120(c), the Permittee shall comply with the terms and conditions of this operating permit.

Citations listed herein are contained within the effective version of 18 AAC 50 at permit issuance. All federal regulation citations are from those sections adopted by reference in this version of regulation in 18 AAC 50.040 unless otherwise specified.

This operating permit becomes effective <insert date—30 days after issue date>.

Upon the effective date of this permit, Operating Permit AQ0082TVP02 expires.

John F. Kuterbach, Manager
Air Permits Program

Table of Contents

Acronyms and Abbreviations

AAC.....Alaska Administrative Code
ADEC .....Alaska Department of Environmental Conservation
AS .....Alaska Statutes
ASTM .....American Society for Testing and Materials
BACT .....best available control technology
bbl.....barrels
BHp .....boiler horsepower
CEMS .....continuous emissions monitoring system
CFR .....Code of Federal Regulations
cfm.....cubic feet per minute
The Act .....Clean Air Act
CI .....compression ignition
CMS.....continuous monitoring system
CO .....carbon monoxide
CPMS .....continuous parameter monitoring system
DAF .....dissolved air flotation tank
EPA .....US Environmental Protection Agency
EU.....emission unit
gr/dscf.....grain per dry standard cubic foot (1 pound = 7000 grains)
gpm.....gallons per minute
HAPs .....hazardous air pollutants [as defined in AS 46.14.990]
hp.....horsepower
ICE.....internal combustion engine
ID.....emission unit identification number
kW .....kilowatts
LAER.....lowest achievable emission rate
MACT .....maximum achievable control technology [as defined in 40 CFR 63]
MMBtu/hr.....million British thermal units per hour
MMscf .....million standard cubic feet
MR&R .....monitoring, recordkeeping, and reporting
NAICS .....North American Industry Classification System
NESHAPs.....National Emission Standards for Hazardous Air Pollutants [as contained in 40 CFR 61 and 63]
NH_3.....ammonia
NOx.....nitrogen oxides
NSPS .....New Source Performance Standards [as contained in 40 CFR 60]
O & M .....operation and maintenance
O_2 .....oxygen
OLD .....organic liquids distribution
Pb .....lead
PM.....particulate matter
PM-2.5.....particulate matter less than or equal to a nominal 2.5 microns in diameter
PM-10 .....particulate matter less than or equal to a nominal 10 microns in diameter
ppm .....parts per million
ppmv, ppmvd .....parts per million by volume on a dry basis
psia .....pounds per square inch (absolute)
PSD .....prevention of significant deterioration
PTE .....potential to emit
RICE .....reciprocating internal combustion engine
RTO.....regenerative thermal oxidizer
scfm.....standard cubic feet per minute
SIC. .....Standard Industrial Classification
SIP.....state implementation plan
SO_2 .....sulfur dioxide
SSM.....startup, shutdown, and malfunction
TBP. .....tank bottoms processing
TOC.....total organic compounds
tph .....tons per hour
tpy .....tons per year
VE .....visible emissions
VOC .....volatile organic compound [as defined in 40 CFR 51.100(s)]
VOL .....volatile organic liquid [as defined in 40 CFR 60.111b, Subpart Kb]
vol% .....volume percent
wt% .....weight percent

Section 1. Stationary Source Information

Identification

Permittee:		Alyeska Pipeline Service Company (APSC) P.O. Box 196660 Anchorage, AK 99519-6660
Stationary Source Name:		Valdez Marine Terminal
Location:		Sections 17-20, T9S, R6W, and Section 13, T9S, R7W Copper River Meridian, Alaska
Physical Address:		Dayville Road, Valdez, Alaska
Owners:		BP Pipelines (Alaska) Inc. ExxonMobil Pipeline Company ConocoPhillips Transportation (Alaska) Inc. Unocal Pipeline Company Koch Alaska Pipeline Company, LLC
Operator:		Alyeska Pipeline Service Company (APSC) P.O. Box 196660 Anchorage, AK 99519-6660
Permittee's Responsible Official:		Scott Hicks, Valdez Marine Terminal Director Alyeska Pipeline Service Company P.O. Box 300 Valdez, Alaska 99686
Designated Agent:		CT Corporation Systems 9360 Glacier Hwy, Ste. 202 Juneau, AK 99801
Stationary Source and Permit Contact:		Don Cook Alyeska Pipeline Service Company P.O. Box 300, M714 Valdez, AK 99686 (907) 834-7591
Fee Contact:		Jonna Feringa, Administrative Assistant, Environment Alyeska Pipeline Service Company P.O. Box 196660, M507 Anchorage, AK 99519-6660 (907) 787-8906 jonna.feringa@alyeska-pipeline.com
Process Description:	SIC Code	4491 - Marine cargo handling
	NAICS Code:	488320 - Marine Cargo Handling

[18 AAC 50.040(j)(3) & 50.326(a)]
[40 CFR 71.5(c)(1) & (2)]

Section 2. Emission Unit Inventory and Description

Emission units listed in Table A have specific monitoring, recordkeeping, or reporting conditions in this permit. Emission unit descriptions and ratings are given for identification purposes only.

Table A – Emission Unit Inventory

EU ID	Emission Unit Name	Emission Unit Description	Fuel Type	Rating/Size	Installation or Construction Date
1 [1]	52-SG-1A	Combustion Engineering Power Boiler	Waste Gas/ Diesel	242 MMBtu/hr	1975
2 [1]	52-SG-1B	Combustion Engineering Power Boiler	Waste Gas/ Diesel	242 MMBtu/hr	1975
3 [1]	52-SG-1C	Combustion Engineering Power Boiler	Waste Gas/ Diesel	242 MMBtu/hr	1975
4 [2]	53-IN-1A	John Zink Waste Gas Combustor	Waste Gas/ Diesel	400 MMBtu/hr	1975
5 [2]	53-IN-1B	John Zink Waste Gas Combustor	Waste Gas/ Diesel	400 MMBtu/hr	1975
6 [2]	53-IN-1C	John Zink Waste Gas Combustor	Waste Gas/ Diesel	400 MMBtu/hr	1975
8A	None	Caterpillar C175-16 Emergency Diesel Electric Generator	Diesel	4,423 hp	2010
9A	None	Caterpillar C175-16 Emergency Diesel Electric Generator	Diesel	4,423 hp	2010
10	58-P-3A	Cummins KTA-50-C Main	Diesel	1,325 hp	1990
11	58-P-3B	Cummins KTA-50-C Main	Diesel	1,325 hp	1990
12	58-P-3C	Cummins KTA-50-C Main	Diesel	1,325 hp	1990
13	54-P-3AD	Cummins KTA-2300-FS East	Diesel	763 hp	1975
14	54-P-3BD	Cummins KTA-2300-FS East	Diesel	763 hp	1975
15	55-P-3AD	Cummins KTA-2300-FS West	Diesel	864 hp	1975
18	TBP Boilers	3-TBP Boilers	Diesel/ Propane	18.5 MMBtu/hr (combined)	2003
19-20	TBP Mixing Tanks	Centrifuge system connected to 2-mixing tanks	None	500 bbl (each)	2003

EU ID	Emission Unit Name	Emission Unit Description	Fuel Type	Rating/Size	Installation or Construction Date
21	Settling Tank	Storage tank for water recovered from TBP	None	500 bbl	1975
22	Containers	Devices for the storage of recovered solids and additives and conveying equipment for tank bottom processing	None		2003
23	Steam Dryer/Thermal Desorption Unit	Steam heated device for hydrocarbon recovery from tank bottom solids	None	1,500 bbl/day	2003
24-27 [3, 4]	Internal Combustion Engines (ICEs)	4-Ford Model LSG 875 ICE with catalytic converters	Propane	193 hp and 350 scf exhaust (each)	Not Applicable
28 [4]	Carbon Adsorption Beds	2-Carbon adsorption beds for VOC emission controls in parallel with EU IDs 24 – 27	None	500 cfm (blower capacity, combined)	2003
29-42	54-TK-1 through 14	East Tank Farm: 14-crude oil storage tanks	None	510,000 bbl (each)	1975
47-48	Berths 1 and 3	Loading Berths without Vapor Collection	None	100,000 bbl/hr (each)	1975
49-50	Berths 4 and 5	Loading Berths with Vapor Collection	None	100,000 bbl/hr (each)	1975
57	51-TK-80	Recovered Treatment Crude Oil Tank	None	36,000 bbl	pre-1977
59-61	51-TK-92 51-TK-93 51-TK-94	3-Ballast Wastewater Reception Storage Tanks	None	430,0000 bbl (each)	pre-1977
62-63	58-TK-74 58-TK-75	2-Biological Treatment Wastewater Tanks	None	5.5 MMgal (each)	1991
64-65	58-FA-1 58-FA-2	Air Strippers (West Biological Treatment Tanks)	None	20,000 scfm (each)	1991
66-67	58-FA-3 58-FA-4	Air Strippers (East Biological Treatment Tanks)	None	20,000 scfm (each)	1991
68-73	51-FC-1 through 6	6-Dissolved Air Flotation Wastewater Tanks	None	5,800 gpm (each)	pre-8/1977
74	None	Dissolved Air Flotation Wastewater Effluent Channel	None	30 MMgal/day	pre-8/1977

EU ID	Emission Unit Name	Emission Unit Description	Fuel Type	Rating/Size	Installation or Construction Date
75-78	None	4-Air Strippers (Wastewater) QED Environmental Systems EZ-96.7SS	None	1,100 gpm (each)	2008
79-80 [5]	None	2-Regenerative Thermal Oxidizers (RTO); Anguil-Model 100 Air Pollution Control Devices	Propane	3.0 MMBtu/hr and 11,000 scfm (each)	2008

Table Notes:

[1] Emissions from EU IDs 29 through 42 are routed to this unit and combusted.
[2] Thermal oxidizer that controls emissions from EU IDs 29 through 42, 47 through 50, 60, and 61.
[3] Nonroad engines. The units are included in Table A because they are subject to specific requirements in Construction Permit 082CP04.
[4] Controls emissions from EU IDs 19 through 21 and 23.
[5] Emissions from EU IDs 72 through 72 are routed through EU IDs 75 through 78 and controlled by EU IDs 79 and 80.

[18 AAC 50.326(a)]
[40 CFR 71.5(c)(3)]

Section 3. State Requirements

Visible Emissions Standards

1. Industrial Process and Fuel-Burning Equipment Visible Emissions. The Permittee shall not cause or allow visible emissions, excluding condensed water vapor, emitted from EU IDs 1 through 6, 8A, 9A, 10 through 15, 18, 79, and 80 listed in Table A to reduce visibility through the exhaust effluent by more than 20 percent averaged over any six consecutive minutes.

[18 AAC 50.040(j), 50.055(a)(1), &50.326(j)]
[40 CFR 71.6(a)(1)]

1.1. For EU IDs 1 through 6, monitor, record and report in accordance with Conditions 3 and 4.

1.2. For EU IDs 8A, 9A, and 10 through 12, as long as actual emissions from each unit are no greater than 5 tpy CO, 0.75 tpy PM-10, and 2 tpy each for VOC, NO_X, and SO_2, monitor, record, and report in accordance with Condition 29.4. Otherwise, monitor, record, and report in accordance with Conditions 3 and 4 for the remainder of the permit term.

1.3. For each of EU IDs 13 through 15 and 18, as long as the emission unit does not exceed the limits in Table B and Conditions 15.1.a and 20.1.a, monitoring shall consist of an annual compliance certification under Condition 72 with the visible emissions standard.

1.4. For EU IDs 79 and 80, burn only propane and hydrocarbon vapors as fuel. Monitoring for these emission units shall consist of a statement in each operating report under Condition 71 indicating whether each of these emission units fired only propane and hydrocarbon vapors during the period covered by the report. Report under Condition 70 if any fuel is burned other than propane and hydrocarbon vapors.

2. Marine Vessel Visible Emissions. While at berth at the Valdez Marine Terminal, visible emissions, excluding condensed water vapor, from dockside activities that directly serve the purposes of the Permittee or are under the control of the Permittee to a substantial extent may not reduce visibility through the exhaust effluent of a marine vessel by more than 20 percent, except as follows:

2.1. While at berth or anchor, visibility may be reduced by up to 100 percent for periods aggregating no more than:

a. three minutes in any one hour; and

b. an additional three minutes during initial startup[1] of a vessel.

[1] For purposes of this permit, "initial startup" includes the period during which a vessel is testing equipment in preparation to casting off or weighing anchor.

2.2. Monitor, record, and report in accordance with Conditions 5 through 7.

[18 AAC 50.040(j), 50.070(1)(A) & (B) & 50.326(j)]
[40 C.F.R. 71.6(a)(1)]

Visible Emissions Monitoring, Recordkeeping and Reporting

Liquid Fuel-Fired and Waste Gas-Fired Emission Units (EU IDs 1 through 6, 8A, 9A, and 10 through 12)

3. Visible Emissions Monitoring and Recordkeeping. When required by any of Conditions 1.1 and 1.2, the Permittee shall observe the exhaust of EU IDs 1 through 6, 8A, 9A, and 10 through 12 for visible emissions as follows:

3.1. **Smoke/No Smoke Monitoring.** No less than once a day, observe the exhausts of emission units that are in operation for the presence or absence of visible emissions, excluding condensed water vapor.

a. If smoke is observed, immediately have a certified Method 9 visible emissions observer assess whether the opacity is significant.[2]

b. If the opacity observed is significant, immediately comply with the Method 9 Plan for that emission unit, as provided for in Condition 3.2.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(3) & (c)(6)]

3.2. **Method 9 Plan Monitoring and Recordkeeping.** As required under Condition 3.1.b, perform Method 9 visible emissions observations and keep records, as follows:

a. Conduct observations for no less than 18 minutes to obtain no less than 72 consecutive 15-second opacity observations following 40 CFR 60, Appendix A-4, Method 9, adopted by reference in 18 AAC 50.040(a).

b. If Method 9 observations under Condition 3.2.a demonstrate that emissions do not exceed any of the limits in Conditions 1 and 21, continue monitoring as required in Condition 3.1.

c. If Method 9 observations exceed the limit in either Condition 1 or 21, take corrective actions until a Method 9 observation shows compliance with the limit. Thereafter, continue monitoring as described in Condition 3.1.

d. Keep records of all Method 9 observations performed under Conditions 3.2.a and/or 3.2.c using the Visible Emissions Observation Form in Section 11, and corrective actions taken under Condition 3.2.c.

[2] For purposes of this permit, visible emissions are considered significant if the opacity estimate is: 15 percent or greater for any of EU IDs 1 through 3, 8A, 9A, and 10 through 12; and 5 percent or greater for any of EU IDs 4 through 6.

e. For any replacement unit during the permit term, perform an initial observation in accordance with Condition 3.2.a within 30 days of startup.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(3) & (c)(6)]

4. Visible Emissions Reporting. The Permittee shall report visible emissions as follows:

[18 AAC 50.040(j), 50.326(j), & 50.346(c)]
[40 CFR 71.6(a)(3)(iii)]

4.1. Include in each operating report under Condition 71, for the period covered by the report, copies of the records required under Condition 3.2.d.

4.2. Report in accordance with Condition 70 if:

a. Method 9 observations conducted under Condition 3.2 exceed the limits in Condition 1 or 21.

b. any monitoring, recordkeeping, or reporting required under Condition 3 was not performed.

[18 AAC 50.040(j) & 50.326(j)(4)]
[40 CFR 71.6(a)(3) & (c)(6)]

5. Marine Vessel Visible Emissions Monitoring. Monitor for compliance with Condition 2 by having a trained observer[3] conduct a surveillance of each tanker vessel's exhaust stack(s) for visible emissions each time the vessel is berthed at the Valdez Marine Terminal, during the time the vessel is berthed up to the time it has finished initial startup.

[18 AAC 50.040(j) & 50.326(j)(4)]
[40 CFR 71.6(a)(3) & (c)(6)]
[Condition 15, Permit to Operate 9671-AA001, 6/7/1996]

5.1. Whenever visible emissions that may be 15 percent opacity or greater are observed during a visible emissions surveillance under Condition 5, the Permittee shall:

a. have a certified Method 9 visible emissions observer conduct a Method 9 observation in accordance with Condition 3.2.a whenever visible emissions of 15 percent or greater opacity are observed from the vessel. If a certified observer determines the opacity is 10% or less, then a Method 9 observation is not required;

b. contact the tanker vessel if a Method 9 observation shows that visible emissions exceed the standard in Condition 2 and request that the tanker vessel:

(i) explain the cause of the visible emissions; and

(ii) explain the tanker vessel's corrective action plan to comply with the opacity standard and prevent recurrence.

[3] A "trained observer" is someone who is familiar with Method 9 observations and can reasonably recognize whether opacity is at or below the applicable threshold. Permittee shall maintain a plan for training observers.

6. Marine Vessel Visible Emissions Recordkeeping. The Permittee shall keep the following records:

6.1. For any Method 9 observations conducted under Condition 5.1.a, record the name of the tanker vessel, and record in accordance with Condition 3.2;

6.2. Record or maintain a copy of all information obtained from a vessel under Condition 5.1.b, including the name of the tanker vessel; and

6.3. Maintain a record of personnel trained as observers in accordance with the training plan referenced in Footnote 3.

[40 CFR 71.6(a)(3) & (c)(6)]

7. Marine Vessel Visible Emissions Reporting. The Permittee shall report as follows:

7.1. Include in each operating report under Condition 71 copies of the records required under Condition 6; and

7.2. Report under Condition 70 when Method 9 observations exceed the limit in Condition 2. Include the results of the requests made to the tanker vessels under Condition 5.1.b.

[40 CFR 71.6(a)(3) & (c)(6)]
[Condition 15, Permit to Operate 9671-AA001, 6/7/1996]

Particulate Matter Emissions Standards

8. Industrial Process and Fuel-Burning Equipment Particulate Matter. The Permittee shall not cause or allow particulate matter emitted from EU IDs 1 through 6, 8A, 9A, 10 through 15, 18, 79, and 80 listed in Table A to exceed 0.05 grains per cubic foot of exhaust gas corrected to standard conditions and averaged over three hours.

[18 AAC 50.040(j), 50.055(b)(1) & 50.326(j)]
[40 CFR 71.6(a)(1)]

8.1. For EU IDs 1 through 6, monitor, record and report according to Conditions 11 through 13.

8.2. For EU IDs 8A, 9A, and 10 through 12, as long as actual emissions from each unit are no greater than 5 tpy CO, 0.75 tpy PM-10, and 2 tpy each for VOC, NO_X, and SO_2, monitor, record, and report in accordance with Condition 29.4. Otherwise, monitor, record, and report in accordance with Conditions 9 and 10 for the remainder of the permit term.

8.3. For each of EU IDs 13 through 15 and 18, as long as the emission unit does not exceed the limits in Table B and Conditions 15.1.a and 20.1.a, monitoring shall consist of an annual compliance certification under Condition 72 with the particulate matter emissions standard.

8.4. For EU IDs 79 and 80, burn only propane and hydrocarbon vapors as fuel. Monitoring for these emission units shall consist of a statement in each operating report under Condition 71 indicating whether each of these emission units fired only propane and hydrocarbon vapors during the period covered by the report. Report under Condition 70 if any fuel is burned other than propane and hydrocarbon vapors.

[18 AAC 50.040(j), 50.326(j), & 50.346(c)]
[40 CFR 71.6(a)(3)]

PM Monitoring, Recordkeeping and Reporting

Liquid Fuel-Fired Engines (EU IDs 8A, 9A, and 10 through 12)

9. Particulate Matter Monitoring for Diesel Engines. The Permittee shall conduct source tests on diesel engines, EU IDs 8A, 9A, and 10 through 12 per Condition 8.2, to determine the concentration of particulate matter (PM) in the exhaust of an emission unit as follows:

[18 AAC 50.040(j), 50.326(j), & 50.346(c)]
[40 CFR 71.6(a)(3)(i)]

9.1. Except as allowed under Condition 9.4, within six months of exceeding the criteria of Condition 9.2.a or 9.2.b, either

a. conduct a PM source test according to requirements set out in Section 6; or

b. make repairs so that emissions no longer exceed the criteria of Condition 9.2; to show that emissions are below those criteria, observe emissions as described in Condition 3.2.a under load conditions comparable to those when the criteria were exceeded.

9.2. Conduct the test according to Condition 9.1 if

a. 18 consecutive minutes of Method 9 observations result in an 18-minute average opacity greater than 20 percent; or

b. for an emission unit with an exhaust stack diameter that is less than 18 inches, 18 consecutive minutes of Method 9 observations result in an 18-minute average opacity that is greater than 15 percent and not more than 20 percent, unless the Department has waived this requirement in writing.

9.3. During each one-hour PM source test run, observe the exhaust for 60 minutes in accordance with Method 9 and calculate the average opacity measured during each one-hour test run. Submit a copy of these observations with the source test report.

9.4. The automatic PM source test requirement in Conditions 9.1 and 9.2 is waived for an emissions unit if a PM source test on that unit has shown compliance with the PM standard during this permit term.

10. Particulate Matter Reporting for Diesel Engines. The Permittee shall report as follows:

[18 AAC 50.040(j), 50.326(j), & 50.346(c)]
[40 CFR 71.6(a)(3)(iii)]

10.1. Report under Condition 70:

a. the results of any PM source test that exceed the PM emissions limit; or

b. if one of the criteria of Condition 9.2 was exceeded and the Permittee did not comply with either Condition 9.1.a or 9.1.b, this must be reported by the day following the day compliance with Condition 9.1 was required;

10.2. Report observations in excess of the threshold of Condition 9.2.b within 30 days of the end of the month in which the observations occur;

10.3. In each operating report under Condition 71, include for the period covered by the report:

a. the dates, EU ID(s), and results when an observed 18-minute average was greater than an applicable threshold in Condition 9.2;

b. a summary of the results of any PM testing under Condition 9; and

c. copies of any visible emissions observation results (opacity observations) greater than the thresholds of Condition 9.2, if they were not already submitted.

For Power Boilers and Air Pollution Control Devices (EU IDs 1 through 6)

11. Particulate Matter Monitoring. The Permittee shall conduct source tests on EU IDs 1 through 6 to determine the concentration of PM in the exhaust of EU IDs 1 through 6 as follows:

[18 AAC 50.040(j), & 50.326(j)(4)]
[40 C.F.R. 71.6(a)(3)(i) & (c)(6)]

11.1. Except as allowed under Condition 11.3, conduct a PM source test according to the requirements set out in Section 6 no later than 90 calendar days after visible emissions exceed the opacity limit of Condition 1 or 21.

11.2. During each one-hour PM source test run, observe the exhaust for 60 minutes in accordance with Method 9 and calculate the average opacity measured during each one-hour test run. Submit a copy of these observations with the source test report.

11.3. The PM source test requirement in Condition 11.1 is waived for an emission unit if:

a. a PM source test on that unit has shown compliance with the PM standard during this permit term, or

b. corrective action is taken as soon as practicable to reduce visible emissions and an 18-minute visible emissions observation is conducted within 3 operating days after the corrective action to verify that the excess visible emissions described in Condition 11.1 no longer occur.

12. Particulate Matter Recordkeeping. The Permittee shall keep records of the results of any PM testing and visible emissions observations conducted under Condition 11.

[18 AAC 50.040(j) & 50.326(j)(4)]
[40 C.F.R. 71.6(a)(3)(ii) & (c)(6)]

13. Particulate Matter Reporting. The Permittee shall report as follows:

[18 AAC 50.040(j) & 50.326(j)(4)]
[40 C.F.R. 71.6(a)(3)(iii) & (c)(6)]

13.1. In each operating report required by Condition 71, include for the period covered by the report:

a. the dates, EU ID(s), and results when an opacity observation was greater than the applicable threshold criterion in Condition 11.1.

b. a summary of the results of any PM testing and visible emissions observations conducted under Condition 11.

13.2. Report as excess emissions, in accordance with Condition 70, any time the results of a source test for PM exceeds the PM emission limit stated in Condition 8.

Sulfur Compound Emission Standards Requirements

14. Sulfur Compound Emissions. In accordance with 18 AAC 50.055(c), the Permittee shall not cause or allow sulfur compound emissions, expressed as SO_2, from EU IDs 1 through 6, 8A, 9A, 10 through 15, 18, 79, and 80 to exceed 500 ppm averaged over three hours.

[18 AAC 50.040(j), 50.055(c), & 50.326(j)]
[40 CFR 71.6(a)(1)]

Waste Gas

14.1. **Monitoring.** For waste gas-fired emission units, EU IDs 1 through 6, the Permittee shall analyze a representative sample of the waste gas for total sulfur content within one year of the effective date of this permit following 40 C.F.R. 60, Appendix A, Method 11 or a listed method approved in 18 AAC 50.035(b)-(c) or 40 C.F.R. 60.17 incorporated by reference in 18 AAC 50.040(a)(1) to demonstrate compliance with the sulfur compound emission standard in Condition 14.

14.2. **Recordkeeping.** Keep records of the total sulfur content analyses performed under Condition 14.1.

14.3. **Reporting.**

a. Report in accordance with Condition 70 whenever the fuel combusted in any of EU IDs 1 through 6 causes sulfur compound emissions to exceed the standard of Condition 14.

b. Include copies of the records required by Condition 14.2 with the operating report required by Condition 71 for the period covered by the report.

[18 AAC 50.040(j) & 50.326(j)(4)]
[40 C.F.R. 71.6(a)(3) & (c)(6)]

Propane

14.4. The Permittee shall include a statement in each operating report under Condition 71 indicating whether or not propane was the only fuel burned as supplementary fuel in EU ID 18 (if in operation during the reporting period) and EU IDs 79 and 80.

[18 AAC 50.040(j) & 50.326(j)(4)]
[40 C.F.R. 71.6(a)(3) & (c)(6)]

Ballast Water Treatment Vapors

14.5. **Monitoring and Recordkeeping.** For EU IDs 79 and 80, the Permittee shall demonstrate compliance with the sulfur compound emissions standard in Condition 14 by monitoring and recording in accordance with Conditions 27.2 through 27.4.

14.6. **Reporting.** The Permittee shall report in accordance with Condition 70 whenever the fuel combusted in any of EU IDs 79 and 80 causes sulfur compound emissions to exceed the standard of Condition 14.

[18 AAC 50.040(j) & 50.326(j)(4)]
[40 C.F.R. 71.6(a)(3) & (c)(6)]

Fuel Oil[4]

14.7. The Permittee shall do one of the following for each shipment of fuel:

a. If the fuel grade requires a sulfur content 0.5 percent or less by weight, keep receipts that specify fuel grade and amount received; or

b. If the fuel grade does not require a sulfur content 0.5 percent or less by weight, keep receipts that specify fuel grade and amount received, and

(i) test the fuel for sulfur content; or

(ii) obtain test results showing the sulfur content of the fuel from the supplier or refinery; the test results must include a statement signed by the supplier or refinery of what fuel they represent.

[4] *Oil* means crude oil or petroleum or a liquid fuel derived from crude oil or petroleum, including distillate and residual oil, as defined in 40 CFR 60.41b.

14.8. Fuel testing under Condition 14.7 must follow an appropriate method listed in 18 AAC 50.035(b)-(c) or 40 CFR 60.17 incorporated by reference in 18 AAC 50.040(a)(1).

14.9. If a load of fuel contains greater than 0.75 percent sulfur by weight, the Permittee shall calculate SO_2 emissions in ppm using either **Error! Reference source not found.** or Method 19 of 40 CFR 60, Appendix A-7, adopted by reference in 18 AAC 50.040(a).

14.10. The Permittee shall report as follows:

a. If SO_2 emissions calculated under Condition 14.9 exceed 500 ppm, the Permittee shall report under Condition 70. When reporting under this condition, include the calculation under Condition 14.9.

b. The Permittee shall include in the operating report required by Condition 71

(i) a list of the fuel grades received at the stationary source during the reporting period;

(ii) for any fuel with a maximum fuel sulfur content greater than 0.5 percent, the fuel sulfur content of the shipment; and

(iii) for fuel with a sulfur content greater than 0.75 percent, the calculated SO_2 emissions in ppm.

[18 AAC 50.040(j), 50.326(j), & 50.346(c)]
[40 CFR 71.6(a)(3) & 71.6(c)(6)]

Preconstruction Permit[5] Requirements

Operation Requirements

15. Tank bottom processing (TBP) equipment and operations:

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]
[Condition 8, Construction Permit 082CP04 Rev 1, 5/7/2004]

15.1. The permittee is authorized to operate the following TBP System and its components at the Valdez Marine Terminal (VMT) as follows:

a. **EU ID 18:** distillate fuel or propane-fired boilers with a combined heat input capacity no greater than 18.5 MMBtu/hr and individual boiler capacity no greater than 6 Million British thermal units per hour (MMBtu/hr) if burning propane or 6.2 MMBtu/hr if burning only distillate fuel oil.

b. **EU IDs 19 through 21:** centrifuge system connected to two mix tanks with a maximum capacity of 500 barrels (bbl) each and up to one 500 bbl settling tank.

[5] *Preconstruction permit* refers to federal PSD permits, state-issued permits-to-operate issued before January 18, 1997 (these permits cover both construction and operations), construction permits issued after January 17, 1997, and minor permits issued after October 1, 2004.

c. **EU ID 23:** steam dryer or thermal desorption unit with 1,500 bbl/day throughput.

d. **EU ID 22:** containers of various makes for storage of recovered solids and additives and conveying equipment.

e. **EU IDs 24 through 27:** four internal combustion engines of Ford Model LSG 875 that burn only propane and collected hydrocarbon vapors each with up to 193 hp capacity, 350 scf exhaust gas equipped with catalytic converters.

f. **EU ID 28:** carbon adsorption beds for VOC emission controls in parallel with EU IDs 24 through 27.

[Condition 8.1, Construction Permit 082CP04 Rev 1, 5/7/2004]

15.2. The Permittee shall ensure that emissions from each mix tank, the centrifuge, settling tank and the dryer (thermal desorption unit) are collected by a vapor recovery system and reduced using any of EU IDs 24 through 28 when the tank bottom processing system is in operation.

[40 CFR 71.6(a)(1)]
[Condition 8.2, Construction Permit 082CP04 Rev 1, 5/7/2004]

Limits to Protect Ambient Air Quality Standards

16. Heat Input Limits for Power Boilers and Air Pollution Control Devices. The Permittee shall limit the combined heat input of the Power Boilers (EU IDs 1 through 3) and the combined heat input of the Air Pollution Control Devices (EU IDs 4 through 6) to no more than the limits indicated in Table B.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]
[Exhibit B, Permit to Operate 9671-AA001, 6/7/1996]

16.1. Measure and record the total monthly volume of liquid (in gallons) and gaseous (in standard cubic feet) fuels consumed in EU IDs 1 through 3 and EU IDs 4 through 6 (as separate groups). The liquid and gaseous fuel consumption for EU IDs 1 through 6 shall be continuously monitored and recorded on an hourly basis.

16.2. For each shipment of liquid fuel for EU IDs 1 through 6, determine and record the heat content of the liquid fuel by either of the following two methods:

a. analyze for specific heat content in Btu/pound or Btu/gallon and determine the fuel's specific gravity using an ASTM method approved by the Department in 18 AAC 50.035(c); or

b. obtain from the fuel supplier an analysis of the heat content of the liquid fuel determined using an ASTM method approved by the Department.

16.3. Continuously monitor the heat content of the gaseous fuels consumed in each of EU IDs 4 through 6 using an in-line calorimeter or an in line gas chromatograph (GC), as follows:

a. the in-line calorimeter or GC shall be able to provide readings that allow for determination of the heat content in Btu/standard cubic foot of gas, corrected to standard conditions;

b. the in-line calorimeter or GC shall provide readings of the waste gas heat content with a maximum error not to exceed 5 percent.

16.4. The Permittee may use the heat content from Condition 16.3 for the heat content for waste gas burned in EU IDs 1 through 3.

16.5. Calibrate, operate, and maintain the continuous monitoring systems required in Conditions 16.1 and 16.3 in good working order and in accordance with the manufacturer's procedures or other written documentation submitted by the Permittee upon Department approval.

a. The system for measuring waste gas heat content for EU IDs 4 through 6 shall be calibrated once per quarter.

16.6. By the 15th of each month, determine and record the previous calendar month's average heat input to EU IDs 1 through 3 and EU IDs 4 through 6, as follows:

a. Sum the previous month's gas (MMscf) and liquid (gallons) fuel consumption for EU IDs 1 through 3 and EU IDs 4 through 6 as separate groups. Determine the monthly averages of specific heat (Btu/gallon and Btu/MMscf) for liquid fuels and waste gas respectively for each group. Calculate and record the monthly total heat input for each group;

b. divide the combined total heat input to EU IDs 1 through 3 by the total number of operating hours of EU IDs 1 through 3 in that month; and

c. divide the combined total heat input to EU IDs 4 through 6 by the total number of operating hours of EU IDs 4 through 6 in that month.

16.7. Submit a copy of the records required by Condition 16.6 with the operating report required by Condition 71.

16.8. Report under Condition 70 if the combined heat input to EU IDs 1 through 3 or EU IDs 4 through 6 exceed the limits in Table B.

[40 CFR 71.6(a)(3) & (c)(6)]

17. Operational Hour Limits. The Permittee shall limit the hours of operation of EU IDs 10 through 15 to no more than the limit indicated in Table B.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]
[Condition 9 & Exhibit B, Permit to Operate 9671-AA001, 6/7/1996]

17.1. By the 15th of each month, calculate and record the hours of operation for routine testing and maintenance for each of EU IDs 10 through 15 for the previous calendar month and the total hours of operation for routine testing and maintenance for the most recent consecutive 12-month period.

17.2. Submit a copy of the records required by Condition 17.1 with the operating report required by Condition 71.

17.3. Report under Condition 70 if any of EU IDs 10 through 15 exceed the limit in Table B.

[40 CFR 71.6(a)(3) & (c)(6)]

Table B – Operational Limits

EU IDs	Description	Operational Limit
1 through 3	Power Boilers	500 MMBtu/hr, total combined monthly average
4 through 6	Waste Gas Incinerators	522 MMBtu/hr, total combined monthly average
10 through 15	Firewater Diesel Pump Drivers	156 hours per consecutive 12-month period per firepump for routine testing and maintenance. This limit does not apply to emergency operations.

18. Until the Department approves an ambient impact analysis demonstrating that maximum cumulative 3-hour sulfur dioxide impact is less than 780 $\mu g/m^3$ at the vicinity of the VMT, conduct a fuel oil bunker sulfur analysis of a representative sample of diesel engine/boiler fuel oil from each crude oil tanker each time it berths at the facility. Submit to the Department in the facility operating report required in Condition 71, a tabulation of the results of all such tests, by tanker name.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1) & (a)(3)]
[Condition 4, Construction Permit 082CP05, 9/25/2003]

19. The Permittee shall not cause or allow EU IDs 29 through 42 to vent to atmosphere. For purposes of this permit, venting begins when the internal pressure of any crude oil storage tank is at or greater than 1.5 inch water column. Venting ends when that tank's or the last tank's (if multiple tanks are venting) internal pressure is less or equal to 1.2 inch water column, which indicates that vent valves have all closed.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]
[Condition 10, Operating Permit AQ0082TVP01 Rev 3, 5/16/2007]

19.1. The Permittee shall collect working loss and breathing loss vapors from the crude oil storage tanks identified as EU IDs 29 through 42 and combust those vapors in either the power boilers or the waste gas incinerators (EU IDs 1 through 6).

[40 CFR 71.6(a)(1)]
[Condition 4, Construction Permit 082CP05, 9/25/2003]

19.2. Operate and maintain at least one pressure-sensing device on each crude oil storage tank in a manner that provides accurate, reliable readings of the tank's internal pressure.

19.3. Continuously monitor the pressures of each crude oil storage tank. Perform and document annual verification of system condition and operability of all crude tank pressure recorder/controllers.

[40 CFR 71.6(a)(1) & (3)]
[Revised Exhibit C, Construction Permit 082CP05, 9/25/2003]

19.4. Operate crude oil storage tanks and their vapor recovery system according to the Vapor Recovery Best Operational Management Plan May 26, 2010, or the most recent version approved by the Department.

[40 CFR 71.6(a)(1) & (3)]
[Condition 13, Permit to Operate 9671-AA001, 6/7/1996]

19.5. Report in accordance with Condition 70 for any venting to the atmosphere from the crude oil storage tanks, EU IDs 29 through 42.

[40 CFR 71.6(a)(3) & (c)(6)]

Limits to Avoid Prevention of Significant Deterioration (PSD) Major Modification Classification for VOC

20. The Permittee shall limit the VOC emissions from the tank bottoms processing (TBP) system, EU IDs 18 through 28, to fewer than 18.5 tons per consecutive 12-month period.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]
[Condition 11 & 11.1, Construction Permit 082CP04 Rev 1, 5/7/2004]

20.1. Operate the TBP system for no greater than 4,368 hours per 12-month consecutive period.

[40 CFR 71.6(a)(1)]
[Condition 12, Construction Permit 082CP04 Rev 1, 5/7/2004]

a. EU ID 18 listed in Condition 15.1 may be used for tasks other than the TBP process. Limit operation of each boiler unit to no greater than 4,368 hours per 12-month consecutive period.

[Conditions 12.1 & 12.2, Construction Permit 082CP04 Rev 1, 5/7/2004]

20.2. Limit processing through the TBP system to no more than 130,000 bbl (not including water) per consecutive 12-month period. Process only heavy crude oil components collected from the VMT crude oil, recovered oil, and ballast water handling systems.

[40 CFR 71.6(a)(1)]
[Condition 13, Construction Permit 082CP04 Rev 1, 5/7/2004]

20.3. Operate VOC emission controls, consisting of internal combustion engines with catalytic converters (EU IDs 24 through 27) to combust hydrocarbon vapors emitted from the TBP system, during all times of TBP operations, as follows:

[40 CFR 71.6(a)(1)]
[Condition 14, Construction Permit 082CP04 Rev 1, 5/7/2004]

a. Either combust hydrocarbon vapors emitted from the TBP system in the internal combustion engines with catalytic converters or reduce vapors using a carbon adsorption bed system (EU ID 28). The Permittee may use carbon adsorption beds parallel with the internal combustion engines.

b. If the temperature of the dryer (EU ID 23) is not monitored and recorded, route vapors from the dryer to the internal combustion engines at any time the dryer contains solids yet to be processed.

c. If the temperature of the dryer is monitored and recorded, then the Permittee must route the dryer emissions to the air pollution control device at any time the dryer temperature is above 100°F and the unit contains solids.

d. Maintain the TBP system process under negative pressure, relative to atmospheric pressure when in operation.

[Conditions 14.1 through 14.3, Construction Permit 082CP04 Rev 1, 5/7/2004]

20.4. The Permittee shall monitor TBP system performance and emissions as follows:

[40 CFR 71.6(a)(3)]
[Condition 15, Construction Permit 082CP04 Rev 1, 5/7/2004]

a. The TBP system will be considered to be in operation whenever the temperature in the mix tanks, centrifuge, settling tank (EU IDs 19 through 21) or dryer (EU ID 23) is greater than 100°F and the emission unit(s) contains tank bottoms. Emission units that contain no tank bottoms or are cooler than 100° F may be isolated from the vapor recovery system while EU ID 19 or 20 is in operation;

b. Record the times and dates the TBP system and each boiler under EU ID 18 are in operation;

[Conditions 15.1 & 15.2, Construction Permit 082CP04 Rev 1, 5/7/2004]

c. Maintain records of EU ID 18 adequate to ensure ready identification of unit and unit rating.

[Condition 10.4, Construction Permit 082CP04 Rev 1, 5/7/2004]

d. During system operation and while that unit contains tank bottoms, record the temperature in each of EU IDs 19 through 21 at least once each hour;

e. During operation and while that unit contains tank bottoms, monitor the differential pressure in the affected mix tank or settling tank (EU ID 19, 20, or 21) continuously, with a pressure measuring device accurate to ±0.05" H_2O column, and record the measurement at least once each hour.

f. During TBP operations, record the exhaust VOC concentration from each of the air pollution control devices' exhaust (EU IDs 24 through 28) at least once each day the pollution control device operates as determined by a flame ionization detector, photo-ionization detector, or equivalent device using the methods in 40 CFR 60, Appendix A, Method 25A;

[Conditions 15.3 through 15.5, Construction Permit 082CP04 Rev 1, 5/7/2004]

(i) Calibrate the instrument at least once each week using zero and span gases. The zero gas shall be high purity air and the span gas shall be of no greater than 10,000 ppm (methane equivalent);

[Condition 15.5.1, Construction Permit 082CP04 Rev 1, 5/7/2004]

g. Once every five years, determine analytically the emissions from the solids collected from the tank bottom processing system using the following methods:

[Condition 15.6, Construction Permit 082CP04 Rev 1, 5/7/2004]

(i) Collect solid samples from the dryer (EU ID 23) when the dryer is in operation;

(ii) Collect the solid samples from the dryer discharge location from the top of the container into which they fall;

(iii) Place the solid samples in sealed containers with minimized available headspace and packed in ice or dry ice until they are subjected to the flux chamber testing[6] below;

(iv) Heat a known volume of solid sample to the dryer discharge temperature and place in the flux chamber;

(v) Perform the flux chamber testing for a minimum of one hour on each sample; and

(vi) Determine the VOC emission rate from the solids in terms of pounds of VOC per volume of solids.

[Conditions 15.6.1 through 15.6.6, Construction Permit 082CP04 Rev 1, 5/7/2004]

[6] This testing protocol is described in a report from HMH Consulting to Alyeska Pipeline dated October 3, 2002.

h. Determine the monthly VOC emissions from the tank bottom processing system process by adding the measured emissions from the air pollution control device (flow can be assumed to be either the maximum device exhaust flow rate or the measured rate) to the emissions from the solids as determined during the most recent testing using consistent units. Adjust the total VOC emissions by adding 0.0006 pounds of VOC per barrel of bottoms processed in the month.[7] Calculate the monthly VOC emissions from EU ID 18 using AP 42 emission factors and fuel consumed. Sum the total emissions from each emission unit.

[Condition 15.7, Construction Permit 082CP04 Rev 1, 5/7/2004]

i. Record the volume of tank bottoms to be processed using the method approved by the Department in accordance with the Department letter dated November 14, 2000.

[Condition 15.8, Construction Permit 082CP04 Rev 1, 5/7/2004]

20.5. Record, maintain, and submit on request for Department review, the original, or copy of:

[40 CFR 71.6(a)(3)]
[Condition 17, Construction Permit 082CP04 Rev 1, 5/7/2004]

a. field notes, logs, and documentation describing sampling conditions, sampling personnel, analytical method and laboratory;

b. laboratory reports describing analytical method, quantification limits, quality assurance and quality control results, and analysis results reported in standard units; and

[Conditions 17.1 & 17.2, Construction Permit 082CP04 Rev 1, 5/7/2004]

c. calculation sheets describing the use of measured flowrates and analytically determined concentrations of volatile organic compounds in estimating mass emission rates. List the methodology used in determining the emission rates.

[Condition 17.6, Construction Permit 082CP04 Rev 1, 5/7/2004]

20.6. Maintain records of the rolling 12-month hours of operation of the TBP system and each boiler under EU ID 18.

[40 CFR 71.6(a)(3) & (c)(6)]

20.7. Attach to the operating report required in Condition 71:

[40 CFR 71.6(a)(3)]

a. The TBP VOC emissions for each month with supporting calculation documents;

[Condition 18, Construction Permit 082CP04 Rev 1, 5/7/2004]

[7] This adjustment accounts for the aldehydes and acrolein expected to be in the engine exhaust – the FID and PID measurement technologies may inadequately account for these compounds.

b. the total volume of tank bottoms from the crude oil storage tanks (EU IDs 29 through 42) processed through the TBP system; and

c. copies of the records required under Condition 20.6.

[40 CFR 71.6(c)(6)]

20.8. Report as required in Condition 70;

[40 CFR 71.6(a)(3)]

a. Any time the limit in Condition 20 is exceeded;

[Condition 18, Construction Permit 082CP04 Rev 1, 5/7/2004]

b. Any time the differential pressure in any of EU IDs 19 through 21 of the TBP reaches 0.0" H_2O column during operations or if a TBP system tank has positive pressure relative to atmospheric during operations;

[Condition 14.4, Construction Permit 082CP04 Rev 1, 5/7/2004]

c. Any time a limit in Condition 20.1, 20.1.a, or 20.2 is exceeded.

[40 CFR 71.6(c)(6)]

20.9. For nonroad engines, EU IDs 24 through 27, the Permittee shall comply with 40 CFR 89.2 and shall not allow the units to stay in the same location[8] for more than 12 consecutive months.

a. Maintain records of the dates EU IDs 24 through 27 are brought to and removed from the same location.

b. Include a copy of the records required in Condition 20.9.a in the operating report required in Condition 71.

[18 AAC 50.040(j) & 50.326(j)(4)]
[40 C.F.R. 71.6(c)(6)]

Air Pollution Control Devices (EU IDs 4 through 6) Best Available Control Technology (BACT) Limits

21. Visible Emissions. The Permittee shall not cause or allow visible emissions, excluding condensed water vapor, emitted from EU IDs 4 through 6 to reduce visibility through the exhaust effluent by more than 10 percent averaged over any three consecutive minutes in any one hour.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]
[Exhibit B, Permit to Operate 9671-AA001, 6/7/1996]

21.1. Monitor, record, and report in accordance with Conditions 3 and 4.

[40 CFR 71.6(a)(3) & (c)(6)]

[8] As defined in 40 C.F.R. 89.2, a *location* is any single site at a building, structure, facility, or installation. Any engine (or engines) that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced will be included in calculating the consecutive time period.

22. Particulate Matter. The Permittee shall not cause or allow the particulate matter emission rate from each of EU IDs 4 through 6 to exceed 34.4 lbs/hr.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]
[Exhibit B, Permit to Operate 9671-AA001, 6/7/1996]

22.1. Burn only No. 1 fuel oil, No. 2 fuel oil, and/or gaseous fuels in EU IDs 4 through 6.

[Condition 15.1, Operating Permit AQ0082TVP01, Rev 3, 5/16/2007]

22.2. Record all instances of burning a fuel type other than those referenced in Condition 22.1 and report as appropriate pursuant to Condition 70.

22.3. Conduct a PM source test on one unit of EU IDs 4 through 6 in accordance with Section 6 and as follows:

a. within 1 year of the effective date of this permit and at least once every five years thereafter; and

b. whenever any change occurs that could substantially increase the PM emissions.

c. The average of three one-hour test runs shall be used to determine compliance with the limit in Condition 22.

22.4. The parameters in Conditions 24.3.a through 24.3.f shall be recorded during source tests required in Condition 22.3.

22.5. Report in accordance with Condition 70 if PM emissions exceed the limit in Condition 22.

[40 CFR 71.6(a)(3) & (c)(6)]

23. Sulfur Dioxide. The sulfur content of liquid fuel burned at the facility shall not exceed 0.50 percent by weight.[9]

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]
[Condition 8 & Exhibit B, Permit to Operate 9671-AA001, 6/7/1996]

23.1. Monitor, keep records, and report in accordance with Conditions 14.7, 14.8, 14.10.b(i), and 14.10.b(ii).

23.2. Report in accordance with Condition 70 if the sulfur content exceeds the limit in Condition 23.

[40 CFR 71.6(a)(3) & (c)(6)]

[9] Limit applies to all liquid fuel used at the Valdez Marine Terminal, but is BACT only for EU IDs 4 through 6.

24. Oxides of Nitrogen. The Permittee shall not cause or allow NO_X emitted from EU IDs 4 through 6 to exceed 0.40 lbs/MMBtu, averaged over three hours.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]
[Exhibit B, Permit to Operate 9671-AA001, 6/7/1996]

24.1. Use fuel-staged burners in EU IDs 4 through 6.

[Condition 17.1, Operating Permit AQ0082TVP01, Rev 3, 5/16/2007]

24.2. Conduct a source test for NO_X on one of the units at normal operating capacity in accordance with Section 6 and as follows:

a. within 1 year of the effective date of this permit and at least once every five years thereafter; and

b. whenever any change occurs that could substantially increase NO_X emissions;

c. At least once during the life of this permit, a test shall be conducted on EU ID 4 or 6.

[40 CFR 71.6(a)(3) & (c)(6)]

24.3. The following parameters must be recorded during any of the source tests required in Condition 24.2:

a. Liquid fuel feed rate (gal/hr)

b. Waste gas feed rate (scf/hr)

c. Waste gas heat content (Btu/scf)

d. Exhaust gas temperature

e. Combustion air flow

f. Inlet and outlet VOC concentration (if measurement required by 40 CFR 63)

[40 CFR 71.6(a)(3)(ii)]
[Revised Exhibit C, Construction Permit 082CP05, 9/25/2003]

24.4. Report in accordance with Condition 70 if NO_X emissions exceed the limit in Condition 24.

[40 CFR 71.6(a)(3)(iii) & (c)(6)]

Owner Requested Limit to Avoid Project Classification Under 18 AAC 502(c)(3)(A)

25. The Permittee shall avoid classification under 18 AAC 50.502(c)(3)(A) as follows:

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]
[Condition 5, Minor Permit AQ0082MSS02 Rev 1, 2/10/2010]

25.1. The Permittee shall limit non-emergency operation of EU IDs 8A and 9A to 100 hours per 12 consecutive months, each. There is no time limit on the use of emergency stationary ICE in emergency situations.

[40 CFR 71.6(a)(1)]
[Condition 5.1, Minor Permit AQ0082MSS02 Rev 1, 2/10/2010]

a. Install non-resettable hour meter prior to the startup of the engines.

b. Monitor and record the monthly hours of non-emergency operation of each of EU IDs 8A and 9A.

c. Before the end of each calendar month calculate and record the total hours of operation of each of EU IDs 8A and 9A for the previous month, then calculate the 12-month rolling total hours of operation by adding to the previous 11 months.

d. Report in the operating report required in Condition 71 the monthly and rolling 12-month hours of non-emergency operation.

e. Report in the operating report required in Condition 71 the start and stop time and description[10] of the purpose of all operation.

f. Notify the Department as required in Condition 70 should the consecutive 12-month non-emergency operating hours exceed the limit in this condition.

[40 CFR 71.6(a)(3)]
[Conditions 5.1a through 5.1f, Minor Permit AQ0082MSS02 Rev 1, 2/10/2010]

26. The Permittee may cover two dissolved air flotation tanks (DAF) (EU IDs 72 and 73) and the DAF channel (EU ID 74), capture vapors from the covered DAFs and channel, and route them to the regenerative thermal oxidizers (RTOs) (EU IDs 79 and 80) listed in Table A.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]
[Condition 3, Minor Permit AQ0082MSS03, 10/15/2010]

27. The Permittee shall not allow SO_2 emissions from combustion of vapors in the RTOs (EU IDs 79 and 80) to exceed 9.2 tons per consecutive 12-month period.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]
[Condition 4, Minor Permit AQ0082MSS03, 10/15/2010]

27.1. Monitor and record the daily operation of each of the 7-tray air strippers (EU IDs 75 through 78) and the RTOs (EU IDs 79 and 80).

27.2. Monitor and record daily the hydrogen sulfide (H_2S) concentration in milligrams per liter (mg/l) as total sulfides in the ballast water entering the DAFs and exiting the ballast water treatment plant (prior to any biological treatment) no less than once every day, using any of the following methods:

[10] Include the basis of operation, including whether emergency or non-emergency.

a. United Stated States Environmental Protection Agency Method 376.2; or

b. American Public Health Association Method 4500-S2-D.

27.3. The Permittee may elect to monitor only the daily H_2S concentration entering the ballast water treatment plant DAF. If the Permittee elects to use this option, the Permittee shall assume the H_2S concentration in the water exiting the ballast water treatment plant is zero.

27.4. The Permittee shall monitor and record the total flow rate in liters per day of the ballast water entering the DAFs daily using a flow indicator with an accuracy level of five percent or better.

27.5. Before the end of each calendar month, calculate and record the daily total SO_2 emissions of the RTOs for the previous month using Equation 1.

Equation 1 $$SO_2 = (A \times (B - C) \times D)$$

Where:

SO_2 = Daily SO_2 emissions of RTOs in pounds per day (lb/day);

A = Ballast water entering the DAFs in liters per day (l/day);

B = Concentration in milligrams per liter (mg/l) of H_2S in the ballast water entering the DAFs;

C = Concentration (mg/l) of H_2S in the ballast water exiting the treatment plant (or assumed to be zero, as described in Condition 25.4); and

D = 4.15×10^{-6}, conversion of milligrams (mg) of H_2S in ballast water to pounds (lb) of SO_2 in exhaust.

27.6. Before the end of each calendar month, calculate and record the monthly SO_2 emissions of the RTOs for the previous month by summing the daily emissions calculated in Condition 27.5.

27.7. Before the end of each calendar month, calculate and record the 12-month rolling SO_2 emissions of the RTOs for the 12-month period ending with the previous month.

27.8. If the consecutive 12-month emissions of SO_2 from the RTOs exceed the limit in Condition 27, notify the Department as required in Condition 70.

[40 CFR 71.6(a)(3)]
[Conditions 4.1 through 4.8, Minor Permit AQ0082MSS03, 10/15/2010]

27.9. Include in the operating report required under Condition 71 the monthly and rolling 12-month SO_2 emissions of the RTOs (EU IDs 79 and 80) as calculated under Conditions 27.6 and 27.7 for the period covered by the report.

[40 CFR 71.6(a)(3) & 71.6(c)(6)]

Owner Requested Limit to for Volatile Organic Compound (VOC) Emissions

28. The Permittee shall route the ballast water treated exhaust stream of any of EU IDs 75 through 78 through any of EU IDs 79 and 80, and the Permittee shall comply with Conditions 28.1 and 28.2.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]
[Condition 5, Minor Permit AQ0082MSS03, 10/15/2010]

28.1. Comply with Condition 27.1.

28.2. Notify the Department as required in Condition 70 if Condition 28 is violated.

[40 CFR 71.6(a)(3)]
[Conditions 5.1 and 5.2, Minor Permit AQ0082MSS03, 10/15/2010]

Insignificant Emission Units

29. For emission units at the stationary source that are insignificant as defined in 18 AAC 50.326(d)-(i) that are not listed in this permit, the following apply:

29.1. **VE Standard**: The Permittee shall not cause or allow visible emissions, excluding condensed water vapor, emitted from an industrial process, fuel-burning equipment, or an incinerator to reduce visibility through the exhaust effluent by more than 20 percent averaged over any six consecutive minutes.

[18 AAC 50.050(a) & 50.055(a)(1)]

29.2. **PM Standard**: The Permittee shall not cause or allow particulate matter emitted from an industrial process or fuel-burning equipment to exceed 0.05 grains per cubic foot of exhaust gas corrected to standard conditions and averaged over three hours.

[18 AAC 50.055(b)(1)]

29.3. **Sulfur Standard**: The Permittee shall not cause or allow sulfur compound emissions, expressed as SO_2, from an industrial process or fuel-burning equipment, to exceed 500 ppm averaged over three hours.

[18 AAC 50.055(c)]

29.4. General MR&R for Insignificant Emission Units

a. The Permittee shall submit the certification of compliance of Condition 72 based on reasonable inquiry;

b. The Permittee shall comply with the requirements of Condition 52;

c. The Permittee shall report in the operating report required by Condition 71 if an emission unit has historically been classified as insignificant because of actual emissions less than the thresholds of 18 AAC 50.326(e) and current actual emissions become greater than any of those thresholds; and

d. No other monitoring, recordkeeping or reporting is required.

[18 AAC 50.346(b)(4)]

Section 4. Federal Requirements

40 CFR 60 Subpart A

30. Notification. If an owner or operator of an existing facility[11] proposes to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, he shall notify the Administrator of the proposed replacements. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the following information:

[18 AAC 50.035 & 50.040(a)(1)]
[40 CFR 60.15(d), Subpart A]

30.1. the name and address of owner or operator,

30.2. the location of the existing facility,

30.3. a brief description of the existing facility and the components that are to be replaced,

30.4. a description of the existing and proposed air pollution control equipment,

30.5. an estimate of the fixed capital cost of the replacements, and of constructing a comparable entirely new facility,

30.6. the estimated life of the existing facility after the replacements, and

30.7. a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

31. Concealment of Emissions. The Permittee shall not build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of a standard set forth in Condition 32.3. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard that is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[18 AAC 50.040(a)(1)]
[40 CFR 60.12, Subpart A]

[11] *Existing facility* means, with reference to a stationary source, any apparatus of the type for which a standard is promulgated in this part, and the construction or modification of which was commenced before the date of proposal of that standard; or any apparatus which could be altered in such a way as to be of that type, as defined in 40 CFR 60.2.

40 CFR 60 Subpart IIII

32. For EU IDs 8A and 9A, the Permittee shall comply with the following applicable requirements for stationary compression ignition (CI) internal combustion engines (ICE) whose construction, modification, or reconstruction commences after July 11, 2005.

[18 AAC 50.040(a), 50.040(j)(4), & 50.326(j)]
[40 CFR 71.6(a)(1)]
[40 CFR 60.4200(a), Subpart IIII]

32.1. Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in Condition 32.3 over the entire life of the engine.

[40 CFR 71.6(a)(1)]
[40 CFR 60.4206, Subpart IIII]

32.2. Comply with the applicable provisions of Subpart A as specified in Table 8 to Subpart IIII.

[40 CFR 71.6(a)(1)]
[40 CFR 60.4218 & Table 8, Subpart IIII]

NSPS Subpart IIII Emission Standards

32.3. The Permittee shall comply with the emission standards in Table C.

[40 CFR 71.6(a)(1)]
[40 CFR 60.4202(b)(1) & 60.4205(b), Subpart IIII]

Table C – Emission standards for stationary 2007-2010 model year engines > 2,237 kW (3,000 hp) and with a displacement of < 10 liters per cylinder in g/KW-hr (g/hp-hr)

Maximum engine power	HC	NOx	CO	PM
kW > 560 (hp > 750)	1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)

[Table 1, Subpart IIII]

32.4. Owners and operators of emergency stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests in-use must meet the NTE standards as indicated in 40 CFR 60.4212.

[40 CFR 71.6(a)(1)]
[40 CFR 60.4205(e), Subpart IIII]

NSPS Subpart IIII Fuel Requirements

32.5. Beginning October 1, 2010, owners and operators of stationary CI ICE subject to NSPS Subpart IIII with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

[40 CFR 71.6(a)(1)]
[40 CFR 60.4207(b), Subpart IIII]

NSPS Subpart IIII Monitoring and Compliance Requirements

32.6. You must install a non-resettable hour meter prior to startup of the engine.

[40 CFR 71.6(a)(1)]
[40 CFR 60.4209(a), Subpart IIII]

32.7. You must do all of the following, except as permitted under Condition 32.10:

[40 CFR 71.6(a)(1)]
[40 CFR 60.4211(a), Subpart IIII]

a. Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

b. Change only those emission-related settings that are permitted by the manufacturer; and

c. Meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to you.

[40 CFR 60.4211(a)(1) through (3), Subpart IIII]

32.8. You must comply with the emission standards of Condition 32.3 by purchasing an engine certified to the emission standards in Condition 32.3. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in Condition 32.10.

[40 CFR 71.6(a)(1)]
[40 CFR 60.4211(c), Subpart IIII]

32.9. If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in Conditions 32.9.a through 32.9.c. In order for the engine to be considered an emergency stationary ICE under NSPS Subpart IIII, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in nonemergency situations for 50 hours per year, as described in Conditions 32.9.a through 32.9.c, is prohibited. If you do not operate the engine according to the requirements in Conditions 32.9.a through 32.9.c, the engine will not be considered an emergency engine under NSPS Subpart IIII and must meet all requirements for non-emergency engines.

[40 CFR 71.6(a)(1)]
[40 CFR 60.4211(f), Subpart IIII]

a. There is no time limit on the use of emergency stationary ICE in emergency situations.

[40 CFR 60.4211(f)(1), Subpart IIII]

b. You may operate your emergency stationary ICE for any combination of the purposes specified in Conditions 32.9.b(i) through 32.9.b(ii) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by Condition 32.9.c counts as part of the 100 hours per calendar year allowed by this condition.

[40 CFR 60.4211(f)(2), Subpart IIII]

(i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

(ii) Emergency stationary ICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

[40 CFR 60.4211(f)(2)(i) and (iii), Subpart IIII]

c. Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in Condition 32.9.b.

[40 CFR 60.4211(f)(3), Subpart IIII]
[40 CFR 60.4211(f)(3)(i), Subpart IIII]

32.10. If you do not install, configure, operate, and maintain your engine and control device according to the manufacturer's emission-related written instructions, or you change emission-related settings in a way that is not permitted by the manufacturer, you must demonstrate compliance as follows:

[40 CFR 71.6(a)(3)]
[40 CFR 60.4211(g), Subpart IIII]

a. You must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer. You must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards.

[40 CFR 60.4211(g)(3), Subpart IIII]

NSPS Subpart IIII Test Methods

32.11. Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to NSPS Subpart IIII must do so according to 40 CFR 60.4212(a).

[40 CFR 71.6(a)(3)]
[40 CFR 60.4212, Subpart IIII]

NSPS Subpart IIII Recordkeeping and Reporting Requirements

32.12. The owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

[40 CFR 71.6(a)(3)]
[40 CFR 60.4214(b), Subpart IIII]

32.13. If you own or operate an emergency stationary CI ICE with a maximum engine power more than 100 HP that operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in Condition 32.9.b(ii), you must submit an annual report according to the requirements in 40 CFR 60.4214(d)(1) through (3).

[40 CFR 71.6(a)(3)]
[40 CFR 60.4214(d), Subpart IIII]

40 CFR 61 Subparts A and M

33. Asbestos NESHAP. The Permittee shall comply with the requirements set forth in 40 CFR 61.145, 61.150, and 61.152 of Subpart M, and the applicable sections set forth in 40 CFR 61, Subpart A and Appendix A.

[18 AAC 50.040(b)(1) & (2)(F), & 50.326(j)]
[40 CFR 61, Subparts A & M, and Appendix A]

40 CFR 63 Subpart A

34. The Permittee shall comply with the applicable requirements of 40 CFR 63 Subpart A in accordance with the provisions for applicability of Subpart A in Table 1 to 40 CFR 63.560 in NESHAP Subpart Y.

[18 AAC 50.040(c)(1), 50.040(j), & 50.326(j)]
[40 CFR 71.6(a)(1)]
[40 CFR 63.560 & Table 1, Subpart Y]

35. The Permittee shall comply with the applicable requirements of 40 CFR 63 Subpart A in accordance with the provisions for applicability of Subpart A in Table 12 to NESHAP Subpart EEEE.

[18 AAC 50.040(c)(1), 50.040(j), & 50.326(j)]
[40 CFR 71.6(a)(1)]
[40 CFR 63.2398 & Table 12, Subpart Y]

40 CFR 63 Subpart Y

36. For EU IDs 1 through 6 and 47 through 50, the Permittee shall comply with the following applicable requirements of NESHAP Subpart Y for marine tank vessel loading operations.

[18 AAC 50.040(c)(9), 50.040(j)(4), & 50.326(j)]
[40 CFR 71.6(a)(1)]
[40 CFR 63.560, Subpart Y]

NESHAP Subpart Y Standards

36.1. The emissions limitations in Conditions 36.2 through 36.5 apply during marine tank vessel loading operations.

[40 CFR 71.6(a)(1)]
[40 CFR 63.562(a), Subpart Y]

36.2. *Vapor collection system of the terminal.* The owner or operator of the VMT source shall equip each terminal subject under Condition 36.5 with a vapor collection system that is designed to collect HAP vapors displaced from marine tank vessels during marine tank vessel loading operations and to prevent HAP vapors collected at one loading berth from passing through another loading berth to the atmosphere, except for those commodities exempted under 40 CFR 63.560(d).

[40 CFR 71.6(a)(1)]
[40 CFR 63.562(d)(1)(i), Subpart Y]

36.3. *Ship-to-shore compatibility.* The owner or operator of the VMT source shall limit marine tank vessel loading operations at berths subject under Condition 36.5 to those vessels that are equipped with vapor collection equipment that is compatible with the terminal's vapor collection system, except for those commodities exempted under 40 CFR 63.560(d).

[40 CFR 71.6(a)(1)]
[40 CFR 63.562(d)(1)(ii), Subpart Y]

36.4. *Vapor tightness of marine vessels.* The owner or operator of the VMT source shall limit marine tank vessel loading operations at berths subject under Condition 36.5 to those vessels that are vapor-tight and to those vessels that are connected to the vapor collection system, except for those commodities exempted under 40 CFR 63.560(d).

[40 CFR 71.6(a)(1)]
[40 CFR 63.562(d)(1)(iii), Subpart Y]

36.5. The owner or operator of the VMT source shall reduce captured HAP and VOC emissions by 98 weight-percent, as determined using methods in Conditions 36.22 and 36.24 for loading berths subject under this condition according to Conditions 36.5.a through 36.5.d:

[40 CFR 71.6(a)(1)]
[40 CFR 63.562(d)(2), Subpart Y]

a. The owner or operator of the VMT source shall equip at least two loading berths and any additional berths indicated pursuant to Condition 36.5.c with a vapor collection system and air pollution control device and shall load marine tank vessels over loading berths equipped with a vapor collection system and control device to the maximum extent practicable.

[40 CFR 63.562(d)(2)(i), Subpart Y]

b. Maximum extent practicable means that the total annual average daily loading over all loading berths not equipped with a vapor collection system and control device shall not exceed the totals in Conditions 36.5.b(i) and 36.5.b(ii):

[40 CFR 63.562(d)(2)(ii), Subpart Y]

(i) *Loading allowances for marine tank vessel loading operations at loading berths not equipped with control devices.* The following maximum annual average daily loading rate for routine loading at loading berths not equipped with control devices in any of the following years shall not exceed:

[40 CFR 63.562(d)(2)(ii)(A), Subpart Y]

(A) For 2002 and subsequent years, no marine tank vessel loading operations shall be performed at berths not equipped with a vapor collection system and control device, except as allowed for maintenance under Condition 36.5.b(ii).

[40 CFR 63.562(d)(2)(ii)(A)(5), Subpart Y]

(ii) *Maintenance allowances for loading berths subject under Condition 36.5.a.* Beginning in the year 2000, the owner or operator of the VMT source may have a maximum of 40 calendar days per calendar year use of loading berths not equipped with a vapor collection system and control device, in accordance with the limits in Condition 36.5.b(ii)(A), 36.5.b(ii)(B), or 36.5.b(ii)(C), to allow for maintenance of loading berths subject to Condition 36.5.a. Beginning in the year 2002, the total annual average daily loading of crude oil over all loading berths not equipped with a vapor collection system and control device shall not exceed the amount stated in Condition 36.5.b(ii)(B). The 40 days allowed for maintenance shall be converted into a compliance measure of annual average daily loading over the loading berths not equipped with a vapor collection system and control device as follows:

[40 CFR 63.562(d)(2)(ii)(B), Subpart Y]

(A) If the total annual average daily volume of crude oil loaded at the facility was greater than or equal to 1,100,000 barrels per day in the prior calendar year, the maintenance allowance shall not exceed an annual average daily loading of 60,000 barrels per day.

(B) If the total annual average daily volume of crude oil loaded at the facility was less than 1,100,000 barrels per day and greater than or equal to 550,000 barrels per day in the prior calendar year, the maintenance allowance for the calendar year shall not exceed Q_m:

$$Q_m = \frac{(P - 550{,}000) \times 40}{365}$$

Where:

Q_m	=	maintenance allowance, barrels per day
P	=	prior calendar year's average daily volume of crude oil loaded at the facility, barrels per day.

(C) If the total annual average daily volume of crude oil loaded at the facility was less than 550,000 barrels per day in the prior calendar year, there shall be no maintenance allowance.

[40 CFR 63.562(d)(2)(ii)(B)(1) through (3), Subpart Y]

c. Beginning in the year 2002, the owner or operator of the VMT source shall equip all uncontrolled loading berths used for marine tank vessel loading operations beyond the maintenance allowance in Condition 36.5.b(ii) with a vapor collection system and control device.

[40 CFR 63.562(d)(2)(iii), Subpart Y]

d. The owner or operator of the VMT source shall develop a program to communicate to relevant facility operations and marine transportation personnel and engage their active and consistent participation in honoring the intent and goal of minimizing loaded volumes over the unequipped berths and maximizing the loaded volumes at the berths equipped with a vapor collection system and control device to prevent exceedance of the load volume limits in Conditions 36.5.b(i) and 36.5.b(ii). This program is to be presented semi-annually during the first year of compliance and annually thereafter until the use of unequipped berths for routine loading is no longer required.

[40 CFR 63.562(d)(2)(iv), Subpart Y]

36.6. Operation and maintenance requirements for air pollution control equipment and monitoring equipment for affected sources. At all times, owners or operators of affected sources shall operate and maintain a source, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[40 CFR 71.6(a)(1)]
[40 CFR 63.562(e), Subpart Y]

a. The owner or operator of an affected source shall develop a written operation and maintenance plan that describes in detail a program of corrective action for varying (i.e., exceeding baseline parameters) air pollution control equipment and monitoring equipment, based on monitoring requirements in Conditions 36.10 through 36.19, used to comply with these emissions standards. The plan shall also identify all routine or otherwise predictable continuous monitoring system (thermocouples, pressure transducers, continuous emissions monitors (CEMS), etc.) variances.

[40 CFR 63.562(e)(2), Subpart Y]

(i) The plan shall specify procedures (preventive maintenance) to be followed to ensure that pollution control equipment and monitoring equipment functions properly and variances of the control equipment and monitoring equipment are minimal.

(ii) The plan shall identify all operating parameters to be monitored and recorded for the air pollution control device as indicators of proper operation and shall establish the frequency at which the parameters will be monitored (see Conditions 36.10 through 36.19).

(iii) Owners or operators of affected sources shall incorporate a standardized inspection schedule for each component of the control device used to comply with the emissions standards in Condition 36.5. To satisfy the requirements of this paragraph, the owner or operator may use the inspection schedule recommended by the vendor of the control system or any other technical publication regarding the operation of the control system.

(iv) Owners or operators shall develop and implement a continuous monitoring system (CMS) quality control program. The owner or operator shall develop and submit to the Administrator for approval upon request a site-specific performance evaluation test plan for the CMS performance evaluation required in 40 CFR 63.8(e) of subpart A of Part 63. Each quality control program shall include, at a minimum, a written protocol that describes procedures for initial and any subsequent calibration of the CMS; determination and adjustment of the calibration drift of the CMS; preventive maintenance of the CMS, including spare parts inventory; data recording, calculations, and reporting; and accuracy audit procedures, including sampling and analysis methods. The owner or operation shall maintain records of the procedures that are part of the quality control program developed and implemented for CMS.

[40 CFR 63.562(e)(2)(i) through (iv), Subpart Y]

b. Based on the results of the determination made under Condition 36.6.a, the Administrator may require that an owner or operator of an affected source make changes to the operation and maintenance plan for that source. Revisions may be required if the plan:

[40 CFR 63.562(e)(3), Subpart Y]

(i) Does not address a variance of the air pollution control equipment or monitoring equipment that has occurred that increases emissions;

(ii) Fails to provide for operation during a variance of the air pollution control equipment or the monitoring equipment in a manner consistent with safety and good air pollution control practices; or

(iii) Does not provide adequate procedures for correcting a variance of the air pollution control equipment or monitoring equipment as soon as reasonable.

[40 CFR 63.562(e)(3)(i) through (iii), Subpart Y]

c. If the operation and maintenance plan fails to address or inadequately addresses a variance event at the time the plan was initially developed, the owner or operator shall revise the operation and maintenance plan within 45 working days after such an event occurs. The revised plan shall include procedures for operating and maintaining the air pollution control equipment or monitoring equipment during similar variance events and a program for corrective action for such events.

d. The operation and maintenance plan shall be developed by the source's compliance date. The owner or operator shall keep the written operation and maintenance plan on record to be made available for inspection, upon request, by the Administrator for the life of the source. In addition, if the operation and maintenance plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the plan on record to be made available for inspection upon request by the Administrator for a period of 5 years after each revision to the plan.

e. To satisfy the requirements of the operation and maintenance plan, the owner or operator may use the source's standard operating procedures (SOP) manual, an Occupational Safety and Health Administration (OSHA) plan, or other existing plans provided the alternative plans meet the requirements of this section and are made available for inspection when requested by the Administrator.

f. In response to an action to enforce the standards set forth in NESHAP Subpart Y, you may assert an affirmative defense to a claim for civil penalties for exceedances of such standards that are caused by a malfunction, as defined in 40 CFR 63.2. Appropriate penalties may be assessed, however, if the respondent fails to meet its burden of proving all the requirements in the affirmative defense. The affirmative defense shall not be available for claims for injunctive relief.

[40 CFR 63.562(e)(4) through (7), Subpart Y]

(i) To establish the affirmative defense in any action to enforce such a limit, the owners or operators of a facility must timely meet the notification requirements of 40 CFR 63.562(e)(7)(ii) and meet the requirements of 40 CFR 63.562(e)(7)(i)(A) through (I).

[40 CFR 63.562(e)(7)(i), Subpart Y]

NESHAP Subpart Y Compliance and Performance Testing Requirements

36.7. The following procedures shall be used to determine compliance with the emissions limits under Conditions 36.2 through 36.4:

[40 CFR 71.6(a)(1)]
[40 CFR 63.563(a), Subpart Y]

a. *Vent stream by-pass requirements for the terminal's vapor collection system*.

(i) In accordance with Condition 36.2, each valve in the terminal's vapor collection system that would route displaced vapors to the atmosphere, either directly or indirectly, shall be secured closed during marine tank vessel loading operations either by using a car-seal or a lock-and-key type configuration, or the by-pass line from the valve shall be equipped with a flow indicator, except for those valves used for pressure/vacuum relief, analyzers, instrumentation devices, sampling, and venting for maintenance. Marine tank vessel loading operations shall not be performed with open by-pass lines.

(ii) Repairs shall be made to valves, car-seals, or closure mechanisms no later than 15 days after a change in the position of the valve or a break in the car-seal or closure mechanism is detected or no later than prior to the next marine tank vessel loading operation, whichever is later.

[40 CFR 63.563(a)(1)(i) & (ii), Subpart Y]

b. *Ship-to-shore compatibility of vapor collection systems*. Following the date on which the initial performance test is completed, marine tank vessel loading operations must be performed only if the marine tank vessel's vapor collection equipment is compatible to the terminal's vapor collection system; marine tank vessel loading operations must be performed only when the marine tank vessel's vapor collection equipment is connected to the terminal's vapor collection system, as required in Condition 36.3.

[40 CFR 63.563(a)(2), Subpart Y]

c. *Vapor-tightness requirements of the marine vessel*. The owner or operator of an affected source shall use the procedures in 40 CFR 63.563(a)(4)(i), (ii), (iii), or (iv) to ensure that marine tank vessels are vapor tight, as required in Condition 36.4.

[40 CFR 63.563(a)(4), Subpart Y]

36.8. *Compliance determination for affected sources*. The following procedures shall be used to determine compliance with the emissions limits under Conditions 36.2 through 36.5.

[40 CFR 71.6(a)(3)]
[40 CFR 63.563(b), Subpart Y]

a. *Operation and maintenance inspections*. If the 3-hour or 3-cycle block average operating parameters in Condition 36.8.b, outside the acceptable operating ranges, are measured and recorded, i.e., variances of the pollution control device or monitoring equipment, the owner or operator of the affected source shall perform an unscheduled inspection of the control device and monitoring equipment and review of the parameter monitoring data. The owner or operator of the affected source shall perform an inspection and review when total parameter variance time for the control device is greater than 10 percent of the operating time for marine tank vessel loading operations on a 30-day, rolling-average basis. The inspection and review shall be conducted within 24 hours after passing the allowable

variance time of 10 percent. The inspection checklist from the requirements of Condition 36.6.a(iii) and the monitoring data from requirements in Conditions 36.6.a(ii) and 36.10 through 36.19 should be used to identify any maintenance problems that may be associated with the variance. The unscheduled inspection should encompass all components of the control device and monitoring equipment that can be inspected while in operation. If any maintenance problem is identified during the inspection, the owner or operator of the affected source must take corrective action (e.g., adjustments to operating controls, etc.) as soon as practicable. If no immediate maintenance problems are identified from the inspection performed while the equipment is operating, a complete inspection in accordance with Condition 36.6.a must be conducted prior to the next marine tank vessel loading operation and corrective action (e.g., replacement of defective parts) must be taken as soon as practicable for any maintenance problem identified during the complete inspection.

[40 CFR 63.563(b)(3), Subpart Y]

b. *Combustion device, except flare*.

(i) *Baseline temperature for required percent combustion efficiency*. The owner or operator shall establish as an operating parameter the baseline temperature using the procedures described in Condition 36.23. Following the date on which the initial performance test is completed, the facility shall be operated with the block average temperature as determined in Condition 36.18.a no more than 28 °C (50 °F) below the baseline temperature.

[40 CFR 63.563(b)(4)(ii), Subpart Y]

36.9. *Leak detection and repair for vapor collection systems and control devices*. The following procedures are required for all sources subject to Conditions 36.2 through 36.5.

[40 CFR 71.6(a)(3)]
[40 CFR 63.563(c), Subpart Y]

a. *Annual leak detection and repair for vapor collection systems and control devices*. The owner or operator of an affected source shall inspect and monitor all ductwork and piping and connections to vapor collection systems and control devices once each calendar year using Method 21.

[40 CFR 63.563(c)(1), Subpart Y]

b. *Ongoing leak detection and repair for vapor collection systems and control devices*. If evidence of a potential leak is found by visual, audible, olfactory, or any other detection method, all ductwork and piping and connections to vapor collection systems and control devices shall be inspected to the extent necessary to positively identify the potential leak and any potential leaks shall be monitored within 5 days by Method 21. Each detection of a leak shall be recorded, and the leak shall be tagged until repaired.

[40 CFR 63.563(c)(2), Subpart Y]

c. When a leak is detected, a first effort to repair the vapor collection system and control device shall be made within 15 days or prior to the next marine tank vessel loading operation, whichever is later.

[40 CFR 63.563(c)(3), Subpart Y]

NESHAP Subpart Y Monitoring Requirements

36.10. The owner or operator of an affected source shall comply with the monitoring requirements in 40 CFR 63.8 of subpart A of Part 63 in accordance with the provisions for applicability of subpart A to NESHAP Subpart Y in Table 1 of 40 CFR 63.560 and the monitoring requirements in Conditions 36.10 through 36.19.

[40 CFR 71.6(a)(3)]
[40 CFR 63.564(a)(1), Subpart Y]

36.11. Each owner or operator of an affected source shall monitor the parameters specified in Conditions 36.10 through 36.19. All monitoring equipment shall be installed such that representative measurements of emissions or process parameters from the source are obtained. For monitoring equipment purchased from a vendor, verification of the operational status of the monitoring equipment shall include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system.

[40 CFR 71.6(a)(3)]
[40 CFR 63.564(a)(2), Subpart Y]

36.12. Except for system breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level calibration drift adjustments, all continuous parametric monitoring systems (CPMS) and CEMS shall be in continuous operation while marine tank vessel loading operations are occurring and shall meet minimum frequency of operation requirements. Sources monitoring by use of CEMS and CPMS shall complete a minimum of one cycle of operation (sampling, analyzing, and/or data recording) for each successive 15-minute period.

[40 CFR 71.6(a)(3)]
[40 CFR 63.564(a)(3), Subpart Y]

36.13. The owner or operator of a CMS installed in accordance with these emissions standards shall comply with the performance specifications either in performance specification (PS) 8 in 40 CFR part 60, appendix B for CEMS or in 40 CFR 63.7(c)(6) of subpart A of Part 63 for CPMS.

[40 CFR 71.6(a)(3)]
[40 CFR 63.564(a)(4), Subpart Y]

36.14. A CEMS is out of control when the measured values (i.e., daily calibrations, multipoint calibrations, and performance audits) exceed the limits specified in either PS 8 or in 40 CFR 63.8(c)(7) of subpart A of Part 63. The owner or operator of a CEMS that is out of control shall submit all information concerning out of control periods, including start and end dates and hours and descriptions of corrective actions taken, in the excess emissions and continuous monitoring system performance report required in Condition 36.28.

[40 CFR 71.6(a)(3)]
[40 CFR 63.564(a)(5), Subpart Y]

36.15. *Vapor collection system of terminal*. Owners or operators of a source complying with Condition 36.7.a that uses a vapor collection system that contains valves that could divert a vent stream from a control device used to comply with the provisions of NESHAP Subpart Y shall comply with Condition 36.15.a, 36.15.b, or 36.15.c.

[40 CFR 71.6(a)(3)]
[40 CFR 63.564(b), Subpart Y]

a. Measure and record the vent stream flowrate of each by-pass line once every 15 minutes. The owner or operator shall install, calibrate, maintain, and operate a flow indicator and data recorder. The flow indicator shall be installed immediately downstream of any valve (i.e., entrance to by-pass line) that could divert the vent stream from the control device to the atmosphere.

b. Measure the vent stream flowrate of each by-pass line once every 15 minutes. The owner or operator shall install, calibrate, maintain, and operate a flow indicator with either an audio or visual alarm. The flow indicator and alarm shall be installed immediately downstream of any valve (i.e., entrance to by-pass line) that could divert the vent stream from the control device to the atmosphere. The alarm shall be checked every 6 months to demonstrate that it is functioning properly.

c. Visually inspect the seal or closure mechanism once during each marine tank vessel loading operation and at least once every month to ensure that the valve is maintained in the closed position and that the vent stream is not diverted through the by-pass line; record all times when the car seals have been broken and the valve position has been changed. Each by-pass line valve shall be secured in the closed position with a car-seal or a lock-and-key type configuration.

[40 CFR 63.564(b)(1) through (3), Subpart Y]

36.16. *Pressure/vacuum settings for the marine tank vessel's vapor collection equipment*. Owners or operators of a source complying with 40 CFR 63.563(a)(3) shall measure continuously the operating pressure of the marine tank vessel during loading.

[40 CFR 71.6(a)(3)]
[40 CFR 63.564(c), Subpart Y]

36.17. *Loading at negative pressure*. Owners or operators of a source complying with 40 CFR 63.563(a)(4)(iv) that load vessels at less than atmospheric pressure (i.e., negative gauge pressure) shall measure and record the loading pressure. The owner or operator shall install, calibrate, maintain, and operate a recording pressure measurement device (magnehelic gauge or equivalent device) and an audible and visible alarm system that is activated when the pressure vacuum specified in 40 CFR 63.563(a)(4)(iv) is not attained. The owner or operator shall place the alarm system so that it can be seen and heard where cargo transfer is controlled. The owner or operator shall verify the accuracy of the pressure device once each calendar year with a reference pressure monitor (traceable to National Institute of Standards and Technology (NIST) standards or an independent pressure measurement device dedicated for this purpose).

[40 CFR 63.564(d), Subpart Y]

36.18. *Combustion device, except flare*. For sources complying with Condition 36.8.b, use of a combustion device except a flare, the owner or operator shall comply with Condition 36.18.a. Owners or operators complying with Condition 36.18.a shall also comply with Condition 36.18.b.

[40 CFR 71.6(a)(3)]
[40 CFR 63.564(e), Subpart Y]

a. *Operating temperature determined during performance testing*. If the baseline temperature was established during the performance test, the data acquisition system shall record the temperature every 15 minutes and shall compute and record an average temperature each cycle (same time period or cycle of the performance test) and a 3-cycle block average every third cycle.

[40 CFR 63.564(e)(2), Subpart Y]

b. *Temperature monitor*. The owner or operator shall install, calibrate, operate, and maintain a temperature monitor accurate to within ±5.6 °C (±10 °F) or within 1 percent of the baseline temperature, whichever is less stringent, to measure the temperature. The monitor shall be installed at the exhaust point of the combustion device but not within the combustion zone. The owner or operator shall verify the accuracy of the temperature monitor once each calendar year with a reference temperature monitor (traceable to National Institute of Standards and Technology (NIST) standards or an independent temperature measurement device dedicated for this purpose). During accuracy checking, the probe of the reference device shall be at the same location as that of the temperature monitor being tested.

[40 CFR 63.564(e)(4), Subpart Y]

36.19. *Alternate monitoring procedures*. Alternate procedures to those described in Conditions 36.10 through 36.18 may be used upon application to, and approval by, the Administrator. The owner or operator shall comply with the procedures for use of an alternative monitoring method in 40 CFR 63.8(f).

[40 CFR 71.6(a)(3)]
[40 CFR 63.564(j), Subpart Y]

NESHAP Subpart Y Test Methods and Procedures

36.20. *Performance testing*. The owner or operator of an affected source in Conditions 36.1 through 36.6 shall comply with the performance testing requirements in 40 CFR 63.7 of Subpart A of Part 63 in accordance with the provisions for applicability of Subpart A to NESHAP Subpart Y in Table 1 of 40 CFR 63.560 and the performance testing requirements in Conditions 36.20 through 36.25.

[40 CFR 71.6(a)(3)]
[40 CFR 63.565(a), Subpart Y]

36.21. *Vapor-tightness test procedures for the marine tank vessel*. When testing a vessel for vapor tightness to comply with the marine vessel vapor-tightness requirements of 40 CFR 63.563(a)(4)(i), the owner or operator of a source shall use the methods in either 40 CFR 63.565(c)(1) or (2).

[40 CFR 71.6(a)(3)]
[40 CFR 63.565(c), Subpart Y]

36.22. *Combustion (except flare) and recovery control device performance test procedures.* The Permittee shall comply with 40 CFR 63.565(d)(1) through (10).

[40 CFR 71.6(a)(3)]
[40 CFR 63.565(d), Subpart Y]

36.23. *Baseline temperature*. The procedures in this condition shall be used to determine the baseline temperature required in Condition 36.8.b for combustion devices, and to monitor the temperature as required in Condition 36.18. The owner or operator shall comply with either Condition 36.23.a or 36.23.b.

[40 CFR 71.6(a)(3)]
[40 CFR 63.565(f), Subpart Y]

a. *Baseline temperature from performance testing.* The owner or operator shall establish the baseline temperature as the temperature at the outlet point of the unit averaged over three test runs from Condition 36.22. Temperature shall be measured every 15 minutes.

b. *Baseline temperature from manufacturer.* The owner or operator shall establish the baseline temperature as the manufacturer recommended minimum operating temperature for combustion devices.

[40 CFR 63.565(f)(1) & (2), Subpart Y]

36.24. *Emission estimation procedures.* For sources with emissions less than 10 or 25 tons and sources with emissions of 10 or 25 tons, the owner or operator shall calculate an annual estimate of HAP emissions, excluding commodities exempted by 40 CFR 63.560(d), from marine tank vessel loading operations. Emission estimates and emission factors shall be based on test data, or if test data is not available, shall be based on measurement or estimating techniques generally accepted in industry practice for operating conditions at the source.

[40 CFR 71.6(a)(3)]
[40 CFR 63.565(l), Subpart Y]

36.25. *Alternate test procedures*.

a. Alternate test procedures to those described in 40 CFR 63.565 may be used upon application to, and approval by, the Administrator.

b. If the owner or operator intends to demonstrate compliance by using an alternative to any test method specified, the owner or operator shall refrain from conducting the performance test until the Administrator approves the use of the alternative method when the Administrator approves the site-specific test plan (if review of the site-specific test plan is requested) or until after the alternative method is approved (see 40 CFR 63.7(f) of subpart A of Part 63). Notwithstanding the requirements in the preceding sentence, the owner or operator may proceed to conduct the performance test as required in 40 CFR 63.565 (without the Administrator's prior approval of the site-specific test plan) if he/she subsequently chooses to use the specified testing and monitoring methods instead of an alternative.

[40 CFR 63.565(m)(1) & (2), Subpart Y]

NESHAP Subpart Y Recordkeeping and Reporting Requirements

36.26. The owner or operator of an affected source shall fulfill all reporting and recordkeeping requirements in 40 CFR 63.9 and 63.10 of subpart A of Part 63 in accordance with the provisions for applicability of subpart A to NESHAP Subpart Y in Table 1 of 40 CFR 63.560 and fulfill all reporting and recordkeeping requirements in Conditions 36.26 through 36.36. These reports will be made to the Administrator at the appropriate address identified in 40 CFR 63.13 of subpart A of Part 63.

[40 CFR 71.6(a)(3)]
[40 CFR 63.567(a), Subpart Y]

a. Reports required by subpart A and this section may be sent by U.S. mail, facsimile (fax), or by another courier.

[40 CFR 63.567(a)(1), Subpart Y]

(i) Submittals sent by U.S. mail shall be postmarked on or before the specified date.

(ii) Submittals sent by other methods shall be received by the Administrator on or before the specified date.

[40 CFR 63.567(a)(1)(i) & (ii), Subpart Y]

b. If acceptable to both the Administrator and the owner or operator of a source, reports may be submitted on electronic media.

[40 CFR 63.567(a)(2), Subpart Y]

36.27. *Notification requirements*. The owner or operator of an affected source shall fulfill all notification requirements in 40 CFR 63.9 of subpart A of Part 63 in accordance with the provisions for applicability of that section to NESHAP Subpart Y in Table 1 of 40 CFR 63.560 and the notification requirements in 40 CFR 63.567(b)(1) through (5).

[40 CFR 71.6(a)(3)]
[40 CFR 63.567(b), Subpart Y]

36.28. *Summary reports and excess emissions and monitoring system performance reports*.

[40 CFR 71.6(a)(3)]
[40 CFR 63.567(e), Subpart Y]

a. *Schedule for summary report and excess emissions and monitoring system performance reports*. Excess emissions and parameter monitoring exceedances are defined in Condition 36.8. The owner or operator of a source subject to these emissions standards that is required to install a CMS shall submit an excess emissions and continuous monitoring system performance report and/or a summary report to the Administrator once each year, except, when the source experiences excess emissions, the source shall comply with a semi-annual reporting format until a request to reduce reporting frequency under Condition 36.28.b is approved.

[40 CFR 63.567(e)(1), Subpart Y]

b. *Request to reduce frequency of excess emissions and continuous monitoring system performance reports*. An owner or operator who is required to submit excess emissions and continuous monitoring system performance and summary reports on a semi-annual basis may reduce the frequency of reporting to annual if the following conditions are met:

[40 CFR 63.567(e)(2), Subpart Y]

(i) For 1 full year the sources's excess emissions and continuous monitoring system performance reports continually demonstrate that the source is in compliance; and

(ii) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in NESHAP Subpart Y and Subpart A of Part 63.

[40 CFR 63.567(e)(2)(i) & (ii), Subpart Y]

c. The frequency of reporting of excess emissions and continuous monitoring system performance and summary reports required may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the 5-year recordkeeping prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation maintenance requirements. Such information may be used by the Administrator to make a judgement about the source's potential for noncompliance in the future. If the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

[40 CFR 63.567(e)(3), Subpart Y]

d. *Content and submittal dates for excess emissions and monitoring system performance reports*. All excess emissions and monitoring system performance reports and all summary reports, if required per Conditions 36.28.e and 36.28.f, shall be delivered or postmarked within 30 days following the end of each calendar year, or within 30 days following the end of each six month period, if appropriate. Written reports of excess emissions or exceedances of process or control system parameters shall include all information required in 40 CFR 63.10(c)(5) through (13) of subpart A of Part 63 as applicable in Table 1 of 40 CFR 63.560 and information from any calibration tests in which the monitoring equipment is not in compliance with PS 8 or other methods used for accuracy testing of temperature, pressure, or flow monitoring devices. The written report shall also include the name, title, and signature of the responsible official who is certifying the accuracy of the report. When no excess emissions or exceedances have occurred or monitoring equipment has not been inoperative, repaired, or adjusted, such information shall be stated in the report. This information will be kept for a minimum of 5 years and made readily available to the Administrator or delegated State authority upon request.

[40 CFR 63.567(e)(4), Subpart Y]

e. If the total duration of excess emissions or control system parameter exceedances for the reporting period is less than 5 percent of the total operating time for the reporting period, and CMS downtime for the reporting period is less than 10 percent of the total operating time for the reporting period, only the summary report of 40 CFR 63.10(e)(3)(vi) of subpart A of Part 63 shall be submitted, and the full excess emissions and continuous monitoring system performance report of Condition 36.28.d need not be submitted unless required by the Administrator.

[40 CFR 63.567(e)(5), Subpart Y]

f. If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is 5 percent or greater of the total operating time for the reporting period, or the total CMS downtime for the reporting period is 10 percent or greater of the total operating time for the reporting period, both the summary report of 40 CFR 63.10(e)(3)(vi) of subpart A of Part 63 and the excess emissions and continuous monitoring system performance report of Condition 36.28.d shall be submitted.

[40 CFR 63.567(e)(6), Subpart Y]

36.29. *Vapor collection system of the terminal.* Each owner or operator of an affected source shall submit with the initial performance test and maintain in an accessible location on site an engineering report describing in detail the vent system, or vapor collection system, used to vent each vent stream to a control device. This report shall include all valves and vent pipes that could vent the stream to the atmosphere, thereby bypassing the control device, and identify which valves are car-sealed opened and which valves are car-sealed closed.

[40 CFR 71.6(a)(3)]
[40 CFR 63.567(f), Subpart Y]

36.30. If a vent system, or vapor collection system, containing valves that could divert the emission stream away from the control device is used, each owner or operator of an affected source shall keep for at least 5 years up-to-date, readily accessible continuous records of:

[40 CFR 71.6(a)(3)]
[40 CFR 63.567(g), Subpart Y]

a. All periods when flow bypassing the control device is indicated if flow indicators are installed under Conditions 36.7.a and 36.15, and

b. All times when maintenance is performed on car-sealed valves, when the car-seal is broken, and when the valve position is changed (i.e., from open to closed for valves in the vent piping to the control device and from closed to open for valves that vent the stream directly or indirectly to the atmosphere bypassing the control device) if valves are monitored under Condition 36.15.

[40 CFR 63.567(g)(1) & (2), Subpart Y]

36.31. The owner or operator of an affected source shall keep the vapor-tightness documentation required under Condition 36.7.c on file at the source in a permanent form available for inspection.

[40 CFR 71.6(a)(3)]
[40 CFR 63.567(h), Subpart Y]

36.32. *Vapor tightness test documentation for marine tank vessels*. The owner or operator of an affected source shall maintain a documentation file for each marine tank vessel loaded at that source to reflect current test results as determined by the appropriate method in 40 CFR 63.565(c)(1) and (2). Updates to this documentation file shall be made at least once per year. The owner or operator shall include, as a minimum, the information in 40 CFR 63.567(i)(1) through (10).

[40 CFR 71.6(a)(3)]
[40 CFR 63.567(i), Subpart Y]

36.33. *Leak detection and repair of vapor collection systems and control devices*. When each leak of the vapor collection system, or vapor collection system, and control device is detected and repaired as specified in Condition 36.9 the information required in 40 CFR 63.567(k)(1) through (5) shall be maintained for 5 years.

[40 CFR 71.6(a)(3)]
[40 CFR 63.567(k), Subpart Y]

36.34. The owner or operator of the VMT source required by Condition 36.5.d to develop a program, shall submit annual reports on or before January 31 of each year to the Administrator certifying the annual average daily loading rate for the previous calendar year. Beginning on January 31, 1999, for the reported year 1998, the annual report shall specify the annual average daily loading rate over all loading berths, over each loading berth equipped with a vapor collection system and control device, and over each loading berth not equipped with a vapor collection system and control device. The annual average daily loading rate under this section is calculated as the total amount of crude oil loaded during the calendar year divided by 365 days or 366 days, as appropriate.

[40 CFR 63.567(l), Subpart Y]

36.35. The number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded shall be stated in a semiannual report. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with Condition 36.6, including actions taken to correct a malfunction. The report, to be certified by the owner or operator or other responsible official, shall be submitted semiannually and delivered or postmarked by the 30th day following the end of each calendar half.

[40 CFR 63.567(m), Subpart Y]

36.36. All reports required by NESHAP Subpart Y not subject to the requirements in 40 CFR 63.567(n)(1) must be sent to the Administrator at the appropriate address listed in 40 CFR 63.13. If acceptable to both the Administrator and the owner or operator of a source, these reports may be submitted on electronic media. The Administrator retains the right to require submittal of reports subject to 40 CFR 63.567(n)(1) in paper format.

[40 CFR 63.567(n)(2), Subpart Y]

40 CFR 63 Subpart EEEE

37. For EU IDs 29 through 42, the Permittee shall comply with the following applicable requirements of NESHAP Subpart EEEE for organic liquids distribution.

[18 AAC 50.040(c)(21), 50.040(j)(4), & 50.326(j)]
[40 CFR 71.6(a)(1)]
[40 CFR 63.2334, Subpart EEEE]

NESHAP Subpart EEEE Emission Limitations, Operating Limits, and Work Practice Standards

37.1. *Storage tanks.* You must meet the emission limits specified in Condition 37.1.a and comply with the applicable requirements specified in Condition 38, for meeting emission limits, except substitute the term "storage tank" at each occurrence of the term "storage vessel" in Condition 38.

[40 CFR 71.6(a)(1)]
[40 CFR 63.2346(a) & (a)(1), Subpart EEEE]

a. Reduce emissions of total organic HAP (or, upon approval, TOC) by at least 95 weight-percent or, as an option, to an exhaust concentration less than or equal to 20 ppmv, on a dry basis corrected to 3 percent oxygen for combustion devices using supplemental combustion air, by venting emissions through a closed vent system to any combination of control devices meeting the applicable requirements of Condition 38; OR

[Table 2, Item 1.a.i, 40 CFR 63 Subpart EEEE]

b. Comply with the requirements of Condition 38.4 for routing emissions to a fuel gas system or back to a process.

[Table 2, Item 1.a.ii & Table 4, Item 1.b, 40 CFR 63 Subpart EEEE]
[40 CFR 63.2346(a)(2), Subpart EEEE]

37.2. Opening of a safety device is allowed at any time that it is required to avoid unsafe operating conditions.

[40 CFR 71.6(a)(1)]
[40 CFR 63.2346(i), Subpart EEEE]

NESHAP Subpart EEEE General Compliance Requirements

37.3. You must be in compliance with the emission limitations, operating limits, and work practice standards in Condition 37.1 at all times when the equipment identified in 40 CFR 63.2338(b)(1) through (4) is in organic liquids distribution (OLD) operation.

[40 CFR 71.6(a)(1)]
[40 CFR 63.2350(a), Subpart EEEE]

37.4. You must always operate and maintain your affected source, including air pollution control and monitoring equipment, according to the provisions in 40 CFR 63.6(e)(1)(i).

[40 CFR 71.6(a)(1)]
[40 CFR 63.2350(b), Subpart EEEE]

37.5. You must develop a written startup, shutdown, and malfunction (SSM) plan according to the provisions in 40 CFR 63.6(e)(3).

[40 CFR 71.6(a)(1)]
[40 CFR 63.2350(c), Subpart EEEE]

NESHAP Subpart EEEE Testing and Initial Compliance Requirements

37.6. For each performance test that you conduct, you must use the procedures specified in Condition 38 and the provisions specified in 40 CFR 63.2354(b).

[40 CFR 71.6(a)(3)]
[40 CFR 63.2354(a)(1), Subpart EEEE]

37.7. For nonflare control devices, EU IDs 4 through 6, you must conduct subsequent performance testing required in Table 5 to NESHAP Subpart EEEE, item 1, at any time the EPA requests you to in accordance with section 114 of the CAA.

[40 CFR 71.6(a)(3)]
[40 CFR 63.2362(a), Subpart EEEE]

NESHAP Subpart EEEE Monitoring, Installation, Operation, and Maintenance Requirements

37.8. You must install, operate, and maintain a CMS on each control device required in order to comply with NESHAP Subpart EEEE. If you use a continuous parameter monitoring system (CPMS) (as defined in 40 CFR 63.981), you must comply with the applicable requirements for CPMS in Condition 38 for the control device being used. If you use a continuous emissions monitoring system (CEMS), you must comply with the requirements in 40 CFR 63.8.

[40 CFR 71.6(a)(3)]
[40 CFR 63.2366(a), Subpart EEEE]

37.9. For nonflare control devices controlling storage tanks, you must submit a monitoring plan according to the requirements in Condition 38 for monitoring plans.

[40 CFR 71.6(a)(3)]
[40 CFR 63.2366(b), Subpart EEEE]

NESHAP Subpart EEEE Continuous Compliance Requirements

37.10. You must monitor and collect data according to Condition 38 and Conditions 37.11 and 37.12.

[40 CFR 71.6(a)(3)]
[40 CFR 63.2374(a), Subpart EEEE]

37.11. When using a control device to comply with NESHAP Subpart EEEE, you must monitor continuously or collect data at all required intervals at all times that the emission source and control device are in OLD operation, except for CMS malfunctions (including any malfunction preventing the CMS from operating properly), associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments).

[40 CFR 71.6(a)(3)]
[40 CFR 63.2374(b), Subpart EEEE]

37.12. Do not use data recorded during CMS malfunctions, associated repairs, required quality assurance or control activities, or periods when emissions from organic liquids are not routed to the control device in data averages and calculations used to report emission or operating levels. Do not use such data in fulfilling a minimum data availability requirement, if applicable. You must use all of the data collected during all other periods, including periods of SSM, in assessing the operation of the control device.

[40 CFR 71.6(a)(3)]
[40 CFR 63.2374(c), Subpart EEEE]

37.13. You must demonstrate continuous compliance with each emission limitation, operating limit, and work practice standard in Conditions 37.1.a and 37.1.b according to the methods specified in Condition 38 and by

a. performing the CMS monitoring and collecting data according to Conditions in 37.8 through 37.16; AND

b. Maintaining the operating limits established during the design evaluation or performance test that demonstrated compliance with the emission limit.

[40 CFR 71.6(a)(3)]
[40 CFR 63.2378(a) & Table 8, Items 1.a.i & ii, Subpart EEEE]

37.14. You must follow the requirements in 40 CFR 63.6(e)(1) and (3) during periods of startup, shutdown, malfunction, or nonoperation of the affected source or any part thereof. In addition, the provisions of Conditions 37.14.a through 37.14.c apply.

[40 CFR 71.6(a)(3)]
[40 CFR 63.2378(b), Subpart EEEE]

a. The emission limitations in Condition 37.1 apply at all times except during periods of nonoperation of the affected source (or specific portion thereof) resulting in cessation of the emissions to which NESHAP Subpart EEEE applies. The emission limitations in Condition 37.1 apply during periods of SSM, except as provided in Conditions 37.14.b and 37.14.c. However, if a SSM, or period of nonoperation of one portion of the affected source does not affect the ability of a particular emission source to comply with the emission limitations to which it is subject, then that emission source is still required to comply with the applicable emission limitations of NESHAP Subpart EEEE during the startup, shutdown, malfunction, or period of nonoperation.

b. The owner or operator must not shut down control devices or monitoring systems that are required or utilized for achieving compliance with NESHAP Subpart EEEE during periods of SSM while emissions are being routed to such items of equipment if the shutdown would contravene requirements of NESHAP Subpart EEEE applicable to such items of equipment. This condition does not apply if the item of equipment is malfunctioning. This condition also does not apply if the owner or operator shuts down the compliance equipment (other than monitoring systems) to avoid damage due to a contemporaneous SSM of the affected source or portion thereof. If the owner or operator has reason to believe that monitoring equipment would be damaged due to a contemporaneous SSM of the affected source of portion thereof, the owner or operator must provide documentation supporting such a claim in the next Compliance report required in table 11 to NESHAP Subpart EEEE, item 1. Once approved by the Administrator, the provision for ceasing to collect, during a SSM, monitoring data that would otherwise be required by the provisions of NESHAP Subpart EEEE must be incorporated into the SSM plan.

c. During SSM, you must implement, to the extent reasonably available, measures to prevent or minimize excess emissions. For purposes of this condition, the term "excess emissions" means emissions greater than those allowed by the emission limits that apply during normal operational periods. The measures to be taken must be identified in the SSM plan, and may include, but are not limited to, air pollution control technologies, recovery technologies, work practices, pollution prevention, monitoring, and/or changes in the manner of operation of the affected source. Back-up control devices are not required, but may be used if available.

[40 CFR 63.2378(b)(1) through (3), Subpart EEEE]

37.15. Periods of planned routine maintenance of a control device used to control storage tanks, during which the control device does not meet the emission limits in Condition 37.1, must not exceed 240 hours per year.

[40 CFR 71.6(a)(1)]
[40 CFR 63.2378(c), Subpart EEEE]

37.16. If you elect to route emissions from storage tanks to a fuel gas system or to a process, as allowed by Condition 38.2, to comply with the emission limits in Condition 37.1, the total aggregate amount of time during which the emissions bypass the fuel gas system or process during the calendar year without being routed to a control device, for all reasons (except SSM or product changeovers of flexible operation units and periods when a storage tank has been emptied and degassed), must not exceed 240 hours.

[40 CFR 71.6(a)(1)]
[40 CFR 63.2378(d), Subpart EEEE]

NESHAP Subpart EEEE Notifications, Reports, and Records

37.17. You must submit each notification in Condition 38, Table 12 to NESHAP Subpart EEEE, and Condition 37.18 that applies to you. You must submit these notifications according to the schedule in Table 12 to NESHAP Subpart EEEE and as specified in Condition 37.18.

[40 CFR 71.6(a)(3)]
[40 CFR 63.2382(a), Subpart EEEE]

37.18. If you are required to conduct a performance test, you must submit the Notification of Intent to conduct the test at least 60 calendar days before it is initially scheduled to begin as required in 40 CFR 63.7(b)(1).

[40 CFR 71.6(a)(3)]
[40 CFR 63.2382(c), Subpart EEEE]

37.19. You must submit each report in Condition 38, Table 11 to NESHAP Subpart EEEE, Table 12 to NESHAP Subpart EEEE, and in Conditions 37.21 through 37.22 that applies to you.

[40 CFR 71.6(a)(3)]
[40 CFR 63.2386(a), Subpart EEEE]

37.20. Unless the Administrator has approved a different schedule for submission of reports under 40 CFR 63.10(a), you must submit each report according to Table 11 to NESHAP Subpart EEEE and by the dates shown in Condition 37.20.a, by the dates shown in Condition 38, and by the dates shown in Table 12 to NESHAP Subpart EEEE, whichever are applicable.

[40 CFR 71.6(a)(3)]
[40 CFR 63.2386(b), Subpart EEEE]

a. You must submit the compliance reports with the operating reports required under Condition 71.

[40 CFR 63.2386(b)(3), Subpart EEEE]

37.21. *Subsequent Compliance reports.* Subsequent Compliance reports must contain the information in 40 CFR 63.2386(c)(1) through (8) and, where applicable, the information in 40 CFR 63.2386(d)(1) through (4).

[40 CFR 71.6(a)(3)]
[40 CFR 63.2386(d), Subpart EEEE]

37.22. Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 40 CFR part 71 must report all deviations as defined in NESHAP Subpart EEEE in the semiannual monitoring report required by Condition 71.

[40 CFR 71.6(a)(3)]
[40 CFR 63.2386(e), Subpart EEEE]

37.23. You must keep all records identified in Condition 38 and in Table 12 to NESHAP Subpart EEEE that are applicable, including records related to notifications and reports, SSM, performance tests, CMS, and performance evaluation plans.

[40 CFR 71.6(a)(3)]
[40 CFR 63.2390(b)(1), Subpart EEEE]

37.24. You must keep the records required to show continuous compliance, as required in Condition 38 and in Condition 37.13, with each emission limitation, operating limit, and work practice standard that applies to you.

[40 CFR 71.6(a)(3)]
[40 CFR 63.2390(b)(2), Subpart EEEE]

37.25. Your records must be in a form suitable and readily available for expeditious inspection and review according to 40 CFR 63.10(b)(1), including records stored in electronic form at a separate location.

37.26. As specified in 40 CFR 63.10(b)(1), you must keep your files of all information (including all reports and notifications) for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

37.27. You must keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1). You may keep the records off site for the remaining 3 years.

[40 CFR 71.6(a)(3)]
[40 CFR 63.2394(a) through (c), Subpart EEEE]

40 CFR 63 Subpart SS

38. For EU IDs 1 through 6 and 29 through 42, the Permittee shall comply with the following applicable requirements of NESHAP Subpart SS which include requirements for closed vent systems, control devices, recovery devices and routing to a fuel gas system or a process.

[18 AAC 50.040(j)(4) & 50.326(j)]
[40 CFR 71.6(a)(1)]
[40 CFR 63.980, Subpart SS]

38.1. *Closed vent system and nonflare control device.* Owners or operators who control emissions through a closed vent system to a nonflare control device shall meet the requirements in Condition 38.3 for closed vent systems, the applicable recordkeeping and reporting requirements of Conditions 38.8 and 38.9, and the requirements listed in Condition 38.1.a.

[40 CFR 71.6(a)(1)]
[40 CFR 63.982(a) & (a)(1), 63.982(c), Subpart SS]

a. For storage vessels, the owner or operator shall meet the requirements in Condition 38.5 for nonflare control devices and the monitoring, recordkeeping, and reporting requirements referenced therein. No other provisions of NESHAP Subpart SS apply to storage vessel emissions vented through a closed vent system to a nonflare control device unless specifically required in the monitoring plan submitted under Condition 38.5.b.

[40 CFR 63.982(c)(1), Subpart SS]

38.2. *Route to a fuel gas system or process*. Owners or operators that route emissions to a fuel gas system or to a process shall meet the requirements in Condition 38.4, the monitoring, recordkeeping, and reporting requirements referenced therein, and the applicable recordkeeping and reporting requirements of Conditions 38.8 and 38.9. No other provisions of NESHAP Subpart SS apply to emissions being routed to a fuel gas system or process.

[40 CFR 71.6(a)(1)]
[40 CFR 63.982(d), Subpart SS]

38.3. *Closed vent system requirements.*

[40 CFR 71.6(a)(1)]

a. *Closed vent system equipment and operating requirements*. Except for closed vent systems operated and maintained under negative pressure, the provisions of this paragraph apply to closed vent systems collecting regulated material from a regulated source.

[40 CFR 63.983(a), Subpart SS]

(i) *Collection of emissions*. Each closed vent system shall be designed and operated to collect the regulated material vapors from the emission point, and to route the collected vapors to a control device.

(ii) *Period of operation*. Closed vent systems used to comply with the provisions of NESHAP Subpart SS shall be operated at all times when emissions are vented to, or collected by, them.

[40 CFR 63.983(a)(1) & (2), Subpart SS]

b. *Closed vent system inspection and monitoring requirements*. The provisions of NESHAP Subpart SS apply to closed vent systems collecting regulated material from a regulated source. Inspection records shall be generated as specified in Conditions 38.8.j(ii) and 38.8.j(iii).

[40 CFR 63.983(b), Subpart SS]

(i) Except for any closed vent systems that are designated as unsafe or difficult to inspect as provided in Conditions 38.3.b(ii) and 38.3.b(iii), each closed vent system shall be inspected as specified in Condition 38.3.b(i)(A) or 38.3.b(i)(B).

[40 CFR 63.983(b)(1), Subpart SS]

(A) If the closed vent system is constructed of hard-piping, the owner or operator shall conduct annual inspections for visible, audible, or olfactory indications of leaks.

[40 CFR 63.983(b)(1)(i) & (b)(1)(i)(B), Subpart SS]

(B) If the closed vent system is constructed of ductwork, the owner or operator shall conduct an initial and annual inspection according to the procedures in Condition 38.3.c.

[40 CFR 63.983(b)(1)(ii), Subpart SS]

(ii) Any parts of the closed vent system that are designated, as described in Condition 38.8.j(i), as unsafe to inspect are exempt from the inspection requirements of Condition 38.3.b(i) if the conditions of Conditions 38.3.b(ii)(A) and 38.3.b(ii)(B) are met.

[40 CFR 63.983(b)(2), Subpart SS]

(A) The owner or operator determines that the equipment is unsafe-to-inspect because inspecting personnel would be exposed to an imminent or potential danger as a consequence of complying with Condition 38.3.b(i); and

(B) The owner or operator has a written plan that requires inspection of the equipment as frequently as practical during safe-to-inspect times. Inspection is not required more than once annually.

[40 CFR 63.983(b)(2)(i) & (ii), Subpart SS]

(iii) Any parts of the closed vent system that are designated, as described in Condition 38.8.j(i), as difficult-to-inspect are exempt from the inspection requirements of Condition 38.3.b(i) if the provisions of Conditions 38.3.b(iii)(A) and 38.3.b(iii)(B) apply.

[40 CFR 63.983(b)(3), Subpart SS]

(A) The owner or operator determines that the equipment cannot be inspected without elevating the inspecting personnel more than 2 meters (7 feet) above a support surface; and

(B) The owner or operator has a written plan that requires inspection of the equipment at least once every 5 years.

[40 CFR 63.983(b)(3)(i) & (ii), Subpart SS]

c. *Closed vent system inspection procedures*. The provisions of this paragraph apply to closed vent systems collecting regulated material from a regulated source.

[40 CFR 63.983(c), Subpart SS]

(i) Each closed vent system subject to this paragraph shall be inspected according to the procedures specified in 40 CFR 63.983(c)(1)(i) through (vii).

[40 CFR 63.983(c)(1), Subpart SS]

d. *Closed vent system leak repair provisions*. The provisions of this paragraph apply to closed vent systems collecting regulated material from a regulated source.

[40 CFR 63.983(d), Subpart SS]

(i) If there are visible, audible, or olfactory indications of leaks at the time of the annual visual inspections required by Condition 38.3.b(i)(A), the owner or operator shall follow the procedure specified in either Condition 38.3.d(i)(A) or 38.3.d(i)(B).

[40 CFR 63.983(d)(1), Subpart SS]

(A) The owner or operator shall eliminate the leak.

(B) The owner or operator shall monitor the equipment according to the procedures in Condition 38.3.c.

[40 CFR 63.983(d)(1)(i) & (ii), Subpart SS]

(ii) Leaks, as indicated by an instrument reading greater than 500 parts per million by volume above background or by visual inspections, shall be repaired as soon as practical, except as provided in Condition 38.3.d(iii). Records shall be generated as specified in Condition 38.8.j(ii) when a leak is detected.

[40 CFR 63.983(d)(2), Subpart SS]

(A) A first attempt at repair shall be made no later than 5 days after the leak is detected.

(B) Except as provided in Condition 38.3.d(iii), repairs shall be completed no later than 15 days after the leak is detected or at the beginning of the next introduction of vapors to the system, whichever is later.

[40 CFR 63.983(d)(2)(i) & (ii), Subpart SS]

(iii) Delay of repair of a closed vent system for which leaks have been detected is allowed if repair within 15 days after a leak is detected is technically infeasible or unsafe without a closed vent system shutdown, as defined in 40 CFR 63.981, or if the owner or operator determines that emissions resulting from immediate repair would be greater than the emissions likely to result from delay of repair. Repair of such equipment shall be completed as soon as practical, but not later than the end of the next closed vent system shutdown.

[40 CFR 63.983(d)(3), Subpart SS]

38.4. *Requirements for fuel gas systems and processes to which storage vessel emissions are routed*.

[40 CFR 71.6(a)(1)]

a. *Equipment and operating requirements for fuel gas systems and processes*. Except during periods of start-up, shutdown and malfunction as specified in the referencing subpart, the fuel gas system or process shall be operating at all times when regulated material emissions are routed to it.

[40 CFR 63.984(a)(1), Subpart SS]

b. *Fuel gas system and process compliance assessment*. If emissions are routed to a fuel gas system, there is no requirement to conduct a performance test or design evaluation.

[40 CFR 63.984(b)(1), Subpart SS]

c. *Statement of connection*. For storage vessels, the owner or operator shall submit the statement of connection reports for fuel gas systems specified in 40 CFR 63.999(b)(1)(ii), as appropriate.

[40 CFR 63.984(c), Subpart SS]

38.5. *Requirements for nonflare control devices used to control emissions from storage vessels*.

[40 CFR 71.6(a)(1)]

a. *Nonflare control device equipment and operating requirements*. The owner or operator shall operate and maintain the nonflare control device so that the monitored parameters defined as required in Condition 38.5.b remain within the ranges specified in the Notification of Compliance Status whenever emissions of regulated material are routed to the control device except during periods of start-up, shutdown, and malfunction as specified in NESHAP Subpart EEEE.

[40 CFR 63.985(a), Subpart SS]

b. *Nonflare control device monitoring requirements.*

[40 CFR 63.985(c), Subpart SS]

(i) The owner or operator shall submit with the Notification of Compliance Status, a monitoring plan containing the information specified in 40 CFR 63.999(b)(2)(i) and (ii) to identify the parameters that will be monitored to assure proper operation of the control device.

(ii) The owner or operator shall monitor the parameters specified in the Notification of Compliance Status or in the operating permit application or amendment. Records shall be generated as specified in Condition 38.8.k(i).

[40 CFR 63.985(c)(1) & (2), Subpart SS]

38.6. *Requirements for incinerators and boilers*.

[40 CFR 71.6(a)(1)]

a. Incinerators or boilers used to comply with the provisions of a referencing subpart and NESHAP Subpart SS shall be operated at all times when emissions are vented to them.

[40 CFR 63.988(a)(2), Subpart SS]

b. For boilers, the vent stream shall be introduced into the flame zone of the boiler.

[40 CFR 63.988(a)(3), Subpart SS]

c. *Incinerator and boiler monitoring requirements*. Where an incinerator is used, a temperature monitoring device capable of providing a continuous record that meets the provisions specified in Condition 38.6.c(i) is required. Any boiler in which all vent streams are introduced with primary fuel or are used as the primary fuel is exempt from monitoring. Monitoring results shall be recorded as specified in Conditions 38.8.b through 38.8.i. General requirements for monitoring and continuous parameter monitoring systems are contained in the referencing subpart and Condition 38.7.

[40 CFR 63.988(c), Subpart SS]

(i) Where an incinerator other than a catalytic incinerator is used, a temperature monitoring device shall be installed in the fire box or in the ductwork immediately downstream of the fire box in a position before any substantial heat exchange occurs.

(ii) Where a catalytic incinerator is used, temperature monitoring devices shall be installed in the gas stream immediately before and after the catalyst bed.

[40 CFR 63.988(c)(1) & (2), Subpart SS]

38.7. *General monitoring requirements for control and recovery devices*.

[40 CFR 71.6(a)(3)(i)]

a. *Conduct of monitoring*. Monitoring shall be conducted as set forth in Condition 38.7 and in the relevant sections of NESHAP Subpart SS unless the provision in either Condition 38.7.a(i) or 38.7.a(ii) applies.

[40 CFR 63.996(b)(1), Subpart SS]

(i) The Administrator specifies or approves the use of minor changes in methodology for the specified monitoring requirements and procedures; or

(ii) The Administrator approves the use of alternatives to any monitoring requirements or procedures as provided in the referencing subpart or Condition 38.7.i.

[40 CFR 63.996(b)(1)(i) & (ii), Subpart SS]

b. When one CPMS is used as a backup to another CPMS, the owner or operator shall report the results from the CPMS used to meet the monitoring requirements of NESHAP Subpart SS. If both such CPMS's are used during a particular reporting period to meet the monitoring requirements of NESHAP Subpart SS, then the owner or operator shall report the results from each CPMS for the time during the six month period that the instrument was relied upon to demonstrate compliance.

[40 CFR 63.996(b)(2), Subpart SS]

c. *Operation and maintenance of continuous parameter monitoring systems*. All monitoring equipment shall be installed, calibrated, maintained, and operated according to manufacturer's specifications or other written procedures that provide adequate assurance that the equipment would reasonably be expected to monitor accurately.

[40 CFR 63.996(c)(1), Subpart SS]

d. The owner or operator of a regulated source shall maintain and operate each CPMS as specified in Condition 38.7, or in a relevant subpart, and in a manner consistent with good air pollution control practices.

[40 CFR 63.996(c)(2), Subpart SS]

(i) The owner or operator of a regulated source shall ensure the immediate repair or replacement of CPMS parts to correct “routine” or otherwise predictable CPMS malfunctions. The necessary parts for routine repairs of the affected equipment shall be readily available.

(ii) If under the referencing subpart, an owner or operator has developed a start-up, shutdown, and malfunction plan, the plan is followed, and the CPMS is repaired immediately, this action shall be recorded as specified in 40 CFR 63.998(c)(1)(ii)(E).

(iii) The Administrator's determination of whether acceptable operation and maintenance procedures are being used for the CPMS will be based on information that may include, but is not limited to, review of operation and maintenance procedures, operation and maintenance records as specified in 40 CFR 63.998(c)(1)(i) and (ii), manufacturer's recommendations and specifications, and inspection of the CPMS.

[40 CFR 63.996(c)(2)(i) through (iii), Subpart SS]

e. All CPMS's shall be installed and operational, and the data verified as specified in NESHAP Subpart SS either prior to or in conjunction with conducting performance tests. Verification of operational status shall, at a minimum, include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system or other written procedures that provide adequate assurance that the equipment would reasonably be expected to monitor accurately.

[40 CFR 63.996(c)(3), Subpart SS]

f. All CPMS's shall be installed such that representative measurements of parameters from the regulated source are obtained.

[40 CFR 63.996(c)(4), Subpart SS]

g. In accordance with the referencing subpart, except for system breakdowns, repairs, maintenance periods, instrument adjustments, or checks to maintain precision and accuracy, calibration checks, and zero and span adjustments, all continuous parameter monitoring systems shall be in continuous operation when emissions are being routed to the monitored device.

[40 CFR 63.996(c)(5), Subpart SS]

h. The owner or operator shall establish a range for monitored parameters that indicates proper operation of the control or recovery device. In order to establish the range, the information required in 40 CFR 63.999(b)(3) shall be submitted in the Notification of Compliance Status or the operating permit application or amendment. The range may be based upon a prior performance test meeting the specifications of 40 CFR 63.997(b)(1) or upon existing ranges or limits established under a referencing subpart. Where the regeneration stream flow and carbon bed temperature are monitored, the range shall be in terms of the total regeneration stream flow per regeneration cycle and the temperature of the carbon bed determined within 15 minutes of the completion of the regeneration cooling cycle.

[40 CFR 63.996(c)(6), Subpart SS]

i. *Alternatives to monitoring requirements*.

[40 CFR 63.996(d), Subpart SS]

(i) *Alternatives to the continuous operating parameter monitoring and recordkeeping provisions*. An owner or operator may request approval to use alternatives to the continuous operating parameter monitoring and recordkeeping provisions listed in Conditions 38.6.c, 38.8.a, 38.8.g through 38.8.i, as specified in Condition 38.9.c(i).

(ii) *Monitoring a different parameter than those listed*. An owner or operator may request approval to monitor a different parameter than those established in Condition 38.7.h, as specified in Condition 38.9.c(ii).

[40 CFR 63.996(d)(1) & (2), Subpart SS]

38.8. *Recordkeeping requirements*.

[40 CFR 71.6(a)(3)(ii)]

a. *Nonflare control device performance test records*.

[40 CFR 63.998(a)(2), Subpart SS]

(i) *Availability of performance test records*. Upon request, the owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests performed pursuant to 40 CFR 63.988(b).

[40 CFR 63.998(a)(2)(i), Subpart SS]

(ii) *General requirements*. Each owner or operator subject to the provisions of NESHAP Subpart SS shall keep up-to-date, readily accessible continuous records of the data specified in Condition 38.8.a(iii), measured during each performance test performed pursuant to 40 CFR 63.988(b), and also include that data in the Notification of Compliance Status required under 40 CFR 63.999(b). The same data specified in this section shall be submitted in the reports of all subsequently required performance tests where either the emission control efficiency of a combustion device, or the outlet concentration of TOC or regulated material is determined.

[40 CFR 63.998(a)(2)(ii)(A), Subpart SS]

(iii) *Nonflare combustion device*. Where an owner or operator subject to the provisions of this paragraph seeks to demonstrate compliance with a percent reduction requirement or a parts per million by volume requirement using a nonflare combustion device the information specified in Conditions 38.8.a(iii)(A) through 38.8.a(iii)(D) shall be recorded.

[40 CFR 63.998(a)(2)(ii)(B), Subpart SS]

(A) For thermal incinerators, record the fire box temperature averaged over the full period of the performance test.

[40 CFR 63.998(a)(2)(ii)(B)(1), Subpart SS]

(B) For catalytic incinerators, record the upstream and downstream temperatures and the temperature difference across the catalyst bed averaged over the full period of the performance test.

[40 CFR 63.998(a)(2)(ii)(B)(2), Subpart SS]

(C) For an incinerator, record the percent reduction of organic regulated material, if applicable, or TOC achieved by the incinerator determined as specified in 40 CFR 63.997(e)(2)(iv), as applicable, or the concentration of organic regulated material (parts per million by volume, by compound) determined as specified in 40 CFR 63.997(e)(2)(iii) at the outlet of the incinerator.

[40 CFR 63.998(a)(2)(ii)(B)(4), Subpart SS]

(D) For a boiler or process heater, record a description of the location at which the vent stream is introduced into the boiler or process heater.

[40 CFR 63.998(a)(2)(ii)(B)(5), Subpart SS]

b. *Continuous records*. Where NESHAP Subpart SS requires a continuous record, the owner or operator shall maintain a record as specified in Conditions 38.8.b(i) through 38.8.b(iii), as applicable:

[40 CFR 63.998(b)(1), Subpart SS]

(i) A record of values measured at least once every 15 minutes or each measured value for systems which measure more frequently than once every 15 minutes; or

[40 CFR 63.998(b)(1)(i), Subpart SS]

(ii) A record of block average values for 15-minute or shorter periods calculated from all measured data values during each period or from at least one measured data value per minute if measured more frequently than once per minute.

[40 CFR 63.998(b)(1)(ii), Subpart SS]

(iii) Where data is collected from an automated continuous parameter monitoring system, the owner or operator may calculate and retain block hourly average values from each 15-minute block average period or from at least one measured value per minute if measured more frequently than once per minute, and discard all but the most recent three valid hours of continuous (15-minute or shorter) records, if the hourly averages do not exclude periods of CPMS breakdown or malfunction. An automated CPMS records the measured data and calculates the hourly averages through the use of a computerized data acquisition system.

[40 CFR 63.998(b)(1)(iii), Subpart SS]

c. *Excluded data*. Monitoring data recorded during periods identified in Conditions 38.8.c(i) through 38.8.c(iii) shall not be included in any average computed to determine compliance with an emission limit in a referencing subpart.

[40 CFR 63.998(b)(2), Subpart SS]

(i) Monitoring system breakdowns, repairs, preventive maintenance, calibration checks, and zero (low-level) and highlevel adjustments;

(ii) Periods of non-operation of the process unit (or portion thereof), resulting in cessation of the emissions to which the monitoring applies; and

(iii) Startups, shutdowns, and malfunctions, if the owner or operator operates the source during such periods in accordance with 40 CFR 63.1111(a) and maintains the records specified in Condition 38.8.l.

[40 CFR 63.998(b)(2)(i) through (iii), Subpart SS]

d. *Records of daily averages*. In addition to the records specified in Condition 38.8.a(iii), owners or operators shall keep records as specified in Conditions 38.8.d(i) and 38.8.d(ii) and submit reports as specified in Condition 38.9.b, unless an alternative recordkeeping system has been requested and approved under NESHAP Subpart EEEE.

[40 CFR 63.998(b)(3), Subpart SS]

(i) Except as specified in Condition 38.8.d(ii), daily average values of each continuously monitored parameter shall be calculated from data meeting the specifications of Condition 38.8.c for each operating day and retained for 5 years.

[40 CFR 63.998(b)(3)(i), Subpart SS]

(A) The daily average shall be calculated as the average of all values for a monitored parameter recorded during the operating day. The average shall cover a 24-hour period if operation is continuous, or the period of operation per operating day if operation is not continuous (e.g., for transfer racks the average shall cover periods of loading). If values are measured more frequently than once per minute, a single value for each minute may be used to calculate the daily average instead of all measured values.

(B) The operating day shall be the period defined in the operating permit or in the Notification of Compliance Status. It may be from midnight to midnight or another daily period.

[40 CFR 63.998(b)(3)(i)(A) & (B), Subpart SS]

(ii) If all recorded values for a monitored parameter during an operating day are within the range established in the Notification of Compliance Status or in the operating permit, the owner or operator may record that all values were within the range and retain this record for 5 years rather than calculating and recording a daily average for that operating day. In such cases, the owner or operator may not discard the recorded values as allowed in Condition 38.8.b(iii).

[40 CFR 63.998(b)(3)(ii), Subpart SS]

e. For the purposes of 40 CFR 63.998, an excursion means that the daily average value of monitoring data for a parameter is greater than the maximum, or less than the minimum established value, except as provided in Conditions 38.8.e(i) and 38.8.e(ii).

[40 CFR 63.998(b)(6)(i), Subpart SS]

(i) The daily average value during any startup, shutdown, or malfunction shall not be considered an excursion if the owner or operator operates the source during such periods in accordance with 40 CFR 63.1111(a) and maintains the records specified in Condition 38.8.l.

(ii) An excused excursion, as described in Condition 38.8.f, does not count toward the number of excursions for the purposes of NESHAP Subpart SS.

[40 CFR 63.998(b)(6)(i)(A) & (B), Subpart SS]

f. One excused excursion for each control device or recovery device for each semiannual period is allowed. If a source has developed a startup, shutdown and malfunction plan, and a monitored parameter is outside its established range or monitoring data are not collected during periods of start-up, shutdown, or malfunction (and the source is operated during such periods in accordance with 40 CFR 63.1111(a)) or during periods of nonoperation of the process unit or portion thereof (resulting in cessation of the emissions to which monitoring applies), then the excursion is not a violation and, in cases where continuous monitoring is required, the excursion does not count as the excused excursion for determining compliance.

[40 CFR 63.998(b)(6)(ii), Subpart SS]

g. *Combustion control device monitoring records*. Each owner or operator using a combustion control device to comply with NESHAP Subpart SS shall keep the following records up-to-date and readily accessible, as applicable. Continuous records of the equipment operating parameters specified to be monitored under Condition 38.6.c (incinerator and boiler monitoring) or approved by the Administrator in accordance with NESHAP Subpart EEEE.

[40 CFR 63.998(c)(2)(i), Subpart SS]

h. Each owner or operator shall keep records of the daily average value of each continuously monitored parameter for each operating day determined according to the procedures specified in Condition 38.8.d(i).

[40 CFR 63.998(c)(2)(ii), Subpart SS]

i. Each owner or operator subject to the provisions of NESHAP Subpart SS shall keep up-to-date, readily accessible records of periods of operation during which the parameter boundaries are exceeded. The parameter boundaries are established pursuant to 40 CFR 63.996(c)(6).

[40 CFR 63.998(c)(2)(iii), Subpart SS]

j. *Closed vent system records*. For closed vent systems the owner or operator shall record the information specified in Conditions 38.8.j(i) through 38.8.j(iii).

[40 CFR 63.998(d)(1), Subpart SS]

(i) For closed vent systems collecting regulated material from a regulated source, the owner or operator shall record the identification of all parts of the closed vent system, that are designated as unsafe or difficult to inspect, an explanation of why the equipment is unsafe or difficult to inspect, and the plan for inspecting the equipment required by Condition 38.3.b(ii)(B).

[40 CFR 63.998(d)(1)(i), Subpart SS]

(ii) For a closed vent system collecting regulated material from a regulated source, when a leak is detected as specified in Condition 38.3.d(ii), the information specified in Conditions 38.8.j(ii)(A) through 38.8.j(ii)(F) shall be recorded and kept for 5 years.

[40 CFR 63.998(d)(1)(iii), Subpart SS]

(A) The instrument and the equipment identification number and the operator name, initials, or identification number.

(B) The date the leak was detected and the date of the first attempt to repair the leak.

(C) The date of successful repair of the leak.

(D) The maximum instrument reading measured by the procedures in Condition 38.3.c after the leak is successfully repaired or determined to be nonrepairable.

(E) "Repair delayed" and the reason for the delay if a leak is not repaired within 15 days after discovery of the leak. The owner or operator may develop a written procedure that identifies the conditions that justify a delay of repair. In such cases, reasons for delay of repair may be documented by citing the relevant sections of the written procedure.

(F) Copies of the Periodic Reports as specified in Condition 38.9.b, if records are not maintained on a computerized database capable of generating summary reports from the records.

[40 CFR 63.998(d)(1)(iii)(A) through (F), Subpart SS]

(iii) For each instrumental or visual inspection conducted in accordance with Condition 38.3.b(i) for closed vent systems collecting regulated material from a regulated source during which no leaks are detected, the owner or operator shall record that the inspection was performed, the date of the inspection, and a statement that no leaks were detected.

[40 CFR 63.998(d)(1)(iv), Subpart SS]

k. *Storage vessel and transfer rack records*. An owner or operator shall keep readily accessible records of the information specified in Conditions 38.8.k(i) and 38.8.k(ii), as applicable.

[40 CFR 63.998(d)(2), Subpart SS]

(i) A record of the measured values of the parameters monitored in accordance with Condition 38.5.b.

(ii) A record of the planned routine maintenance performed on the control system during which the control system does not meet the applicable specifications of Condition 38.3.a or 38.5.a, as applicable, due to the planned routine maintenance. Such a record shall include the information specified in Conditions 38.8.k(ii)(A) through 38.8.k(ii)(C). This information shall be submitted in the Periodic Reports as specified in Condition 38.9.b(iii).

[40 CFR 63.998(d)(2)(i) & (ii), Subpart SS]

(A) The first time of day and date the requirements of Condition 38.3.a or 38.5.a, as applicable, were not met at the beginning of the planned routine maintenance, and

(B) The first time of day and date the requirements of Condition 38.3.a or 38.5.a, as applicable, were met at the conclusion of the planned routine maintenance.

(C) A description of the type of maintenance performed.

[40 CFR 63.998(d)(2)(ii)(A) through (C), Subpart SS]

l. *Regulated source and control equipment start-up, shutdown and malfunction records.*

[40 CFR 63.998(d)(3), Subpart SS]

(i) Records of the occurrence and duration of each start-up, shutdown, and malfunction of operation of process equipment or of air pollution control equipment used to comply with this part during which excess emissions (as defined in NESHAP Subpart EEEE) occur.

(ii) For each start-up, shutdown, and malfunction during which excess emissions occur, records that the procedures specified in the source's start-up, shutdown, and malfunction plan were followed, and documentation of actions taken that are not consistent with the plan. For example, if a start-up, shutdown, and malfunction plan includes procedures for routing control device emissions to a backup control device (e.g., the incinerator for a halogenated stream could be routed to a flare during periods when the primary control device is out of service), records must be kept of whether the plan was followed. These records may take the form of a "checklist," or other form of recordkeeping that confirms conformance with the start-up, shutdown, and malfunction plan for the event.

[40 CFR 63.998(d)(3)(i) & (ii), Subpart SS]

m. *Records of monitored parameters outside of range*. The owner or operator shall record the occurrences and the cause of periods when the monitored parameters are outside of the parameter ranges documented in the Notification of Compliance Status report. This information shall also be reported in the Periodic Report.

38.9. *Notification and Reporting Requirements*.

[40 CFR 71.6(a)(3)(iii)]

a. *Performance test reports*.

[40 CFR 63.999(a), Subpart SS]

(i) *General requirements*. General requirements for performance test notifications and reports are specified in 40 CFR 63.999(a)(1)(i) through (iii).

(ii) *Performance test and flare compliance assessment report submittal and content requirements*. Performance test reports shall be submitted as specified in 40 CFR 63.999(a)(2)(i) through (iii).

[40 CFR 63.999(a)(1) & (2), Subpart SS]

b. *Periodic reports*.

[40 CFR 63.999(c), Subpart SS]

(i) Periodic reports shall include the reporting period dates, the total source operating time for the reporting period, and, as applicable, all information specified in this section and in the referencing subpart, including reports of periods when monitored parameters are outside their established ranges.

[40 CFR 63.999(c)(1), Subpart SS]

(ii) For closed vent systems subject to the requirements of Condition 38.3, the owner or operator shall submit as part of the periodic report the information specified in 40 CFR 63.999(c)(2)(i) through (iii), as applicable.

[40 CFR 63.999(c)(2), Subpart SS]

(iii) For storage vessels, the owner or operator shall include in each periodic report required the information specified in 40 CFR 63.999(c)(4)(i) through (iii).

[40 CFR 63.999(c)(4), Subpart SS]

(iv) If a control device other than a flare is used to control emissions from storage vessels, the periodic report shall describe each occurrence when the monitored parameters were outside of the parameter ranges documented in the Notification of Compliance Status in accordance with 40 CFR 63.999(b)(3). The description shall include the information specified in 40 CFR 63.999(c)(5)(i) and (ii).

[40 CFR 63.999(c)(5) , Subpart SS]

c. *Requests for approval of monitoring alternatives*.

[40 CFR 63.999(d), Subpart SS]

(i) *Alternatives to the continuous operating parameter monitoring and recordkeeping provisions*. Requests for approval to use alternatives to continuous operating parameter monitoring and recordkeeping provisions, as provided for in Condition 38.7.i(i), shall be submitted as specified in NESHAP Subpart EEEE, and NESHAP Subpart EEEE will govern the review and approval of such requests. The information specified in 40 CFR 63.999(d)(1)(i) and (ii) shall be included.

(ii) *Monitoring a different parameter than those listed*. Requests for approval to monitor a different parameter than those established in 40 CFR 63.996(c)(6) or to set unique monitoring parameters, as provided for in Condition 38.7.i(ii), shall be submitted as specified NESHAP Subpart EEEE, and NESHAP Subpart EEEE will govern the review and approval of such requests. The information specified in 40 CFR 63.999(d)(2)(i) through (iii) shall be included in the request.

[40 CFR 63.999(d)(1) & (2), Subpart SS]

39. Protection of Stratospheric Ozone, 40 CFR 82

40 CFR 82 Subpart F

39.1. **Refrigerant Recycling and Disposal.** The Permittee shall comply with the standards for recycling and emission reduction of refrigerants set forth in 40 CFR 82, Subpart F.

[18 AAC 50.040(d) & 50.326(j)]
[40 CFR 82, Subpart F]

40 CFR 82 Subpart G

39.2. **Significant New Alternatives Policy.** The Permittee shall comply with the applicable prohibitions in 40 CFR 82.174.

[18 AAC 50.040(d)]
[40 CFR 82.174(b) through (d), Subpart G]

40 CFR 82 Subpart H

39.3. **Halon Emissions Reduction.** The Permittee shall comply with the applicable prohibitions in 40 CFR 82.270.

[18 AAC 50.040(d)]
[40 CFR 82.270 (b) through (f), Subpart H]

General NSPS and NESHAP Requirements

40. NESHAP Applicability Determinations. The Permittee shall determine rule applicability and designation of affected sources under National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Source Categories (40 CFR 63) in accordance with the procedures described in 40 CFR 63.1(b) and 63.10(b)(3). If a source becomes affected by an applicable subpart of 40 CFR 63, the Permittee shall comply with such standard by the compliance date established by the Administrator in the applicable subpart, in accordance with 40 CFR 63.6(c).

40.1. After the effective date of any relevant standard promulgated by the Administrator under this part, an owner or operator who constructs a new affected source that is not major-emitting or reconstructs an affected source that is not major-emitting that is subject to such standard, or reconstructs a source such that the source becomes an affected source subject to the standard, must notify the Administrator and the Department of the intended construction or reconstruction. The notification must be submitted in accordance with the procedures in 40 CFR 63.9(b).

[18 AAC 50.040(c)(1), 50.040(j), & 50.326(j)]
[40 CFR 71.6(a)(3)(ii)]
[40 CFR 63.1(b), 63.5(b)(4), 63.6(c)(1), & 63.10(b)(3)]

41. NSPS and NESHAP Reports. The Permittee shall:

41.1. **Reports:** Except for federal reports and notices submitted through EPA's CDX/CEDRI online reporting system, attach to the operating report required by Condition 71 for the period covered by the report, a copy of any NSPS and NESHAPs reports submitted to the U.S. Environmental Protection Agency (EPA) Region 10, unless previously submitted to the Department. For reports submitted through CDX/CEDRI, state in the operating report the date and a brief description of each of the online reports submitted during the reporting period; and

41.2. **Waivers**: Upon request by the Department, provide a written copy of any EPA-granted alternative monitoring requirement, custom monitoring schedule or waiver of the federal emission standards, recordkeeping, monitoring, performance testing, or reporting requirements. The Permittee shall keep a copy of each U.S. EPA-issued monitoring waiver or custom monitoring schedule with the permit.

[18 AAC 50.326(j)(4) & 50.040(j)]
[40 CFR 60.13, 63.10(d) & (f), & 71.6(c)(6)]

Section 5. General Conditions

Standard Terms and Conditions

42. Each permit term and condition is independent of the permit as a whole and remains valid regardless of a challenge to any other part of the permit.

[18 AAC 50.326(j)(3), 50.345(a) & (e)]

43. The permit may be modified, reopened, revoked and reissued, or terminated for cause. A request by the Permittee for modification, revocation and re-issuance, or termination or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

[18 AAC 50.326(j)(3), 50.345(a) & (f)]

44. The permit does not convey any property rights of any sort, nor any exclusive privilege.

[18 AAC 50.326(j)(3), 50.345(a) & (g)]

45. Administration Fees. The Permittee shall pay to the Department all assessed permit administration fees. Administration fee rates are set out in 18 AAC 50.400-403.

[18 AAC 50.326(j)(1), 50.400, & 50.403]
[AS 37.10.052(b) & AS 46.14.240]

46. Assessable Emissions. The Permittee shall pay to the Department annual emission fees based on the stationary source's assessable emissions as determined by the Department under 18 AAC 50.410. The assessable emission fee rate is set out in 18 AAC 50.410. The Department will assess fees per ton of each air pollutant that the stationary source emits or has the potential to emit in quantities 10 tons per year or greater. The quantity for which fees will be assessed is the lesser of

46.1. the stationary source's assessable potential to emit of 4,057 tpy; or

46.2. the stationary source's projected annual rate of emissions that will occur from July 1 to the following June 30, based upon actual annual emissions emitted during the most recent calendar year or another 12-month period approved in writing by the Department, when demonstrated by the most representative of one or more of the following methods:

a. an enforceable test method described in 18 AAC 50.220;

b. material balance calculations;

c. emission factors from EPA's publication AP-42, Vol. I, adopted by reference in 18 AAC 50.035; or

d. other methods and calculations approved by the Department, including appropriate vendor-provided emissions factors when sufficient documentation is provided.

[18 AAC 50.040(j)(3), 50.035, 50.326(j)(1), 50.346(b)(1), 50.410, & 50.420]
[40 CFR 71.5(c)(3)(ii)]

47. Assessable Emission Estimates. Emission fees will be assessed as follows:

47.1. no later than March 31 of each year, the Permittee may submit an estimate of the stationary source's assessable emissions to ADEC, Air Permits Program, ATTN: Assessable Emissions Estimate, 410 Willoughby Ave., Ste 303, P.O. 111800, Juneau, AK 99811-1800; the submittal must include all of the assumptions and calculations used to estimate the assessable emissions in sufficient detail so the Department can verify the estimates; or

47.2. if no estimate is submitted on or before March 31 of each year, emission fees for the next fiscal year will be based on the potential to emit set forth in Condition 46.1.

[18 AAC 50.040(j)(3), 50.326(j)(1), 50.346(b)(1), 50.410, & 50.420]
[40 CFR 71.5(c)(3)(ii)]

48. Good Air Pollution Control Practice. The Permittee shall do the following for EU IDs 10 through 15, 19 through 23, and 57 through 80:

48.1. perform regular maintenance considering the manufacturer's or the operator's maintenance procedures;

48.2. keep records of any maintenance that would have a significant effect on emissions; the records may be kept in electronic format; and

48.3. keep a copy of either the manufacturer's or the operator's maintenance procedures.

[18 AAC 50.030, 50.326(j)(3), & 50.346(b)(5)]

49. Dilution. The Permittee shall not dilute emissions with air to comply with this permit. Monitoring shall consist of an annual certification that the Permittee does not dilute emissions to comply with this permit.

[18 AAC 50.045(a)]

50. Reasonable Precautions to Prevent Fugitive Dust. A person who causes or permits bulk materials to be handled, transported, or stored, or who engages in an industrial activity or construction project shall take reasonable precautions to prevent particulate matter from being emitted into the ambient air.

[18 AAC 50.045(d), 50.040(e), 50.326(j)(3), & 50.346(c)]

50.1. The Permittee shall keep records of

a. complaints received by the Permittee and complaints received by the Department and conveyed to the Permittee; and

b. any additional precautions that are taken

(i) to address complaints described in Condition 50.1.a or to address the results of Department inspections that found potential problems; and

(ii) to prevent future dust problems.

50.2. The Permittee shall report according to Condition 52.

51. Stack Injection. The Permittee shall not release materials other than process emissions, products of combustion, or materials introduced to control pollutant emissions from a stack at a stationary source constructed or modified after November 1, 1982, except as authorized by a construction permit, Title V permit, or air quality control permit issued before October 1, 2004.

[18 AAC 50.055(g)]

52. Air Pollution Prohibited. No person may permit any emission which is injurious to human health or welfare, animal or plant life, or property, or which would unreasonably interfere with the enjoyment of life or property.

[18 AAC 50.110, 50.040(e), 50.326(j)(3), & 50.346(a)]
[40 CFR 71.6(a)(1)]

53. Monitoring, Recordkeeping, and Reporting for Condition 52.

53.1. If emissions present a potential threat to human health or safety, the Permittee shall report any such emissions according to Condition 70.

53.2. As soon as practicable after becoming aware of a complaint that is attributable to emissions from the stationary source, the Permittee shall investigate the complaint to identify emissions that the Permittee believes have caused or are causing a violation of Condition 52.

53.3. The Permittee shall initiate and complete corrective action necessary to eliminate any violation identified by a complaint or investigation as soon as practicable if

a. after an investigation because of a complaint or other reason, the Permittee believes that emissions from the stationary source have caused or are causing a violation of Condition 52; or

b. the Department notifies the Permittee that it has found a violation of Condition 52.

53.4. The Permittee shall keep records of

a. the date, time, and nature of all emissions complaints received;

b. the name of the person or persons that complained, if known;

c. a summary of any investigation, including reasons the Permittee does or does not believe the emissions have caused a violation of Condition 52; and

d. any corrective actions taken or planned for complaints attributable to emissions from the stationary source.

53.5. With each stationary source operating report under Condition 71, the Permittee shall include a brief summary report which must include

a. the number of complaints received;

b. the number of times the Permittee or the Department found corrective action necessary;

c. the number of times action was taken on a complaint within 24 hours; and

d. the status of corrective actions the Permittee or Department found necessary that were not taken within 24 hours.

53.6. The Permittee shall notify the Department of a complaint that is attributable to emissions from the stationary source within 24 hours after receiving the complaint, unless the Permittee has initiated corrective action within 24 hours of receiving the complaint.

[18 AAC 50.040(e), 50.326(j)(3), & 50.346(a)]
[40 CFR 71.6(a)(3)]

54. Technology-Based Emission Standard. If an unavoidable emergency, malfunction, or non-routine repair, as defined in 18 AAC 50.235(d), causes emissions in excess of a technology-based emission standard[12] listed in Conditions 32.3 or 39.1 (refrigerants), the Permittee shall take all reasonable steps to minimize levels of emissions that exceed the standard. Excess emissions reporting under Condition 70 requires information on the steps taken to minimize emissions. Monitoring of compliance for this condition consists of the report required under Condition 70.

[18 AAC 50.235(a), 50.326(j)(4), & 50.040(j)(4)]
[40 CFR 71.6(c)(6)]

Open Burning Requirements

55. Open Burning. If the Permittee conducts open burning at this stationary source, the Permittee shall comply with the requirements of 18 AAC 50.065.

55.1. The Permittee shall keep written records to demonstrate that the Permittee complies with the limitations in this condition and the requirements of 18 AAC 50.065. Upon request by the Department, submit copies of the records.

55.2. Compliance with this condition shall be an annual certification conducted under Condition 72.

[18 AAC 50.065, 50.040(j), & 50.326(j)]
[40 CFR 71.6(a)(3)]

[12] *Technology-based emission standard* means a best available control technology (BACT) standard; a lowest achievable emission rate (LAER) standard; a maximum achievable control technology standard established under 40 CFR 63, Subpart B, adopted by reference in 18 AAC 50.040(c); a standard adopted by reference in 18 AAC 50.040(a) or (c); and any other similar standard for which the stringency of the standard is based on determinations of what is technologically feasible, considering relevant factors.

Section 6. General Source Testing and Monitoring Requirements

56. Requested Source Tests. In addition to any source testing explicitly required by the permit, the Permittee shall conduct source testing as requested by the Department to determine compliance with applicable permit requirements.

[18 AAC 50.220(a) & 50.345(a) & (k)]

57. Operating Conditions. Unless otherwise specified by an applicable requirement or test method, the Permittee shall conduct source testing

[18 AAC 50.220(b)]

57.1. at a point or points that characterize the actual discharge into the ambient air; and

57.2. at the maximum rated burning or operating capacity of the emission unit or another rate determined by the Department to characterize the actual discharge into the ambient air.

58. Reference Test Methods. The Permittee shall use the following as reference test methods when conducting source testing for compliance with this permit:

58.1. Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(a) must be conducted in accordance with the methods and procedures specified in 40 CFR 60.

[18 AAC 50.220(c)(1)(A) & 50.040(a)]
[40 CFR 60]

58.2. Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(b) must be conducted in accordance with the methods and procedures specified in 40 CFR 61.

[18 AAC 50.040(b) & 50.220(c)(1)(B)]
[40 CFR 61]

58.3. Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(c) must be conducted in accordance with the source test methods and procedures specified in 40 CFR 63.

[18 AAC 50.040(c) & 50.220(c)(1)(C)]
[40 CFR 63]

58.4. Source testing for the reduction in visibility through the exhaust effluent must be conducted in accordance with the procedures in Reference Method 9 and the form in Section 11 may be used to record data.

[18 AAC 50.030 & 50.220(c)(1)(D)]

58.5. Source testing for emissions of total particulate matter, sulfur compounds, nitrogen compounds, carbon monoxide, lead, volatile organic compounds, fluorides, sulfuric acid mist, municipal waste combustor organics, metals, and acid gases must be conducted in accordance with the methods and procedures specified in 40 CFR 60, Appendix A.

[18 AAC 50.040(a)(3) & 50.220(c)(1)(E)]
[40 CFR 60, Appendix A]

58.6. Source testing for emissions of PM-2.5 and PM-10 must be conducted in accordance with the procedures specified in 40 CFR 51, Appendix M, Methods 201 or 201A and 202.

[18 AAC 50.035(b)(2) & 50.220(c)(1)(F)]
[40 CFR 51, Appendix M]

58.7. Source testing for emissions of any pollutant may be determined using an alternative method approved by the Department in accordance with 40 CFR 63 Appendix A, Method 301.

[18 AAC 50.040(c)(32) & 50.220(c)(2)]
[40 CFR 63, Appendix A, Method 301]

59. Excess Air Requirements. To determine compliance with this permit, standard exhaust gas volumes must include only the volume of gases formed from the theoretical combustion of the fuel, plus the excess air volume normal for the specific emission unit type, corrected to standard conditions (dry gas at 68° F and an absolute pressure of 760 millimeters of mercury).

[18 AAC 50.220(c)(3) & 50.990(102)]

60. Test Exemption. The Permittee is not required to comply with Conditions 62, 63 and 64 when the exhaust is observed for visible emissions by Method 9 Plan (Condition 3.2.a).

[18 AAC 50.345(a)]

61. Test Deadline Extension. The Permittee may request an extension to a source test deadline established by the Department. The Permittee may delay a source test beyond the original deadline only if the extension is approved in writing by the Department's appropriate division director or designee.

[18 AAC 50.345(a) & (l)]

62. Test Plans. Except as provided in Condition 60, before conducting any source tests, the Permittee shall submit a plan to the Department. The plan must include the methods and procedures to be used for sampling, testing, and quality assurance and must specify how the emission unit will operate during the test and how the Permittee will document that operation. The Permittee shall submit a complete plan within 60 days after receiving a request under Condition 56 and at least 30 days before the scheduled date of any test unless the Department agrees in writing to some other time period. Retesting may be done without resubmitting the plan.

[18 AAC 50.345(a) & (m)]

63. Test Notification. Except as provided in Condition 60, at least 10 days before conducting a source test, the Permittee shall give the Department written notice of the date and the time the source test will begin.

[18 AAC 50.345(a) & (n)]

64. Test Reports. Except as provided in Condition 60, within 60 days after completing a source test, the Permittee shall submit one certified copy of the results in the format set out in the *Source Test Report Outline*, adopted by reference in 18 AAC 50.030. The Permittee shall certify the results in the manner set out in Condition 67. If requested in writing by the Department, the Permittee must provide preliminary results in a shorter period of time specified by the Department.

[18 AAC 50.345(a) & (o)]

65. Particulate Matter Calculations. In source testing for compliance with the particulate matter standards in Conditions 8 and 29.2, the three-hour average is determined using the average of three one-hour test runs.

[18 AAC 50.220(f)]

Section 7. General Recordkeeping and Reporting Requirements

Recordkeeping Requirements

66. Recordkeeping Requirements. The Permittee shall keep all records required by this permit for at least five years after the date of collection, including:

[18 AAC 50.040(a)(1) & 50.326(j)]
[40 C.F.R 60.7(f), Subpart A, 40 C.F.R 71.6(a)(3)(ii)(A) & (B)]

66.1. Copies of all reports and certifications submitted pursuant to this section of the permit; and

66.2. Records of all monitoring required by this permit, and information about the monitoring including:

a. the date, place, 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; and,

f. the operating conditions as existing at the time of sampling or measurement.

Reporting Requirements

67. Certification. The Permittee shall certify any permit application, report, affirmation, or compliance certification submitted to the Department and required under the permit by including the signature of a responsible official for the permitted stationary source following the statement: *"Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete."* Excess emission reports must be certified either upon submittal or with an operating report required for the same reporting period. All other reports and other documents must be certified upon submittal.

67.1. The Department may accept an electronic signature on an electronic application or other electronic record required by the Department if

a. a certifying authority registered under AS 09.25.510 verifies that the electronic signature is authentic; and

b. the person providing the electronic signature has made an agreement, with the certifying authority described in Condition 67.1.a, that the person accepts or agrees to be bound by an electronic record executed or adopted with that signature.

[18 AAC 50.345(a) & (j), 50.205, & 50.326(j)]
[40 CFR 71.6(a)(3)(iii)(A)]

68. Submittals. Unless otherwise directed by the Department or this permit, the Permittee shall send reports, compliance certifications, and/or other submittals required by this permit to ADEC, Air Permits Program, 610 University Ave., Fairbanks, AK 99709-3643, ATTN: Compliance Technician. The Permittee shall submit the documents either by hard copy or electronically.

68.1. Provide electronic submittals either by;

a. Email under a cover letter using dec.aq.airreports@alaska.gov; or

b. Using the Department's Air Online Services at http://dec.alaska.gov/applications/air/airtoolsweb/.

[18 AAC 50.326(j)]
[40 CFR 71.6(a)(3)(iii)(A)]

69. Information Requests. The Permittee shall furnish to the Department, within a reasonable time, any information the Department requests in writing to determine whether cause exists to modify, revoke and reissue, or terminate the permit or to determine compliance with the permit. Upon request, the Permittee shall furnish to the Department copies of records required to be kept by the permit. The Department may require the Permittee to furnish copies of those records directly to the Federal Administrator.

[18 AAC 50.345(a) & (i), 50.200, & 50.326(a) & (j)]
[40 CFR 71.5(a)(2) & 71.6(a)(3)]

70. Excess Emissions and Permit Deviation Reports.

70.1. Except as provided in Condition 52, the Permittee shall report all emissions or operations that exceed or deviate from the requirements of this permit as follows:

a. in accordance with 18 AAC 50.240(c), as soon as possible after the event commences or is discovered, report

(i) emissions that present a potential threat to human health or safety;

(ii) excess emissions that the Permittee believes to be unavoidable; and

(iii) excess tanker vessel opacity.

b. in accordance with 18 AAC 50.235(a), within two working days after the event commenced or was discovered, report an unavoidable emergency, malfunction, or nonroutine repair that causes emissions in excess of a technology-based emission standard;

c. report all other excess emissions and permit deviations

(i) within 30 days after the end of the month during which the emissions or deviation occurred, except as provided in Condition 70.1.c(iii); or

(ii) if a continuous or recurring excess emissions is not corrected within 48 hours of discovery, within 72 hours of discovery unless the Department provides written permission to report under Condition 70.1.c(i); and

(iii) for failure to monitor, as required in other applicable conditions of this permit.

70.2. When reporting either excess emissions or permit deviations, the Permittee shall report using either the Department's online form, which can be found at http://www.dec.state.ak.us/air/ap/site.htm or http://dec.alaska.gov/applications/air/airtoolsweb, or if the Permittee prefers, the form contained in Section 12 of this permit. The Permittee must provide all information called for by the form that is used.

70.3. If requested by the Department, the Permittee shall provide a more detailed written report as requested to follow up an excess emissions report.

[18 AAC 50.235(a)(2), 50.240(c), 50.326(j)(3), & 50.346(b)(2) & (3)]
[Condition 26, Construction Permit 082CP05, 9/25/2003]

71. Operating Reports. During the life of this permit[13], the Permittee shall submit an operating report by August 1 for the period January 1 to June 30 of the current year and by February 1 for the period July 1 to December 31 of the previous year.

71.1. The operating report must include all information required to be in operating reports by other conditions of this permit, for the period covered by the report.

71.2. When excess emissions or permit deviations that occurred during the reporting period are not included with the operating report under Condition 71.1, the Permittee shall identify

a. the date of the deviation;

b. the equipment involved;

c. the permit condition affected;

d. a description of the excess emissions or permit deviation; and

e. any corrective action or preventive measures taken and the date of such actions; or

71.3. When excess emissions or permit deviations have already been reported under Condition 70 the Permittee shall cite the date or dates of those reports.

71.4. The operating report shall include a listing of emissions monitored which trigger additional testing or monitoring, whether or not the emissions monitored exceed an emission standard. The Permittee shall include in the report.

[13] *Life of this permit* is defined as the permit effective dates, including any periods of reporting obligations that extend beyond the permit effective dates. For example if a permit expires prior to the end of a calendar year, there is still a reporting obligation to provide operating reports for the periods when the permit was in effect.

a. the date of the emissions;

b. the equipment involved;

c. the permit condition affected; and

d. the monitoring result which triggered the additional monitoring.

71.5. **Transition from expired to renewed permit**. For the first period of this renewed operating permit, also provide the previous permit's operating report elements covering that partial period immediately preceding the effective date of this renewed permit.

[18 AAC 50.346(a) & 50.326(j)]
[40 CFR 71.6(a)(3)(iii)(A)]

72. Annual Compliance Certification. Each year by March 31, the Permittee shall compile and submit to the Department an annual compliance certification report[14].

72.1. Certify the compliance status of the stationary source over the preceding calendar year consistent with the monitoring required by this permit, as follows:

a. identify each term or condition set forth in Section 3 through Section 9, that is the basis of the certification;

b. briefly describe each method used to determine the compliance status;

c. state whether compliance is intermittent or continuous; and

d. identify each deviation and take it into account in the compliance certification;

72.2. **Transition from expired to renewed permit**. For the first period of this renewed operating permit, also provide the previous permit's annual compliance certification report elements covering that partial period immediately preceding the effective date of this renewed permit.

72.3. In addition, submit a copy of the report directly to the Clean Air Act Compliance Manager, US EPA Region 10, Mail Stop: OCE-101, 1200 Sixth Avenue, Suite 900, Seattle, WA 98101.

[18 AAC 50.205, 50.345(a) & (j), & 50.326(j)]
[40 CFR 71.6(c)(5)]

73. Emission Inventory Reporting. The Permittee shall submit to the Department reports of actual emissions, by emission unit, of CO, NH_3, NO_X, PM_{10}, $PM_{2.5}$, SO_2, VOCs and lead (Pb) (and lead compounds) using the form in Section 13 of this permit, as follows:

73.1. Each year by April 30, if the stationary source's potential to emit for the previous calendar year equals or exceeds:

a. 250 tons per year (tpy) of NH_3, PM_{10}, $PM_{2.5}$ or VOCs; or

[14] See Conditions 72.2 and 72.3 for clarification on the number of reports required.

b. 2,500 tpy of CO, NO_X or SO_2.

73.2. Every third year by April 30, if the stationary source's potential to emit for the previous calendar year equals or exceeds:

a. 5 tons per year of lead (Pb), or

b. 1,000 tpy of CO; or

c. 100 tpy of SO_2, NH_3, PM_{10}, $PM_{2.5}$, NO_X or VOCs.

73.3. For reporting under Condition 73.2, the Permittee shall report in 2015 for calendar year 2014, 2018 for calendar year 2017, 2021 for calendar year 2020, etc., in accordance with the Environmental Protection Agency set schedule.

73.4. Include in the report required by this condition, the required data elements contained within the form in Section 13 or those contained in Table 2A of Appendix A to Subpart A of 40 CFR 51 for each stack associated with an emission unit.

[18 AAC 50.346(b)(8) & 18 AAC 50.200]
[40 CFR 51.15, 51.30(a)(1) & (b)(1); & 40 CFR 51, Appendix A to Subpart A]

Section 8. Permit Changes and Renewal

74. Permit Applications and Submittals. The Permittee shall comply with the following requirements for submitting application information to the US Environmental Protection Agency (EPA):

74.1. The Permittee shall provide a copy of each application for modification or renewal of this permit, including any compliance plan, or application addenda, at the time the application or addendum is submitted to the Department;

74.2. The information shall be submitted to the Part 70 Operating Permit Program, US EPA Region 10, Mail Stop: OAW-150, 1200 Sixth Avenue, Suite 900, Seattle, WA 98101.

74.3. To the extent practicable, the Permittee shall provide to EPA applications in portable document format (pdf); MS Word format (.doc); or other computer-readable format compatible with EPA's national database management system; and

74.4. The Permittee shall maintain records as necessary to demonstrate compliance with this condition.

[18 AAC 50.040(j)(7) & 50.326(a) & 50.346(b)(7)]
[40 CFR 71.10(d)(1)]

75. Emissions Trading. No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in the permit.

[18 AAC 50.040(j)(4) & 50.326(j)]
[40 CFR 71.6(a)(8)]

76. Off Permit Changes. The Permittee may make changes that are not addressed or prohibited by this permit other than those subject to the requirements of 40 CFR Part 72 through 78 or those that are modifications under any provision of Title I of the Act to be made without a permit revision, provided that the following requirements are met:

76.1. Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition;

76.2. Provide contemporaneous written notice to EPA and the Department of each such change, except for changes that qualify as insignificant under 18 AAC 50.326(d) – (i). Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change;

76.3. The change shall not qualify for the shield under 40 CFR 71.6(f);

76.4. The Permittee shall keep a record describing changes made at the stationary source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

[18 AAC 50.040(j)(4) & 50.326(j)]
[40 CFR 71.6(a)(12)]

77. Operational Flexibility. The Permittee may make Section 502(b)(10)[15] changes within the permitted stationary source without requiring a permit revision if the changes are not modifications under any provision of Title I of the Act and the changes do not exceed the emissions allowable under this permit (whether expressed therein as a rate of emissions or in terms of total emissions):

77.1. The Permittee shall provide EPA and the Department with a notification no less than 7 days in advance of the proposed change.

77.2. For each such change, the written notification required above shall include a brief description of the change within the permitted stationary source, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

77.3. The permit shield described in 40 CFR 71.6(f) shall not apply to any change made pursuant to Condition 77.

[18 AAC 50.040(j)(4) & 50.326(j)]
[40 CFR 71.6(a)(13)]

78. Permit Renewal. To renew this permit, the Permittee shall submit to the Department[16] an application under 18 AAC 50.326 no sooner than [18 months before] and no later than [6 months before the expiration date of this permit]. The renewal application shall be complete before the permit expiration date listed on the cover page of this permit. Permit expiration terminates the stationary source's right to operate unless a timely and complete renewal application has been submitted consistent with 40 CFR 71.7(b) and 71.5(a)(1)(iii).

[18 AAC 50.040(j)(3), 50.326(c)(2) & (j)(2)]
[40 CFR 71.5(a)(1)(iii) & 71.7(b) & (c)(1)(ii)]

[15] As defined in 40 CFR 71.2, Section 502(b)(10) changes are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.
[16] Submit permit applications to Air Permit Intake Clerk, ADEC, 555 Cordova Street, Anchorage, AK 99501.

Section 9. Compliance Requirements

General Compliance Requirements

79. Compliance with permit terms and conditions is considered to be compliance with those requirements that are

79.1. included and specifically identified in the permit; or

79.2. determined in writing in the permit to be inapplicable.

[18 AAC 50.326(j)(3) & 50.345(a) & (b)]

80. The Permittee must comply with each permit term and condition.

80.1. For applicable requirements with which the stationary source is in compliance, the Permittee shall continue to comply with such requirements.

80.2. Noncompliance with a permit term or condition constitutes a violation of AS 46.14.120(c), 18 AAC 50, and, except for those terms or conditions designated in the permit as not federally enforceable, the Clean Air Act, and is grounds for

a. an enforcement action;

b. permit termination, revocation and reissuance, or modification in accordance with AS 46.14.280; or

c. denial of an operating permit renewal application.

[18 AAC 50.040(j), 50.326(j) & 50.345(a) & (c)]
[40 CFR 71.6(c)(3) & 71.5(c)(8)(iii)(A)]

81. It is not a defense in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with a permit term or condition.

[18 AAC 50.326(j)(3) & 50.345(a) & (d)]

82. The Permittee shall allow the Department or an inspector authorized by the Department, upon presentation of credentials and at reasonable times with the consent of the owner or operator to

82.1. enter upon the premises where a source subject to the permit is located or where records required by the permit are kept;

82.2. have access to and copy any records required by the permit;

82.3. inspect any stationary source, equipment, practices, or operations regulated by or referenced in the permit; and

82.4. sample or monitor substances or parameters to assure compliance with the permit or other applicable requirements.

[18 AAC 50.326(j)(3) & 50.345(a) & (h)]

83. For applicable requirements that will become effective during the permit term, the Permittee shall meet such requirements on a timely basis.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(c)(3) & 71.5(c)(8)(iii)(B)]

Section 10. Permit As Shield from Inapplicable Requirements

In accordance with AS 46.14.290, and based on information supplied in the permit application, this section of the permit contains the requirements determined by the Department not to be applicable to the stationary source.

84. Nothing in this permit shall alter or affect the following:

84.1. The provisions of Section 303 of the Act (emergency orders), including the authority of the Administrator under that section; or

84.2. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance.

[18 AAC 50.326(j)]
[40 CFR 71.6(f)(3)(i) & (ii)]

85. Table D identifies the emission units that are not subject to the specified requirements at the time of permit issuance. If any of the requirements listed in Table D becomes applicable during the permit term, the Permittee shall comply with such requirements on a timely basis. The Permittee shall also provide appropriate notification and apply for a construction or minor permit and/or an operating permit modification or amendment, as necessary.

Table D – Permit Shields Granted

EU ID	Non-Applicable Requirements	Reason for Non-Applicability
1 through 3	40 CFR 63 Subpart DDDDD	At least 50 percent of the average annual heat input during any 3 consecutive calendar years to each of EU IDs 1-3 is provided by regulated gas streams (i.e., crude tank vapors) that are subject to another standard (i.e., NESHAP Subpart EEEE). Accordingly, EU IDs 1-3 are exempt from NESHAP Subpart DDDDD according to 40 CFR 63.7491(i).
18	40 CFR 63 Subpart DDDDD	EU ID 18 boilers are temporary boilers as defined in 40 CFR 63.7575, and are exempt from Subpart DDDDD according to 40 CFR 63.7491(j).

Section 11. Visible Emissions Forms

VISIBLE EMISSION OBSERVATION FORM

This form is designed to be used in conjunction with EPA Method 9, "Visual Determination of the Opacity of Emissions from Stationary Sources." Temporal changes in emission color, plume water droplet content, background color, sky conditions, observer position, etc. should be noted in the comments section adjacent to each minute of readings. Any information not dealt with elsewhere on the form should be noted under additional information. Following are brief descriptions of the type of information that needs to be entered on the form: for a more detailed discussion of each part of the form, refer to "Instructions for Use of Visible Emission Observation Form."

- Source Name: full company name, parent company or division or subsidiary information, if necessary.
- Address: street (not mailing or home office) address of facility where VE observation is being made.
- Phone (Key Contact): number for appropriate contact.
- Stationary Source ID Number: number from NEDS, agency file, etc.
- Process Equipment, Operating Mode: brief description of process equipment (include type of facility) and operating rate, % capacity, and/or mode (e.g. charging, tapping, shutdown).
- Control Equipment, Operating Mode: specify type of control device(s) and % utilization, control efficiency.
- Describe Emission Point: for identification purposes, stack or emission point appearance, location, and geometry; and whether emissions are confined (have a specifically designed outlet) or unconfined (fugitive).
- Height Above Ground Level: stack or emission point height relative to ground level; can use engineering drawings, Abney level, or clinometer.
- Height Relative to Observer: indicate height of emission point relative to the observation point.
- Distance from Observer: distance to emission point; can use rangefinder or map.
- Direction from Observer: direction plume is traveling from observer.
- Describe Emissions and Color: include physical characteristics, plume behavior (e.g., looping, lacy, condensing, fumigating, secondary particle formation, distance plume visible, etc.), and color of emissions (gray, brown, white, red, black, etc.). Note color changes in comments section.
- Visible Water Vapor Present?: check "yes" if visible water vapor is present.
- If Present, is Plume…: check "attached" if water droplet plume forms prior to exiting stack, and "detached" if water droplet plume forms after exiting stack.
- Point in Plume at Which Opacity was Determined: describe physical location in plume where readings were made (e.g., 1 ft above stack exit or 10 ft. after dissipation of water plume).
- Describe Plume Background: object plume is read against, include texture and atmospheric conditions (e.g., hazy).
- Background Color: sky blue, gray-white, new leaf green, etc.
- Sky Conditions: indicate cloud cover by percentage or by description (clear, scattered, broken, overcast).
- Wind Speed: record wind speed; can use Beaufort wind scale or hand-held anemometer to estimate.
- Wind Direction From: direction from which wind is blowing; can use compass to estimate to eight points.
- Ambient Temperature: in degrees Fahrenheit or Celsius.

  Wet Bulb Temperature: can be measured using a sling psychrometer

  RH Percent: relative humidity measured using a sling psychrometer; use local US Weather Bureau measurements only if nearby.
- Source Layout Sketch: include wind direction, sun position, associated stacks, roads, and other landmarks to fully identify location of emission point and observer position.

  Draw North Arrow: to determine, point line of sight in direction of emission point, place compass beside circle, and draw in arrow parallel to compass needle.

  Sun's Location: point line of sight in direction of emission point, move pen upright along sun location line, mark location of sun when pen's shadow crosses the observer's position.
- Observation Date: date observations conducted.
- Start Time, End Time: beginning and end times of observation period (e.g., 1635 or 4:35 p.m.).
- Data Set: percent opacity to nearest 5%; enter from left to right starting in left column. Use a second (third, etc.) form, if readings continue beyond 30 minutes. Use dash (-) for readings not made; explain in adjacent comments section.

  Comments: note changing observation conditions, plume characteristics, and/or reasons for missed readings.

  Range of Opacity: note highest and lowest opacity number.
- Observer's Name: print in full.

  Observer's Signature, Date: sign and date after performing VE observation.
- Organization: observer's employer.

Certified By, Date: name of "smoke school" certifying observer and date of most recent certification.

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AIR PERMITS PROGRAM - VISIBLE EMISSIONS OBSERVATION FORM

Page No._____

Stationary Source Name		Type of Emission Unit			Observation Date		Start Time		End Time
					Sec	0	15	30	45	Comments
Emission Unit Location					Min 1					
City	State	Zip			2					
Phone # (Key Contact)		Stationary Source ID Number			3					
Process Equipment		Operating Mode			4					
Control Equipment		Operating Mode			5					
Describe Emission Point/Location					6					
Height above ground level	Height relative to observer	Clinometer Reading			7					
Distance From Observer		Direction From Observer			8					
Start End		Start End								
Describe Emissions & Color					9					
Start		End								
Visible Water Vapor Present? If yes, determine approximate distance from the					10					
No Yes	stack exit to where the plume was read									
Point in Plume at Which Opacity Was Determined					11					
Describe Plume Background		Background Color			12					
Start		Start								
End		End			13					
Sky Conditions:					14					
Start		End								
Wind Speed		Wind Direction From			15					
Start End		Start End								
Ambient Temperature		Wet Bulb Temp		RH percent	16					
SOURCE LAYOUT SKETCH:	1Stack or Point Being Read	2 Wind Direction From			17					
3 Observer Location	4 Sun Location 5 North Arrow 6 Other Stacks									
					18					
					19					
					20					
					21					
					22					
					23					
					24					
					25					
					26					
					27					
					28					
					29					
					30					
					Range of Opacity					
					Minimum			Maximum		
I have received a copy of these opacity observations					Print Observer's Name					
Print Name:					Observer's Signature					Date
Signature:										Observer's Affiliation:
Title		Date			Certifying Organization					
					Certified By:				Date	

Data Reduction:

Duration of Observation Period (minutes):	Duration Required by Permit (minutes):
Number of Observations:	Highest Six–Minute Average Opacity (%):
Number of Observations exceeding 20%:	
In compliance with six-minute opacity limit? (Yes or No)	Highest 18-Consecutive –Minute Average Opacity (%)(engines and turbines only)

Average Opacity Summary:

Set Number	Time			Opacity		
	Start	End		Sum	Average	Comments

Section 12. ADEC Notification Form[17]

Valdez Marine Terminal	AQ0082TVP03
Stationary Source Name	**Air Quality Permit No.**
Alyeska Pipeline Service Company (APSC)	
Company Name	**Date**

When did you discover the Excess Emissions/Permit Deviation?

Date: _____ / _____ / _____ Time: _____ :/ _____

When did the event/deviation occur?

Begin Date: _____ / _____ / _____ Time: _____ : _____ (Use 24-hr clock.)

End Date _____ / _____ / _____ Time: _____ : _____ (Use 24-hr clock.)

What was the duration of the event/deviation? ____ : ____ (hrs:min) or _____ days

(total # of hrs, min, or days, if intermittent then include only the duration of the actual emissions/deviation)

Reason for Notification: (please check only 1 box and go to the corresponding section)

☐ Excess Emissions – Complete Section 1 and Certify

☐ Deviation from Permit Condition – Complete Section 2 and Certify

☐ Deviations from COBC, CO, or Settlement Agreement – Complete Section 2 and Certify

Section 1. Excess Emissions

(a) Was the exceedance: ☐ Intermittent or ☐ Continuous

(b) Cause of Event (Check one that applies):

☐ Start Up/Shut Down ☐ Natural Cause (weather/earthquake/flood)

☐ Control Equipment Failure ☐ Schedule Maintenance/Equipment Adjustment

☐ Bad Fuel/Coal/Gas ☐ Upset Condition ☐ Other _____

(c) Description
Describe briefly, what happened and the cause. Include the parameters/operating conditions exceeded, limits, monitoring data and exceedance.

(d) Emissions Units Involved:
Identify the emission unit involved in the event, using the same identification number and name as in the permit. Identify each emission standard potentially exceeded during the event and the exceedance.

EU ID	EU Name	Permit Condition Exceeded/Limit/Potential Exceedance

[17] Revised as of September 27, 2010.

(e) Type of Incident (please check only one):

☐ Opacity _____ % ☐ Venting _____ gas/scf ☐ Control Equipment Down

☐ Fugitive Emissions ☐ Emission Limit Exceeded ☐ Other _____

☐ Marine Vessel Opacity ☐ Flaring _____

(f) Unavoidable Emissions:

Do you intend to assert that these excess emissions were unavoidable? ☐ Yes ☐ No

Do you intend to assert the affirmative defense of 18 AAC 50.235? ☐ Yes ☐ No

Certify Report (Go to end of form.)

Section 2. Permit Deviations

(a) Permit Deviation Type (check only one box, corresponding with the section in the permit):

☐ Emission Unit-Specific

☐ Failure to Monitor/Report

☐ General Source Test/Monitoring Requirements

☐ Recordkeeping/Reporting/Compliance Certification

☐ Standard Conditions Not Included in the Permit

☐ Other Section: _____ (Title of section and section number of your permit).

☐ Generally Applicable Requirements

☐ Reporting/Monitoring for Diesel Engines

☐ Recordkeeping Failure

☐ Insignificant Emission Unit

☐ Stationary Source Wide

(b) Emission Unit Involved:

Identify the emission unit involved in the event, using the same identification number and name as in the permit. List the corresponding permit conditions and the deviation.

EU ID	EU Name	Permit Condition/ Potential Deviation

(c) Description of Potential Deviation:
Describe briefly what happened and the cause. Include the parameters/operating conditions and the potential deviation.

(d) Corrective Actions:
Describe actions taken to correct the deviation or potential deviation and to prevent future recurrence.

Certification:

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

Printed Name: _____ Title: _____ Date: _____

Signature: _____ Phone Number: _____

NOTE: *This document must be certified in accordance with 18 AAC 50.345(j)*

To submit this report:

Fax to: 907-451-2187

Or

Email to: DEC.AQ.Airreports@alaska.gov

Or

Mail to: ADEC
Air Permits Program
610 University Avenue
Fairbanks, AK 99709-3643

Or

Phone Notification: 907-451-5173

Phone notifications require a written follow-up report.

Or

Submission of information contained in this report can be made electronically at the following website:

http://dec.alaska.gov/applications/air/airtoolsweb

If submitted online, report must be submitted by an authorized E-Signer for the stationary source.

[18 AAC 50.346(b)(3)]

Section 13. Emission Inventory Form

Emission Inventory Reporting

State of Alaska Department of Environmental Conservation Division of Air Quality

Emission Inventory Year- [ ]

Mandatory information is highlighted in bright yellow.

Stationary Source Detail		
Inventory Start Date		
Inventory End Date		
ADEC ID or Permit Number		
EPA ID		
Census Area/Community		
Facility Name		
Facility Physical Location	Address	
	City, State, Zip Code	
	Latitude	Longitude
	Legal Description:	
Owner Name & Address & contact number	Owner Name	
	Owner Address	
	Phone number	
Mailing Contact Information	Mailing Address	
Line of Business (NAICS)		
Line of Business (SIC)		
Facility Status		

Emission Unit Data			
Specifications			
ID		Design Capacity	
Description			
Emission Unit Status			
Manufacturer		Manufactured Year	
Model Number		Serial Number	
Regulations			
Regulation/Description			

Control Equipment (List All if applicable)			
ID			
System Description			
Equipment Type(s)			
Manufacturer			
Model			
Control Efficiency (%):			
Capture Efficiency (%)			
Pollutants Controlled		Reduction Efficiency (%)	
		Reduction Efficiency (%)	

Processes

Process	Primary Process
SCC Code	(example: 20100201)
	>
	>
	>
	>
Material Processed	
Period Start	
Period End	
Throughput (units):	
Summer %	
Fall %	
Winter %	
Spring %	

Operational Schedule

Days/Week	
Hours/Day	
Weeks/Year	
Hours/Year	

Fuel Characteristics

Heat Content	Elem. Sulfur Content (%)	H2S Sulfur Content	Ash Content (if applicable)

Heating

Heat Input	Heat Output	Heat Values Convention

Emissions Operating Type:

Pollutant	Emission Factor	EF Numerator	EF Denominator	EF Source	Tons
Carbon Monoxide (CO)					
Nitrogen Oxides (NOX)					
PM10 Primary (PM10-PRI)					
PM2.5 Primary (PM25-PRI)					
Sulfur Dioxide (SO2)					
NH3 (Ammonia)					
Lead and lead compounds					
Volatile Organic Compounds (VOC)					

Emissions' Release Point			
Release Point ID			
Apportion%			

Process	Secondary Process (if applicable)
SCC Code	(ex. 20100201)
	>
	>
	>
	>
Material Processed	
Period Start	
Period End	
Throughput (units):	
Summer %	
Fall %	
Winter %	
Spring %	
Operational Schedule	
Days/Week	
Hours/Day	
Weeks/Year	
Hours/Year	

Fuel Characteristics

Heat Content	Elem. Sulfur Content	H2S Sulfur Content	Ash Content (if applicable)

Heating

Heat Input	Heat Output	Heat Values Convention

Emissions Operating Type:

Pollutant	Emission Factor	EF Numerator	EF Denominator	EF Source	Tons
Carbon Monoxide (CO)					
Nitrogen Oxides (NOX)					
PM10 Primary (PM10-PRI)					
PM2.5 Primary (PM25-PRI)					
Sulfur Dioxide (SO2)					
Lead and Lead Compounds					
NH3 (Ammonia)					
Volatile Organic Compounds (VOC)					
Emissions' Release Point					
Release Point ID					
Apportion%					

Stack Detail (Release Point)	
> Specifications	
ID	
Type	
Description	
Stack Status	
> Stack Parameters	
Stack Height (ft)	
Stack Diameter (ft)	
Exit Gas Temp (F)	
Exit Gas Velocity (fps)	
Exit Gas Flow Rate (acfm)	
> Geographic Coordinate	
Latitude	
Longitude	
Datum	
Accuracy (meters)	
Base Elevation (meters)	

Certification:

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

Printed Name:_____Title_____Date _____

Signature:_____Phone number_____

NOTE: *This document must be certified in accordance with 18 AAC 50.345(j)*

To submit this report:

1. Fax this form to: 907-465-5129

Or

2. E-mail to: DEC.AQ.airreports@alaska.gov

Or

3. Mail to: ADEC
Air Permits Program
410 Willoughby Ave., Suite 303
PO Box 111800
Juneau, AK 99811-1800

Or

4. Direct data entry for emission inventory can be done through the Air Online System (AOS). A myAlaska account is needed to gain access and a profile needs to be set up in Permittee Portal.

http://dec.alaska.gov/Applications/Air/airtoolsweb/

[18 AAC 50.346(b)(9)]