



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



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**South Portland Terminal LLC
Cumberland County
South Portland, Maine
A-282-70-G-R**

**Departmental
Findings of Fact and Order
Part 70 Air Emission License
Renewal**

FINDINGS OF FACT

After review of the Part 70 License renewal application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 Maine Revised Statutes Annotated (M.R.S.A.), §344 and §590, the Maine Department of Environmental Protection (Department) finds the following facts:

I. REGISTRATION

A. Introduction

FACILITY	South Portland Terminal LLC
LICENSE TYPE	Part 70 License Renewal
NAICS CODES	424710
NATURE OF BUSINESS	Petroleum Bulk Storage Terminal
FACILITY LOCATION	170 Lincoln Street, South Portland, ME

South Portland Terminal LLC (SPT) has the potential to emit more than 50 tons per year (TPY) of volatile organic compounds (VOC) therefore, the source is a major source for criteria pollutants. SPT does not have the potential to emit 10 TPY or more of a single hazardous air pollutant (HAP) or 25 TPY or more of combined HAP, therefore, the source is an area source for HAP.

This license incorporates New Source Review Amendment #1 (A-282-77-1-M), dated August 1, 2008, allowing SPT to store either ethanol or gasoline in the gasoline storage tanks.

B. Emission Equipment

The following emission units are addressed by this Part 70 License:

Petroleum Storage Tanks

<u>Emission Unit ID</u>	<u>Capacity (Gallons)</u>	<u>Product Type</u>	<u>Tank Install Date</u>	<u>Roof Type</u>	<u>Pollution Control Equipment, % Control Effic. for VOC, Install Date</u>
1 – Tank 28	2,204,328	Gasoline Ethanol Distillate	1923	Internal Floating	Int. Floating Roof >95%, Unknown
2 – Tank 29	2,228,982	Gasoline Ethanol Distillate	1923	Internal Floating	Int. Floating Roof >95%, Unknown
3 – Tank 37	2,674,308	Gasoline Ethanol Distillate	1948	Internal Floating	Int. Floating Roof >95%, Unknown
4 – Tank 38	2,675,484	Gasoline Ethanol Distillate	1948	Internal Floating	Int. Floating Roof >95%, Unknown
5 – Tank 39	310,548	Gasoline Ethanol Distillate	1948	Internal Floating	Int. Floating Roof >95%, 1991
6 – Tank 40	310,548	Gasoline Ethanol Distillate	1948	Internal Floating	Int. Floating Roof >95% 1991
7 – Tank 41	310,716	Gasoline Ethanol Distillate	1948	Internal Floating	Int. Floating Roof >95% 1991
8 – Tank 42	310,338	Gasoline Ethanol Distillate	1948	Internal Floating	Int. Floating Roof >95% 1991
9 – Tank 43	2,723,784	Gasoline Ethanol Distillate	1958	Internal Floating	Int. Floating Roof >95% 1991
10 – Tank 44	4,263,630	Gasoline Ethanol Distillate	1958	Internal Floating	Int. Floating Roof >95% 1993
14 – Tank 30	3,944,766	Gasoline Ethanol Distillate	1927	Internal Floating	Int. Floating Roof >95% 1998
15 – Tank 32	3,945,102	Distillate	1930	Vertical Fixed Roof	N/A
16 – Tank 33	2,526,552	Distillate	1940	Vertical Fixed Roof	N/A

Miscellaneous Emission Unit Capacities

<u>Emission Unit</u>	<u>Capacity</u>	<u>Unit Type</u>
Loading Rack	9,600 gpm	Petroleum tank truck loading rack
Distillate Loading Rack Throughput	360,000,000 gpy	Petroleum tank truck loading rack
Gasoline/Ethanol Loading Rack Throughput	500,000,000 gpy	Petroleum tank truck loading rack
Vapor Collection Unit	21,600 scfh	Pollution control equipment
Top Loading Distillate	120,000,000 gpy	Fugitive emissions
Distillate Storage Tanks Throughput	360,000,000 gpy	Fugitive emissions
Gasoline/Ethanol Storage Tanks Throughput	500,000,000 gpy	Fugitive emissions

SPT has additional insignificant activities, including the 1.11 MMBtu/hr Maintenance Garage Boiler, which do not need to be listed in the emission equipment tables above. The list of insignificant activities can be found in the Part 70 license application and in Appendix B of *Part 70 Air Emission License Regulations*, 06-096 CMR 140 (as amended).

C. Application Classification

The application for SPT does not include the licensing of increased emissions or the installation of new or modified equipment; therefore, the license is considered to be a Part 70 License renewal issued under 06-096 Code of Maine Rules (CMR) 140 (as amended).

This license incorporates New Source Review Amendment #1 (A-282-77-1-M), dated August 1, 2008, allowing SPT to store either ethanol or gasoline in the gasoline storage tanks.

D. Facility Description

SPT is a petroleum products storage and distribution terminal facility consisting of a number of storage tanks and a loading rack.

SPT is not a petroleum refinery, does not take ownership of petroleum products arriving at or leaving its facility, does not load petroleum products into marine tanker vessels and does not dispense gasoline into fuel tanks of motor vehicles or nonroad vehicles.

E. General Facility Requirements

SPT is subject to the following state and federal regulations listed below, in addition to the regulations listed for specific units as described further in this license.

CITATION	REQUIREMENT TITLE
06-096 CMR 101	Visible Emissions
06-096 CMR 104	Incinerator Particulate Emissions Regulation
06-096 CMR 106	Low Sulfur Fuel
06-096 CMR 110	Ambient Air Quality Standards
06-096 CMR 111	Petroleum Liquid Storage Vapor Control
06-096 CMR 112	Bulk Terminal Petroleum Liquid Transfer Requirements
06-096 CMR 115	Major and Minor Source Air Emission License Regulations
06-096 CMR 119	Motor Vehicle Volatility Limit
06-096 CMR 120	Gasoline Tank Truck Self-Certification
06-096 CMR 134	Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds
06-096 CMR 137	Emission Statements
06-096 CMR 140	Part 70 Air Emission License Regulations
06-096 CMR 143	New Source Performance Standards
06-096 CMR 144	National Emission Standards for Hazardous Air Pollutants (NESHAP)
40 CFR Part 60, Subpart XX	Standards of Performance for Bulk Gas Terminals
40 CFR Part 63, Subpart BBBBBB	National Emission Standards for Gasoline Distribution Bulk Terminals, Bulk Plants and Pipeline Facilities
40 CFR Part 64	Compliance Assurance Monitoring
40 CFR Part 70	State Operating Permit Programs
40 CFR Part 82	Protection of Stratospheric Ozone

F. Units of Measurement

The following units of measurement are used in this license:

gpm	gallons per minute
gpy	gallons per year
lb/hr	pounds per hour
lb/1000 gal	pounds per 1000 gallons
lb/MMBtu	pounds per million British Thermal Units
m ³	cubic meter
mg/L	milligrams per liter
MMBtu/hr	million British Thermal Units per hour
ppm	parts per million
scfh	Standard cubic feet per hour
tpy	tons per year

G. Abbreviations

The following abbreviations are used in this license:

BACT	Best Available Control Technology
BPT	Best Practical Treatment
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CFC	Chlorofluorocarbon
CFR	Code of Federal Regulations
CMR	Code of Maine Regulations
CO	Carbon monoxide
CO ₂ e	Carbon dioxide equivalent
EPA	Environmental Protection Agency
GHG	Greenhouse gas
HAP	Hazardous Air Pollutant
IFR	Internal floating roof
MEDEP	Maine Department of Environmental Protection
MRSA	Maine Revised Statutes Annotated
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NO _x	Nitrogen oxides
NSPS	New Source Performance Standards
NSR	New Source Review
OTR	Ozone Transport Region
RACT	Reasonably Available Control Technology
SO ₂	Sulfur dioxide
SPT	South Portland Terminal, LLC
TOC	Total Organic Compounds
VCU	Vapor Combustion Unit
VOC	Volatile Organic Compounds

II. BEST PRACTICAL TREATMENT (BPT) AND EMISSION STANDARDS

A. Introduction

In order to receive a license, the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in 06-096 CMR 100 (as amended). Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

BPT for existing emissions equipment means that method which controls or reduces emissions to the lowest possible level considering:

- the existing state of technology;
- the effectiveness of available alternatives for reducing emission from the source being considered; and
- the economic feasibility for the type of establishment involved.

B. NO_x RACT (Reasonably Available Control Technology)

Reasonably Available Control Technology for Facilities that Emit Nitrogen Oxides, 06-096 CMR 138 (as amended) is applicable to sources that have the potential to emit quantities of NO_x equal to or greater than 100 tons per year. SPT's potential to emit NO_x is less than 100 tons per year, therefore, 06-096 CMR 138 does not apply to this source.

C. VOC RACT (Reasonably Available Control Technology)

Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds, 06-096 CMR 134 (as amended) is applicable to sources that have the potential to emit quantities of VOC equal to or greater than 40 tons per year.

South Portland Terminal is in an attainment area of all US EPA designated criteria air pollutants. Maine is currently part of the Ozone Transport Region (OTR), and thus, the entire State of Maine is subject to the nonattainment requirements for ozone. 06-096 CMR 134 of the Maine Air Regulations requires facilities that have the potential to emit forty (40) tons or more of VOC per calendar year apply VOC RACT (Reasonable Available Control Technology) to their applicable VOC emissions. 06-096 CMR 134 VOC RACT requirements are incorporated into this Part 70 license renewal.

In accordance with MEDEP 06-096 CMR 134 Section 3(A)(1), Option A, the owner or operator must install and operate a system to capture and control VOC emissions such that the total VOC emissions do not exceed, on a daily basis,

fifteen (15) percent of the uncontrolled daily VOC emissions. SPT's use of cone internal floating roofs for gasoline and ethanol storage tanks and a vapor collection system that is rated at 10 milligrams per liter of gasoline product loaded meets the requirements of 06-096 CMR 134 by controlling VOC emissions such that VOC emissions do not exceed, on a daily basis, fifteen (15) percent of the uncontrolled daily VOC emissions.

D. Mandatory Greenhouse Gas (GHG) Reporting

Federal regulation 40 CFR Part 98, *Mandatory Greenhouse Gas Reporting*, which contains GHG reporting and related monitoring and recordkeeping requirements, is applicable to the owners/operators of any facility which falls into any one of the following three categories, per 40 CFR Part 98, Subpart A, *General Provision*, § 98.2, *Who must report?*

- (a)(1) A facility that contains any source category that is listed in Table A-3 of this subpart in any calendar year starting in 2010.
- (a)(2) A facility that contains any source category that is listed in Table A-4 of this subpart and that emits 25,000 metric tons CO₂e or more per year in combined emissions from stationary fuel combustion units, miscellaneous uses of carbonate, and all applicable source categories that are listed in Table A-3 and Table A-4 of this subpart.
- (a)(3) A facility that in any calendar year starting in 2010 meets all three of the conditions listed in this paragraph (a)(3). For these facilities, the annual GHG report must cover emissions from stationary fuel combustion sources only.
 - (i) The facility does not meet the requirements of either paragraph (a)(1) or (a)(2) of this section.
 - (ii) The aggregate maximum rated heat input capacity of the stationary fuel combustion units at the facility is 30 MMBtu/hour or greater.
 - (iii) The facility emits 25,000 metric tons CO₂e or more per year in combined emissions from all stationary fuel combustion sources.

SPT is not found in Table A-3 or Table A-4, and thus is not subject under (a)(1 or 2) above.

40 CFR Part 98, Subpart MM is applicable to suppliers of petroleum products. Section 98.390 contains the following definitions:

- (a) A petroleum refinery for the purpose of this subpart is any facility engaged in producing petroleum products through the distillation of crude oil.
- (b) A refiner is the owner or operator of a petroleum refinery.
- (c) Importer has the same meaning given in §98.6 and includes any entity that imports petroleum products or natural gas liquids as listed in Table MM-1 of this subpart. Any blender or refiner of refined or semi-refined petroleum products

shall be considered an importer if it otherwise satisfies the aforementioned definition.

(d) Exporter has the same meaning given in §98.6 and includes any entity that exports petroleum products or natural gas liquids as listed in Table MM-1 of this subpart. Any blender or refiner of refined or semi-refined petroleum products shall be considered an exporter if it otherwise satisfies the aforementioned definition.

SPT is not a petroleum refinery, nor is it an importer nor exporter as it does not take ownership of the product it distributes, therefore SPT is not subject to 40 CFR Part 98.

E. Compliance Assurance Monitoring (CAM)

40 CFR Part 64, *Compliance Assurance Monitoring*, is applicable to units at major sources if the unit has emission limits, a control device to meet the limits, and pre-control emissions greater than 100 tons per year for any pollutant.

SPT submitted a CAM plan for the loading rack which includes the use of a John Zink Vapor Combustion System with an ultraviolet flame presence sensor. The CAM requirements are incorporated in this renewal.

F. National Emissions Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 63, Subpart BBBBBB

SPT is subject to the *National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities* (40 CFR Part 63 Subpart BBBBBB). The facility is considered an existing bulk gasoline terminal which is not subject to 40 CFR Part 63, Subparts R or CC.

Subpart BBBBBB contains requirements applicable to both the Loading Rack and the Gasoline/Ethanol Storage Tanks. Below is a summary of the currently applicable requirements. State requirements may be more stringent, thus any streamlining of individual requirements will be addressed in the Loading Rack or Gasoline/Ethanol Storage Tank sections as appropriate. The rule may contain additional requirements and/or clarifications not specified in this document.

1. General Requirements

SPT must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. [40 CFR §63.11085(a)]

2. Emission Limits and Management Practices for Storage Tanks

Tanks 28, 29, 37, 38, 39, 40, 41, 42, 43, 44 and 30 are internal floating roof (IFR) gasoline storage tanks greater than 151 m³ subject to the following requirements:

- a. SPT shall equip and operate each internal floating roof gasoline storage tank according to the applicable requirements in §63.1063(a)(1) and (b); except for the secondary seal requirements under §63.1063(a)(1)(i)(C) and (D) no later than the first degassing and cleaning activity after January 10, 2011 or January 10, 2018, whichever is first. [40 CFR §63.11087(b) and Table 1]
- b. Each internal floating roof shall be equipped with either a liquid-mounted seal or a mechanical shoe seal. [§63.1063(a)]
- c. Each IFR shall float on the stored liquid surface at all times, except when the floating roof is supported by its leg supports or other support devices. [§63.1063(b)(1)]
- d. When an IFR is storing liquid, but the liquid depth is insufficient to float the floating roof, the process of filling to the point of refloating the IFR shall be continuous and shall be performed as soon as practical. [§63.1063(b)(2)]
- e. Each cover over an opening in an IFR, except for automatic bleeder vents (vacuum breaker vents) and rim space vents, shall be closed at all times, except when the cover must be open for access. [§63.1063(b)(3)]
- f. Each automatic bleeder vent (vacuum breaker vent) and rim space vent shall be closed at all times, except when required to be open to relieve excess pressure or vacuum, in accordance with the manufacturer's design. [§63.1063(b)(4)]
- g. Each unslotted guidepole cap shall be closed at all times except when gauging the liquid level or taking liquid samples. [§63.1063(b)(5)]

3. Emission Limits and Management Practices for the Loading Rack

The Loading Rack is a bulk gasoline terminal loading rack with a throughput greater than 250,000 gallons per day subject to the following requirements:

- a. SPT shall equip the Loading Rack with a vapor collection system designed to collect the Total Organic Compound (TOC) vapors displaced from cargo tanks during product loading.
- b. SPT shall reduce emissions of TOC to less than or equal to 80 mg/l of gasoline loaded into gasoline cargo tanks at the loading rack. (State requirements are more stringent.)

- c. SPT shall operate the vapor collection system to prevent any TOC vapors collected at one loading lane from passing through another lane to the atmosphere.
- d. SPT shall limit the loading of gasoline into gasoline cargo tanks that are vapor tight using the procedures specified in §60.502(e) through (j).
[40 CFR Part 63, Subpart BBBB, Table 2]

4. Testing Requirements

In lieu of the performance test required by 40 CFR §63.11092(a)(1), SPT has submitted a statement certifying the compliance status of the Loading Rack as permitted by 40 CFR §63.11092(a)(2).

5. Continuous Monitoring System (CMS)

SPT has chosen to comply with the monitoring option listed in 40 CFR §63.11092(b)(1)(iii)(B).

- a. SPT shall install, calibrate, certify, operate, and maintain a CMS for the Vapor Combustion Unit (VCU). The CMS shall be continuously operated whenever gasoline vapors are displaced to the VCU.
[40 CFR §63.11092(b)]
- b. SPT shall measure the presence of pilot flame in the VCU. The heat sensing device shall send a positive parameter value to indicate the pilot flame is on, or a negative parameter value to indicate the pilot flame is off.
[40 CFR §63.11092(b)(1)(iii)(B)(1)]
- c. SPT shall develop and maintain a monitoring and inspection plan to meet the requirements of 40 CFR §63.11092(b)(1)(iii)(B)(2).
- d. SPT shall not operate the VCU when presence of pilot flame is not indicated by the CMS. [40 CFR §63.11092(d)(1)]
- e. Operation of the VCU when presence of pilot flame is not indicated by the CMS shall constitute a violation of the emission standard in Table 1 of 40 CFR Part 63, Subpart BBBB, except as specified in the next subsection. [40 CFR §63.11092(d)(3)]
- f. SPT shall follow the procedures outlined in 40 CFR §63.11092(d)(4) regarding corrective actions. Malfunctions shall not constitute a violation of the emission standard in Table 1 if corrective actions as described in the monitoring and inspection plan are followed. [40 CFR §63.11092(d)(4)]

6. Storage Tank Inspections

- a. SPT shall perform inspections of the IFR systems according to the requirements of §63.1063(c)(1). [40 CFR §63.11092(e)(1)]

- b. At least once per year SPT shall perform a tank-top inspection of each IFR by visually inspecting the floating roof deck, deck fittings, and rim seal through openings in the fixed roof. [40 CFR §63.1063(c)(1)(i)(A) and §63.1063(d)(2)]
- c. Each time a IFR storage tank is completely emptied and degassed, or every 10 years, whichever occurs first, SPT shall perform an inspection by visually inspecting the floating roof deck, deck fittings, and rim seals from within the storage tank. The inspection may be performed entirely from the top side of the floating roof, as long as there is visual access to all deck components as specified in 40 CFR §63.1063(a).
[40 CFR §63.1063(c)(1)(i)(B) and §63.1063(d)(1)]
- d. Any of the following conditions constitutes an inspection failure.
[40 CFR §63.1063(d)]
 1. Stored liquid on the floating roof.
 2. Holes or tears in the primary or secondary seal (if one is present).
 3. Floating roof deck, deck fittings, or rim seals that are not functioning as designed.
 4. Failure to comply with the operational requirements of 40 CFR §63.1063(b).
 5. Gaps of more than 0.32 centimeters (1/8 inch) between any deck fitting gasket, seal, or wiper (required by 40 CFR §63.1063(a)) and any surface it is intended to seal.

7. Equipment Leak Inspections

Equipment in gasoline service means each valve, pump, pressure relief device, sampling connection system, open-ended valve or line, and flange or other connector in the gasoline liquid transfer and vapor collection systems used in a system that transfers gasoline or gasoline vapors. This definition also includes the entire vapor processing system, except the exhaust port or stack.

- a. SPT shall perform a monthly leak inspection of all equipment in gasoline service. For this inspection, detection methods incorporating sight, sound, and smell are acceptable. [40 CFR §63.11089(a)]
- b. A log book shall be used and shall be signed by the owner or operator at the completion of each inspection. A section of the log book shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility. [40 CFR §63.11089(b)]
- c. Each detection of a liquid or vapor leak shall be recorded in the log book. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than five (5) calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within fifteen (15) calendar days after detection of each leak. Delay of repair of leaking equipment will be allowed if the repair is not feasible

within fifteen (15) days. SPT shall provide in the semiannual report the reason(s) why the repair was not feasible and the date each repair was completed. [40 CFR §63.11089(c) and (d)]

8. Recordkeeping for Storage Tanks

- a. SPT shall keep records as specified in 40 CFR §63.1065.
[40 CFR §63.11094(a)]
- b. SPT shall keep records of the dimensions of each IFR storage tank, an analysis of the capacity of the storage tank, and an identification of the liquid stored. [40 CFR §63.1065(a)]
- c. SPT shall keep records of IFR inspection results. The following information shall be included:
 1. Identification of the storage tank that was inspected.
 2. The date of the inspection.
 3. A description of all inspection failures (if applicable).
 4. A description of all repairs and the dates they were made (if applicable).
 5. The date the storage tank was removed from service (if applicable).[40 CFR §63.1065(b)(1)]
- d. SPT shall keep records for each IFR tank of the dates when the IFR was set on its legs or other support devices as well as the dates when the roof was refloated. The records shall indicate whether the process of refloating was continuous. [40 CFR §63.1065(c)]

9. Recordkeeping for Loading Rack

- a. SPT shall keep records of the test results for each gasoline cargo tank loading at the facility as specified in 40 CFR §63.11094(b) and (c).
- b. SPT shall prepare and maintain a record describing the types, identification numbers, and locations of all equipment in gasoline service.
[40 CFR §63.11094(d)]
- c. For each leak detected through inspection of equipment in gasoline service, SPT shall record in the log book the following information:
 1. The equipment type and identification number.
 2. The nature of the leak (i.e. vapor or liquid) and the method of detection (i.e. sight, sound, or smell).
 3. The date the leak was detected and the date of each attempt to repair the leak.
 4. Repair methods applied in each attempt to repair the leak.
 5. "Repair delayed" and the reason for the delay if the leak is not repaired within fifteen (15) calendar days after discovery of the leak.
 6. The expected date of successful repair of the leak if the leak is not repaired within fifteen (15) days.

7. The date of successful repair of the leak.
[40 CFR §63.11094(e)]
- d. SPT shall keep records of the CMS data. The records shall indicate the time intervals during which loadings of gasoline cargo tanks have occurred or, alternatively, shall record the operating parameter data only during such loadings. The date and time of day shall also be indicated at reasonable intervals on this record. [40 CFR §63.11094(f)(1)]
- e. SPT shall keep an up-to-date, readily accessible copy of the monitoring and inspection plan required under 40 CFR §63.11092(b)(1)(iii)(B)(2).
[40 CFR §63.11094(f)(3)]
- f. SPT shall keep an up-to-date, readily accessible record of all system malfunctions, as specified in 40 CFR §63.11092(b)(1)(iii)(B)(2)(v).
[40 CFR §63.11094(f)(4)]
- g. SPT shall keep records of the occurrence and duration of each malfunction of operation (i.e. process equipment) or the air pollution control and monitoring equipment. [40 CFR §63.11094(g)(1)]
- h. SPT shall keep records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR §63.11085(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [40 CFR §63.11094(g)(2)]

10. Notifications and Reports

- a. SPT has previously submitted an Initial Notification and a Notification of Compliance Status as required by 40 CFR §63.11093.
- b. SPT shall submit to the Department and EPA a semiannual compliance report which contains the following information:
 1. For the IFR storage tanks, the applicable reporting requirements included in 40 CFR §63.1066.
 2. For the Loading Rack, each loading of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the facility.
 3. The number of equipment leaks not repaired within fifteen (15) calendar days after detection.
[40 CFR §63.11095(a)]
- c. SPT shall notify the Department at least 30 days before an inspection performed from within the storage tank. If an inspection is unplanned and SPT could not have known about the inspection 30 days in advance, then SPT shall notify the Department at least seven (7) days before the inspection. Notification shall be made either by telephone immediately followed by written documentation demonstrating why the inspection was unplanned or in writing only and sent such that it is received at least seven (7) days before the inspection. [40 CFR §63.1066(B)(1)]

- d. SPT shall submit an excess emissions report to the Department and EPA at the time the semiannual compliance report is submitted. The excess emissions report shall include the following:
1. Each instance of a non-vapor-tight gasoline cargo tank loading at the facility in which SPT failed to take steps to assure that such cargo tank would not be reloaded at the facility before vapor tightness documentation for that cargo tank was obtained.
 2. Each reloading of a non-vapor-tight gasoline cargo tank at the facility before vapor tightness documentation for that cargo tank is obtained by the facility.
 3. Each failure to maintain the monitored operating parameter value for the VCU. The report shall include the monitoring data for the days for where the failure to maintain occurred and a description and timing of the steps taken to repair or perform maintenance on the vapor collection systems, VCU, or CMS.
 4. Each instance in which malfunctions discovered during the monitoring and inspections required under 40 CFR §63.11092(b)(1)(iii)(B)(2) were not resolved according to the necessary corrective actions described in the monitoring and inspection plan. The report shall include a description of the malfunction and the timing of the steps taken to correct the malfunction.
 5. For each occurrence of an equipment leak for which no repair attempt was made within five (5) days or for which repair was not completed within fifteen (15) days after detection include the date on which the leak was detected, the date of each attempt to repair the leak the reasons for the delay of repair, and the date of successful repair.
- [40 CFR §63.11095(b)]
- e. SPT shall submit a semiannual report to the Department and EPA including the number, duration, and a brief description of each type of malfunction which occurred during the reporting period and which caused, or may have caused, any applicable emission limitation to be exceeded. The report must also include a description of actions taken by SPT to minimize emissions including actions taken to correct a malfunction. This report may be submitted as part of the semiannual compliance report.
- [40 CFR §63.11095(d)]

G. Loading Rack and Vapor Combustion Unit

The Loading Rack dispenses petroleum products into tank trucks. A Vapor Combustion Unit (VCU) is used to control emissions whenever gasoline is loaded or whenever a truck is loaded that carried gasoline as its most recent previous load.

The VCU is a John Zink thermal oxidizer with a process rate of 9,600 gallons (of product loaded) per minute. This unit was manufactured and installed in 1996. The VCU controls emissions of VOC to less than 10 milligrams per liter of product loaded, meeting Best Practical Treatment. This requirement is streamlined in the order. The VCU fires natural gas and/or propane as a pilot and/or assist fuel.

SPT is licensed to transfer a maximum of 120 million gallons per year of distillate through top loading of their 360 million gallons per year distillate throughput limit. Fugitive emissions from this process are calculated to be less than 2.5 tons per year of VOCs. Additional control for top loading of distillate is not required at this time.

1. New Source Performance Standards (NSPS)

SPT's Loading Rack is subject to 40 CFR Part 60 Subpart XX, *Standards of Performance for Bulk Gasoline Terminals* since it was constructed after December 17, 1980.

a. Emission Standards

1. The Loading Rack shall be equipped with a vapor collection system (VCU) designed to collect the total organic compound vapors displaced from the tank trucks during product loading.
[40 CFR §60.502(a)]
2. Emissions to the atmosphere from the VCU are not to exceed 35 milligrams of total organic compounds per liter of gasoline loaded.
[40 CFR §60.502(b)]
3. The VCU shall be designed to prevent any TOC vapors collected at one loading rack from passing to another loading rack. [40 CFR §60.502(d)] Since SPT only operates one loading rack, this requirement is not applicable.
4. Loading of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline trucks using the procedures outlined in 40 CFR §60.502(e).
5. SPT shall act to ensure that loading of gasoline tank trucks at the facility is made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system. [40 CFR §60.502(f)]

6. SPT shall act to ensure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck at the affected facility. Examples of actions to accomplish this include training drivers in the hookup procedures and posting visible reminder signs at the affected loading racks.
[40 CFR §60.502(g)]
7. The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 mm of water) during product loading.
[40 CFR §60.502(h)]
8. No pressure-vacuum vent in the vapor collection system shall begin to open at a system pressure less than 4,500 pascals (450 mm of water).
[40 CFR §60.502(i)]
9. Each calendar month, the vapor collection system, the VCU, and the Loading Rack shall be inspected during the loading of gasoline tank trucks for liquid or vapor leaks. Detection methods incorporating sight, sound, or smell are acceptable. Each detection of a leak shall be recorded and the source of the leak repaired within fifteen (15) calendar days after it is detected. [40 CFR §60.502(j)]

b. Recordkeeping

SPT shall keep the following records as specified in 40 CFR §60.505:

1. Records of tank truck vapor tightness documentation required by 40 CFR §60.502(e)(1) in accordance with 40 CFR §60.505(a), (b), (d), and (e). The records required by 40 CFR Part 63, Subpart BBBBBB are determined to be at least as stringent as these NSPS requirements.
2. Records of monthly leak inspections required under 40 CFR §60.502(j) in accordance with 40 CFR §60.505(c) and (e).

2. Emission Limits and Streamlining

For the Loading Rack and VCU, a listing of potentially applicable emission standards, the origin and authority of the standards, notation if streamlining of the standards has been requested, and the applicable emission limits is given below.

<u>Pollutant</u>	<u>Applicable Emission Standards</u>	<u>Origin and Authority</u>	<u>Licensed Emission Limits</u>
NO _x	0.0334 lb/1000 gal of product loaded	06-096 CMR 140, BPT, (A-282-70-A-I)	0.0334 lb/1000 gal of product loaded
CO	0.0835 lb/1000 gal of product loaded	06-096 CMR 140, BPT, (A-282-70-A-I)	0.0835 lb/1000 gal of product loaded
VOC		40 CFR Part 60, Subpart XX, §60.502(b)	10 mg/liter of product loaded *
	80 mg/liter of product loaded	40 CFR Part 63, Subpart BBBBBB, Table 2	
	35 mg/liter of product loaded	06-096 CMR 112, §4(a)	
	10 mg/liter of product loaded	06-096 CMR 140, BPT (A-282-70-A-I)	
Visible Emissions	30% opacity on a six (6) minute block average basis except for no more than two (2), six (6)-minute block averages in a three (3)-hr period	06-096 CMR 101, §2(B)(1)(f)	5% opacity on a six (6)-minute block average basis *
	5% opacity on a six (6)-minute block average basis	06-096 CMR 140, BPT (A-282-70-A-I)	

Table Notes: * streamlining requested

3. Emission Limit Compliance Methods

Compliance with the emission limits associated with the Loading Rack and VCU shall be demonstrated in accordance with the methods and frequencies indicated in the table below or other methods or frequencies as approved by the Department.

<u>Pollutant</u>	<u>Unit of Emission Standard</u>	<u>Compliance Method</u>	<u>Frequency</u>
NO _x	lb/1000 gal of product loaded	40 CFR Part 60, App. A, Method 7	As Requested
CO	lb/1000 gal of product loaded	40 CFR Part 60, App. A, Method 10	As Requested
VOC	mg/liter of product loaded	40 CFR Part 60, §60.503	Annually, prior to June 15 th of each year
Visible Emissions	% Opacity	40 CFR Part 60, App. A, Method 9	As requested

4. Compliance Assurance Monitoring (CAM)

For the Loading Rack, CAM is applicable to VOC. The presence of flame at the VCU is a CAM monitor. An electrical signal generated by a ultraviolet flame presence sensor indicates the pilot flame is present while loss of signal indicates the pilot flame is absent. Computer interlocks ensure no vapors are introduced into the VCU unless a pilot flame is present. If signal is lost during loading, the Loading Rack shuts down until the problem is identified and repairs are completed. The CAM monitoring requirements are included in the monitoring sections below.

5. Periodic Monitoring

SPT shall monitor and record the following periodic monitors for the Loading Rack and VCU:

- a. Gallons of natural gas or propane used in the VCU on a monthly and 12-month rolling total basis. [06-096 CMR 140, BPT]
- b. Gallons of throughput at the loading rack for each product stored on a monthly and 12-month rolling total basis. [06-096 CMR 140, BPT]
- c. Records of the test results for each gasoline cargo tank loading at the facility as specified in 40 CFR §63.11094(b) and (c).
- d. Records of monthly leak inspections required under 40 CFR §60.502(j) in accordance with 40 CFR §60.505(c) and (e).

- e. Records describing the types, identification numbers, and locations of all equipment in gasoline service. [40 CFR §63.11094(d)]
- f. Records of monthly leak inspections including:
 - 1. Date of inspection.
 - 2. Findings (i.e. whether a leak was detected).
 - 3. Inspector name and signature
[40 CFR §60.505(c)]
- g. For each leak detected through inspection of equipment in gasoline service, SPT shall record in the log book the following information:
 - 1. The equipment type and identification number.
 - 2. The nature of the leak (i.e. vapor or liquid) and the method of detection (i.e. sight, sound, or smell).
 - 3. The date the leak was detected and the date of each attempt to repair the leak.
 - 4. Repair methods applied in each attempt to repair the leak.
 - 5. “Repair delayed” and the reason for the delay if the leak is not repaired within fifteen (15) calendar days after discovery of the leak.
 - 6. The expected date of successful repair of the leak if the leak is not repaired within fifteen (15) days.
 - 7. The date of successful repair of the leak.
[40 CFR §63.11094(e) and 40 CFR §60.505(c)]
- h. Records of the CMS data. The records shall indicate the time intervals during which loadings of gasoline cargo tanks have occurred or, alternatively, shall record the operating parameter data only during such loadings. The date and time of day shall also be indicated at reasonable intervals on this record. [40 CFR §63.11094(f)(1)]
- i. An up-to-date, readily accessible copy of the monitoring and inspection plan required under 40 CFR §63.11092(b)(1)(iii)(B)(2).
[40 CFR §63.11094(f)(3)]
- j. An up-to-date, readily accessible record of all system malfunctions, as specified in 40 CFR §63.11092(b)(1)(iii)(B)(2)(v).
[40 CFR §63.11094(f)(4)]
- k. Records of the occurrence and duration of each malfunction of operation (i.e. process equipment) or the air pollution control and monitoring equipment. [40 CFR §63.11094(g)(1)]
- l. Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR §63.11085(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
[40 CFR §63.11094(g)(2)]

6. Parameter Monitors

SPT shall install, calibrate, certify, operate, and maintain a CMS for the VCU in accordance with 40 CFR §63.11092(b)(1)(iii)(B). The VCU CMS is considered a parameter monitor.

7. CEMS and COMS

There are no continuous emission monitoring systems (CEMS) or continuous opacity monitoring systems (COMS) required for the Loading Rack or VCU.

H. Petroleum Storage Tanks

SPT is licensed to store distillate, gasoline and ethanol in the following tanks: 28, 29, 37, 38, 39, 40, 41, 42, 43, 44 and 30. The first two of these tanks were constructed in 1923, the next six in 1948, the next two in 1958, and the last in 1927. Each of the tanks is equipped with an internal floating roof.

SPT is licensed to store distillate in Tanks 32 and 33, which were constructed in 1930 and 1940, respectively. Each tank has a fixed roof.

Gasoline/Ethanol Storage Tanks:

1. New Source Performance Standards (NSPS)

Tanks 28, 29, 37, 38, 39, 40, 41, 42, 43, 44 and 30 are not subject to 40 CFR Part 60 Subparts K, Ka or Kb, *Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced after June 11, 1973 and prior to May 19, 1978*, (Subpart K), *Commenced after May 18, 1978 and Prior to July 23, 1984* (Subpart Ka) or *Commenced after July 23, 1984* (Subpart Kb). All tanks were constructed prior to June 11, 1973, and have not undergone construction, reconstruction or modification as defined in 40 CFR Part 60, Subpart A.

2. Emission Limits and Streamlining

The only pollutants emitted from the use and operation of the Gasoline/Ethanol Storage Tanks are VOC and HAP. Emissions of VOC and HAP from the Gasoline/Ethanol Storage Tanks are included in the facility-wide limits of 135.4 tpy and 14.1 tpy, respectively.

3. Emission Limit Compliance Methods

Calculation of annual VOC and HAP emissions from the Gasoline/Ethanol Storage Tanks shall be performed in accordance with the American Petroleum Institute, Manual of Petroleum Measurement Standard, Chapter 19, Section 2, Evaporative Loss from Floating Roof Tanks (method of calculating VOC emission from tanks).

4. Periodic Monitoring

SPT shall monitor and record the following periodic monitors for the Gasoline/Ethanol Storage Tanks:

- a. Inspection log documenting routine monthly inspections of floating roof covers and seals, including lower explosion level (LEL) readings from such inspections, which are to include notification and explanation of any excessive increases in LEL readings as compared to normal operating conditions. [06-096 CMR 140, BPT (A-282-70-A-I)]
- b. Inspection log documenting all complete inspections of cover and seal to be performed whenever the tank is emptied and degassed, at a minimum of once every ten years. [06-096 CMR 140, BPT (A-282-70-A-I)]
- c. Inspection log documenting any detected leaks, holes, tears, or other openings and the corrective action taken.
[06-096 CMR 140, BPT (A-282-70-A-I)]
- d. Monthly throughput specifying quantity and types of volatile petroleum liquids in each tank and the period of storage.
[06-096 CMR 140, BPT (A A-282-70-A-I)]
- e. Average monthly product storage temperatures and maximum true vapor pressures or Reid vapor pressures of volatile petroleum liquids stored.
[06-096 CMR 140, BPT (A-282-70-A-I)]
- f. Calculations showing annual emissions of VOC and HAP from storage tanks determined in accordance with American Petroleum Institute, Manual of Petroleum Measurement Standard, Chapter 19 (method of calculating VOC emission from tanks).
[06-096 CMR 140, BPT (A-282-77-1-M)]
- g. Records as specified in 40 CFR §63.1065. [40 CFR §63.11094(a)]
- h. Records of the dimensions of each IFR storage tank, an analysis of the capacity of the storage tank, and an identification of the liquid stored.
[40 CFR §63.1065(a)]
- i. Records of IFR inspection results. The following information shall be included:
 1. Identification of the storage tank that was inspected.
 2. The date of the inspection.
 3. A description of all inspection failures (if applicable).

4. A description of all repairs and the dates they were made (if applicable).
5. The date the storage tank was removed from service (if applicable).
[40 CFR §63.1065(b)(1)]
- j. Records for each IFR storage tank of the dates when the internal floating roof was set on its legs or other support devices as well as the dates when the roof was refloated. The records shall indicate whether the process of refloating was continuous. [40 CFR §63.1065(c)]
- k. For Tanks 28, 29, 37, 38, 39, 40, 41,42, 43, 44 and 30, records of the petroleum liquid stored, the period of storage, and the maximum true vapor pressure of that liquid during the respective storage period.
[40 CFR §60.113(a)]

5. Parameter Monitors

There are no Parameter Monitors required for the Gasoline/Ethanol Storage Tanks.

6. CEMS and COMS

There are no CEMS or COMS required for the Gasoline/Ethanol Storage Tanks.

Distillate Fuel Oil Storage Tanks:

1. Emission Limits and Streamlining

The only pollutants emitted from the use and operation of the Distillate Fuel Oil Storage Tanks are VOC and HAP. Emissions of VOC and HAP from the Distillate Fuel Oil Storage Tanks are included in the facility-wide limits of 135.4 tpy and 14.1 tpy, respectively.

2. Emission Limit Compliance Methods

Calculation of the annual VOC and HAP emissions from the Distillate Fuel Oil Storage Tanks shall be performed in accordance with the American Petroleum Institute, Manual of Petroleum Measurement Standard, Chapter 19, Section 2, Evaporative Loss from Floating Roof Tanks (method of calculating VOC emission from tanks).

3. Periodic Monitoring

SPT shall monitor and record the following periodic monitors for the Distillate Fuel Oil Storage Tanks.

- a. Inspection log documenting any detected leaks, holes, tears, or other openings and the corrective action taken.
- b. Monthly throughput specifying quantity and types of volatile petroleum liquids in each tank and the period of storage.
- c. Calculations showing annual emissions of VOC and HAP from storage tanks determined in accordance with American Petroleum Institute, Manual of Petroleum Measurement Standard, Chapter 19 (method of calculating VOC emission from tanks).

[06-096 CMR 140, BPT]

4. Parameter Monitors

There are no Parameter Monitors required for the Distillate Fuel Oil Storage Tanks.

5. CEMS and COMS

There are no CEMS or COMS required for the Distillate Fuel Oil Storage Tanks.

I. Facility Annual Emissions

1. Total Annual Emissions

SPT is licensed for the following annual emissions, based on a 12-month rolling total. The tons per year limits were calculated based on rack loading 500 million gallons per year of gasoline/ethanol and 360 million gallons per year of distillate, including top loading of 120 million gallons of distillate, as well as 360 million gallons per year throughput of distillate through the storage tanks and 500 million gallons per year of throughput through the gasoline/ethanol storage tanks.

Total Licensed Annual Emissions for the Facility
Tons per year
(Used to calculate the annual license fee)

	<u>PM_{2.5}</u>	<u>PM₁₀</u>	<u>SO₂</u>	<u>NO_x</u>	<u>CO</u>	<u>VOC</u>
Facility	Neg.	Neg.	Neg.	8.5	21.0	135.4
Total TPY	Neg.	Neg.	Neg.	8.5	21.0	135.4

<u>Pollutant</u>	<u>Tons per year</u>
Single HAP	9.0
Total HAPs	14.1

2. Greenhouse Gases

Greenhouse gases are considered regulated pollutants as of January 2, 2011, through 'Tailoring' revisions made to EPA's *Approval and Promulgation of Implementation Plans*, 40 CFR Part 52, Subpart A, §52.21, *Prevention of Significant Deterioration of Air Quality* rule. Greenhouse gases, as defined in 06-096 CMR 100 (as amended), are the aggregate group of the following gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. For licensing purposes, greenhouse gases (GHG) are calculated and reported as carbon dioxide equivalents (CO₂e).

The quantity of CO₂e emissions from this facility is less than 100,000 tons per year, based on the following:

- the facility's fuel use limits;
- worst case emission factors from the following sources: U.S. EPA's AP-42, the Intergovernmental Panel on Climate Change (IPCC), and 40 CFR Part 98, *Mandatory Greenhouse Gas Reporting*; and
- global warming potentials contained in 40 CFR Part 98.

III. AMBIENT AIR QUALITY ANALYSIS

According to 06-096 CMR 140, an existing Part 70 source shall be exempt from an impact analysis with respect to a regulated pollutant whose allowable emissions do not exceed the following:

Pollutant	Tons per year
PM ₁₀	25
PM _{2.5}	15
SO ₂	50
NO _x	50
CO	250

Based on facility license allowed emissions, SPT is below the emissions level required for modeling and monitoring.

ORDER

Based on the above Findings and subject to conditions listed below, the Department concludes that emissions from this source:

- will receive Best Practical Treatment;
- will not violate applicable emissions standards; and
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants the Part 70 License A-282-70-G-R pursuant to 06-096 CMR 140 and the preconstruction permitting requirements of 06-096 CMR 115 and subject to the standard and specific conditions below.

All federally enforceable and State-only enforceable conditions in existing air licenses previously issued to South Portland Terminal, LLC pursuant to the Department's preconstruction permitting requirements in 06-096 CMR 108 or 115 have been incorporated into this Part 70 license, except for such conditions that the Department has determined are obsolete, extraneous or otherwise environmentally insignificant, as explained in the findings of fact accompanying this permit. As such, the conditions in this license supersede all previously issued air license conditions.

Federally enforceable conditions in this Part 70 license must be changed pursuant to the applicable requirements in 06-096 CMR 115 for making such changes and pursuant to the applicable requirements in 06-096 CMR 140.

For each standard and specific condition which is state enforceable only, state-only enforceability is designated with the following statement: **Enforceable by State-only.**

Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

STANDARD STATEMENTS

- (1) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 CMR 140]
- (2) The Part 70 license does not convey any property rights of any sort, or any exclusive privilege. [06-096 CMR 140]
- (3) All terms and conditions are enforceable by EPA and citizens under the CAA unless specifically designated as state enforceable. [06-096 CMR 140]
- (4) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [06-096 CMR 140]
- (5) Notwithstanding any other provision in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 CMR 140]
- (6) Compliance with the conditions of this Part 70 license shall be deemed compliance with any Applicable requirement as of the date of license issuance and is deemed a permit shield, provided that:
 - A. Such Applicable and state requirements are included and are specifically identified in the Part 70 license, except where the Part 70 license term or condition is specifically identified as not having a permit shield; or
 - B. The Department, in acting on the Part 70 license application or revision, determines in writing that other requirements specifically identified are not

applicable to the source, and the Part 70 license includes the determination or a concise summary, thereof.

Nothing in this section or any Part 70 license shall alter or affect the provisions of Section 303 of the CAA (emergency orders), including the authority of EPA under Section 303; 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; or the ability of EPA to obtain information from a source pursuant to Section 114 of the CAA.

The following requirements have been specifically identified as not applicable based upon information submitted by the licensee in an application dated March 13, 2013.

Source	Citation	Description	Basis for Determination
Storage Tanks	40 CFR Part 60, Subparts K, Ka, Kb	Standards of Performance for Volatile Organic Liquid Storage Vessels	All storage tanks having capacities $\geq 75 \text{ m}^3$ were constructed before June 11, 1973 and have not been reconstructed or modified
Facility	40 CFR Part 61, Subpart J	NESHAP for Equipment Leaks of Benzene	Products and additives handled to not meet the definition of "in benzene service"
Facility	40 CFR Part 61, Subpart M	NESHAP for Asbestos	No asbestos-containing material present on-site
Facility	40 CFR Part 61, Subpart V	NESHAP for Equipment Leaks	Products and additives handled do not meet the definition of "in VHAP service".
Facility	40 CFR Part 61, Subpart Y	NESHAP for Benzene Emissions from Benzene Storage Vessels	Benzene is not stored on-site.
Facility	40 CFR Part 61, Subpart BB	NESHAP for Benzene Emissions from Benzene Transfer Operations	SPT does not meet the definitions of a benzene production facility or bulk terminal under this subpart.
Facility	40 CFR Part 61, Subpart FF	NESHAP for Benzene Waste Operations	SPT does not meet the definition of a chemical manufacturing plant, coke by-product recovery plant, or petroleum refinery under this subpart.
Facility	40 CFR Part 63, Subpart R	NESHAP for Gasoline Distribution Facilities	SPT is not a major source of HAP emissions and maintains records to so demonstrate.
Facility	40 CFR Part 63, Subpart Y	NESHAP for Marine Tank Vessel Loading Operations	SPT does not load into marine tank vessels.
Facility	40 CFR Part 63, Subpart CC	NESHAP for Petroleum Refineries	SPT is not a Petroleum Refinery

Facility	40 CFR Part 63, Subpart EEEE	NESHAP for Organic Liquids Distribution	SPT is not a major source of HAP emissions
Facility	40 CFR Part 63, Subpart DDDDD	NESHAP for Industrial, Commercial and Institutional Boilers and Process Heaters	SPT is not a major source of HAP emissions
Facility	40 CFR Part 63, Subpart CCCCC	NESHAP for Gasoline Dispensing Facilities	SPT does not dispense gasoline into fuel tanks of motor vehicles or nonroad vehicles
Facility	40 CFR Part 98, Subpart C	Mandatory Greenhouse Gas Reporting	SPT does not contain listed source categories, and combined actual emissions are less than 25,000 metric tons of carbon dioxide equivalents per year.
Facility	40 CFR Part 98, Subpart MM	Mandatory Greenhouse Gas Reporting	SPT is not a petroleum refinery and does not meet the definition of an importer or exporter since it does not take ownership of the product it distributes.

[06-096 CMR 140]

- (7) The Part 70 license shall be reopened for cause by the Department or EPA, prior to the expiration of the Part 70 license, if:
- A. Additional Applicable requirements under the CAA become applicable to a Part 70 major source with a remaining Part 70 license term of 3 or more years. However, no opening is required if the effective date of the requirement is later than the date on which the Part 70 license is due to expire, unless the original Part 70 license or any of its terms and conditions has been extended pursuant to 06-096 CMR 140;
 - B. Additional requirements (including excess emissions requirements) become applicable to a Title IV source under the acid rain program. Upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the Part 70 license;
 - C. The Department or EPA determines that the Part 70 license contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the Part 70 license; or
 - D. The Department or EPA determines that the Part 70 license must be revised or revoked to assure compliance with the Applicable requirements.

The licensee shall furnish to the Department within a reasonable time any information that the Department may request in writing to determine whether

cause exists for modifying, revoking and reissuing, or terminating the Part 70 license or to determine compliance with the Part 70 license.

[06-096 CMR 140]

- (8) No license revision or amendment shall be required, under any approved economic incentives, marketable licenses, emissions trading and other similar programs or processes for changes that are provided for in the Part 70 license. [06-096 CMR 140]

STANDARD CONDITIONS

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions and this license (38 M.R.S.A. §347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 140. [06-096 CMR 140]
- (3) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 CMR 140]
Enforceable by State-only
- (4) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to 38 M.R.S.A. §353-A.
- (5) The licensee shall maintain and operate all emission units and air pollution control systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 CMR 140]
Enforceable by State-only
- (6) The licensee shall retain records of all required monitoring data and support information for a period of at least six (6) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Part 70 license. The records shall be submitted to the Department upon written request or in accordance with other provisions of this license. [06-096 CMR 140]

- (7) The licensee shall comply with all terms and conditions of the air emission license. The submission of notice of intent to reopen for cause by the Department, the filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for the renewal of a Part 70 license or amendment shall not stay any condition of the Part 70 license. [06-096 CMR 140]
- (8) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
- A. perform stack testing under circumstances representative of the facility's normal process and operating conditions:
 - 1. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions;
 - 2. to demonstrate compliance with the applicable emission standards; or
 - 3. pursuant to any other requirement of this license to perform stack testing.
 - B. install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
 - C. submit a written report to the Department within thirty (30) days from date of test completion.
[06-096 CMR 140] **Enforceable by State-only**
- (9) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicates emissions in excess of the applicable standards, then:
- A. within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and
 - B. the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is

demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and

- C. the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.

[06-096 CMR 140] **Enforceable by State-only**

- (10) The licensee shall maintain records of all deviations from license requirements. Such deviations shall include, but are not limited to malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emission unit itself that is not consistent with the terms and conditions of the air emission license.

- A. The licensee shall notify the Commissioner within 48 hours of a violation of any emission standard and/or a malfunction or breakdown in any component part that causes a violation of any emission standard, and shall report the probable cause, corrective action, and any excess emissions in the units of the applicable emission limitation;
- B. The licensee shall submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component part causes a violation of any emission standard, together with any exemption requests.

Pursuant to 38 M.R.S.A. § 349(9), the Commissioner may exempt from civil penalty an air emission in excess of license limitations if the emission occurs during start-up or shutdown or results exclusively from an unavoidable malfunction entirely beyond the control of the licensee and the licensee has taken all reasonable steps to minimize or prevent any emission and takes corrective action as soon as possible. There may be no exemption if the malfunction is caused, entirely or in part, by poor maintenance, careless operation, poor design or any other reasonably preventable condition or preventable equipment breakdown. The burden of proof is on the licensee seeking the exemption under this subsection.

- C. All other deviations shall be reported to the Department in the facility's semiannual report.

[06-096 CMR 140]

- (11) Upon the written request of the Department, the licensee shall establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [06-096 CMR 140]
- (12) The licensee shall submit semiannual reports of any required periodic monitoring. All instances of deviations from Part 70 license requirements must be clearly identified in such reports. All required reports must be certified by a responsible official. [06-096 CMR 140]
- (13) The licensee shall submit a compliance certification to the Department and EPA at least annually, or more frequently if specified in the applicable requirement or by the Department. The compliance certification shall include the following:
- A. The identification of each term or condition of the Part 70 license that is the basis of the certification;
 - B. The compliance status;
 - C. Whether compliance was continuous or intermittent;
 - D. The method(s) used for determining the compliance status of the source, currently and over the reporting period; and
 - E. Such other facts as the Department may require to determine the compliance status of the source.
- [06-096 CMR 140]

SPECIFIC CONDITIONS

(14) **Petroleum Products Loading Rack and Vapor Combustion Unit**

A. Emissions from the VCU shall not exceed the following:

1. Emissions from the VCU shall not exceed the following limits:

Pollutant	Emission Limit	Origin and Authority	Enforceability
NO _x	0.0334 lb/1000 gal of product loaded	06-096 CMR 140, BPT (A-282-70-A-I)	Enforceable by State-only
CO	0.0835 lb/1000 gal of product loaded	06-096 CMR 140, BPT (A-282-70-A-I)	Enforceable by State-only
VOC	10 mg/liter of product loaded	06-096 CMR 140, BPT (A-282-70-A-I)	Federally Enforceable

2. Visible emissions from the VCU shall not exceed 5% opacity on a six (6)-minute block average basis. [06-096 CMR 140, BPT (A-282-70-A-I)]

B. Compliance with the emission limits associated with the loading rack vapor control unit shall be demonstrated in accordance with the methods and frequencies indicated in the table below or other methods or frequencies as approved by the Department.

<u>Pollutant</u>	<u>Applicable Emission Limit</u>	<u>Compliance Method</u>	<u>Frequency</u>	<u>Origin and Authority</u>
NO _x	0.0334 lb/1000 gals product loaded	EPA Method 7	Upon Request	06-096 CMR 140, BPT
CO	0.0835 lb/1000 gals product loaded	EPA Method 10	Upon Request	06-096 CMR 140, BPT
VOC	10 mg/L product loaded	EPA Method 25 or 25A	Annually prior to June 15th	06-096 CMR 140, BPT
Visible Emissions	% Opacity	40 CFR Part 60, App. A, Method 9	Upon Request	06-096 CMR 140, BPT

- C. A report containing test results shall be submitted to the Department within 30 days of testing according to the requirements of the Department's stack test protocol. [06-096 CMR 140, BPT]
- D. The loading rack shall be equipped and maintained with a vapor control system that captures displaced VOC vapors whenever gasoline is being transferred by tank truck. [06-096 CMR 112, 40 CFR Part 60, Subpart XX, 40 CFR Part 63, Subpart BBBBBB]
- E. All loading and vapor lines shall be equipped and maintained in good working order such that vapor tight fittings close automatically when disconnected and the pressure in the vapor collection system shall not be allowed to exceed +18 (plus eighteen) inches of water or a vacuum exceeding -6 (minus six) inches of water. Pressure gauges shall be maintained to document compliance with this limit. [06-096 CMR 112 and 120]
- F. Gasoline loading shall be allowed only into tank trucks and trailers which have been properly certified pursuant to 40 CFR Part 60 Appendix A, Method 27 and maintained and labeled as vapor-tight in accordance with 06-096 CMR 120. [06-096 CMR 120]
- G. Any tank truck carrying gasoline or which has carried gasoline as the most recent previous load shall utilize the vapor collection system during the entire loading process. [06-096 CMR 140, BPT]
- H. One hundred percent (100%) of the lower explosive limit (LEL) obtained within one inch around any potential leak source of the tank truck, including loading couplings, vapor lines and fittings employed in the transfer of gasoline shall be considered a violation of 06-096 CMR 120. [06-096 CMR 120]

- I. Natural gas and/or propane consumption shall be restricted to that required to keep the pilot(s) lit. Loading shall not commence without the pilot light(s) in the vapor destruction unit being lit and operational. [06-096 CMR 140, BPT]
- J. SPT shall operate and maintain in good working order a continuous monitoring system (CMS) to document combustion temperature and loading profile for the loading rack at all times gasoline product is being transferred through the loading rack. [06-096 CMR 140, BPT]
- K. SPT shall not exceed a petroleum product throughput at the loading rack as follows, based on a 12-month rolling total:
 1. Gasoline/ethanol 500,000,000 gallons per year
 2. Distillate 360,000,000 gallons per year[06-096 CMR 140, BPT]
- L. SPT shall not exceed a product loading rate of 9,600 gallons per minute. [06-096 CMR 140, BPT]
- M. SPT shall conduct a leak (defined as 21,000 ppm as propane or the equivalent) inspection of all equipment at the loading rack and the VCU, utilizing sight, sound and smell at a minimum of once per month. All leaks must be repaired as quickly as possible, but within 15 calendar days, with the first attempt at repair made no later than five (5) days from the initial detection of the leak. [06-096 CMR 140, BPT]
- N. The following records shall be maintained at the source and available for inspection by the Department:
 1. Inspection records documenting routine leak inspections to include the date of detection, nature of the leak and detection method, dates of repair attempts and methods used, details for any delays in repairs and the final date of repair [06-096 CMR 140, BPT]
 2. Maintenance records documenting all routine and necessary maintenance performed on the VCU. [06-096 CMR 140, BPT]
 3. Data obtained from the CMS documenting temperature of the VCU and loading profile. [06-096 CMR 140, BPT]
- O. Periodic Monitoring
SPT shall monitor and record the following periodic monitors for the Loading Rack and VCU:
 1. Gallons of propane and/or natural gas used in the VCU on a monthly and 12-month rolling total basis. [06-096 CMR 140, BPT]
 2. Gallons of throughput at the loading rack for each product stored on a monthly and 12-month rolling total basis. [06-096 CMR 140, BPT]
 3. Records of the test results for each gasoline cargo tank loading at the facility as specified in 40 CFR §63.11094(b) and (c).
 4. Records of monthly leak inspections required under 40 CFR §60.502(j) in accordance with 40 CFR §60.505(c) and (e).
 5. Records describing the types, identification numbers, and locations of all equipment in gasoline service. [40 CFR §63.11094(d)]
 6. Records of monthly leak inspections including:

- a. Date of inspection.
- b. Findings (i.e. whether a leak was detected).
- c. Inspector name and signature
[40 CFR §60.505(c)]
7. For each leak detected through inspection of equipment in gasoline service, SPT shall record in the log book the following information:
 - a. The equipment type and identification number.
 - b. The nature of the leak (i.e. vapor or liquid) and the method of detection (i.e. sight, sound, or smell).
 - c. The date the leak was detected and the date of each attempt to repair the leak.
 - d. Repair methods applied in each attempt to repair the leak.
 - e. "Repair delayed" and the reason for the delay if the leak is not repaired within fifteen (15) calendar days after discovery of the leak.
 - f. The expected date of successful repair of the leak if the leak is not repaired within fifteen (15) days.
 - g. The date of successful repair of the leak.
[40 CFR §63.11094(e) and 40 CFR §60.505(c)]
8. Records of the CMS data. The records shall indicate the time intervals during which loadings of gasoline cargo tanks have occurred or, alternatively, shall record the operating parameter data only during such loadings. The date and time of day shall also be indicated at reasonable intervals on this record. [40 CFR §63.11094(f)(1)]
9. An up-to-date, readily accessible copy of the monitoring and inspection plan required under 40 CFR §63.11092(b)(1)(iii)(B)(2).
[40 CFR §63.11094(f)(3)]
10. An up-to-date, readily accessible record of all system malfunctions, as specified in 40 CFR §63.11092(b)(1)(iii)(B)(2)(v).
[40 CFR §63.11094(f)(4)]
11. Records of the occurrence and duration of each malfunction of operation (i.e. process equipment) or the air pollution control and monitoring equipment. [40 CFR §63.11094(g)(1)]
12. Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR §63.11085(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
[40 CFR §63.11094(g)(2)]

P. Parameter Monitors

1. SPT shall install, calibrate, certify, operate, and maintain a CMS for the Vapor Combustion Unit (VCU). The CMS shall be continuously operated whenever gasoline vapors are displaced to the VCU.
[40 CFR §63.11092(b)]

2. SPT shall measure the presence of pilot flame in the VCU. The heat sensing device shall send a positive parameter value to indicate the pilot flame is on, or a negative parameter value to indicate the pilot flame is off. [40 CFR §63.11092(b)(1)(iii)(B)(1)]
3. SPT shall develop and maintain a monitoring and inspection plan to meet the requirements of 40 CFR §63.11092(b)(1)(iii)(B)(2).
4. SPT shall not operate the VCU when presence of pilot flame is not indicated by the CMS. [40 CFR §63.11092(d)(1)]
5. Operation of the VCU when presence of pilot flame is not indicated by the CMS shall constitute a violation of the emission standard in Table 1 except as specified below. [40 CFR §63.11092(d)(3)]
6. SPT shall follow the procedures outlined in 40 CFR §63.11092(d)(4) regarding corrective actions. Malfunctions shall not constitute a violation of the emission standard in Table 1 if corrective actions as described in the monitoring and inspection plan are followed. [40 CFR §63.11092(d)(4)]

(15) **Petroleum Products Storage Tanks**

The following requirements apply to each storage tank individually, unless otherwise noted:

- A. SPT shall make available, upon request by the Department, monthly tank inspection records required by 06-096 CMR 600. [06-096 CMR 140, BPT] **Enforceable by State-only.**
- B. The following records shall be maintained at the source and available for inspection by the Department;
 1. Monthly throughput records specifying quantity and types of volatile petroleum liquids in each tank and the period of such storage. [06-096 CMR 140, BPT] **Enforceable by State-only.**
 2. Calculations showing annual VOC emissions from equipment seals, and transfer piping and fittings determined in accordance with Chapter 7 of EPA's AP-42. [06-096 CMR 140, BPT] **Enforceable by State-only.**
- C. All gasoline/ethanol storage tanks shall be equipped, maintained and operated such that:
 1. There is an internal floating roof and closure seal(s) between the roof edge and the tank wall and these are maintained so as to prevent vapor leakage. [06-096 CMR 111]
 2. SPT shall equip and operate each internal floating roof gasoline storage tank according to the applicable requirements in §63.1063(a)(1) and (b); except for the secondary seal requirements under §63.1063(a)(1)(i)(C) and

(D) no later than the first degassing and cleaning activity after January 10, 2011 or January 10, 2018, whichever is first.

[40 CFR §11087(b) and Table 1]

3. Each internal floating roof shall be equipped with either a liquid-mounted seal or a mechanical shoe seal. [§63.1063(a)]
4. The internal floating roof and closure seal(s) shall be maintained such that there are no holes, tears or other openings in the seal or between the seal and the floating roof. [06-096 CMR 111]
5. All storage tank openings, except stub drains, are equipped with covers, lids or seals. Each cover over an opening in an IFR, except for automatic bleeder vents (vacuum breaker vents) and rim space vents, shall be closed at all times, except when the cover must be open for access. [06-096 CMR 111 and §63.1063(b)(3)]
6. Each automatic bleeder vent (vacuum breaker vent) and rim space vent shall be closed at all times, except when required to be open to relieve excess pressure or vacuum, in accordance with the manufacturer's design. [06-096 CMR 111 and §63.1063(b)(4)]
7. Each unslotted guidepole cap shall be closed at all times except when gauging the liquid level or taking liquid samples. [§63.1063(b)(5)]
8. Each IFR shall float on the stored liquid surface at all times, except when the floating roof is supported by its leg supports or other support devices. [§63.1063(b)(1)]
9. When a IFR is storing liquid, but the liquid depth is insufficient to float the floating roof, the process of filling to the point of refloating the IFR shall be continuous and shall be performed as soon as practical. [§63.1063(b)(2)]
10. If any holes, tears, or other openings are present, the source shall notify the Department in writing within 10 calendar days of discovery of such holes, tears or other openings and the course of action to be taken for repair. The licensee shall repair the items or empty and remove the storage tank from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the tank cannot be emptied within 45 days, a 30-day extension may be requested. If such holes, tears or other openings are present between June 1 and August 31, the licensee may contact the Department to request flexibility in order to make repairs outside the period restricting the emptying and degassing of tanks. [06-096 CMR 140, BPT]

- D. Tanks 28, 29, 37, 38, 39, 40, 41, 42, 43, 44 and 30 are licensed as multi-fuel storage tanks. These tanks are equipped to store gasoline or ethanol, as well as distillate. Therefore, SPT shall comply with all requirements, as applicable, for storage of gasoline or ethanol whenever these tanks are put into such service. No notification to the Department is required when products are switched. [06-096 CMR 115, BPT (A-282-77-1-M)]

E. SPT shall comply with the following source inspection requirements for Gasoline/Ethanol storage tanks:

1. SPT shall perform inspections of the internal floating roof systems according to the requirements of §63.1063(c)(1).
[40 CFR §63.11092(e)(1)]
2. Routine inspections of floating roofs are to be conducted through roof hatches once every month. [06-096 CMR 111]
3. At least once per year SPT shall perform a tank-top inspection of each internal floating roof by visually inspecting the floating roof deck, deck fittings, and rim seal through openings in the fixed roof.
[40 CFR §63.1063(c)(1)(i)(A) and §63.1063(d)(2)]
4. Each time a internal floating roof storage tank is completely emptied and degassed, or every 10 years, whichever occurs first, SPT shall perform an inspection by visually inspecting the floating roof deck, deck fittings, and rim seals from within the storage tank. The inspection may be performed entirely from the top side of the floating roof, as long as there is visual access to all deck components as specified in 40 CFR §63.1063(a).
[06-096 CMR 111, 40 CFR §63.1063(c)(1)(i)(B), and §63.1063(d)(1)]
5. SPT shall not empty and degas any storage tank for the purpose of performing a complete inspection between June 1 and August 31 of each calendar year. [06-096 CMR 111]
6. Any of the following conditions constitutes an inspection failure:
 - a. Stored liquid on the floating roof.
 - b. Holes or tears in the primary or secondary seal (if one is present).
 - c. Floating roof deck, deck fittings, or rim seals that are not functioning as designed.
 - d. Failure to comply with the operational requirements of 40 CFR §63.1063(b).
 - e. Gaps of more than 0.32 centimeters (1/8 inch) between any deck fitting gasket, seal, or wiper (required by 40 CFR §63.1063(a)) and any surface that it is intended to seal.
[40 CFR §63.1063(d)]

F. SPT shall monitor and record the following periodic monitors for the Gasoline/Ethanol Storage Tanks:

1. Inspection log documenting routine monthly inspections of floating roof covers and seals, including LEL readings from such inspections, which are to include notification and explanation of any excessive increases in LEL readings as compared to normal operating conditions.
[06-096 CMR 140, BPT (A- A-282-70-A-I)]

2. Inspection log documenting all complete inspections of cover and seal to be performed whenever the tank is emptied and degassed, at a minimum of once every ten years. [06-096 CMR 140, BPT (A-282-77-1-M)]
3. Inspection log documenting any detected leaks, holes, tears, or other openings and the corrective action taken.
[06-096 CMR 140, BPT (A-282-70-A-I-M)]
4. Monthly throughput specifying quantity and types of volatile petroleum liquids in each tank and the period of storage.
[06-096 CMR 140, BPT (A-282-70-A-I)]
5. Average monthly product storage temperatures and maximum true vapor pressures or Reid vapor pressures of volatile petroleum liquids stored.
[06-096 CMR 140, BPT (A-282-70-A-I)]
6. Calculations showing annual emissions of VOC and HAP from storage tanks determined in accordance with American Petroleum Institute, Manual of Petroleum Measurement Standard, Chapter 19 (method of calculating VOC emission from tanks).
[06-096 CMR 140, BPT (A-282-70-A-I)]
7. Records as specified in 40 CFR §63.1065. [40 CFR §63.11094(a)]
8. Records of the dimensions of each internal floating roof storage tank, an analysis of the capacity of the storage tank, and an identification of the liquid stored. [40 CFR §63.1065(a)]
9. Records of internal floating roof inspection results. The following information shall be included:
 - a. Identification of the storage tank that was inspected.
 - b. The date of the inspection.
 - c. A description of all inspection failures (if applicable).
 - d. A description of all repairs and the dates they were made (if applicable).
 - e. The date the storage tank was removed from service (if applicable).
[40 CFR §63.1065(b)(1)]
10. Records for each internal floating roof tank of the dates when the internal floating roof was set on its legs or other support devices as well as the dates when the roof was refloated. The records shall indicate whether the process of refloating was continuous. [40 CFR §63.1065(c)]
11. For Tanks 28, 29, 37, 38, 39, 40, 41, 42, 43, 44 and 30, records of the petroleum liquid stored, the period of storage, and the maximum true vapor pressure of that liquid during the respective storage period.
[40 CFR §60.113(a)]

(16) **40 CFR Part 63, Subpart BBBBBB**

- A. SPT is subject to and shall comply with all applicable requirements of 40 CFR Part 63, Subpart BBBBBB.
- B. SPT must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. [40 CFR §63.11085(a)]
- C. Notifications and Reports
 1. SPT shall submit to the Department and EPA a semiannual compliance report which contains the following information:
 - a. For the IFR storage tanks, the applicable reporting requirements included in 40 CFR §63.1066.
 - b. For the Loading Rack, each loading of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the facility.
 - c. The number of equipment leaks not repaired within fifteen (15) calendar days after detection.
[40 CFR §63.11095(a)]
 2. SPT shall notify the Department at least 30 days before an inspection performed from within the storage tank. If an inspection is unplanned and SPT could not have known about the inspection 30 days in advance, then SPT shall notify the Department at least seven (7) days before the inspection. Notification shall be made either by telephone immediately followed by written documentation demonstrating why the inspection was unplanned or in writing only and sent such that it is received at least seven (7) days before the inspection. [40 CFR §63.1066(B)(1)]
 3. SPT shall submit an excess emissions report to the Department and EPA at the time the semiannual compliance report is submitted. The excess emissions report shall include the following:
 - a. Each instance of a non-vapor-tight gasoline cargo tank loading at the facility in which SPT failed to take steps to assure that such cargo tank would not be reloaded at the facility before vapor tightness documentation for that cargo tank was obtained.
 - b. Each reloading of a non-vapor-tight gasoline cargo tank at the facility before vapor tightness documentation for that cargo tank is obtained by the facility.
 - c. Each failure to maintain the monitored operating parameter value for the VCU. The report shall include the monitoring data for the days for where the failure to maintain occurred and a description and timing of the steps taken to repair or perform maintenance on the vapor collection systems, VCU, or CMS.

- d. Each instance in which malfunctions discovered during the monitoring and inspections required under 40 CFR §63.11092(b)(1)(iii)(B)(2) were not resolved according to the necessary corrective actions described in the monitoring and inspection plan. The report shall include a description of the malfunction and the timing of the steps taken to correct the malfunction.
- e. For each occurrence of an equipment leak for which no repair attempt was made within five (5) days or for which repair was not completed within fifteen (15) days after detection include the date on which the leak was detected, the date of each attempt to repair the leak the reasons for the delay of repair, and the date of successful repair.

[40 CFR §63.11095(b)]

4. SPT shall submit a semiannual report to the Department and EPA including the number, duration, and a brief description of each type of malfunction which occurred during the reporting period and which caused, or may have caused, any applicable emission limitation to be exceeded. The report must also include a description of actions taken by SPT to minimize emissions including actions taken to correct a malfunction. This report may be submitted as part of the semiannual compliance report.

[40 CFR §63.11095(d)]

(17) **Distillate Fuel Oil Storage Tanks**

- A. SPT shall conduct routine inspections of the Distillate Fuel Oil Storage Tanks at a minimum of once every month around the perimeter of the tank and roof.
[06-096 CMR 140, BPT (A-282-70-A-I)] **Enforceable by State-only**
- B. SPT shall monitor and record the following periodic monitors for the Distillate Fuel Oil Storage Tanks:
 1. Inspection log documenting any detected leaks, holes, tears, or other openings and the corrective action taken.
 2. Monthly throughput specifying quantity and types of volatile petroleum liquids in each tank and the period of storage.
 3. Calculations showing annual emissions of VOC and HAP from storage tanks determined in accordance with American Petroleum Institute, Manual of Petroleum Measurement Standard, Chapter 19 (method of calculating VOC emission from tanks).

[06-096 CMR 140, BPT]

(18) **Facility Wide Annual Emission Limits**

- A. SPT shall not exceed an emission limit of 135.4 tons per year of VOC based on a 12-month rolling total, demonstrated by calculations using the record keeping requirements of this license. [06-096 CMR 140, BPT]
- B. SPT shall not exceed an emission limit of 9.0 tons per year of any single HAP or 14.1 tons per year for all HAPs combined, each based on a 12-month rolling total, demonstrated by calculations using the record keeping requirements of this license. [06-096 CMR 140]

(19) **Fugitive Emissions**

Visible emissions from a fugitive emission source (including stockpiles and roadways) shall not exceed 20 percent opacity, except for no more than five (5) minutes in any one (1)-hour period. Compliance shall be determined by an aggregate of the individual fifteen (15)-second opacity observations which exceed 20 percent in any one (1) hour. [06-096 CMR 101]

(20) **Parameter Monitor General Requirements** [06-096 CMR 140 and 117]

- A. Parameter monitors required by this license shall be installed, operated, maintained, and calibrated in accordance with manufacturer recommendations or as otherwise required by the Department.
- B. Parameter monitors required by this license shall continuously monitor data at all times the associated emissions unit is in operation. "Continuously" with respect to the operation of parameter monitors required by this license means providing equally spaced data points with at least one valid data point in each successive 15-minute period. A minimum of three valid 15-minute periods constitute a valid hour.
- C. Each parameter monitor must record accurate and reliable data. If the parameter monitor is recording accurate and reliable data less than 98% of the associated emissions unit operating time within any quarter of the calendar year, the Department may initiate enforcement action and may include in that enforcement action any period of time that the parameter monitor was not recording accurate and reliable data during that quarter unless the licensee can demonstrate to the satisfaction of the Department that the failure of the system to record accurate and reliable data was due to the performance of established quality assurance and quality control procedures or unavoidable malfunctions.

Enforceable by State-only

(21) Compliance Assurance Monitoring (CAM) – General Requirements

- A. The licensee shall operate and monitor all emission units and their associated control equipment in accordance with the approved CAM Plan.
[40 CFR Part 64]
- B. Any excursion shall be reported in semiannual reports. If excursions occur, the licensee must also certify intermittent compliance with the emission limits for the control device monitored in the annual compliance certification.
[40 CFR Part 64]
- C. Upon detecting an excursion, the licensee shall restore normal operation of the control equipment as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. [40 CFR 64.7(d)]
- D. Prior to making any changes to the approved CAM plan, the licensee shall notify the Department and, if necessary, submit a proposed license modification application to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.
[40 CFR 64.7(e)]
- E. Any change of the target level shall be submitted in a letter to the Department for written approval. [06-096 CMR 140, BPT]

(19) Recordkeeping

For all recordkeeping required by the license, the licensee shall maintain records of the most current six-year period. [06-096 CMR 140]

- A. Records shall be maintained showing the average annual information for each of the petroleum storage tanks in order to calculate VOC and HAP emissions:
[06-096 CMR 140, BPT]
 - 1. Quantity and type of petroleum liquid stored in each tank;
 - 2. Reid vapor pressure or maximum true vapor pressure for gasoline products;
 - 3. Average storage temperature;
 - 4. Average throughput in each tank;
 - 5. Tank emissions calculated per Chapter 7 of EPA's AP-42 Emission Factors;
 - 6. Fugitive tank truck emissions from top-loading of distillate fuel, assuming 1.3% of the vapors are displaced during loading (based on assumed capture efficiency of 98.7% as given in 40 CFR Part 63, Subpart R);
 - 7. HAP speciation data.

- B. SPT shall calculate and record monthly the 12-month rolling total facility throughput for gasoline, ethanol and distillate. [06-096 CMR 140, BPT]
- C. SPT shall maintain records of all monthly inspections and leak inspections of equipment utilizing sight, sound and smell. [06-096 CMR 140, BPT]

(20) **Semiannual Reporting** [06-096 CMR 140]

- A. The licensee shall submit to the Bureau of Air Quality semiannual reports which are due on **January 31st** and **July 31st** of each year. The facility's designated responsible official must sign this report.
- B. The semiannual report shall be considered on-time if the postmark of the submittal is before the due date or if the report is received by the DEP within seven calendar days of the due date.
- C. Each semiannual report shall include a summary of the periodic and CAM monitoring required by this license.
- D. All instances of deviations from license requirements and the corrective action taken must be clearly identified and provided to the Department in summary form for each six-month interval.

(21) **Annual Compliance Certification**

SPT shall submit an annual compliance certification to the Department and EPA in accordance with Standard Condition (13) of this license. The annual compliance certification is due January 31 of each year. The facility's designated responsible official must sign this report.

The annual compliance certification shall be considered on-time if the postmark of the submittal is before the due date or if the report is received by the Department within seven calendar days of the due date. Certification of compliance is to be based on the stack testing or monitoring data required by this license. Where the license does not require such data or the license requires such data upon request of the Department and the Department has not requested the testing or monitoring, compliance may be certified based upon other reasonably available information such as the design of the equipment or applicable emission factors. [06-096 CMR 140]

(22) **Annual Emission Statement**

In accordance with *Emission Statements*, 06-096 CMR 137 (as amended), the licensee shall annually report to the Department, in a format prescribed by the Department, the information necessary to accurately update the State's emission inventory. The emission statement shall be submitted by the date specified in 06-096 CMR 137 (May 15th).

(23) **General Applicable State Regulations**

The licensee is subject to the State regulations listed below.

<u>Origin and Authority</u>	<u>Requirement Summary</u>	<u>Enforceability</u>
06-096 CMR 102	Open Burning	-
06-096 CMR 109	Emergency Episode Regulation	-
06-096 CMR 110	Ambient Air Quality Standard	-
06-096 CMR 116	Prohibited Dispersion Techniques	-
38 M.R.S.A. §585-B, §§5	Mercury Emission Limit	Enforceable by State-only

(24) **Units Containing Ozone Depleting Substances**

When repairing or disposing of units containing ozone depleting substances, the licensee shall comply with the standards for recycling and emission reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioning units in Subpart B. Examples of such units include refrigerators and any size air conditioners that contain CFCs. [40 CFR, Part 82, Subpart F]

(25) **Asbestos Abatement**

When undertaking Asbestos abatement activities, SPT shall comply with the Standard for Asbestos Demolition and Renovation 40 CFR Part 61, Subpart M.

(26) **Expiration of a Part 70 license**

- A. SPT shall submit a complete Part 70 renewal application at least six (6) months prior, but no more than 18 months prior, to the expiration of this air license.
- B. Pursuant to Title 5 MRSA §10002, and 06-096 CMR 140, the Part 70 license shall not expire and all terms and conditions shall remain in effect until the Department takes final action on the renewal application of the Part 70 license. An existing source submitting a complete renewal application under 06-096 CMR 140 prior to the expiration of the Part 70 license will not be in violation of operating without a Part 70 license. **Enforceable by State-only**

(27) **New Source Review**

SPT is subject to all previous New Source Review (NSR) requirements summarized in this Part 70 air emissions license and the NSR requirements remain in effect even if this 06-096 CMR 140 Air Emissions License, A-282-70-G-R, expires.

DONE AND DATED IN AUGUSTA, MAINE THIS 11 DAY OF December, 2015.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Marc Allen Robert Corne for
AVERY T. DAY, ACTING COMMISSIONER

The term of this license shall be five (5) years from the signature date above.

[Note: If a complete renewal application as determined by the Department, is submitted at least 6 months prior to expiration but no earlier than 18 months, then pursuant to Title 5 MRSA §10002, all terms and conditions of the Part 70 license shall remain in effect until the Department takes final action on the renewal of the Part 70 license.]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 12/8/06

Date of application acceptance: 12/8/06

Date filed with the Board of Environmental Protection:

This Order prepared by N. Lynn Cornfield, PE, Bureau of Air Quality.

