



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

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

**Departmental
Findings of Fact and Order
Part 70 Air Emission License
Amendment #1**

FINDINGS OF FACT

After review of the Part 70 License amendment 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.), § 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 Minor License Modification
NAICS CODES	424710
NATURE OF BUSINESS	Petroleum Bulk Storage Terminal
FACILITY LOCATION	170 Lincoln Street, South Portland, Maine

South Portland Terminal LLC (SPT) is a petroleum products storage and distribution terminal facility consisting of a number of storage tanks and a loading rack.

SPT has requested an amendment to their license in order to clarify how they intend to comply with *National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities*, 40 C.F.R. Part 63, Subpart BBBBBB. This amendment does not change any applicability determination or any requirements set forth in a New Source Review (NSR) license. Rather, this amendment seeks to clarify and correct which compliance options within 40 C.F.R. Part 63, Subpart BBBBBB SPT has chosen.

B. Application Classification

A Part 70 Minor License Modification is for a license change that meets the following criteria:

- Does not violate any Applicable requirement;
- Does not involve a Part 70 Significant License Modification to existing monitoring, reporting, or recordkeeping requirements in the license;
- Does not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impact or a visibility or increment analysis;
- Does not seek to establish or change a Part 70 license term or condition for which there is no corresponding underlying Applicable requirement, and that the source has assumed to avoid an Applicable requirement to which the source would otherwise be subject. Such terms and conditions include: A federally enforceable emissions cap assumed to avoid classification as a Title I modification or a modification or reconstruction under any provision of Section 111, or 112 of the Clean Air Act (CAA); and an alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the CAA;
- Is not a Title I modification or a modification or reconstruction under any provision of Section 111 or 112 of the CAA, and
- Is not required by the Department to be processed under Part 70 Significant License Modification procedures.

The request to correct and clarify the options chosen for compliance with 40 C.F.R. Part 63, Subpart BBBBBB is not a Part 70 Significant License Modification. The facility is not proposing substantial changes to existing monitoring and testing requirements, nor is it proposing the relaxation of existing license conditions.

Therefore, SPT's request is classified as a Part 70 Minor License Modification and has been processed under *Part 70 Air Emission License Regulations*, 06-096 C.M.R. ch. 140.

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 *Definitions Regulation*, 06-096 C.M.R. ch. 100. 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. Vapor Combustion Unit Monitoring

As stated in SPT's air emissions license A-282-70-G-R, SPT has chosen to comply with the option listed in 40 C.F.R § 63.11092(b)(1)(iii)(B) for monitoring of the Vapor Combustion Unit (VCU). This option allows for monitoring of the VCU to consist of monitoring for the presence of pilot flame in the VCU. SPT's previous licenses also required the monitoring of combustion temperature. SPT has requested that it be clarified that these requirements have been found to be equivalent and that SPT accepts streamlining for the VCU monitoring requirements. Therefore, only the requirement to monitor for presence of flame will be included in this license going forward.

C. Emission Limits and Management Practices for Storage Tanks

40 C.F.R. Part 63, Subpart BBBBBB contains requirements applicable to the Gasoline/Ethanol Storage Tanks. This subpart provides multiple options for compliance including complying with specific portions of *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984*, 40 C.F.R. Part 60, Subpart Kb or *National Emission Standards for Storage Vessels (Tanks) – Control Level 2*, 40 C.F.R. Part 63, Subpart WW.

None of the Gasoline/Ethanol Storage tanks at SPT are subject to 40 C.F.R. Part 60, Subpart Kb. Therefore, the most recent Part 70 license renewal was written assuming SPT would demonstrate compliance with 40 C.F.R. Part 63, Subpart BBBBBB using 40 C.F.R. Part 63, Subpart WW. However, SPT has stated that they wish to demonstrate compliance by using the applicable standards in 40 C.F.R. Part 60, Subpart Kb instead. SPT has requested their license be amended to clarify the compliance option chosen.

D. Replacement of Findings of Fact Section (II)(F)

Due to the need to clarify requirements of 40 C.F.R. Part 63, Subpart BBBBBB based on the change in compliance option discussed in the previous section, Section (II)(F) of Air Emission License A-282-70-G-R is being replaced in its entirety with the following:

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 C.F.R. Part 63, Subpart BBBBBB. The facility is considered an existing bulk gasoline terminal which is not subject to 40 C.F.R. Part 63, Subparts R or CC.

40 C.F.R. Part 63, 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 and are subject to the following requirements:

- a. SPT shall equip and operate each internal floating roof gasoline storage tank according to the applicable requirements in 40 C.F.R. § 60.112b(a)(1); except for the secondary seal requirements under 40 C.F.R. § 60.112b(a)(1)(ii)(B) and the requirements in 40 C.F.R. § 60.112b(a)(1)(iv) – (ix), no later than the first degassing and cleaning activity conducted after January 10, 2011 or no later than January 10, 2018, whichever comes first. [40 C.F.R. § 63.11087(b) and Table 1]
- b. Each internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible. [40 C.F.R. § 60.112b(a)(1)(i)]

- c. Each internal floating roof shall be equipped with either a liquid-mounted seal or a mechanical shoe seal. [40 C.F.R. § 60.112b(a)(1)(ii)]
 - d. Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface. [40 C.F.R. § 60.112b(a)(1)(iii)]
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 40 C.F.R. §60.502(e) thru (j). [40 C.F.R. Part 63, Subpart BBBBBB, Table 2]
4. Testing Requirements

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

5. Continuous Monitoring System (CMS)

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

- c. SPT shall develop and maintain a monitoring and inspection plan to meet the requirements of 40 C.F.R. § 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 C.F.R. § 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 C.F.R. Part 63, Subpart BBBB, except as specified in the next subsection. [40 C.F.R. § 63.11092(d)(3)]
- f. SPT shall follow the procedures outlined in 40 C.F.R. § 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 C.F.R. § 63.11092(d)(4)]

6. Storage Tank Inspections

- a. SPT shall perform inspections of the IFR systems according to the requirements of 40 C.F.R. § 60.113b(a) [40 CFR § 63.11092(e)(1)]
- b. SPT shall visually inspect each internal floating roof and the primary seal through manholes and roof hatches on the fixed roof at least once every 12 months. If the internal floating roof is not resting on the surface of the liquid inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, SPT shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during the inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions SPT will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible. [40 C.F.R. § 60.113b(a)(2)]
- c. SPT shall visually inspect each internal floating roof, primary seal, gaskets, slotted membranes, and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal, or the seal fabric or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, SPT shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years.
[40 C.F.R. § 60.113b(a)(4)]

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 C.F.R. § 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 C.F.R. § 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. In such cases, SPT shall provide in the semiannual report the reason(s) why the repair was not feasible within 15 calendar days and the date each repair was completed. [40 C.F.R. § 63.11089(c) and (d)]

8. Recordkeeping for Storage Tanks

- a. SPT shall keep records as specified in 40 C.F.R. § 60.115b except that records shall be kept for at least five (5) years. [40 C.F.R. § 63.11094(a)]
- b. SPT shall keep a record of each inspection performed as required by 40 C.F.R. §§ 60.113b(a)(2) and (a)(4). Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings). [40 C.F.R. § 60.115b(a)(2)]

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 C.F.R. §§ 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 63.11094(f)(1)]
- e. SPT shall keep an up-to-date, readily accessible copy of the monitoring and inspection plan required under 40 C.F.R. §63.11092(b)(1)(iii)(B)(2).
[40 C.F.R. §63.11094(f)(3)]
- f. SPT shall keep an up-to-date, readily accessible record of all system malfunctions, as specified in 40 C.F.R. § 63.11092(b)(1)(iii)(B)(2)(v).
[40 C.F.R. § 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 C.F.R. § 63.11094(g)(1)]
- h. SPT shall keep records of actions taken during periods of malfunction to minimize emissions in accordance with 40 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 specified in 40 C.F.R. § 60.115b(a).

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 C.F.R. § 63.11095(a)]
- c. If any of the conditions described in 40 C.F.R. § 60.113b(a)(2) are detected during the annual visual inspection required by 40 C.F.R. § 60.113b(a)(2), a report shall be furnished to the Department within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made. [40 C.F.R. § 60.115b(a)(3)]
- d. SPT shall notify the Department in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by 40 C.F.R. § 60.113b(a)(4) (i.e. whenever a vessel is emptied and degassed) to afford the Department the opportunity to have an observer present. If the inspection is not planned and SPT could not have known about the inspection 30 days in advance of refilling the tank, SPT shall notify the Department at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification, including the written documentation, may be made in writing and sent by express mail so that it is received by the Department at least 7 days prior to refilling.
[40 C.F.R. § 60.113b(a)(5)]
- e. 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 C.F.R. § 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 C.F.R. § 63.11095(b)]

- f. 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 C.F.R. § 63.11095(d)]

E. Replacement of Findings of Fact Section (II)(H)

Due to the need to clarify requirements of 40 C.F.R. Part 63, Subpart BBBBBB based on the change in compliance option discussed in the previous sections, Section (II)(H) of Air Emission License A-282-70-G-R is being replaced in its entirety with the following:

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. These tanks are subject to *Petroleum Liquid Storage Vapor Control*, 06-096 C.M.R. ch. 111.

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 C.F.R. 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. However, certain parts of 40 C.F.R. Part 60, Subpart Kb may be referenced as they apply to demonstrating compliance with 40 C.F.R. Part 63, Subpart BBBB.

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 C.M.R. ch. 140, BPT (A-282-77-1-M)]
- 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 C.M.R. ch. 140, BPT (A-282-77-1-M)]
- c. Inspection log documenting any detected leaks, holes, tears, or other openings and the corrective action taken.
[06-096 C.M.R. ch. 140, BPT (A-282-77-1-M)]
- d. Monthly throughput specifying quantity and types of volatile petroleum liquids in each tank and the period of storage.
[06-096 C.M.R. ch. 140, BPT (A-282-77-1-M)]
- e. Average monthly product storage temperatures and maximum true vapor pressures or Reid vapor pressures of volatile petroleum liquids stored.
[06-096 C.M.R. ch. 140, BPT (A-282-77-1-M)]
- 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 C.M.R. ch. 140, BPT (A-282-77-1-M)]

- g. Records as specified in 40 C.F.R. § 60.115b except that records shall be kept for at least five (5) years. [40 C.F.R. § 63.11094(a)]
- h. Records of each inspection performed as required by 40 C.F.R. §§ 60.113b(a)(2) and (a)(4). Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings). [40 C.F.R. § 60.115b(a)(2)]

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.

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 C.M.R. ch. 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.

F. Facility Annual Emissions

This amendment does not make any changes to licensed annual emissions.

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-H-A pursuant to 06-096 C.M.R. ch. 140 and the preconstruction permitting requirements of *Major and Minor Source Air Emission License Regulations*, 06-096 C.M.R. ch. 115 and subject to the conditions found in Air Emission License A-282-70-G-R and the following conditions.

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

For each 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.

Condition (14)(J) of Air Emission License A-282-70-G-R is Deleted.

Condition (14)(N)(3) of Air Emission License A-282-70-G-R is Deleted.

The following shall replace Condition (15) of Air Emission License A-282-70-G-R:

(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 *Oil Discharge Prevention and Pollution Control Rules for Marine Oil Terminal, Transportation Pipelines and Vessels*, 06-096 C.M.R. ch. 600. [06-096 C.M.R. ch. 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 C.M.R. ch. 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 C.M.R. ch. 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 C.M.R. ch. 111]
 2. SPT shall equip and operate each internal floating roof gasoline storage tank according to the applicable requirements in 40 C.F.R. § 60.112b(a)(1); except for the secondary seal requirements under 40 C.F.R. § 60.112b(a)(1)(ii)(B) and the requirements in 40 C.F.R. § 60.112b(a)(1)(iv) – (ix), no later than the first degassing and cleaning activity conducted after January 10, 2011 or no later than January 10, 2018, whichever comes first. [40 C.F.R. § 63.11087(b) and Table 1]
 3. Each internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible. [40 C.F.R. § 60.112b(a)(1)(i)]
 4. Each internal floating roof shall be equipped with either a liquid-mounted seal or a mechanical shoe seal. [40 C.F.R. § 60.112b(a)(1)(ii)]
 5. 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 C.M.R. ch. 111]
 6. All storage tank openings, except stub drains, shall be 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 C.M.R. ch. 111]
 7. Each automatic bleeder vent (vacuum breaker vent) and rim space vent shall be closed at all times, except when the roof is being floated off or being landed on the roof leg supports to be open to relieve excess pressure or vacuum, in accordance with the manufacturer's design. [06-096 C.M.R. ch. 111]
 8. Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface. [40 C.F.R. § 60.112b(a)(1)(iii)]
 9. 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 C.M.R. ch. 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 C.M.R. ch. 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 IFR systems according to the requirements of 40 C.F.R. § 60.113b(a) [40 CFR § 63.11092(e)(1)]
 2. Routine inspections of floating roofs are to be conducted through roof hatches once every month. [06-096 C.M.R. ch. 111]
 3. SPT shall visually inspect each internal floating roof and the primary seal through manholes and roof hatches on the fixed roof at least once every 12 months. If the internal floating roof is not resting on the surface of the liquid inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, SPT shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during the inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions SPT will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible. [40 C.F.R. § 60.113b(a)(2)]
 4. SPT shall visually inspect each internal floating roof, primary seal, gaskets, slotted membranes, and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal, or the seal fabric or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open are, SPT shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage

vessel. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years. [06-096 C.M.R. ch. 111 and 40 C.F.R. § 60.113b(a)(4)]

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 C.M.R. ch. 111]

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 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 C.M.R. ch. 140, BPT (A-282-77-1-M)]
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 C.M.R. ch. 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 C.M.R. ch. 140, BPT (A-282-77-1-M)]
4. Monthly throughput specifying quantity and types of volatile petroleum liquids in each tank and the period of storage.
[06-096 C.M.R. ch. 140, BPT (A-282-77-1-M)]
5. Average monthly product storage temperatures and maximum true vapor pressures or Reid vapor pressures of volatile petroleum liquids stored.
[06-096 C.M.R. ch. 140, BPT (A-282-77-1-M)]
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 C.M.R. ch. 140, BPT (A-282-77-1-M)]
7. Records as specified in 40 C.F.R. §60.115b except that records shall be kept for at least five (5) years. [40 C.F.R. §63.11094(a)]
8. Records of each inspection performed as required by 40 C.F.R. § 60.113b(a)(2) and (a)(4). Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).
[40 C.F.R. § 60.115b(a)(2)]

The following shall replace Condition (16) of Air Emission License A-282-70-G-R:

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

- A. SPT is subject to and shall comply with all applicable requirements of 40 C.F.R 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 C.F.R § 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 specified in 40 C.F.R. § 60.115b(a).
 - 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. If any of the conditions described in 40 C.F.R. § 60.113b(a)(2) are detected during the annual visual inspection required by 40 C.F.R. § 60.113b(a)(2), a report shall be furnished to the Department within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made. [40 C.F.R. § 60.115b(a)(3)]
 3. SPT shall notify the Department in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by 40 C.F.R. § 60.113b(a)(4) (i.e. whenever a vessel is emptied and degassed) to afford the Department the opportunity to have an observer present. If the inspection is not planned and SPT could not have known about the inspection 30 days in advance of refilling the tank, SPT shall notify the Department at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification, including the written documentation, may be made in writing and sent by express mail so that it

is received by the Department at least 7 days prior to refilling.
[40 C.F.R. § 60.113b(a)(5)]

4. 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 C.F.R § 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 C.F.R § 63.11095(b)]

5. 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 C.F.R § 63.11095(d)]

DONE AND DATED IN AUGUSTA, MAINE THIS 31 DAY OF October, 2016.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Marc Allen Robert Corne for
PAUL MERCER, COMMISSIONER

The term of this amendment shall be concurrent with the term of Air Emission License A-282-70-G-R.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 6/8/16

Date of application acceptance: 6/13/16

Date filed with the Board of Environmental Protection:

This Order prepared by Lynn Muzzey, Bureau of Air Quality.

