

Stage 1 Vapor Recovery Rules for Bulk Plants and Bulk Terminals

Initial Notification or Notification of Compliance Forms must be mailed no later than May 9, 2008. Forms should be mailed to the appropriate EPA Regional Office as well as the Iowa Air Quality Bureau. Forms are available at www.pmcofiowa.com.

We apologize for the short turnaround between this memo and the May 9 notification deadline. EPA's definition of a bulk terminal issued Monday of this week has caused an enormous amount of confusion. Because of the confusion created by the definition, Industry has asked EPA for numerous interpretations so facilities can be helped with compliance. We are currently pursuing clarification of EPA's definition of a bulk terminal. In the interim, PMCI recommends submitting the initial notification letter. Penalties under the Clean Air Act can run as high as \$32,500.

Who Does This Rule Apply To?

- This rule applies to existing or new bulk plants and bulk terminals. Facilities built on or before November 9, 2006 have until January 10, 2011 to comply with the rule. Facilities built after November 9, 2006 should begin taking the proper steps to upgrade their facilities in accordance with this rule.
- Bulk plants and bulk terminals under the rule: EPA defines a bulk plant as a facility with a gasoline throughput of 20,000 gallons or less per day. Gasoline throughput is not actual throughput but the maximum calculated design throughput of the facility, i.e., is the full use of design capacities of pumps, valves, storage tanks, and hours of operation capable of pumping more than 20,000 gasoline gallons in a day? If the answer is yes, the facility qualifies as a bulk terminal.
- Bulk plant (facility capacity is less than 20,000 gasoline gallons per day)
 - Submerged filling is required for loading of storage tanks as well as cargo tanks.
 - If your bulk plant uses submerged filling with discharge that is no more than 12 inches from the bottom of the tank and was installed on or before November 9, 2006, you DO NOT need to submit a notification form. For drop tubes installed after November 9, 2006, drop tubes must discharge within 6 inches of the bottom of the tank. Facility owners meeting this requirement DO NOT have to submit a notification form.
 - If your bulk plant does not meet the submerged filling requirements above you must submit an initial notification of compliance form.
- Bulk terminal (facility capacity to do throughput of 20,000 gasoline gallons per day or more)
 - PMCI members who fall under the definition of a bulk terminal should submit an initial notification of compliance form by May 9, 2008. Facilities built on or before November 9, 2006 have until January 10, 2011 to comply with the rule.
 - PMCI is working with the EPA as well as state regulators to develop compliance guidelines for facilities that fall under EPA's definition of bulk terminal.
 - PMCI is also meeting with state regulators to explore the possibility of obtaining permits limiting throughput to help facilities avoid falling under the definition of a

bulk terminal. The permit would limit the allowable gasoline throughput of a facility to below 20,000 gallons per day and also place a restriction on a facility's allowable emissions. We plan on meeting with state regulators immediately and will issue a compliance letter immediately thereafter. As a final note, facilities built on or before November 9, 2006 have until January 10, 2011 to comply with the rule.

Please Send Notification Forms To:

Iowa DNR Air Quality Bureau
7900 Hickman Road, Suite 1
Urbandale, Iowa 50322
Attention: Christine Paulson

And:

EPA Air Toxics Office
901 North Fifth Street
Kansas City, Kansas 66101

**Initial Notification/Notification of Compliance Status Report for
Bulk Gasoline Plants (last updated March 26, 2008)**

**THIS IS AN EXAMPLE NOTIFICATION TO MEET THE REQUIREMENTS OF 40 CFR
63 Subpart BBBBBB, Section 63.11086(e) and (f) and 40 CFR 63 Subpart A,
Section 63.9(b)**

Applicable Rule: 40 CFR Part 63, Subpart BBBBBB — National Emission Standards for Hazardous Air Pollutants for Area Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.

40 CFR Part 63, Subpart A — National Emission Standards for Hazardous Air Pollutants for Source Categories, Subpart A — General Provisions. Initial notification is being made in accordance with section 63.9(b).

Note: Initial notification reports for existing sources are due not later than May 9, 2008, or within 120 calendar days after the source becomes subject to the relevant standard. Sources may also use the application for approval of construction or reconstruction under section 63.5(d) to fulfill the initial notification requirement.

If you are a new or reconstructed major source, you must also include information required under 63.5(d) and 63.9(b)(5) - the Application for Approval of Construction or Reconstruction. You may use the Application for Approval of Construction and Reconstruction as your initial notification. (section 63.5(d)(1)(ii)).

**SECTION I
GENERAL INFORMATION**

Print or type the following information for each facility for which you are making initial notification:
(section 63.9(b)(2)(i)-(ii))

Operating Permit Number (OPTIONAL)		Facility I.D. Number (OPTIONAL)	
Responsible Official's Name/Title			
Street Address			
City	State	ZIP Code	
Facility Name (if different from Responsible Official's Name)			
Facility Street Address (If different than Responsible Official's Street Address)			
Facility Local Contact Name		Title	Phone (OPTIONAL)
City	State	ZIP Code	

**SECTION II
APPLICABILITY AND COMPLIANCE STATUS**

Applicability Questions (initial in box beside correct answer to the following questions)		
Yes		A1. Is your facility a "bulk gasoline plant"? Bulk gasoline plant means any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, or cargo tank and has a gasoline throughput of less than 20,000 gallons per day.
No		
Yes		A2. Do you have any gasoline storage tanks that have a capacity greater than or equal to 250 gallons?
No		
<p>If you answer "No" to either of the above questions and can support your answer, then you are not subject to the control requirements listed below; however, you must still complete Sections III and IV and mail as directed. If prior to January 10, 2008, your facility is meeting the control requirements of C1, C2, and C3, as applicable, under an enforceable State, local, or tribal rule or permit, then this notification is not required to be submitted.</p>		

Control Questions (initial in box beside correct answer to the following questions)		
Yes		C1. Do you currently utilize "submerged filling" for the loading of gasoline into storage tanks at your facility? Submerged filling means the filling of a storage tank through a submerged fill pipe whose discharge is no more than 12 inches from the bottom of the tank for submerged fill pipes installed on or before November 9, 2006, or no more than 6 inches from the bottom of the tank for submerged fill pipes installed after November 9, 2006.
No		
Yes		C2. Is submerged filling currently used for <u>all</u> gasoline storage tanks having a capacity of greater than or equal to 250 gallons?
No		
Yes		C3. Do you currently utilize "submerged filling" for the loading of gasoline into cargo tanks at your facility?
No		

Yes		<p>C4. Do you currently perform a monthly leak inspection of all equipment in gasoline service? An approved monthly inspection program may use detection methods, including sight, smell, and sound, and must adhere to the following requirements in section 63.11089:</p> <p>(1) 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.</p> <p>(2) 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 5 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 paragraph (d) of section 63.11089.</p> <p>(3) Delay of repair of leaking equipment will be allowed upon a demonstration to the Administrator that repair within 15 days is not feasible. The owner or operator shall provide the reason(s) a delay is needed and the date by which each repair is expected to be completed.</p>
No		
Yes		<p>C5. Do you <u>require</u> that gasoline be handled in a manner that restricts vapor releases to the atmosphere for extended periods of time? Measures to be taken include, but are not limited to, the following:</p> <p>(1) Minimize gasoline spills</p> <p>(2) Clean up spills as expeditiously as practicable</p>
No		<p>(3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use</p> <p>(4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.</p>
<p>If you answer no to any of the above control questions, you must</p> <p>1) Complete this notification and mail as directed.</p> <p>2) Comply with all the above (be able to answer yes) control questions within 3 years after the publication of the final subpart BBBB and resubmit this report confirming that you are complying with all the above requirements.</p>		

**SECTION III
SOURCE DESCRIPTION**

Briefly describe the source. (section 63.9(b)(2)(iv))

<p>Provide (at least) information on the number and capacity of gasoline storage tanks and the average monthly gasoline throughput</p>
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SECTION IV

CERTIFICATION (Note: Certification is Optional – not required under section 63.9(b). You may edit the text in this section as deemed appropriate)

Based upon information and belief formed after a reasonable inquiry, I, as a responsible official of the above-mentioned facility, certify the information contained in this report is accurate and true to the best of my knowledge.

Name of Responsible Official (Print or Type)	Title	Date (mm/dd/yy)
Signature of Responsible Official		

Note 1: Initial notifications should be sent to the EPA Regional Office servicing your area and to your State or local Air Pollution Control Agency. Part 70 permit applications can be used in lieu of an initial notification provided: (1) the same information is contained in the permit application as required by this rule; (2) the State has an approved Title V program under Part 70; (3) the State has received delegation of authority by the EPA; and (4) the Title V permit application has been submitted to the permitting authority. (section 63.9(a))

Note 2: Responsible official is defined under section 63.2 as any of the following: the president, vice-president, secretary, or treasurer of the company that owns the plant; the owner of the plant; the plant engineer or supervisor; a government official if the plant is owned by the Federal, State, city, or county government; or a ranking military officer if the plant is located on a military installation.

Note 3: A copy of the applicable rule, National Emission Standards for Hazardous Air Pollutants for Area Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, can be found at the following link: <http://www.epa.gov/ttn/atw/area/fr10ja08.pdf>.

Submit Initial Notification as follows:

- a. To the appropriate Regional Office of the EPA (see addresses below); and
- b. If the State has been delegated the authority for this regulation under section 112(l) of the Clean Air Act, submit the notification to the appropriate State agency found at the following link: <http://www.4cleanair.org/contactUsaLevel.asp>

Addresses of EPA Regional Offices:

EPA Region I (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont), Director, Air, Pesticides and Toxics Division, One Congress Street, Suite 1100 (SEA), Boston, MA 02114, Attn: Air Compliance Clerk.

EPA Region II (New Jersey, New York, Puerto Rico, Virgin Islands), Director, Air and Waste Management Division, 290 Broadway, New York, NY 10007-1866.

EPA Region III (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia), Director, Air Protection Division, 1650 Arch Street, Philadelphia, PA 19103.

EPA Region IV (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee). Director, Air, Pesticides and Toxics Management Division, Atlanta Federal Center, 61 Forsyth Street, Atlanta, GA 30303-3104.

EPA Region V (Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin), Director, Air and Radiation Division, 77 West Jackson Blvd., Chicago, IL 60604-3507.

EPA Region VI (Arkansas, Louisiana, New Mexico, Oklahoma, Texas), Director, Air, Pesticides and Toxics, 1445 Ross Avenue, Dallas, TX 75202-2733.

EPA Region VII (Iowa, Kansas, Missouri, Nebraska), Director, Air, RCRA, and Toxics Division, U.S. Environmental Protection Agency, 901 N. 5th Street, Kansas City, KS 66101.

EPA Region VIII (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming), Director, Air and Toxics Technical Enforcement Program, Office of Enforcement, Compliance and Environmental Justice, 1595 Wynkoop Street, Denver, CO 80202-1129.

EPA Region IX (Arizona, California, Hawaii, Nevada, American Samoa, Guam), Director, Air and Toxics Division, 75 Hawthorne Street, San Francisco, CA 94105.

EPA Region X (Alaska, Idaho, Oregon, Washington), Director, Office of Air, Waste and Toxics, 1200 6th Ave., Suite 900, AWT-107, Seattle, WA 98101.