

DRAFT

**OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION**

MEMORANDUM

October 13, 2020

TO: Phillip Fielder, P.E., Chief Engineer

THROUGH: Rick Groshong, Environmental Manager, Compliance and Enforcement

THROUGH: Phil Martin, P.E., Manager, Existing Source Permits Section

THROUGH: Peer Review, Joseph K. Wills, P.E., Engineering Section

FROM: David S. Schutz, P.E., New Source Permits Section

SUBJECT: Evaluation of Applicability Determination No. **2020-0198-TVR2**
Valero Partners Wynnewood, L.L.C.
Ardmore Pump Station (FAC ID 7099)
Section 16, Township 4S, Range 2E
Carter County, Oklahoma
Latitude: 34.20554°N, Longitude: -97.10479°W
Directions: Three Miles East of I-35 on SH-142

SECTION I. INTRODUCTION

Valero Partners Wynnewood, L.L.C. has requested renewal of the Title V operating permit for their Ardmore Pump Station (SIC 4613/NAICS 486910). The facility is currently operating under Permit No. 2015-0503-TVR issued October 8, 2015.

The pump station includes two electrically-powered pumps for transferring gasoline and diesel to/from the Valero Ardmore Refinery into transportation pipelines. Total VOC emissions have been calculated at 0.19 TPY. Gasoline is expected to have higher HAP concentrations than 4% by weight.

The pump station is located within the Valero Ardmore Refinery. Applicability Determination No. 2009-474-AD confirmed that the pump station was considered part of the Ardmore Refinery for purposes of 40 CFR Part 63, Subpart CC (Petroleum Refineries). By the standards and definitions of 40 CFR Part 63, Subpart CC, the pump station is considered to be part of the Ardmore Refinery (but not part of the bulk liquids distribution terminal) and subject to leak monitoring. As such, it is subject to Part 70 permitting. The Ardmore Refinery is a major source for Prevention of Significant Deterioration (PSD) and a major source of Hazardous Air Pollutants (HAPs).

There have been no non-trivial changes to the facility since issuance of the previous permit.

SECTION II. PERMIT HISTORY

| Permit No. | Date Issued | Description |
|-----------------|-------------|--|
| 2015-0503-TVR | 10/8/2015 | First TV permit renewal |
| 2009-474-TV M-1 | 5/28/2014 | Admin amendment, change owner name |
| 2009-474-TV | 9/16/2010 | Initial TV permit |
| 2009-474-AD | 3/1/2010 | Established link to Ardmore Refinery, need for TV permit |

SECTION III. REQUESTED CHANGES

There were no requested changes from the previous TV permit. The counts of components have been updated.

SECTION IV. EQUIPMENT AND AIR EMISSIONS

All emission calculations are based on continuous operation (8,760 hours per year). VOC emissions from fugitive equipment leaks are based on EPA's document, "1995 Protocol for Equipment Leak Emission Estimates (EPA-453/R-95-017)", Table 2-3, Marketing Terminal Average Emission Factors and field counts of the number of process components.

| Type of Component | Component Count | Emission Factor, lb/hr/component | VOC Emissions | |
|-------------------|-----------------|----------------------------------|---------------|--------------|
| | | | lb/hr | TPY |
| Flanges | 815 | 0.0000176 | 0.014 | 0.063 |
| Valves | 204 | 0.0000948 | 0.019 | 0.085 |
| Pump Seals | 4 | 0.00119 | 0.005 | 0.021 |
| Other | 17 | 0.000287 | 0.005 | 0.021 |
| TOTALS | | | 0.043 | 0.190 |

SECTION V. INSIGNIFICANT ACTIVITIES

None listed.

SECTION VI. FEDERAL REGULATIONS

PSD, 40 CFR Part 52

[Not Applicable to this Permit]

Total potential facility emissions of NO_x, CO, VOC, SO₂, and PM₁₀ are greater than the major source threshold of 100 TPY. Any future increases of emissions must be evaluated for PSD if they exceed a significance level (40 TPY NO_x, 100 TPY CO, 40 TPY VOC, 40 TPY SO₂, 25 TPY PM₁₀). However, VOC emissions from the pump station (0.19 TPY) are less than the level of significance of 40 TPY.

NSPS, 40 CFR Part 60

[Not Applicable]

Subpart GGG, Equipment Leaks of VOC in Petroleum Refineries. This subpart affects each valve, pump, pressure relief device, sampling connection system, open-ended valve or line, and flange or other connector in VOC service at a process unit, which commenced construction or modification after January 4, 1983 and on or before November 7, 2006, and which is located at a petroleum refinery. This subpart defines “process unit” as “components assembled to produce intermediate or final products from petroleum, unfinished petroleum derivatives, or other intermediates: a process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.” The pump station is not a “process unit” as defined by Subpart GGG.

Subpart GGGa (Equipment Leaks of VOC in Petroleum Refineries) affects each valve, pump, pressure relief device, sampling connection system, open-ended valve or line, and flange or other connector in VOC service at a process unit, which commenced construction or modification after November 7, 2006, and which is located at a petroleum refinery. This subpart defines “process unit” as “components assembled to produce intermediate or final products from petroleum, unfinished petroleum derivatives, or other intermediates: a process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.” Subpart GGGa requires the leak detection, repair, and documentation procedures of NSPS, Subpart VVa. The pump station is not a “process unit” as defined by Subpart GGGa.

NESHAP, 40 CFR Part 61

[Applicable]

Subpart FF, Benzene Waste Operations. This subpart affects benzene-contaminated wastewater at petroleum refineries. Facilities with 10 metric tons of benzene are required to manage and treat the waste streams. This facility has elected to manage and treat the facility wastes such that the uncontrolled benzene quantity in the wastes is equal to or less than 6.0 metric tons per year. The pump station does not generate wastewater and is not part of the refining process. However, it does include a sump for collection of gasoline, diesel, crude oil, or kerosene; the sump is controlled by a carbon canister. (This unit was not mentioned in the initial permit application.)

NESHAP, 40 CFR Part 63

[Subpart CC is Applicable]

Subpart CC, Petroleum Refineries. This subpart, promulgated on August 18, 1995, affects the following process units and related emission points at petroleum refineries: miscellaneous process vents from petroleum refining process units, storage vessels associated with petroleum refining process units, wastewater streams and treatment operations associated with petroleum refining process units, and equipment leaks from petroleum refining process units; gasoline loading racks, marine vessel loading operations, and all storage vessels and equipment leaks associated with a bulk gasoline terminal or pipeline breakout station. The pump station is part of the refinery and subject to LDAR standards of Subpart CC.

CAM, 40 CFR Part 64

[Not Applicable]

Compliance Assurance Monitoring (CAM) applies to any pollutant specific EU at a major source, that is required to obtain a Title V permit, if it meets all of the following criteria:

1. It is subject to an emission limit or standard for an applicable regulated air pollutant;
2. It uses a control device to achieve compliance with the applicable emission limit or standard; and

3. It has potential emissions, prior to the control device, of the applicable regulated air pollutant greater than major source levels.

There are no affected emission units at the pump station.

Chemical Accident Prevention Provisions, 40 CFR Part 68 [Applicable]
This refinery handles naturally occurring hydrocarbon mixtures at a refinery and the Chemical Accident Prevention Provisions are applicable to this facility. The refinery was required to submit the appropriate emergency response plan prior to June 21, 1999. The refinery has submitted their plan which was given EPA No. 12005 for EPA Facility No. 1000 00128177. More information on this federal program is available on the web page: www.epa.gov/rmp.

Stratospheric Ozone Protection, 40 CFR Part 82 [Subparts A and F are Applicable]
These standards require phase out of Class I & II substances, reductions of emissions of Class I & II substances to the lowest achievable level in all use sectors, and banning use of nonessential products containing ozone-depleting substances (Subparts A & C); control servicing of motor vehicle air conditioners (Subpart B); require Federal agencies to adopt procurement regulations which meet phase out requirements and which maximize the substitution of safe alternatives to Class I and Class II substances (Subpart D); require warning labels on products made with or containing Class I or II substances (Subpart E); maximize the use of recycling and recovery upon disposal (Subpart F); require producers to identify substitutes for ozone-depleting compounds under the Significant New Alternatives Program (Subpart G); and reduce the emissions of halons (Subpart H).

Subpart A identifies ozone-depleting substances and divides them into two classes. Class I controlled substances are divided into seven groups; the chemicals typically used by the manufacturing industry include carbon tetrachloride (Class I, Group IV) and methyl chloroform (Class I, Group V). A complete phase-out of production of Class I substances is required by January 1, 2000 (January 1, 2002, for methyl chloroform). Class II chemicals, which are hydrochlorofluorocarbons (HCFCs), are generally seen as interim substitutes for Class I CFCs. Class II substances consist of 33 HCFCs. A complete phase-out of Class II substances, scheduled in phases starting by 2002, is required by January 1, 2030.

Subpart F requires that any persons servicing, maintaining, or repairing appliances except for motor vehicle air conditioners; persons disposing of appliances, including motor vehicle air conditioners; refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment comply with the standards for recycling and emissions reduction.

The Standard Conditions of the permit address the requirements specified at §82.156 for persons opening appliances for maintenance, service, repair, or disposal; §82.158 for equipment used during the maintenance, service, repair, or disposal of appliances; §82.161 for certification by an approved technician certification program of persons performing maintenance, service, repair, or disposal of appliances; §82.166 for recordkeeping; § 82.158 for leak repair requirements; and §82.166 for refrigerant purchase records for appliances normally containing 50 or more pounds of refrigerant.

SECTION VII. OKLAHOMA AIR POLLUTION CONTROL RULES

OAC 252:100-1 (General Provisions) [Applicable]
Subchapter 1 includes definitions but there are no regulatory requirements.

OAC 252:100-2 (Incorporation by Reference) [Applicable]
This subchapter incorporates by reference applicable provisions of Title 40 of the Code of Federal Regulations listed in OAC 252:100, Appendix Q. These requirements are addressed in the “Federal Regulations” section.

OAC 252:100-3 (Air Quality Standards and Increments) [Applicable]
Subchapter 3 enumerates the primary and secondary ambient air quality standards and the significant deterioration increments. At this time, all of Oklahoma is in “attainment” of these standards.

OAC 252:100-5 (Registration, Emissions Inventory and Annual Operating Fees) [Applicable]
Subchapter 5 requires sources of air contaminants to register with Air Quality, file emission inventories annually, and pay annual operating fees based upon total annual emissions of regulated pollutants. As part of the Ardmore Refinery, the Pump Station is subject to this requirement. An emission inventory was submitted and fees paid for previous years as required.

OAC 252:100-8 (Permits for Part 70 Sources) [Applicable]
Part 5 includes the general administrative requirements for part 70 permits. Any planned changes in the operation of the facility which result in emissions not authorized in the permit and which exceed the “Insignificant Activities” or “Trivial Activities” thresholds require prior notification to AQD and may require a permit modification. Insignificant activities mean individual EU that either are on the list in Appendix I (OAC 252:100) or whose actual calendar year emissions do not exceed the following limits:

1. 5 TPY of any one criteria pollutant
2. 2 TPY of any one hazardous air pollutant (HAP) or 5 TPY of multiple HAPs or 20% of any threshold less than 10 TPY for single HAP that the EPA may establish by rule

As part of the Ardmore Refinery, the Pump Station is subject to this requirement.

OAC 252:100-9 (Excess Emissions Reporting Requirements) [Applicable]
Except as provided in OAC 252:100-9-7(a)(1), the owner or operator of a source of excess emissions shall notify the Director as soon as possible but no later than 4:30 p.m. the following working day of the first occurrence of excess emissions in each excess emission event. No later than thirty (30) calendar days after the start of any excess emission event, the owner or operator of an air contaminant source from which excess emissions have occurred shall submit a report for each excess emission event describing the extent of the event and the actions taken by the owner or operator of the facility in response to this event. Request for mitigation, as described in OAC 252:100-9-8, shall be included in the excess emission event report. Additional reporting

may be required in the case of ongoing emission events and in the case of excess emissions reporting required by 40 CFR Parts 60, 61, or 63.

OAC 252:100-13 (Open Burning) [Applicable]
Open burning of refuse and other combustible material is prohibited except as authorized in the specific examples and under the conditions listed in this subchapter.

OAC 252:100-19 (Particulate Matter) [Not Applicable]
This subchapter specifies a particulate matter (PM) emissions limitation of 0.6 lb/MMBTU from fuel-burning equipment with a rated heat input of 10 MMBTUH or less. There is no fuel-burning equipment at the pump station; the pumps are powered electrically.

OAC 252:100-25 (Visible Emissions and Particulates) [Applicable]
No discharge of greater than 20% opacity is allowed except for short-term occurrences that consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity. There are no discharges with any significant potential for visible emissions from the pump station.

OAC 252:100-29 (Fugitive Dust) [Applicable]
No person shall cause or permit the discharge of any visible fugitive dust emissions beyond the property line on which the emissions originate in such a manner as to damage or to interfere with the use of adjacent properties, or cause air quality standards to be exceeded, or interfere with the maintenance of air quality standards. Under normal operating conditions, this facility will not cause a problem in this area, therefore it is not necessary to require specific precautions to be taken.

OAC 252:100-31 (Sulfur Compounds) [Not Applicable]
Part 2 limits the ambient air concentration of hydrogen sulfide (H₂S) emissions from any facility to 0.2 ppmv (24-hour average) at standard conditions which is equivalent to 283 µg/m³. The fugitive equipment leaks at this facility are expected to produce insignificant amounts of H₂S emissions that would not have the potential to exceed the H₂S ambient air concentration limit. Part 5 limits sulfur dioxide emissions from new fuel-burning equipment (constructed after July 1, 1972). There are no fuel-burning equipment on-site.

OAC 252:100-33 (Nitrogen Oxides) [Not Applicable]
This subchapter limits NO_x emissions from new fuel-burning equipment with rated heat input greater than or equal to 50 MMBTUH to emissions of 0.2 lb of NO_x per MMBTU. There is no fuel-burning equipment at the pump station.

OAC 252:100-35 (Carbon Monoxide) [Not Applicable]
This subchapter affects gray iron cupolas, blast furnaces, basic oxygen furnaces, petroleum catalytic cracking units, and petroleum catalytic reforming units. There are no affected sources at the pump station.

OAC 252:100-37 (Volatile Organic Compounds) [Not Applicable]

Part 3 requires storage tanks constructed after December 28, 1974, with a capacity of 400 gallons or more and storing a VOC with a vapor pressure greater than 1.5 psia at maximum storage temperature to be equipped with a permanent submerged fill pipe or with an organic vapor recovery system. There are no tanks at the pump station.

Part 3 requires VOC loading facilities with a throughput equal to or less than 40,000 gallons per day to be equipped with a system for submerged filling of tank trucks or trailers if the capacity of the vehicle is greater than 200 gallons. This facility does not have the physical equipment (loading arm and pump) to conduct this type of loading and is not subject to this requirement.

Part 5 limits the VOC content of coating used in coating lines or operations. This facility will not normally conduct coating or painting operations except for routine maintenance of the facility and equipment, which is not an affected operation.

Part 7 requires fuel-burning equipment to be operated and maintained so as to minimize VOC emissions. Temperature and available air must be sufficient to provide essentially complete combustion. There is no fuel-burning equipment at the pump station.

Part 7 also regulates effluent water separators that receive water containing more than 200 gallons per day of VOC. There is no effluent water separator at this location.

OAC 252:100-42 (Toxic Air Contaminants (TAC)) [Applicable]

This subchapter regulates toxic air contaminants (TAC) that are emitted into the ambient air in areas of concern (AOC). Any work practice, material substitution, or control equipment required by the Department prior to June 11, 2004, to control a TAC, shall be retained, unless a modification is approved by the Director. Since no AOC has been designated there are no specific requirements for this facility at this time.

OAC 252:100-43 (Testing, Monitoring, and Recordkeeping) [Applicable]

This subchapter provides general requirements for testing, monitoring and recordkeeping and applies to any testing, monitoring or recordkeeping activity conducted at any stationary source. To determine compliance with emissions limitations or standards, the Air Quality Director may require the owner or operator of any source in the state of Oklahoma to install, maintain and operate monitoring equipment or to conduct tests, including stack tests, of the air contaminant source. All required testing must be conducted by methods approved by the Air Quality Director and under the direction of qualified personnel. A notice-of-intent to test and a testing protocol shall be submitted to Air Quality at least 30 days prior to any EPA Reference Method stack tests. Emissions and other data required to demonstrate compliance with any federal or state emission limit or standard, or any requirement set forth in a valid permit shall be recorded, maintained, and submitted as required by this subchapter, an applicable rule, or permit requirement. Data from any required testing or monitoring not conducted in accordance with the provisions of this subchapter shall be considered invalid. Nothing shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

SECTION VIII. COMPLIANCE

The Specific Conditions of this permit contain various testing, monitoring, recordkeeping, and reporting requirements in order to document on-going compliance with emission limits. The specific method used to document compliance was based on the type of emission unit, the type of process equipment, the specific pollutants emitted, and the amount of permitted emissions taking into account other regulatory requirements that an emission unit may be subject to.

In addition to the permitting requirements, the following periodic inspections were conducted since issuance of the last Title V renewal permit.

| Inspection Type | Date | Summary/Results |
|------------------------|-------------|--|
| Full Inspection | 11/7/19 | Non-formal violation noted |
| Full Inspection | 5/24/18 | In compliance |
| Full Inspection | 4/21/16 | Monitoring records not included in SAR |

There have been no other formal enforcement actions since issuance of the last Title V renewal permit.

SECTION IX. TIER CLASSIFICATION, PUBLIC AND EPA REVIEW

This application has been determined to be **Tier II** based on the request for renewal of a Part 70 operating permit. Part 70 operating permit renewal fee of \$7,500 has been received.

The applicant published the “Notice of Filing a Tier II Application” in *The Daily Ardmorite*, a daily newspaper, in Carter County, on August 14, 2020. A draft of this permit will also be made available for public review for a period of 30 days by another announcement published in *The Daily Ardmorite*. This facility is located within 50 miles of the Texas border. Notice of the draft permit will be provided to the adjacent state. The draft permit will be available for public review on the Air Quality section of the DEQ web page at <http://www.deq.ok.gov>. The proposed permit will be sent to EPA for a 45-day review period.

The information on all permit actions is available for review by the public in the Air Quality section of the DEQ web page at <http://www.deq.ok.gov>.

If the Administrator does not object in writing during the 45-day EPA review period, any person that meets the requirements of this subsection may petition the Administrator within 60 days after the expiration of the Administrator's 45-day review period to make such objection. Any such petition shall be based only on objections to the permit that the petitioner raised with reasonable specificity during the public comment period provided for in 27A O.S. § 2-14-302.A.2., unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. If the Administrator objects to the permit as a result of a petition filed under this subsection, the DEQ shall not issue the permit until EPA's objection has been resolved, except that a petition for review does not stay the effectiveness of a permit or its requirements if the permit was issued after the end of the 45-day review period and prior to an EPA objection. If the DEQ has issued a

permit prior to receipt of an EPA objection under this subsection, the DEQ will modify, terminate, or revoke such permit, and shall do so consistent with the procedures in 40 CFR §§ 70.7(g)(4) or (5)(i) and (ii) except in unusual circumstances. If the DEQ revokes the permit, it may thereafter issue only a revised permit that satisfies EPA's objection. In any case, the source will not be in violation of the requirement to have submitted a timely and complete application.

SECTION X. SUMMARY

The facility was constructed as described in the permit application. Ambient air quality standards are not threatened at this site. There are no active Air Quality compliance or enforcement issues that would affect issuance of the permit renewal. Issuance of the permit is recommended, contingent on public and EPA review.



SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

KEVIN STITT
Governor

Ms. Mikayla Briggs
Valero Partners Wynnewood
P. O. Box 696000
San Antonio, TX 78269-6000

SUBJECT: Permit Application No. **2020-0198-TV2**
Valero Partners Wynnewood, L.L.C.
Ardmore Pump Station (FAC ID 7099)
Section 16, Township 4S, Range 2E
Carter County, Oklahoma

Dear Ms. Briggs:

Enclosed is the permit authorizing operation of the referenced facility. Please note that this permit is issued subject to standard and specific conditions, which are attached. These conditions must be carefully followed since they define the limits of the permit and will be confirmed by periodic inspections.

Also note that you are required to annually submit an emissions inventory for this facility. An emissions inventory must be completed through DEQ's electronic reporting system by April 1st of every year. Any questions concerning the submittal process should be referred to the Emissions Inventory Staff at (405) 702-4100.

Thank you for your cooperation in this matter. If we may be of further service, or you have any questions about this permit, please contact the permit writer at (405) 702-4198 or David.Schutz@deq.ok.gov.

Sincerely,

Phillip Fielder, P.E.
Chief Engineer
AIR QUALITY DIVISION

Enclosure



Department of Environmental Quality (DEQ)
Air Quality Division (AQD)
Acronym List
7-1-20

| | | | |
|----------------|---|-----------------------|--|
| ACFM | Actual Cubic Feet per Minute | HCFC | Hydrochlorofluorocarbon |
| AD | Applicability Determination | HON | Hazardous Organic NESHAP |
| AFRC | Air-to-Fuel Ratio Controller | HP | Horsepower (hp) |
| API | American Petroleum Institute | HR | Hour (hr) |
| ASTM | American Society for Testing and Materials | H₂S | Hydrogen Sulfide |
| BACT | Best Available Control Technology | I&M | Inspection and Maintenance |
| BHP | Brake Horsepower (bhp) | IBR | Incorporation by Reference |
| BTU | British thermal unit (Btu) | IC | Internal Combustion |
| C&E | Compliance and Enforcement | LAER | Lowest Achievable Emission Rate |
| CAA | Clean Air Act | LB | Pound(s) [Mass] (lb, lbs, lbm) |
| CAM | Compliance Assurance Monitoring | LB/HR | Pound(s) per Hour (lb/hr) |
| CAS | Chemical Abstract Service | LDAR | Leak Detection and Repair |
| CAAA | Clean Air Act Amendments | LNG | Liquefied Natural Gas |
| CC | Catalytic Converter | LT | Long Ton(s) (metric) |
| CD | Consent Decree | M | Thousand (Roman Numeral) |
| CEM | Continuous Emission Monitor | MAAC | Maximum Acceptable Ambient Concentration |
| CFC | Chlorofluorocarbon | MACT | Maximum Achievable Control Technology |
| CFR | Code of Federal Regulations | MM | Prefix used for Million (Thousand-Thousand) |
| CI | Compression Ignition | MMBTU | Million British Thermal Units (MMBtu) |
| CNG | Compressed Natural Gas | MMBTUH | Million British Thermal Units per Hour (MMBtu/hr) |
| CO | Carbon Monoxide or Consent Order | MMSCF | Million Standard Cubic Feet (MMscf) |
| COM | Continuous Opacity Monitor | MMSCFD | Million Standard Cubic Feet per Day |
| D | Day | MSDS | Material Safety Data Sheet |
| DEF | Diesel Exhaust Fluid | MWC | Municipal Waste Combustor |
| DSCF | Dry Standard (At Standard Conditions) Cubic Foot (Feet) | MWe | Megawatt Electrical |
| EGU | Electric Generating Unit | NA | Nonattainment |
| EI | Emissions Inventory | NAAQS | National Ambient Air Quality Standards |
| EPA | Environmental Protection Agency | NAICS | North American Industry Classification System |
| ESP | Electrostatic Precipitator | NESHAP | National Emission Standards for Hazardous Air Pollutants |
| EUG | Emissions Unit Group | NH₃ | Ammonia |
| EUSGU | Electric Utility Steam Generating Unit | NMHC | Non-methane Hydrocarbon |
| FCE | Full Compliance Evaluation | NO₂ | Nitrogen Dioxide |
| FIP | Federal Implementation Plan | NO_x | Nitrogen Oxides |
| FR | Federal Register | NOI | Notice of Intent |
| GACT | Generally Achievable Control Technology | NSCR | Non-Selective Catalytic Reduction |
| GAL | Gallon (gal) | NSPS | New Source Performance Standards |
| GDF | Gasoline Dispensing Facility | NSR | New Source Review |
| GEP | Good Engineering Practice | O₃ | Ozone |
| GHG | Greenhouse Gases | O&G | Oil and Gas |
| GR | Grain(s) (gr) | O&M | Operation and Maintenance |
| HAP | Hazardous Air Pollutants | O&NG | Oil and Natural Gas |
| HC | Hydrocarbon | | |

| | | | |
|-------------------------|--|-------------------------|---------------------------------------|
| OAC | Oklahoma Administrative Code | SCC | Source Classification Code |
| OC | Oxidation Catalyst | SCF | Standard Cubic Foot |
| PAH | Polycyclic Aromatic Hydrocarbons | SCFD | Standard Cubic Feet per Day |
| PAL | Plant-wide Applicability Limit | SCFM | Standard Cubic Feet per Minute |
| Pb | Lead | SCR | Selective Catalytic Reduction |
| PBR | Permit by Rule | SER | Significant Emission Rate |
| PCB | Polychlorinated Biphenyls | SI | Spark Ignition |
| PCE | Partial Compliance Evaluation | SIC | Standard Industrial Classification |
| PEA | Portable Emissions Analyzer | SIP | State Implementation Plan |
| PFAS | Per-and Polyfluoroalkyl Substance | SNCR | Selective Non-Catalytic Reduction |
| PM | Particulate Matter | SO₂ | Sulfur Dioxide |
| PM_{2.5} | Particulate Matter with an Aerodynamic Diameter <= 2.5 Micrometers | SOx | Sulfur Oxides |
| PM₁₀ | Particulate Matter with an Aerodynamic Diameter <= 10 Micrometers | SOP | Standard Operating Procedure |
| POM | Particulate Organic Matter Or Polycyclic Organic Matter | T | Tons |
| ppb | Parts per Billion | TAC | Toxic Air Contaminant |
| ppm | Parts per Million | THC | Total Hydrocarbons |
| ppmv | Parts per Million Volume | TPY | Tons Per Year |
| ppmvd | Parts per Million Dry Volume | TRS | Total Reduced Sulfur |
| PSD | Prevention of Significant Deterioration | TSP | Total Suspended Particulates |
| psi | Pounds per Square Inch | TV | Title V of the Federal Clean Air Act |
| psia | Pounds per Square Inch Absolute | US EPA | U. S. Environmental Protection Agency |
| psig | Pounds per Square Inch Gage | VMT | Vehicle Miles Traveled |
| RACT | Reasonably Available Control Technology | VOC | Volatile Organic Compound |
| RATA | Relative Accuracy Test Audit | VRU | Vapor Recovery Unit |
| RICE | Reciprocating Internal Combustion Engine | YR | Year |
| RO | Responsible Official | µg/m³ | Micrograms Per Cubic Meter |
| ROAT | Regional Office at Tulsa | 2SLB | 2-Stroke Lean Burn |
| RVP | Reid Vapor Pressure | 4SLB | 4-Stroke Lean Burn |
| | | 4SRB | 4-Stroke Rich Burn |



PART 70 PERMIT

AIR QUALITY DIVISION
STATE OF OKLAHOMA
DEPARTMENT OF ENVIRONMENTAL QUALITY
707 N. ROBINSON, SUITE 4100
P.O. BOX 1677
OKLAHOMA CITY, OKLAHOMA 73101-1677

Permit No. 2020-0198-TVR2

Valero Partners Wynnewood, LLC,

having complied with the requirements of the law, is hereby granted permission to operate a pump station located in Section 16, T4S, R2E, Carter County, Oklahoma subject to the Standard Conditions dated June 21, 2016, and Specific Conditions, both attached.

This permit shall expire five years from the issuance date below, except as Authorized under Section VIII of the Standard Conditions.

Division Director

Air Quality Division

Date

DEQ Form #100-890

Revised 10/20/06

**PERMIT TO OPERATE
AIR POLLUTION CONTROL FACILITY
SPECIFIC CONDITIONS**

**Valero Partners Wynnewood, LLC
Ardmore Pump Station**

Permit No. 2020-0198-TVR2

The permittee is authorized to operate in conformity with the specifications submitted to Air Quality on April 17, 2020. The Evaluation Memorandum dated October 1, 2020, explains the derivation of applicable permit requirements and estimates of emissions; however, it does not contain limitations or permit requirements. Continuing operations under this permit constitutes acceptance of, and consent to the conditions contained herein:

1. Emissions limitations and operational requirements: [OAC 252:100-8-6(a)(1)]

| Type of Component | Component Count |
|--------------------------|------------------------|
| Flanges | 815 |
| Valves | 204 |
| Pump Seals | 4 |
| Other | 17 |

- A. Fugitive Emissions Subject to MACT: Fugitive VOC emissions are estimated based on existing equipment items but do not have a specific limitation for emission rates or component counts, except to comply with the applicable LDAR program.
- B. The components identified above are subject to 40 CFR Part 63 Subpart CC and shall comply with all applicable requirements for leak detection and repair. Valves, flanges, other connectors, pumps, compressors, pressure relief devices, shall be monitored for leakage and repaired as specified. [40 CFR §63.648(a)]
- C. All affected equipment, in HAP service (containing >5% by weight HAP), shall comply with NESHAP, 40 CFR Part 63, Subpart CC. The permittee shall comply with the applicable sections for each affected component. [40 CFR Part 63,Subpart CC]
1. §63.642 General Standards – (a), (d)(1), (e), & (f);
 2. §63.648 Equipment Leak Standards – (a), (b), (c), & (e-i);
 3. §63.648 Reporting and Recordkeeping Standards – (d), & (f-h).

2. The permittee shall be authorized to operate the facility continuously (24 hours per day, every day of the year). [OAC 252:100-8-6(a)]

3. The following records shall be maintained on location for inspection by ODEQ regulatory personnel. The required records shall be retained either in printed hard-copy or electronically for a period of at least five years following the date of recording. [OAC 252:100-43]

- A. Records as required by 40 CFR Part 63 Subpart CC.
- B. Records as required by 40 CFR Part 61, Subpart FF.

4. The permittee shall comply with the requirements of § 61.340 through § 61.358 of 40 CFR Part 61, Subpart FF.

5. No later than 30 days after each anniversary date of the issuance of the initial Part 70 operating permit, the permittee shall submit to Air Quality Division of DEQ, with a copy to the US EPA, Region 6, a certification of compliance with the terms and conditions of this permit.

[OAC 252:100-8-6 (c)(5)(a)&(d)]

6. On issuance, Permit No. 2020-0198-TVR2 replaces and supersedes Permit No. 2015-0503-TVR, which is now canceled.

7. This facility is considered an existing Prevention of Significant Deterioration (PSD) facility. As such, the facility is subject to the provisions of OAC 252:100-8-36.2(c) for any project as defined therein. [OAC 252:100-8-36.2(c)]

**MAJOR SOURCE AIR QUALITY PERMIT
STANDARD CONDITIONS
(June 21, 2016)**

SECTION I. DUTY TO COMPLY

A. This is a permit to operate / construct this specific facility in accordance with the federal Clean Air Act (42 U.S.C. 7401, et al.) and under the authority of the Oklahoma Clean Air Act and the rules promulgated there under. [Oklahoma Clean Air Act, 27A O.S. § 2-5-112]

B. The issuing Authority for the permit is the Air Quality Division (AQD) of the Oklahoma Department of Environmental Quality (DEQ). The permit does not relieve the holder of the obligation to comply with other applicable federal, state, or local statutes, regulations, rules, or ordinances. [Oklahoma Clean Air Act, 27A O.S. § 2-5-112]

C. The permittee shall comply with all conditions of this permit. Any permit noncompliance shall constitute a violation of the Oklahoma Clean Air Act and shall be grounds for enforcement action, permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application. All terms and conditions are enforceable by the DEQ, by the Environmental Protection Agency (EPA), and by citizens under section 304 of the Federal Clean Air Act (excluding state-only requirements). This permit is valid for operations only at the specific location listed.

[40 C.F.R. §70.6(b), OAC 252:100-8-1.3 and OAC 252:100-8-6(a)(7)(A) and (b)(1)]

D. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in assessing penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations. [OAC 252:100-8-6(a)(7)(B)]

SECTION II. REPORTING OF DEVIATIONS FROM PERMIT TERMS

A. Any exceedance resulting from an emergency and/or posing an imminent and substantial danger to public health, safety, or the environment shall be reported in accordance with Section XIV (Emergencies). [OAC 252:100-8-6(a)(3)(C)(iii)(I) & (II)]

B. Deviations that result in emissions exceeding those allowed in this permit shall be reported consistent with the requirements of OAC 252:100-9, Excess Emission Reporting Requirements. [OAC 252:100-8-6(a)(3)(C)(iv)]

C. Every written report submitted under this section shall be certified as required by Section III (Monitoring, Testing, Recordkeeping & Reporting), Paragraph F. [OAC 252:100-8-6(a)(3)(C)(iv)]

SECTION III. MONITORING, TESTING, RECORDKEEPING & REPORTING

A. The permittee shall keep records as specified in this permit. These records, including monitoring data and necessary support information, shall be retained on-site or at a nearby field office for a period of at least five years from the date of the monitoring sample, measurement, report, or application, and shall be made available for inspection by regulatory personnel upon request. Support information includes all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Where appropriate, the permit may specify that records may be maintained in computerized form.

[OAC 252:100-8-6 (a)(3)(B)(ii), OAC 252:100-8-6(c)(1), and OAC 252:100-8-6(c)(2)(B)]

B. Records of required monitoring shall include:

- (1) the date, place and time of sampling or measurement;
- (2) the date or dates analyses were performed;
- (3) the company or entity which performed the analyses;
- (4) the analytical techniques or methods used;
- (5) the results of such analyses; and
- (6) the operating conditions existing at the time of sampling or measurement.

[OAC 252:100-8-6(a)(3)(B)(i)]

C. No later than 30 days after each six (6) month period, after the date of the issuance of the original Part 70 operating permit or alternative date as specifically identified in a subsequent Part 70 operating permit, the permittee shall submit to AQD a report of the results of any required monitoring. All instances of deviations from permit requirements since the previous report shall be clearly identified in the report. Submission of these periodic reports will satisfy any reporting requirement of Paragraph E below that is duplicative of the periodic reports, if so noted on the submitted report.

[OAC 252:100-8-6(a)(3)(C)(i) and (ii)]

D. If any testing shows emissions in excess of limitations specified in this permit, the owner or operator shall comply with the provisions of Section II (Reporting Of Deviations From Permit Terms) of these standard conditions.

[OAC 252:100-8-6(a)(3)(C)(iii)]

E. In addition to any monitoring, recordkeeping or reporting requirement specified in this permit, monitoring and reporting may be required under the provisions of OAC 252:100-43, Testing, Monitoring, and Recordkeeping, or as required by any provision of the Federal Clean Air Act or Oklahoma Clean Air Act.

[OAC 252:100-43]

F. Any Annual Certification of Compliance, Semi Annual Monitoring and Deviation Report, Excess Emission Report, and Annual Emission Inventory submitted in accordance with this permit shall be certified by a responsible official. This certification shall be signed by a responsible official, and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete."

[OAC 252:100-8-5(f), OAC 252:100-8-6(a)(3)(C)(iv), OAC 252:100-8-6(c)(1), OAC 252:100-9-7(e), and OAC 252:100-5-2.1(f)]

G. Any owner or operator subject to the provisions of New Source Performance Standards (“NSPS”) under 40 CFR Part 60 or National Emission Standards for Hazardous Air Pollutants (“NESHAPs”) under 40 CFR Parts 61 and 63 shall maintain a file of all measurements and other information required by the applicable general provisions and subpart(s). These records shall be maintained in a permanent file suitable for inspection, shall be retained for a period of at least five years as required by Paragraph A of this Section, and shall include records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of an affected facility, any malfunction of the air pollution control equipment; and any periods during which a continuous monitoring system or monitoring device is inoperative.

[40 C.F.R. §§60.7 and 63.10, 40 CFR Parts 61, Subpart A, and OAC 252:100, Appendix Q]

H. The permittee of a facility that is operating subject to a schedule of compliance shall submit to the DEQ a progress report at least semi-annually. The progress reports shall contain dates for achieving the activities, milestones or compliance required in the schedule of compliance and the dates when such activities, milestones or compliance was achieved. The progress reports shall also contain an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted. [OAC 252:100-8-6(c)(4)]

I. All testing must be conducted under the direction of qualified personnel by methods approved by the Division Director. All tests shall be made and the results calculated in accordance with standard test procedures. The use of alternative test procedures must be approved by EPA. When a portable analyzer is used to measure emissions it shall be setup, calibrated, and operated in accordance with the manufacturer’s instructions and in accordance with a protocol meeting the requirements of the “AQD Portable Analyzer Guidance” document or an equivalent method approved by Air Quality.

[OAC 252:100-8-6(a)(3)(A)(iv), and OAC 252:100-43]

J. The reporting of total particulate matter emissions as required in Part 7 of OAC 252:100-8 (Permits for Part 70 Sources), OAC 252:100-19 (Control of Emission of Particulate Matter), and OAC 252:100-5 (Emission Inventory), shall be conducted in accordance with applicable testing or calculation procedures, modified to include back-half condensables, for the concentration of particulate matter less than 10 microns in diameter (PM₁₀). NSPS may allow reporting of only particulate matter emissions caught in the filter (obtained using Reference Method 5).

K. The permittee shall submit to the AQD a copy of all reports submitted to the EPA as required by 40 C.F.R. Part 60, 61, and 63, for all equipment constructed or operated under this permit subject to such standards. [OAC 252:100-8-6(c)(1) and OAC 252:100, Appendix Q]

SECTION IV. COMPLIANCE CERTIFICATIONS

A. No later than 30 days after each anniversary date of the issuance of the original Part 70 operating permit or alternative date as specifically identified in a subsequent Part 70 operating permit, the permittee shall submit to the AQD, with a copy to the US EPA, Region 6, a certification of compliance with the terms and conditions of this permit and of any other applicable requirements which have become effective since the issuance of this permit.

[OAC 252:100-8-6(c)(5)(A), and (D)]

B. The compliance certification shall describe the operating permit term or condition that is the basis of the certification; the current compliance status; whether compliance was continuous or intermittent; the methods used for determining compliance, currently and over the reporting period. The compliance certification shall also include such other facts as the permitting authority may require to determine the compliance status of the source.

[OAC 252:100-8-6(c)(5)(C)(i)-(v)]

C. The compliance certification shall contain a certification by a responsible official as to the results of the required monitoring. This certification shall be signed by a responsible official, and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete."

[OAC 252:100-8-5(f) and OAC 252:100-8-6(c)(1)]

D. Any facility reporting noncompliance shall submit a schedule of compliance for emissions units or stationary sources that are not in compliance with all applicable requirements. This schedule shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any applicable requirements for which the emissions unit or stationary source is in noncompliance. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the emissions unit or stationary source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based, except that a compliance plan shall not be required for any noncompliance condition which is corrected within 24 hours of discovery.

[OAC 252:100-8-5(e)(8)(B) and OAC 252:100-8-6(c)(3)]

SECTION V. REQUIREMENTS THAT BECOME APPLICABLE DURING THE PERMIT TERM

The permittee shall comply with any additional requirements that become effective during the permit term and that are applicable to the facility. Compliance with all new requirements shall be certified in the next annual certification.

[OAC 252:100-8-6(c)(6)]

SECTION VI. PERMIT SHIELD

A. Compliance with the terms and conditions of this permit (including terms and conditions established for alternate operating scenarios, emissions trading, and emissions averaging, but excluding terms and conditions for which the permit shield is expressly prohibited under OAC 252:100-8) shall be deemed compliance with the applicable requirements identified and included in this permit. [OAC 252:100-8-6(d)(1)]

B. Those requirements that are applicable are listed in the Standard Conditions and the Specific Conditions of this permit. Those requirements that the applicant requested be determined as not applicable are summarized in the Specific Conditions of this permit. [OAC 252:100-8-6(d)(2)]

SECTION VII. ANNUAL EMISSIONS INVENTORY & FEE PAYMENT

The permittee shall file with the AQD an annual emission inventory and shall pay annual fees based on emissions inventories. The methods used to calculate emissions for inventory purposes shall be based on the best available information accepted by AQD.

[OAC 252:100-5-2.1, OAC 252:100-5-2.2, and OAC 252:100-8-6(a)(8)]

SECTION VIII. TERM OF PERMIT

A. Unless specified otherwise, the term of an operating permit shall be five years from the date of issuance. [OAC 252:100-8-6(a)(2)(A)]

B. A source's right to operate shall terminate upon the expiration of its permit unless a timely and complete renewal application has been submitted at least 180 days before the date of expiration. [OAC 252:100-8-7.1(d)(1)]

C. A duly issued construction permit or authorization to construct or modify will terminate and become null and void (unless extended as provided in OAC 252:100-8-1.4(b)) if the construction is not commenced within 18 months after the date the permit or authorization was issued, or if work is suspended for more than 18 months after it is commenced. [OAC 252:100-8-1.4(a)]

D. The recipient of a construction permit shall apply for a permit to operate (or modified operating permit) within 180 days following the first day of operation. [OAC 252:100-8-4(b)(5)]

SECTION IX. SEVERABILITY

The provisions of this permit are severable and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

[OAC 252:100-8-6 (a)(6)]

SECTION X. PROPERTY RIGHTS

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

[OAC 252:100-8-6(a)(7)(D)]

B. This permit shall not be considered in any manner affecting the title of the premises upon which the equipment is located and does not release the permittee from any liability for damage to persons or property caused by or resulting from the maintenance or operation of the equipment for which the permit is issued.

[OAC 252:100-8-6(c)(6)]

SECTION XI. DUTY TO PROVIDE INFORMATION

A. The permittee shall furnish to the DEQ, upon receipt of a written request and within sixty (60) days of the request unless the DEQ specifies another time period, any information that the DEQ may request to determine whether cause exists for modifying, reopening, revoking, reissuing, terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the DEQ copies of records required to be kept by the permit.

[OAC 252:100-8-6(a)(7)(E)]

B. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 27A O.S. § 2-5-105(18). Confidential information shall be clearly labeled as such and shall be separable from the main body of the document such as in an attachment.

[OAC 252:100-8-6(a)(7)(E)]

C. Notification to the AQD of the sale or transfer of ownership of this facility is required and shall be made in writing within thirty (30) days after such sale or transfer.

[Oklahoma Clean Air Act, 27A O.S. § 2-5-112(G)]

SECTION XII. REOPENING, MODIFICATION & REVOCATION

A. The permit may be modified, revoked, reopened and reissued, or terminated for cause. Except as provided for minor permit modifications, the filing of a request by the permittee for a permit modification, revocation and reissuance, termination, notification of planned changes, or anticipated noncompliance does not stay any permit condition.

[OAC 252:100-8-6(a)(7)(C) and OAC 252:100-8-7.2(b)]

B. The DEQ will reopen and revise or revoke this permit prior to the expiration date in the following circumstances:

[OAC 252:100-8-7.3 and OAC 252:100-8-7.4(a)(2)]

- (1) Additional requirements under the Clean Air Act become applicable to a major source category three or more years prior to the expiration date of this permit. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit.
- (2) The DEQ or the EPA determines that this permit contains a material mistake or that the permit must be revised or revoked to assure compliance with the applicable requirements.

- (3) The DEQ or the EPA determines that inaccurate information was used in establishing the emission standards, limitations, or other conditions of this permit. The DEQ may revoke and not reissue this permit if it determines that the permittee has submitted false or misleading information to the DEQ.
- (4) DEQ determines that the permit should be amended under the discretionary reopening provisions of OAC 252:100-8-7.3(b).

C. The permit may be reopened for cause by EPA, pursuant to the provisions of OAC 100-8-7.3(d). [OAC 100-8-7.3(d)]

D. The permittee shall notify AQD before making changes other than those described in Section XVIII (Operational Flexibility), those qualifying for administrative permit amendments, or those defined as an Insignificant Activity (Section XVI) or Trivial Activity (Section XVII). The notification should include any changes which may alter the status of a "grandfathered source," as defined under AQD rules. Such changes may require a permit modification.

[OAC 252:100-8-7.2(b) and OAC 252:100-5-1.1]

E. Activities that will result in air emissions that exceed the trivial/insignificant levels and that are not specifically approved by this permit are prohibited. [OAC 252:100-8-6(c)(6)]

SECTION XIII. INSPECTION & ENTRY

A. Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized regulatory officials to perform the following (subject to the permittee's right to seek confidential treatment pursuant to 27A O.S. Supp. 1998, § 2-5-105(17) for confidential information submitted to or obtained by the DEQ under this section):

- (1) enter upon the permittee's premises during reasonable/normal working hours where a source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (2) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (3) inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- (4) as authorized by the Oklahoma Clean Air Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit.

[OAC 252:100-8-6(c)(2)]

SECTION XIV. EMERGENCIES

A. Any exceedance resulting from an emergency shall be reported to AQD promptly but no later than 4:30 p.m. on the next working day after the permittee first becomes aware of the exceedance. This notice shall contain a description of the emergency, the probable cause of the exceedance, any steps taken to mitigate emissions, and corrective actions taken.

[OAC 252:100-8-6 (a)(3)(C)(iii)(I) and (IV)]

B. Any exceedance that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to AQD as soon as is practicable; but under no circumstance shall notification be more than 24 hours after the exceedance. [OAC 252:100-8-6(a)(3)(C)(iii)(II)]

C. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error. [OAC 252:100-8-2]

D. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that: [OAC 252:100-8-6 (e)(2)]

- (1) an emergency occurred and the permittee can identify the cause or causes of the emergency;
- (2) the permitted facility was at the time being properly operated;
- (3) during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit.

E. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [OAC 252:100-8-6(e)(3)]

F. Every written report or document submitted under this section shall be certified as required by Section III (Monitoring, Testing, Recordkeeping & Reporting), Paragraph F.

[OAC 252:100-8-6(a)(3)(C)(iv)]

SECTION XV. RISK MANAGEMENT PLAN

The permittee, if subject to the provision of Section 112(r) of the Clean Air Act, shall develop and register with the appropriate agency a risk management plan by June 20, 1999, or the applicable effective date. [OAC 252:100-8-6(a)(4)]

SECTION XVI. INSIGNIFICANT ACTIVITIES

Except as otherwise prohibited or limited by this permit, the permittee is hereby authorized to operate individual emissions units that are either on the list in Appendix I to OAC Title 252, Chapter 100, or whose actual calendar year emissions do not exceed any of the limits below. Any activity to which a State or Federal applicable requirement applies is not insignificant even if it meets the criteria below or is included on the insignificant activities list.

- (1) 5 tons per year of any one criteria pollutant.
- (2) 2 tons per year for any one hazardous air pollutant (HAP) or 5 tons per year for an aggregate of two or more HAP's, or 20 percent of any threshold less than 10 tons per year for single HAP that the EPA may establish by rule.

[OAC 252:100-8-2 and OAC 252:100, Appendix I]

SECTION XVII. TRIVIAL ACTIVITIES

Except as otherwise prohibited or limited by this permit, the permittee is hereby authorized to operate any individual or combination of air emissions units that are considered inconsequential and are on the list in Appendix J. Any activity to which a State or Federal applicable requirement applies is not trivial even if included on the trivial activities list.

[OAC 252:100-8-2 and OAC 252:100, Appendix J]

SECTION XVIII. OPERATIONAL FLEXIBILITY

A. A facility may implement any operating scenario allowed for in its Part 70 permit without the need for any permit revision or any notification to the DEQ (unless specified otherwise in the permit). When an operating scenario is changed, the permittee shall record in a log at the facility the scenario under which it is operating.

[OAC 252:100-8-6(a)(10) and (f)(1)]

B. The permittee may make changes within the facility that:

- (1) result in no net emissions increases,
- (2) are not modifications under any provision of Title I of the federal Clean Air Act, and
- (3) do not cause any hourly or annual permitted emission rate of any existing emissions unit to be exceeded;

provided that the facility provides the EPA and the DEQ with written notification as required below in advance of the proposed changes, which shall be a minimum of seven (7) days, or twenty four (24) hours for emergencies as defined in OAC 252:100-8-6 (e). The permittee, the DEQ, and the EPA shall attach each such notice to their copy of the permit. For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change. The permit shield provided by this permit does not apply to any change made pursuant to this paragraph.

[OAC 252:100-8-6(f)(2)]

SECTION XIX. OTHER APPLICABLE & STATE-ONLY REQUIREMENTS

A. The following applicable requirements and state-only requirements apply to the facility unless elsewhere covered by a more restrictive requirement:

- (1) Open burning of refuse and other combustible material is prohibited except as authorized in the specific examples and under the conditions listed in the Open Burning Subchapter.
[OAC 252:100-13]
- (2) No particulate emissions from any fuel-burning equipment with a rated heat input of 10 MMBTUH or less shall exceed 0.6 lb/MMBTU.
[OAC 252:100-19]
- (3) For all emissions units not subject to an opacity limit promulgated under 40 C.F.R., Part 60, NSPS, no discharge of greater than 20% opacity is allowed except for:
[OAC 252:100-25]
 - (a) Short-term occurrences which consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity;
 - (b) Smoke resulting from fires covered by the exceptions outlined in OAC 252:100-13-7;
 - (c) An emission, where the presence of uncombined water is the only reason for failure to meet the requirements of OAC 252:100-25-3(a); or
 - (d) Smoke generated due to a malfunction in a facility, when the source of the fuel producing the smoke is not under the direct and immediate control of the facility and the immediate constriction of the fuel flow at the facility would produce a hazard to life and/or property.
- (4) No visible fugitive dust emissions shall be discharged beyond the property line on which the emissions originate in such a manner as to damage or to interfere with the use of adjacent properties, or cause air quality standards to be exceeded, or interfere with the maintenance of air quality standards.
[OAC 252:100-29]
- (5) No sulfur oxide emissions from new gas-fired fuel-burning equipment shall exceed 0.2 lb/MMBTU. No existing source shall exceed the listed ambient air standards for sulfur dioxide.
[OAC 252:100-31]
- (6) Volatile Organic Compound (VOC) storage tanks built after December 28, 1974, and with a capacity of 400 gallons or more storing a liquid with a vapor pressure of 1.5 psia or greater under actual conditions shall be equipped with a permanent submerged fill pipe or with a vapor-recovery system.
[OAC 252:100-37-15(b)]
- (7) All fuel-burning equipment shall at all times be properly operated and maintained in a manner that will minimize emissions of VOCs.
[OAC 252:100-37-36]

SECTION XX. STRATOSPHERIC OZONE PROTECTION

A. The permittee shall comply with the following standards for production and consumption of ozone-depleting substances: [40 CFR 82, Subpart A]

- (1) Persons producing, importing, or placing an order for production or importation of certain class I and class II substances, HCFC-22, or HCFC-141b shall be subject to the requirements of §82.4;
- (2) Producers, importers, exporters, purchasers, and persons who transform or destroy certain class I and class II substances, HCFC-22, or HCFC-141b are subject to the recordkeeping requirements at §82.13; and
- (3) Class I substances (listed at Appendix A to Subpart A) include certain CFCs, Halons, HBFCs, carbon tetrachloride, trichloroethane (methyl chloroform), and bromomethane (Methyl Bromide). Class II substances (listed at Appendix B to Subpart A) include HCFCs.

B. If the permittee performs a service on motor (fleet) vehicles when this service involves an ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all applicable requirements. Note: The term “motor vehicle” as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term “MVAC” as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or the system used on passenger buses using HCFC-22 refrigerant. [40 CFR 82, Subpart B]

C. The permittee shall comply with the following standards for recycling and emissions reduction except as provided for MVACs in Subpart B: [40 CFR 82, Subpart F]

- (1) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to § 82.156;
- (2) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to § 82.158;
- (3) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to § 82.161;
- (4) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record-keeping requirements pursuant to § 82.166;
- (5) Persons owning commercial or industrial process refrigeration equipment must comply with leak repair requirements pursuant to § 82.158; and
- (6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to § 82.166.

SECTION XXI. TITLE V APPROVAL LANGUAGE

A. DEQ wishes to reduce the time and work associated with permit review and, wherever it is not inconsistent with Federal requirements, to provide for incorporation of requirements established through construction permitting into the Source's Title V permit without causing redundant review. Requirements from construction permits may be incorporated into the Title V permit through the administrative amendment process set forth in OAC 252:100-8-7.2(a) only if the following procedures are followed:

- (1) The construction permit goes out for a 30-day public notice and comment using the procedures set forth in 40 C.F.R. § 70.7(h)(1). This public notice shall include notice to the public that this permit is subject to EPA review, EPA objection, and petition to EPA, as provided by 40 C.F.R. § 70.8; that the requirements of the construction permit will be incorporated into the Title V permit through the administrative amendment process; that the public will not receive another opportunity to provide comments when the requirements are incorporated into the Title V permit; and that EPA review, EPA objection, and petitions to EPA will not be available to the public when requirements from the construction permit are incorporated into the Title V permit.
- (2) A copy of the construction permit application is sent to EPA, as provided by 40 CFR § 70.8(a)(1).
- (3) A copy of the draft construction permit is sent to any affected State, as provided by 40 C.F.R. § 70.8(b).
- (4) A copy of the proposed construction permit is sent to EPA for a 45-day review period as provided by 40 C.F.R. § 70.8(a) and (c).
- (5) The DEQ complies with 40 C.F.R. § 70.8(c) upon the written receipt within the 45-day comment period of any EPA objection to the construction permit. The DEQ shall not issue the permit until EPA's objections are resolved to the satisfaction of EPA.
- (6) The DEQ complies with 40 C.F.R. § 70.8(d).
- (7) A copy of the final construction permit is sent to EPA as provided by 40 CFR § 70.8(a).
- (8) The DEQ shall not issue the proposed construction permit until any affected State and EPA have had an opportunity to review the proposed permit, as provided by these permit conditions.
- (9) Any requirements of the construction permit may be reopened for cause after incorporation into the Title V permit by the administrative amendment process, by DEQ as provided in OAC 252:100-8-7.3(a), (b), and (c), and by EPA as provided in 40 C.F.R. § 70.7(f) and (g).
- (10) The DEQ shall not issue the administrative permit amendment if performance tests fail to demonstrate that the source is operating in substantial compliance with all permit requirements.

B. To the extent that these conditions are not followed, the Title V permit must go through the Title V review process.

SECTION XXII. CREDIBLE EVIDENCE

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any provision of the Oklahoma implementation plan, nothing shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[OAC 252:100-43-6]