STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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Gulf Oil Limited Partnership
Cumberland County
South Portland, Maine
A-390-71-M-R (SM)

Departmental
Findings of Fact and Order
Air Emission License
Renewal

FINDINGS OF FACT

After review of the air emissions license renewal application, staff investigation reports, and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., §344 and §590, the Department finds the following facts:

I. REGISTRATION

A. Introduction

Gulf Oil Limited Partnership (Gulf) has applied to renew their Air Emission License permitting the operation of emission sources associated with their petroleum storage and distribution facility.

The equipment addressed in this license is located at 175 Front Street, South Portland, Maine.

B. Emission Equipment

The following equipment is addressed in this air emission license:

Petroleum Storage

Equipment	Capacity (gallons)	Product Stored	Roof Type	Date Installed
D1	4,003,566	gasoline/distillate	Internal Floating/Bolted	1950
D2	3,995,040	distillate/residual	Fixed	
D3	3,828,552	gasoline/distillate	Internal Floating/Welded	
D4	2,205,042	distillate/residual	Fixed	
D5	3,983,490			
D6	3,992,268			
D7	3,247,062	gasoline/ distillate	Internal Floating/Welded	1953
D8	5,985,840			1954
D9	767,466			1959

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AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

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106 HOGAN ROAD, SUITE 6
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PORTLAND
312 CANCO ROAD
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1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04679-2094
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Process Equipment

Equipment	When Loading...	Production Rate	Date of Manufacture and Installation	Pollution Control Equipment	Stack #
Loading Rack	Gasoline	7,600 gal/min	1995	Vapor Recovery Unit (VRU)	VRU Stack #1
	Distillate	460 MMgal/yr	1950	None	Fugitive

Note: As defined in 40 CFR Part 63, Subpart BBBBBB, *gasoline* means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kilopascals or greater, which is used as a fuel for internal combustion engines.

Gulf's South Portland facility also operates two package boilers installed in 2005, each with a design capacity of 0.24 MMBtu/hour firing #2 fuel oil (1.7 gallons/hour each) and exhausting from Stack #1. According to Maine rule 06-096 CMR 115, Appendix B, boilers with a capacity of less than 1 MMBtu/hour are defined as Insignificant based on size and are thereby not required to be included in the facility's air emission license. However, the federal regulation found at 40 CFR Part 63, Subpart JJJJJJ applies to existing boilers of any size. Subpart JJJJJJ applicability and requirements are addressed in this license renewal.

C. Application Classification

The application for Gulf does not include the licensing of increased emissions or the installation of new or modified equipment. Therefore, the license is considered to be a renewal of currently licensed emission units only and has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 CMR 115 (as amended).

In order to be licensed as a synthetic minor source, the license for this facility must include licensed capacity restrictions that are both federally enforceable and enforceable as a practical matter. To quantify such restrictions, Gulf Oil developed a Benchmark Operating Scenario utilizing EPA's TANKS emissions estimate software, which estimates volatile organic compound (VOC) and hazardous air pollutant (HAP) emissions from fixed- and floating-roof storage tanks. The scenario did not include estimated emissions from residual oil, but rather the worst case scenario of storage, transferal, and transportation of petroleum products with higher vapor pressures (gasoline, JP-8, ethanol, and distillate products) for 8760 hours/year of operation at full capacity. The scenario presents example product throughput rates, annual throughputs below which will

maintain VOC and HAP emissions below major source thresholds. Based on this scenario, Gulf has since been licensed with the following petroleum product throughput limitations at the loading rack, based on a 12-month rolling total:

Petroleum Product	Maximum Throughput, gallons
Gasoline	330,000,000
Ethanol	33,000,000
Distillate (No. 2 fuel oil, diesel, etc.)	310,000,000
JP-8*/Kerosene	150,000,000

* JP-8, or "Jet Propellant 8," is a kerosene based jet fuel.

With the product throughput limits contained in this license, the facility's potential to emit is limited to levels below the major source thresholds. Therefore, the facility is considered a synthetic minor air emissions source and is licensed as such.

D. Facility Description

The operations of Gulf's South Portland bulk petroleum distribution terminal consist of the receipt, storage, and distribution of gasoline and distillate products. Products handled at the facility are received by ship and by truck at the terminal's loading rack and transferred via product piping to the terminal's tank farm. Final distribution of product is principally conducted at the terminal's truck loading rack.

Several air emission constituents are associated with operations at the facility, primarily volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) associated with gasoline and distillate products. Emissions units are identified as follows:

1. Loading Rack/VRU/Tanker Trucks;
2. Above Ground Bulk Storage Tanks; and
3. Equipment/Piping Components.

Each of these emissions sources and applicable requirements are addressed in this license.

II. REGULATORY APPLICABILITY

A. Introduction to BPT

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 CMR 100 (as amended).

Separate control requirement categories exist for new and existing equipment, as well as for those sources located in designated non-attainment areas.
BPT for existing emissions equipment means that method which controls or reduces emissions to the lowest possible level considering the following:

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

B. NESHAP Applicability

Gulf's South Portland terminal is subject to 40 CFR Part 63, Subpart BBBBBB, *National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities* [40 CFR Part 63, Subpart BBBBBB, § 63.11081]. As an existing source with gasoline storage tanks throughput capacity greater than 20,000 gallons/day and a gasoline loading rack with processing capacity greater than 250,000 gallons/day, the facility is a bulk gasoline terminal as defined in this Subpart. As such, the facility must comply with the applicable requirements for various operational components of this facility. These requirements are included in this license. As required by Subpart BBBBBB, Gulf shall submit Compliance Certification Reports semi-annually.

C. VOC RACT

Reasonably Available Control Technology for Facilities that emit Volatile Organic Compounds (VOC-RACT), 06-096 CMR 134, requires facilities that have the potential to emit forty tons or more of VOC per calendar year to apply VOC RACT to the VOC emissions sources, as applicable.

In accordance with 06-096 CMR 134, Section 3(A)(1), Option A, the owner or operator must install and operate a system to capture and control VOC emissions such that the total VOC emissions do not exceed, on a daily basis, 15% of the uncontrolled daily VOC emissions. Gulf's use of cone internal floating roofs for gasoline storage tanks and a vapor recovery system with a maximum emission rate of 10 mg/liter of product loaded meets the requirements of 06-096 CMR 134 by controlling VOC emissions such that VOC emissions do not exceed, on a daily basis, 15% of the uncontrolled daily VOC emissions. [06-096 CMR 134]

III. EMISSION UNITS

A. Gasoline Loading Rack and Vapor Recovery Unit

The Gasoline Loading Rack was originally installed in 1950, and a Vapor Recovery Unit (VRU) to control emissions during gasoline-related loading events

was installed on the loading rack in 1995. The loading rack includes the loading arms, pumps, meters, shutoff valves, relief valves, and other piping and valves necessary to fill gasoline tank trucks at the bulk gasoline terminal.

Loading of cargo trucks at the Gulf facility is conducted by one of two methods: (1) top loading (distillate only) and (2) bottom loading. The majority of the loading is done through bottom loading, in which a permanent fill pipe is attached to the cargo tank bottom. During most of the loading, the fill pipe opening is below the liquid surface level. Liquid turbulence is controlled significantly during this loading process, resulting in much lower vapor generation than encountered during splash loading.

The transportation and marketing of petroleum liquids involve many distinct operations, each of which represents a potential source of evaporation loss. Loading losses are the primary source of evaporative emissions from tank trucks. Loading losses occur as organic vapors in "empty" cargo tanks are displaced to the atmosphere by the liquid being loaded into the tanks. These vapors are a composite of (1) vapors formed in the empty tank by evaporation of residual product from previous loads, (2) vapors transferred to the tank in vapor balance systems as product is being unloaded, and (3) vapors generated in the tank as the new product is being loaded. The quantity of evaporative losses from loading operations is, therefore, a function of the following parameters:

- Physical and chemical characteristics of the previous cargo;
- Method of unloading the previous cargo;
- Operations to transport the empty carrier to a loading terminal;
- Method of loading the new cargo; and
- Physical and chemical characteristics of the new cargo.

Gulf's loading rack handles both gasoline products and oil products. The requirement to control emissions from loading operations is specific to gasoline cargo tanks. *Gasoline cargo tank,* as defined in 40 CFR Part 63, Subpart BBBBBB, means a delivery tank truck or railcar which is loading gasoline or which has loaded gasoline on the immediately previous load.

The design capacity of the loading rack handling oil products (distillate loading) is 460 million gallons per year (MMgal/year). There is no control device utilized during oil products transfers, and all emissions from oil products handling events are considered fugitive emissions.

The loading rack has the potential to emit the following types of HAP: benzene, ethyl benzene, hexane, iso-octane, toluene, xylenes, and possibly additional types of HAP, depending on the grade of fuel being handled.

During gasoline-related loading events, emissions from the loading rack are controlled by a rebuilt McGill Carbon Adsorption/Absorption Vapor Recovery Unit (VRU) to capture and control emissions of volatile organic compounds

(VOCs). The VRU has a process capacity of 7,600 gallons per minute and controls emissions to less than 10 milligrams per liter of product loaded on average for any consecutive six-hour period under normal operations. Emissions from the VRU exit through a 27-ft above ground level stack with an exit temperature of approximately 67 °F and an exhaust flow rate of 1.75 actual cubic feet per second.

Gulf shall comply with the following requirements for the Gasoline Loading Rack [40 CFR Part 63, Subpart BBBBBB, § 63.11088]:

- Gulf shall reduce HAP emissions to 80 mg/liter of gasoline loaded into cargo tanks. (BPT requires emissions no greater than 10mg/liter.)
- Gulf shall limit the loading of gasoline into cargo tanks to those which have met the annual pressure test of three inches of water in five minutes. (This facility maintains pressure test certifications of at least three inches of water for all trucks loaded.)

Gulf is also licensed to transfer up to 10 MMgal/year of distillate through top loading. All top loading of trucks is performed by the submerged method to minimize emissions from the process. Fugitive emissions from this process are calculated to be less than one ton/year of VOCs. Additional control for the top loading of distillate is not required at this time.

B. Above Ground Bulk Storage Tanks

Gulf utilizes five gasoline product tanks and four distillate/residual product tanks. Tanks D1 through D9 were all installed prior to 1973 and are therefore not subject to EPA New Source Performance Standards (NSPS) Subpart K, Ka, or Kb, applicable to Storage Vessels for Petroleum Liquids manufactured after June 11, 1973, with capacities greater than 40,000 gallons.

1. *Distillate Storage Tanks*
   Gulf currently utilizes four tanks with fixed roofs licensed to store petroleum distillate/residual products, Tanks D2, D4, D5, and D6. Each of these tanks varies in throughput depending on the demand for distillates throughout the year.

2. *Gasoline/Ethanol Storage Tanks*
   Gulf utilizes five tanks with internal floating roofs capable of storing gasoline, ethanol, or other petroleum products, Tanks D1, D3, D7, D8, and D9. These five tanks are subject to the requirements of 06-096 CMR 111, *Petroleum Liquid Storage Vapor Control*, and 40 CFR Part 63, Subpart BBBBBB, *National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities,* including those specified in the following sections.

Maintenance and Operation Requirements

Tanks D1, D3, D7, D8, and D9 shall be equipped, maintained, and operated according to the following specifications:

a. Gulf shall use specific floating roofs and seals or a closed vent system and control device to reduce emissions by 95%. (This facility utilizes floating roofs and seals.) [40 CFR Part 63, Subpart BBBBBB, §63.11087]
b. There is an internal floating roof with closure seal(s) between the roof edge and the tank wall, and these are maintained so as to prevent vapor leakage. [06-096 CMR 111]
c. The internal floating roof and the closure seal(s) are maintained such that there are no holes, tears, or other openings in the seal or between the seal and the floating roof. [06-096 CMR 111]
d. All storage tank openings, except stub drains, are equipped with covers, lids, or seals which remain closed at all times except when in actual use. [06-096 CMR 111]
e. All automatic bleeder vents are closed at all times except when the roof is floated off or landed on the roof leg supports. [06-096 CMR 111]
f. All rim vents, if provided, are to be set to open only when the roof is being floated off the leg supports or at the manufacturer's recommended setting. [06-096 CMR 111]
g. If any holes, tears, or other openings are present, the facility shall make repairs as soon as practical, but no later than 15 calendar days from initial detection of the leak, with the first attempt at repair to be made no later than 5 days from initial detection of the leak. [06-096 CMR 111]

Inspection Requirements

Gulf shall comply with the following source inspection requirements for Tanks D1, D3, D7, D8, and D9:

a. Routine inspections of floating roofs are conducted through roof hatches once every month. [06-096 CMR 111] This requirement also meets the NESHAP requirement of annual inspection of tank roofs and seals, required per 40 CFR Part 63, Subpart BBBBBB, §63.11087.
b. A complete inspection of the cover and seal is to be performed at least once every ten years and each time the vessel is emptied and degassed. These inspections shall be conducted by visually inspecting the floating roof deck, deck fittings, and rim seals and may be conducted entirely from the top side of the floating roof as long as there is visual access to all deck components. [06-096 CMR 111]
c. Gulf shall not empty and degas any storage tank for the purpose of performing a complete inspection between June 1 and August 31 of each calendar year. [06-096 CMR 111]

Recordkeeping

The following records shall be maintained for a period of six years at the source and available for inspection by the Department [06-096 CMR 115, BPT]:

a. An inspection log documenting each inspection, any detected leaks, holes, tears, or other openings, and the corrective action taken.
b. Monthly throughput specifying quantity and types of volatile petroleum liquids in each tank and the period of storage.
c. Calculations showing annual VOC emissions from equipment seals and transfer piping and fittings, on a 12-month rolling total basis.
d. Average monthly product storage temperatures and maximum true vapor pressures or Reid vapor pressures of volatile petroleum liquids stored.

Testing, Monitoring, Reporting

In addition, as required by NESHAPs regulations, Gulf shall comply with the following for the Gasoline Storage Tanks [40 CFR Part 63, Subpart BBBBBB, §63.11087]:

a. Gulf shall comply with the applicable testing and monitoring requirements specified in §63.11092(e).
b. Gulf shall submit the applicable notifications as required under §63.11093.
c. Gulf shall keep records and submit reports as specified in §63.11094 and §63.11095.

C. Equipment and Piping Components

As required in 40 CFR Part 63, Subpart BBBBBB, §63.11089, the facility shall conduct the following equipment leak inspections:

1. Conduct monthly inspection of all equipment components in gasoline or gasoline vapor control equipment for leaks, using sight, smell, sound, and any technology-based sensors, as appropriate. Each liquid or vapor leak detected shall be recorded in the inspection log. When a leak is detected, an initial attempt at repairing the leak shall be made as soon as practicable but no later than five calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided in the following caveat:

   Delay of repair of leaking equipment shall be allowed if the repair is not feasible within 15 days. Gulf shall provide in the semiannual report specified in § 63.11095(b), the reason(s) why the repair was not feasible and the date each repair was completed.
2. The inspection log shall be used and shall be signed by the party responsible for the inspection at the completion of each inspection. A section of the inspection log shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility.

D. Package Boilers

Gulf operates two package boilers installed in 2005, each with a design capacity of 0.24 MMBtu/hour firing #2 fuel oil (1.7 gallons/hour each) and exhausting from Stack #1. These units are defined at 06-096 CMR 115, Appendix B, as Insignificant and are therefore not required to be included in the facility's air emission license. However, since there are potentially applicable federal requirements, these units are listed.

National Emission Standards for Hazardous Air Pollutants (NESHAP)
The two package boilers operated by Gulf may be subject to the *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources*, 40 CFR Part 63 Subpart JJJJJJ. The units are considered existing oil boilers rated less than 10 MMBtu/hour each.
For informational purposes, a summary of the currently applicable federal 40 CFR Part 63, Subpart JJJJJJ requirements is listed in the box below. At this time, the Maine Department of Environmental Protection has not taken delegation of this area source MACT (Maximum Achievable Control Technology) rule promulgated by EPA; however, Gulf is still subject to the requirements. Notification forms and additional rule information can be found on the following website: http://www.epa.gov/ttn/atw/boiler/boilerpg.html.

a. Compliance Dates, Notifications, and Work Practice Requirements

i. Initial Notification of Compliance
An Initial Notification submittal to EPA was due on September 17, 2011.
[40 CFR Part 63.11225(a)(2)]

ii. Boiler Tune-Up Program
(a) A boiler tune-up program shall be implemented to include the tune-up of applicable boilers by March 21, 2012, according to the rule currently in place. [40 CFR Part 63.11196(a)(1)] However, a No Action Assurance letter was issued on March 13, 2012, stating that EPA will exercise its enforcement discretion to not pursue enforcement action for failure to complete the required tune-up by the stated compliance date. The rule is expected to have a future compliance date in either 2013 or 2014 once the final revisions are promulgated.
(b) The boiler tune-up program, conducted to demonstrate continuous compliance, shall be performed as specified below:
1. As applicable, inspect the burner, and clean or replace any component of the burner as necessary. Delay of the burner inspection until the next scheduled shutdown is permitted; however, the burner must be inspected at least once every 36 months. [40 CFR Part 63.11223(b)(1)]
2. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern, consistent with the manufacturer's specifications. [40 CFR Part 63.11223(b)(2)]

3. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure it is correctly calibrated and functioning properly. [40 CFR Part 63.11223(b)(3)]
4. Optimize total emissions of CO, consistent with manufacturer's specifications. [40 CFR Part 63.11223(b)(4)]
5. Measure the concentration in the effluent stream of CO in parts per million (ppm), by volume, and oxygen in volume percent, before and after adjustments are made. [40 CFR Part 63.11223(b)(5)]
6. If a unit is not operating on the required date for a tune-up, the tune-up must be conducted within one week of start-up. [40 CFR Part 63.11223(b)(7)]

(c) A Notification of Compliance Status shall be submitted to EPA no later than 120 days after conducting the initial boiler tune-up. [40 CFR Part 63.11225(a)(4) and 40 CFR Part 63.11214(b)]

(d) The facility shall implement a boiler tune-up program after the initial tune-up and initial compliance report has been submitted.

1. Each tune-up shall be conducted at a frequency specified by the rule and based on the size and age of the boiler. [40 CFR Part 63.11223(a)]
2. The tune-up compliance report shall be maintained onsite and, if requested, submitted to EPA. The report shall contain the concentration of CO in the effluent stream (ppmv) and oxygen in volume percent, measured before and after the boiler tune-up, a description of any corrective actions taken as part of the tune-up of the boiler, and the type and amount of fuel used over the 12 months prior to the tune-up of the boiler. [40 CFR Part 63.11223(b)(6)] The compliance report shall also include the company name and address; a compliance statement signed by a responsible official certifying truth, accuracy, and completeness; and a description of any deviations and corrective actions. [40 CFR Part 63.11225(b)]

b. Recordkeeping

Records shall be maintained consistent with the requirements of Subpart JJJJJJ including the following [40 CFR Part 63.11225(c)]: copies of notifications and reports with supporting compliance documentation; identification of each boiler, the date of tune-up, procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned; documentation of fuel type(s) used monthly by each boiler; the occurrence and duration of each malfunction of the boiler; and actions taken during periods of malfunction to minimize emissions and actions taken to restore the malfunctioning boiler to its usual manner of operation. Records shall be in a form suitable and readily available for expeditious review.

E. Fugitive Emissions

Visible emissions from any fugitive emission source, including stockpiles and roadways, shall not exceed 20% opacity, except for no more than five minutes in

any one-hour period. Compliance shall be determined by an aggregate of the individual fifteen-second opacity observations which exceed 20% in any one hour.

IV. FACILITY ANNUAL EMISSIONS

A. Total Annual Emissions

Gulf shall be limited to the following annual emissions based on a yearly (12-month rolling total) petroleum throughput not to exceed 330 million gallons of gasoline, 33 million gallons of ethanol, 310 million gallons of distillate, and 150 million gallons of JP-8/Kerosene per 12-month period:

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

	VOC	Single HAP	Total HAP
Total TPY	**49.9**	**9.9**	**24.9**

B. Greenhouse Gases

Greenhouse gases are considered regulated pollutants as of January 2, 2011, through 'Tailoring' revisions made to EPA's *Approval and Promulgation of Implementation Plans,* 40 CFR Part 52, Subpart A, §52.21 Prevention of Significant Deterioration of Air Quality rule. Greenhouse gases, as defined in 06-096 CMR 100 (as amended), are the aggregate group of the following gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. For licensing purposes, greenhouse gases (GHG) are calculated and reported as carbon dioxide equivalents (CO_2e).

Based on the facility's fuel use, the worst case emission factors from AP-42, IPCC (Intergovernmental Panel on Climate Change), and *Mandatory Greenhouse Gas Reporting*, 40 CFR Part 98, and the global warming potentials contained in 40 CFR Part 98, Gulf is below the major source threshold of 100,000 tons of CO_2e per year. Therefore, no additional licensing requirements are needed to address GHG emissions at this time.

V. AMBIENT AIR QUALITY ANALYSIS

According to 06-096 CMR 115, the level of air quality analyses required for a renewal source shall be determined on a case-by case basis. Modeling is not required for a renewal if the total emissions of any pollutant released do not exceed the following and there are no extenuating circumstances:

Pollutant	Tons/Year
PM	25
PM_{10}	25
SO_2	50
NO_x	100
CO	250

Based on the total facility licensed emissions, Gulf is below the emissions level required for modeling.

ORDER

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

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

The Department hereby grants Air Emission License A-390-71-M-R subject to the following conditions.

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

STANDARD CONDITIONS

(1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (38 M.R.S.A. §347-C).

(2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115. [06-096 CMR 115]

(3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The

Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 CMR 115]

(4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 CMR 115]

(5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. §353-A. [06-096 CMR 115]

(6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 CMR 115]

(7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 CMR 115]

(8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [06-096 CMR 115]

(9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [06-096 CMR 115]

(10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [06-096 CMR 115]

(11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:

A. perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:

1. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
2. pursuant to any other requirement of this license to perform stack testing.

B. install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and

C. submit a written report to the Department within thirty (30) days from date of test completion.

[06-096 CMR 115]

(12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:

A. within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and

B. the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and

C. the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions. [06-096 CMR 115]

(13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 CMR 115]

(14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emissions and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department

within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [06-096 CMR 115]

(15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [06-096 CMR 115]

SPECIFIC CONDITIONS

(16) Tanks D1, D3, D7, D8, and D9 shall be equipped, maintained, and operated according to the following requirements [06-096 CMR 111]:

Maintenance and Operation Requirements

A. Gulf shall use floating roofs and seals and control device to reduce emissions by 95%. [40 CFR Part 63, Subpart BBBBBB, §63.11087]

B. Each tank shall be equipped with an internal floating roof with closure seal(s) between the roof edge and the tank wall, and these shall be maintained so as to prevent vapor leakage. [06-096 CMR 111]

C. The internal floating roof and the closure seal(s) shall be maintained such that there are no holes, tears, or other openings in the seal or between the seal and the floating roof. [06-096 CMR 111]

D. All storage tank openings, except stub drains, shall be equipped with covers, lids, or seals which remain closed at all times except when in actual use. [06-096 CMR 111]

E. All automatic bleeder vents shall remain closed at all times except when the roof is floated off or landed on the roof leg supports. [06-096 CMR 111]

F. All rim vents, if provided, shall be set to open only when the roof is being floated off the leg supports or shall be at the manufacturer's recommended setting. [06-096 CMR 111]

G. If any holes, tears, or other openings are present, the facility shall make repairs as soon as practical, but no later than 15 calendar days from initial detection of the leak, with the first attempt at repair to be made no later than 5 days from initial detection of the leak. [06-096 CMR 111]

Inspection Requirements

A. Routine inspections of floating roofs shall be conducted through roof hatches once every month. [06-096 CMR 111] This requirement also meets the NESHAP requirement of annual inspection of tank roofs and seals, required per 40 CFR Part 63, Subpart BBBBBB, §63.11087.

B. A complete inspection of the cover and seal shall be performed at least once every ten years and each time the vessel is emptied and degassed. These inspections shall be conducted by visually inspecting the floating roof deck, deck fittings, and rim seals and may be conducted entirely from the top side of the floating roof as long as there is visual access to all deck components. [06-096 CMR 111]

C. Gulf shall not empty and degas any storage tank for the purpose of performing a complete inspection between June 1 and August 31 of each calendar year. [06-096 CMR 111]

Testing, Monitoring, Reporting

In addition, as required by NESHAPs regulations, Gulf shall comply with the following for the Gasoline Storage Tanks [40 CFR Part 63, Subpart BBBBBB, §63.11087]:

A. Gulf shall comply with the applicable testing and monitoring requirements specified in §63.11092(e).

B. Gulf shall submit the applicable notifications as required under §63.11093.

C. Gulf shall keep records and submit reports as specified in §63.11094 and §63.11095.

(17) **Recordkeeping** [06-096 CMR 115, BPT]

A. Gulf shall utilize and maintain an inspection log documenting each inspection, any detected leaks, holes, tears, or other openings, and the corrective action taken.

B. Gulf shall maintain documentation of monthly throughput specifying quantity and types of volatile petroleum liquids in each tank and the period of storage.

C. Gulf shall maintain calculations showing annual VOC emissions from equipment seals and transfer piping and fittings, on a 12-month rolling total basis.

D. Records shall include average monthly product storage temperatures and maximum true vapor pressures or Reid vapor pressures of volatile petroleum liquids stored.

(18) The bulk gasoline terminal shall be equipped, maintained, and operated with a Vapor Recovery Unit which captures displaced VOC vapors whenever gasoline is being transferred or gasoline vapor is displaced from a tank truck. [06-096 CMR 115, BPT]

(19) All loading and vapor lines shall be equipped and maintained in good working order such that vapor-tight fittings close automatically when disconnected, and the pressure in the vapor collection system shall not be allowed to exceed +18 inches of water or a vacuum exceeding –6 inches of water. Pressure gauges shall be maintained to document compliance with this limit. [06-096 CMR 112]

(20) Gasoline loading shall be allowed only into tank trucks and trailers which have been properly certified pursuant to 40 CFR Part 60 Appendix A, Method 27 and maintained and labeled as vapor-tight in accordance with 06-096 CMR 120.

(21) Any tank truck carrying gasoline or which has carried gasoline as the most recent previous load shall utilize the Vapor Recovery Unit during the entire loading process. [06-096 CMR 115, BPT]

(22) Gulf shall prevent VOC emissions from exceeding 100% of the lower explosive limit (LEL) obtained within one inch around any potential leak source of the tank truck, including all loading couplings, vapor lines, and fittings employed in the transfer of gasoline. [06-096 CMR 120]

(23) VOC emissions from the Vapor Recovery Unit shall not exceed 10 milligrams of VOC per liter of product transferred. [06-096 CMR 115, BPT]

(24) Gulf shall conduct an annual compliance test of the Vapor Recovery Unit prior to May 15th of each year. A report containing the test results shall be submitted to the Department within 30 days of the completion of the test, in accordance with the Department's stack test protocol. [06-096 CMR 115, BPT]

(25) **Equipment and Piping Components** [40 CFR Part 63, Subpart BBBBBB, §63.11089]

The facility shall conduct the following equipment leak inspections:

A. Conduct monthly inspection of all equipment components in gasoline transfer and storage equipment and the components of the Vapor Recovery Unit for leaks. For this inspection, detection methods incorporating sight, sound, and smell are acceptable. Each liquid or vapor leak detected shall be recorded in the inspection log. When a leak is detected, an initial attempt at repairing the leak shall be made as soon as practicable but no later than five calendar days after the leak is detected. Repair or replacement of leaking equipment shall be

completed within 15 calendar days after detection of each leak, except as provided in the following caveat:

Delay of repair of leaking equipment shall be allowed if the repair is not feasible within 15 days. Gulf shall provide in the semiannual report specified in § 63.11095(b), the reason(s) why the repair was not feasible and the date each repair was completed.

B. The inspection log shall be used and shall be signed by the party responsible for the inspection at the completion of each inspection. A section of the inspection log shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility.

(26) Gulf shall not exceed the following petroleum product throughput at the loading rack (based on a 12-month rolling total). Compliance shall be documented through records kept per Condition (17)(B). [06-96 CMR 115, BPT]

Petroleum Product	Maximum Throughput, gallons
Gasoline	330,000,000
Ethanol	33,000,000
Distillate	310,000,000
JP-8/Kerosene	150,000,000

(27) Gulf shall not exceed a process rate to the Loading Rack Vapor Recovery Unit of 7,600 gallons/minute. Flow meters used for sales records shall be used to verify that this design capacity is not exceeded. [06-096 CMR 115, BPT]

(28) **Facility-Wide Emission Limits**

A. Gulf shall not exceed a facility wide emission limit of 49.9 tons per year of VOC based on a 12-month rolling total. [06-096 CMR 115, BPT]

B. Gulf shall not exceed a facility wide emission limit of 9.9 tons per year of any single HAP or 24.9 tons per year for all HAPs combined, each based on a 12-month rolling total. [06-096 CMR 115, BPT]

C. Compliance with these limits shall be demonstrated through the use of a Department-approved tank emission program, such as a recent version of EPA's TANKS program, and total annual throughput records of the facility.

(29) **Fugitive Emissions**

Visible emissions from any fugitive emission source, including stockpiles and roadways, shall not exceed 20% opacity, except for no more than five minutes in any one-hour period. Compliance shall be determined by an aggregate of the

individual fifteen-second opacity observations which exceed 20% in any one hour. [06-096 CMR 101]

(30) **Annual Emission Statement**

In accordance with *Emission Statements*, 06-096 CMR 137 (as amended), the licensee shall annually report to the Department the information necessary to accurately update the State's emission inventory by means of either of the following:

1) A computer program and accompanying instructions supplied by the Department; or
2) A written emission statement containing the information required in 06-096 CMR 137.

The emission statement must be submitted as specified by the date in 06-096 CMR 137.

(31) Gulf shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard (38 M.R.S.A. §605).

DONE AND DATED IN AUGUSTA, MAINE THIS 30 DAY OF November, 2012.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Marc Allen Robert Cone for
PATRICIA W. AHO, COMMISSIONER

The term of this license shall be ten (10) years from the signature date above.

[Note: If a complete renewal application, as determined by the Department, is submitted prior to expiration, then pursuant to Title 5 MRSA §10002, all terms and conditions of the license shall remain in effect until the Department takes final action on the renewal of the license.]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: October 3, 2012
Date of application acceptance: October 9, 2012

Date filed with the Board of Environmental Protection:

This Order prepared by Jane Gilbert, Bureau of Air Quality.

Filed
DEC 4 2012
State of Maine
Board of Environmental Protection