

**LANE REGIONAL AIR PROTECTION AGENCY**

1010 Main Street, Springfield, Oregon 97477

(541) 736-1056

**SIMPLE AIR CONTAMINANT DISCHARGE PERMIT (SIMPLE ACDP)**

Issued in accordance with provisions of Title 37, Lane Regional Air Protection Agency's Rules and Regulations, and based on the land use compatibility findings included in the permit record.

Issued To:

**Costco Wholesale Corporation**

P.O. Box 35005

Seattle, Washington 98124

Facility Address:

Costco Gasoline #17

2828 Chad Drive

Eugene, Oregon 97408

Permit Number: 201304

Permit Type: Simple

SIC: 5541– Gasoline Service Stations

Issuance Date: <Date>

Expiration Date: <Date>

Information Relied Upon:

Application Number: 65354

Dated: 08/20/19

Land Use Compatibility Statement:

From: City of Eugene

Date: 06/09/10

Fee Basis:

Title 37, Table 1, Part B:

32 – Gasoline Dispensing Facility

Permitted Sources:

3 – 30,000 gallon underground storage tanks (UST)  
with 12 Dispensers

**DRAFT**

Issued

By: \_\_\_\_\_  
Merlyn L. Hough, Director

Effective

Date: \_\_\_\_\_

Permitted Activities

1. Until this permit expires or is revoked, the permittee is herewith allowed to discharge exhaust gases containing contaminants only in accordance with the permit application and the requirements, limitations, and conditions contained in this permit. This specific listing of requirements, limitations, and conditions does not relieve the permittee from complying with all other rules of Lane Regional Air Protection Agency (LRAPA).

Emission Unit Description

2. The emission units regulated by this permit are the following:

Emission Unit	Emission Units ID	Pollution Control Device
Three (3) – Gasoline Underground Storage Tanks (USTs) with 12 Dispensers	EU-1	Vapor Balance System (stage I) on USTs

Plant Site Emission Limits (PSELs)

3. The total emissions from the operation must not exceed the annual (12-month rolling) limits below: [LRAPA 42-0040]

**Annual (12-Month Rolling) PSELs**  
 (tons per year)

Pollutants	VOC
Totals	39

- 3.a. Any changes in operation that may increase the emissions above the PSELs must be approved by LRAPA. Failure to do so may result in enforcement actions being taken by LRAPA. [LRAPA 37-0020]

PSEL Monitoring and Compliance

4. The permittee must not exceed 29,400,000 gallons of product throughput for any 12 consecutive calendar month period. [LRAPA 34-016 and 42-0080(4)]
5. If the permittee exceeds the operationally throughput limit of 29,400,000, **by the fifteenth working day of the month**, the permittee must determine compliance with the previous 12 consecutive calendar month VOC PSEL in accordance with the following procedures. The 12 consecutive calendar month total must be determined by summing the total VOC emissions from the previous 12 consecutive calendar months. The permittee must maintain records of monthly gasoline throughput in accordance with Condition 31.a. [LRAPA 34-016 and 42-0080(4)(c)]
  - 5.a. The permittee must calculate the total calendar month emissions of VOC;

**Equation 1**

$$E = \sum[TP \times EF]/2000$$

Where: E = Total VOC emissions (in tons) for month period;  
 $\Sigma$  = Symbol representing "summation of";  
 TP = Product Throughput in gallons per month;  
 EF = Emissions Factor (Total TP EF);  
 2000 = Pounds per ton.

**VOC Emission Factors**

Source	Emission Factors	Units
Loading and Filling	0.30	lb/kgal
Breathing and Emptying	1.00	lb/kgal
Vehicle Refueling	0.918	lb/kgal
Hose Permeation	0.009	lb/kgal
Liquid Spillage	0.42	lb/kgal
<b>Total (TP EF)</b>	<b>2.647</b>	<b>lb/kgal</b>

Performance Standards and Limitations

6. The permittee must not emit visible emissions that equal or exceed an average 20 percent opacity for a period or periods aggregating more than three (3) minutes in any one (1) hour. [LRAPA 32-010(3)]
7. The permittee must take reasonable precautions to prevent fugitive dust emissions from leaving the property of a source for a period or periods totaling more than 18 seconds in a six-minute period. Fugitive emissions must be measured by EPA Method 22 with the minimum observation time of at least six (6) minutes. Reasonable precaution includes: [LRAPA 48-015(1) & (2)]
  - 7.a. Application of water or other suitable chemical on surfaces which can create airborne dusts;
  - 7.b. The prompt removal from paved streets of earth or other material which does or may become airborne;
  - 7.c. Storing collected materials from air pollution control equipment in a covered container or other method equally effective in preventing the material from becoming airborne during storage and transfer; and
  - 7.d. Developing an LRAPA approved fugitive emission control plan upon request by LRAPA if the above precautions are not adequate and implementing the plan whenever fugitive emissions leave the property for more than 18 seconds in a six-minute period.

General Duties to Minimize Emissions

8. The permittee 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. Determination of whether such operation and maintenance procedures are being used will be based on information available to LRAPA and the EPA Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [LRAPA 44-225(1)]

9. The permittee must keep applicable records and submit reports as specified in Conditions 28 and 31. [LRAPA 44-225(2)]

Work Practice and Submerged Filled Requirements

10. The permittee must take reasonable precautions to prevent gasoline vapor releases to the atmosphere. Reasonable precautions include, but are not limited to, the following: [LRAPA 44-230(1)]
  - 10.a. Minimize gasoline spills; [LRAPA 44-230(1)(a)]
  - 10.b. Do not top off or overfill vehicle tanks. If a person can confirm that a vehicle tank is not full after the nozzle clicks off, such as by checking the vehicle's fuel tank gauge, the person may continue to dispense fuel using best judgment and caution to prevent a spill; [LRAPA 44-230(1)(b)]
  - 10.c. Post a sign instructing a person filling up a motor vehicle to not top off vehicle tanks; [LRAPA 44-230(1)(c)]
  - 10.d. Clean up spills as expeditiously as practicable; [LRAPA 44-230(1)(d)]
  - 10.e. Cover all gasoline storage tank fill-pipes with a gasketed seal and all gasoline containers when not in use; [LRAPA 44-230(1)(e)]
  - 10.f. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators. [LRAPA 44-230(1)(f)]
  - 10.g. Ensure that cargo tanks unloading at the GDF comply with Conditions 10.a, 10.d, and 10.e. [LRAPA 44-230(1)(g)]
11. The permittee must ensure that any cargo tank unloading at the GDF is equipped with a functional vapor balance system must connect to the vapor balance system whenever gasoline is being loaded. [LRAPA 44-230(2)]
12. The permittee must ensure that all owners and operators of cargo tank only load gasoline into storage tanks at the facility by utilizing submerged filling as specified in Conditions 12.a, 12.b, or 12.c. The applicable distances in Condition 12.a and 12.b must be measured from the point in the opening of the submerged fill pipe that is the greatest distance from the bottom of the storage tank. [LRAPA 44-230(3)]
  - 12.a. Submerged fill pipes installed on or before November 9, 2006, must extend to no less than 12 inches from the bottom of the storage tank. [LRAPA 44-230(3)(a)]
  - 12.b. Submerged fill pipes installed after November 9, 2006, must extend to no less than 6 inches from the bottom of the storage tank. [LRAPA 44-230(3)(b)]
  - 12.c. Submerged fill pipes not meeting the specifications of Conditions 12.a or 12.b are allowed if the permittee can demonstrate that the liquid level in the tank is always above the entire opening of the fill pipe. Documentation providing such demonstration must be made available for inspection by LRAPA and the EPA Administrator during the course of a site visit. [LRAPA 44-230(3)(c)]
13. The permittee must have records available within 24 hours of a request by LRAPA or the EPA Administrator to document gasoline throughput. [LRAPA 44-230(5)]

14. Portable gasoline containers that meet the requirements of 40 CFR Part 59 Subpart F are considered acceptable for compliance with Condition 10.e. [LRAPA 44-230(7)]

Vapor Balance Requirements

15. Except as provided in Condition 16, the permittee must meet the requirements in either Condition 15.a or 15.b for all gasoline storage tanks: [LRAPA 44-240(1)]
- 15.a. Each management practice in Table 4 of LRAPA 44-240 that applies to the GDF. [LRAPA 44-240(1)(a)]
- 15.a.i. All vapor connections and lines on the storage tank must be equipped with closures that seal upon disconnect. [LRAPA 44-240(1)(a), Table 4(a)]
- 15.a.ii. The vapor lines from the gasoline storage tank to the gasoline cargo tank must be vapor-tight, as defined in LRAPA 44-180. [LRAPA 44-240(1)(a), Table 4(b)]
- 15.a.iii. The vapor balance system must be designed such that the pressure in the tank truck does not exceed 18 inches water pressure of 5.9 inches water vacuum during product transfer. [LRAPA 44-240(1)(a), Table 4(c)]
- 15.a.iv. The vapor recovery and production adaptors, and the method of connection with the delivery elbow, must be designed so as to prevent the overtightening or loosening of fittings during normal delivery operations. [LRAPA 44-240(1)(a), Table 4(d)]
- 15.a.v. If a gauge well separate from the fill tube is used, it must be provided with a submerged drop tube that extends the same distance from the bottom of the storage tank as specified in Condition 12. [LRAPA 44-240(1)(a), Table 4(e)]
- 15.a.vi. Liquid fill connections for all systems must be equipped with vapor-tight caps. [LRAPA 44-240(1)(a), Table 4(f)]
- 15.a.vii. Pressure/vacuum (PV) vent valves must be installed on the storage tank vent pipes. The pressure specifications for PV vent valves must be: a positive pressure setting of 2.5 to 6.0 inches of water and a negative pressure setting of 6.0 to 10.0 inches of water. The total leak rate of all PV vent valves at an affected facility, including connections, must not exceed 0.17 cubic foot per hour at a pressure of 2.0 inches of water and 0.63 cubic foot per hour at a vacuum of 4 inches of water. [LRAPA 44-240(1)(a), Table 4(g)]
- 15.a.viii. The vapor balance system must be capable of meeting the static pressure performance requirement of the following equation: [LRAPA 44-240(1)(a), Table 4(h)]

Equation 3

$$Pf = 2e^{-500.887/v}$$

Where:

- Pf = Minimum allowable final pressure, inches of water.  
v = Total ullage affected by the test, gallons.  
e = Dimensionless constant equal to approximately 2.718.  
2 = The initial pressure, inches water.

- 15.b. If, prior to January 10, 2008, the permittee operates a vapor balance system on all affected tanks at the GDF that meets either requirement listed in Conditions 15.b.i or 15.b.ii, the permittee will be deemed in compliance with LRAPA 44-240(1)(b). [LRAPA 44-240(1)(b)]
  - 15.b.i. Achieves emissions reduction of at least 90 percent. [LRAPA 44-240(1)(b)(A)]
  - 15.b.ii. Operates using management practices at least as stringent as those in Condition 15.a. [LRAPA 44-240(1)(b)(B)]
16. A permittee that operates a gasoline storage tanks equipped with floating roofs or the equivalent are not required to comply with the control requirements in Condition 15.b. [LRAPA 44-240(2)]
17. The permittee must ensure that cargo tanks unloading at the facility comply with the work practice requirements of Condition 10 and management practice of LRAPA 44-240 Table 5: [LRAPA 44-240(3) and LRAPA 44-240(3), Table 5]
  - 17.a. All hoses in the vapor balance system are properly connected, [LRAPA 44-240(3), Table 5(i)]
  - 17.b. The adapters or couplers that attach to the vapor line on the storage tank have closures that seal upon disconnect, [LRAPA 44-240(3), Table 5(ii)]
  - 17.c. All vapor return hoses, couplers, and adapters used in the gasoline delivery are vapor-tight, [LRAPA 44-240(3), Table 5(iii)]
  - 17.d. All tank truck vapor return equipment is compatible in size and forms a vapor-tight connection with the vapor balance equipment on the GDF storage tank, and [LRAPA 44-240(3), Table 5(iv)]
  - 17.e. All hatches on the tank truck are closed and securely fastened. [LRAPA 44-240(3), Table 5(v)]
  - 17.f. The filling of storage tanks at the facility must be limited to unloading by vapor-tight gasoline cargo tanks. Documentation that the cargo tank has met the specifications of EPA Method 27 must be carried on the cargo tank. [LRAPA 44-240(3), Table 5(vi)]
18. The permittee must comply with the following requirements: [LRAPA 44-240(4)]
  - 18.a. When loading a gasoline storage tank equipped with a vapor balance system, connect and ensure the proper operation of the vapor balance system whenever gasoline is being loaded. [LRAPA 44-240(4)(a)]
  - 18.b. Maintain all equipment associated with the vapor balance system to be vapor tight and in good working order. [LRAPA 44-240(4)(b)]
  - 18.c. Have the vapor balance equipment inspected on at least an annual basis to discover potential or actual equipment failures. [LRAPA 44-240(4)(c)]
  - 18.d. Replace, repair, or modify any worn or ineffective component or design element within 24 hours of discovery to ensure the vapor-tight integrity and efficiency of the vapor balance system. If repair parts must be ordered, with a written or verbal order for those parts must be initiated within 2 working days or detecting such a leak. Such repair parts must be installed within 5 working days after receipt. [LRAPA 44-240(4)(d)]
19. The permittee must comply with the following requirements: [LRAPA 44-240(5)]

- 19.a. The applicable testing requirements in Conditions 20 through 24. [LRAPA 44-240(5)(a)]
- 19.b. The applicable notification requirements of LRAPA 44-260. [LRAPA 44-240(5)(b)]
- 19.c. The applicable recordkeeping and reporting requirements in Conditions 25 through 33. [LRAPA 44-240(5)(c)]
- 19.d. The permittee must have records available within 24 hours of a request by the LRAPA or the EPA Administrator to document gasoline throughput. [LRAPA 44-240(5)(d)]

#### Testing and Monitoring

- 20. For all testing required by Condition 21, the permittee must submit all testing notification to LRAPA at least ten (10) days prior to testing. [LRAPA 44-250(1)]
- 21. The permittee, with a monthly throughput of 100,000 gallons of gasoline or more must test every three (3) years. [LRAPA 44-250(2)]
  - 21.a. The permittee must demonstrate compliance with the leak rate and cracking pressure requirements, as specified in Condition 15.a.vii, for pressure/vacuum vent valves installed on gasoline storage tanks using test method identified in Conditions 21.a.i or 21.a.ii: [LRAPA 44-250(2)(a)]
    - 21.a.i. PV (pressure/vacuum test valve) Vent Cap Testing in accordance with CARB TP-201.1E,-Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves, adopted October 8, 2003 (incorporated by reference, see 40 CFR 63.14). LRAPA 44-250(2)(a)(i)]
    - 21.a.ii. Use alternative test methods and procedures in accordance with the alternative test method requirements in 40 CFR 63.7(f). LRAPA 44-250(2)(a)(ii)]
  - 21.b. The permittee must demonstrate compliance with the static pressure performance requirement, specified in Condition 15.a.viii, for the vapor balance system by conducting a static pressure test on the gasoline storage tanks using test methods identified in Conditions 21.b.i or 21.b.ii. [LRAPA 44-250(2)(b)]
    - 21.b.i. Pressure Decay Testing in accordance with CARB TP-201.3,-Determination of 2 inches of WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities. [LRAPA 44-250(b)(A)]
    - 21.b.ii. Use alternative test methods and procedures in accordance with the alternative test method requirements in 40 CFR 63.7(f). [LRAPA 44-250(b)(B)]
    - 21.b.iii. Bay Area Air Quality Management District Source Test Procedure ST-30 – Static Pressure Integrity Test – Underground Storage Tanks, adopted November 30, 1983, and amended December 21, 1994 (incorporated by reference, see 40 CFR 63.14). [LRAPA 44-250(b)(C)]
- 22. The permittee, choosing, under the provisions of 40 CFR 63.6(g), to use a vapor balance system other than that described in Condition 15, must demonstrate to the EPA that equivalency of their vapor balance system to that described in Condition 15 using the procedures specified in Conditions 22.a through 22.c. [LRAPA 44-250(3)]

- 22.a. The permittee must demonstrate initial compliance by conducting an initial performance test on the vapor balance system to demonstrate that the vapor balance system achieves 95 percent reduction in accordance with CARB TP-201.1E Vapor Recovery Test Procedure,– Volumetric Efficiency for Phase I Vapor Recovery Systems, incorporated by reference, see 40 CFR 63.14. [LRAPA 44-250(3)(a)]
- 22.b. The permittee must, during the initial performance test required in Condition 22.a, determine and document alternative acceptable values for the leak rate and cracking pressure requirements specified in Condition 15.a.vii and for the static pressure performance requirement in Condition 15.a.vii. [LRAPA 44-250(3)(b)]
- 22.c. The permittee must also comply with the testing requirements specified in Condition 21. [LRAPA 44-250(3)(c)]
23. Performance test must be conducted under such conditions as LRAPA and the EPA Administrator specifies to the permittee based on representative performance, i.e., performance based on normal operation conditions, of the affected source. Upon request by LRAPA and the EPA Administrator, the permittee must make available such records as may be necessary to determine the conditions of performance test. [LRAPA 44-250(4)]
24. The permittee must confirm that the owners and operators of gasoline cargo tanks subject to Condition 15 have conducted their required annual certification testing according to the vapor tightness testing requirements found in 40 CFR 63.11092(f) (**See Attachment A**). [LRAPA 44-250(5)]

#### Recordkeeping Requirements

25. The permittee must keep the following records: [LRAPA 44-270(1)]
  - 25.a. Records of all test performed in accordance with Conditions 21 and 22. [LRAPA 44-270(1)(a)]
  - 25.b. Records related to the operation and maintenance of vapor balance equipment required in Conditions 15 through 19. Any vapor balance component defect must be logged and tracked by the permittee using forms provided by LRAPA or a reasonable facsimile. [LRAPA 44-270(1)(b)]
  - 25.c. Records of total monthly and annual throughput in gallons as defined. [LRAPA 44-270(1)(c)]
  - 25.d. Records of permanent changes made at the GDF and to vapor balance equipment which may affect emissions. [LRAPA 44-270(1)(d)]
26. The permittee must keep records required by Condition 25 for a period of five (5) years and must be available within 24 hours of a request by LRAPA and the EPA Administrator. [LRAPA 44-270(2)]
27. The permittee must ensure that the owner or operators of the gasoline cargo tank subject to the management practices of Condition 17 keep records documenting vapor tightness testing for a period of five (5) years. Documentation must include each of the items specified in 40 CFR 63.11094(b)(2)(i) through (viii) (**See Attachment A**). Records of vapor tightness testing must be retained as specified in either Conditions 27.a or 27.b. [LRAPA 44-270(3)]
  - 27.a. The owner or operator of a gasoline cargo tank must keep all vapor tightness testing records with the cargo tank. [LRAPA 44-270(3)(a)]



- 27.b. As an alternative to keeping all records with the cargo tank, the owner or operator of a gasoline cargo tank may comply with the requirements of Conditions 27.b.i and 27.b.ii. [LRAPA 44-270(3)(b)]
- 27.b.i. The owner or operator of a gasoline cargo tank may keep records of only the most recent vapor tightness test with the cargo tank and keep records for the previous four (4) years at their office or another central location. [LRAPA 44-270(3)(b)(A)]
- 27.b.ii. Vapor tightness testing records that are kept at a location other than with the cargo tank must be instantly available (e.g., via e-mail or facsimile) to LRAPA and the EPA Administrator during the course of a site visit or within a mutually agreeable time frame. Such records must be an exact duplicate image of the original paper copy record with certifying signatures. [LRAPA 44-270(3)(b)(B)]
28. The permittee must keep records as specified in Conditions 28.a and 28.b. [LRAPA 44-270(4)]
- 28.a. Records of the occurrence and duration of each malfunction of operation, i.e., process equipment, or the air pollution control and monitoring equipment. [LRAPA 44-270(4)(a)]
- 28.b. Records of actions taken during periods of malfunction to minimize emission in accordance with Condition 8, including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner or operation. [LRAPA 44-270(4)(b)]

#### Reporting Requirements

29. By the **February 15<sup>th</sup> each year**, the permittee must demonstrate compliance with the PSEL by submitting the 12-consecutive calendar month period based on the product throughput for the reporting period. The facility will be presumed to be in compliance with the yearly VOC PSEL provided the total product throughput does not exceed 29,400,000 gallons during any 12-consecutive calendar month period. If the permittee exceeds the operational throughput thresholds stated in Condition 4, the permittee must demonstrate compliance with the yearly VOC PSEL on a monthly basis using the requirements in Condition 5.
30. The permittee must report to the LRAPA and the EPA Administrator the results of all test required in Conditions 20 through 24. Test results must be submitted within 30 days of the completion of the performance testing. [LRAPA 44-280(1)]
31. The permittee that has a monthly throughput of 10,000 gallons of gasoline or more must report, by **February 15<sup>th</sup> of each year**, the following information, as applicable. [LRAPA 44-280(2)]
- 31.a. The total throughput volume of gasoline, in gallons, for each calendar month. [LRAPA 44-280(2)(a)]
- 31.b. A summary of changes made at the facility on vapor recovery equipment which may affect emissions. [LRAPA 44-280(2)(b)]
- 31.c. List of all major maintenance performed on pollution control devices. [LRAPA 44-280(2)(c)]
- 31.d. The number, duration, and a brief description of each type of malfunction which occurred during the previous calendar year and which caused or may have caused any applicable emission limitation to be exceeded. [LRAPA 44-280(2)(d)]

- 31.e. A description of actions taken by the permittee during a malfunction to minimize emissions in accordance with Condition 8, including actions taken to correct the malfunction. [LRAPA 44-280(2)(e)]
32. The permittee must also submit with the annual report any information required by General Permit Conditions G15. [LRAPA 35-0160]
33. Unless otherwise specified, all reports, notifications, etc., required by the above terms and conditions must be reported to the following office: [LRAPA 34-016]

Lane Regional Air Protection Agency  
1010 Main Street  
Springfield, Oregon 97477  
(541) 736-1056

Fee Schedule

34. In accordance with adopted regulations, the permittee will be invoiced for the annual permit fees on **October 1<sup>st</sup>**, with fees due on **December 1<sup>st</sup>** of each year. [LRAPA 37-8020 Table 2]

BAE/cmw  
11/22/2019

**ABBREVIATIONS, ACRONYMS, AND DEFINITIONS**

ACDP	Air Contaminant Discharge Permit	NA	Not applicable
Annual Throughput	Amount of gasoline transferred into a gasoline dispensing facility during 12 consecutive months.	NESHAP	National Emissions Standards for Hazardous Air Pollutants
ASTM	American Society for Testing and Materials	NSR	New Source Review
AQMA	Air Quality Maintenance Area	O <sub>2</sub>	Oxygen
Bbl	Barrel (42 gallons)	OAR	Oregon Administrative Rules
CARB	California Air Resource Board	ORS	Oregon Revised Statutes
Calendar year	The 12-month period beginning January 1 <sup>st</sup> and ending December 31 <sup>st</sup>	O&M	Operation and Maintenance
CFR	Code of Federal Regulation	PCD	Pollution Control Device
Date	month/day/year	ppm	Part per million
DEQ	Oregon Department of Environmental Quality	ppmv	Part per million by volume
dscf	Dry Standard Cubic Foot	PSD	Prevention of Significant Deterioration
EF	Emission Factor	PSEL	Plant Site Emission Limit
EPA	US Environmental Protection Agency	PTE	Potential to Emit
FCAA	Federal Clean Air Act	PV	Pressure/Vacuum
Gal	gallons	scf	Standard Cubic Foot
GDF	Gasoline Dispensing Facility	SER	Significant Emission Rate
HAP	Hazardous Air Pollutant as defined by Section LRAPA 44-0020	SERP	Source Emission Reduction Plan
ID	Identification number	SIC	Standard Industrial Code
I&M	Inspection and Maintenance	TP	Throughput
kgal	1,000 gallons	VE	Visible Emissions
lb	Pounds	VOC	Volatile Organic Compound
lb/kgal	Pounds per 1,000 gallons	Year	A period consisting of any 12-consecutive calendar months
LRAPA	Lane Regional Air Protection Agency		

## **GENERAL PERMIT CONDITIONS**

### General Conditions and Disclaimers

- G1. A copy of the permit application and this Air Contaminant Discharge Permit (ACDP) must be available on site for inspection upon request. [LRAPA 37-0020(3)]
- G2. The permittee shall allow the Director or his/her authorized representatives access to the plant site and pertinent records at all reasonable times for the purpose of making inspections, surveys, collecting samples, obtaining data, reviewing and copying air contaminant discharge records and otherwise conducting necessary functions related to this permit in accordance with ORS 468.095. [LRAPA 13-020(1)(h)]
- G3. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

### Performance Standards and Emission Limits

- G4. The permittee shall not cause or permit the emissions of any particulate matter which is greater than 250 microns in size if such particulate matter does or will deposit upon the real property of another person. [LRAPA 32-055]
- G5. No person shall discharge from any source whatsoever such quantities of air contamination which cause injury or damage to any persons, the public, business or property. Such determination to be made by LRAPA. [LRAPA 32-090(1)]
- G6. The permittee shall not cause or permit emission of water vapor if the water vapor causes or tends to cause detriment to the health, safety or welfare of any person or causes, or tends to cause damage to property or business. [LRAPA 32-090(2)]
- G7. The permittee shall not willfully cause or permit the installation or use of any device or use of any means which, without resulting in a reduction in the total amount of air contaminants emitted, conceals emissions of air contaminants which would otherwise violate LRAPA rules. [LRAPA 33-030(1)]
- G8. The permittee shall not cause or permit the installation or use of any device or use of any means designed to mask the emissions of an air contaminant which causes or tends to cause detriment to health, safety or welfare of any person. [LRAPA 32-050(2)]
- G9. The permittee shall not allow any materials to be handled, transported, or stored; or a building, its appurtenances or road(s) to be used, constructed, altered, repaired, or demolished; or any equipment to be operated, without taking reasonable precautions to prevent particulate matter from being airborne. [LRAPA 48-015(1)]
- G10. The permittee shall not cause or permit the emissions of odorous matter in such a manner as to cause a public nuisance. [LRAPA 49-010(1)]

### Excess Emissions: General Policy

- G11. Emissions of air contaminants in excess of applicable standards or permit conditions are unauthorized and are subject to enforcement action, pursuant to LRAPA 36-010 and 36-030. These rules apply to any permittee operating a source which emits air contaminants in violation of any applicable air quality rule or permit condition, including but not limited to excess emissions

resulting from the breakdown of air pollution control equipment or operating equipment, process upset, startup, shutdown, or scheduled maintenance. Sources that do not emit air contaminants in excess of any applicable rule or permit condition are not subject to the recordkeeping and reporting requirements in LRAPA Title 36. Emissions in excess of applicable standards are not excess emissions if the standard is in an NSS or NESHAP and the NSPS or NESHAP exempts startups, shutdowns and malfunctions as defined in the applicable NSPS or NESHAP. [LRAPA 36-001(1)]

Excess Emissions: Notification and Record-keeping

- G12. For all other excess emissions not addressed in LRAPA Sections 36-010, 36-015, or 36-040, the following requirements apply: [LRAPA 36-020(1)]
- a. The owner or operator, of a small source, as defined by LRAPA 36-005(7), need not notify LRAPA of excess emissions events immediately unless otherwise required by permit condition, written notice by LRAPA, or if the excess emission is of a nature that could endanger public health.
  - b. Notification must be made to the LRAPA office. The current LRAPA telephone number during regular business hours (8 a.m. – 5 p.m., M-F) is (541) 736-1056. During nonbusiness hours, weekends, or holidays, the permittee must immediately notify LRAPA by calling the LRAPA Upset/Complaint Line. The current number is (541) 726-1930.
  - c. Follow-up reporting, if required by LRAPA, must contain all information required by Condition G15.
- G13. At each annual reporting period specified in this permit, or sooner if required by LRAPA, the permittee shall submit a copy of the upset log entries for the reporting period, as required by Condition G15. [LRAPA 36-025(4)(a)]
- G14. Any excess emissions which could endanger public health or safety shall immediately be reported to the Oregon Emergency Response System (OERS) at 1-800-452-0311.
- G15. The permittee shall keep an upset log of all planned and unplanned excess emissions. The upset log shall include the following: [LRAPA 36-025(3) and 36-030(1)]
- a. date and time each event was reported to LRAPA;
  - b. whether the process handling equipment and the air pollution control equipment were at all times maintained and operated in a manner consistent with good practice for minimizing emissions;
  - c. whether repairs or corrections were made in an expeditious manner when the permittee knew or should have known that emission limits were being or were likely to be exceeded;
  - d. whether the event was one in a recurring pattern of incidents which indicate inadequate design, operation, or maintenance; and
  - e. final resolution of the cause of the excess emissions.

Upset logs shall be kept by the permittee for five (5) calendar years. [LRAPA 36-02(3)]

Excess Emissions: Scheduled Maintenance

- G16. If the permittee anticipates that scheduled maintenance of air contaminant sources or air pollution control devices may result in excess emissions, the permittee must obtain prior LRAPA

authorization of procedures that will be used to minimize excess emissions. Application for approval of procedures associated with the scheduled maintenance must be submitted and received by LRAPA in writing at least seventy-two (72) hours prior to the event. The application must include the following: [LRAPA 36-015(1)]

- a. reasons explaining the need for maintenance, including but not limited to: why the maintenance activity is necessary; why it would be impractical to shut down the source operation during the maintenance activity; if applicable, why air pollution control devices must be by-passed or operated at reduced efficiency during the maintenance activity; and why the excess emissions could not be avoided through better scheduling for maintenance or through better operation and maintenance practices;
  - b. identification of the specific production or emission control device or system to be maintained;
  - c. identification of the nature of the air contaminants likely to be omitted during the maintenance period, and the estimated amount and duration of the excess emissions, including measures such as the use of overtime labor and contract services and equipment that will be taken to minimize the length of the maintenance period; and
  - d. identification of specific procedures to be followed which will minimize excess emissions at all times during the scheduled maintenance.
- G17. No scheduled maintenance associated with the approved procedures in Condition G16 that is likely to cause excess emissions may occur during any period in which an Air Pollution Alert, Air Pollution Warning, or Air Pollution Emergency has been declared, or during an announced yellow or red woodstove advisory period, in areas determined by LRAPA as PM<sub>2.5</sub> or PM<sub>10</sub> nonattainment areas. [LRAPA 36-015(6)]
- G18. In cases where LRAPA has not received notification of scheduled maintenance that is likely to cause excess emissions within the required seventy-two (72) hours prior to the event, or where such approval has not been waived pursuant to LRAPA 36-015(3), the permittee shall immediately notify LRAPA by telephone of the situation, and shall be subject to the requirements of Conditions G12 and G13. [LRAPA 36-015-7]

#### Air Pollution Emergencies

- G19. The permittee must, upon declaration of an air pollution alert, air pollution warning, or air pollution emergency, take all emission reduction measures specified in Tables 1, 2, and 3 of LRAPA Title 51. Permittee responsible for a source of air contamination within a Priority I AQCR must, upon declaration of an episode condition affecting the locality of the air contamination source, take all appropriate actions specified in the applicable table and must take all appropriate actions specified in an LRAPA-approved preplanned abatement strategy for such condition which has been submitted and is on file with LRAPA. [LRAPA 51-015]

#### Notification of Construction/Modification

- G20. The permittee must notify LRAPA in writing using an LRAPA "Notice of Intent to Construct" form, or other permit application forms and obtain approval in accordance with LRAPA 34-010 and 34-034 through 34-038 before:
- a. constructing, installing or establishing a new stationary source that will cause an increase in regulated pollutant emissions

- b. making any physical change or changes in the operation of an existing stationary source that will cause an increase, on an hourly basis at full production, in any regulated pollutant emissions; or
- c. constructing or modifying any pollution control equipment.

#### Notification of Name Change

- G21. The permittee shall notify LRAPA in writing, using an LRAPA Application for Administrative Amendment to ACDP form, within 60 days after legal change of the registered name of the company with the Corporation Division of the State of Oregon.

Applicable administrative fees must be submitted with an application for the name change.

#### Permit Renewal

- G22. Application for renewal of this permit must be submitted not less than 120 days prior to the permit expiration date for Simple ACDPs, and 180 days prior to the permit expiration date for Standard ACDPs. [LRAPA 37-0040(2)(b)]
- G23. A source may not be operated after the expiration date of a permit, unless any of the following occur prior to the expiration date of the permit; [LRAPA 37-0082(1)(a)]
- a. A timely and complete application for renewal or for an LRAPA Title V Operating Permit has been submitted; or
  - b. Another type of permit, ACDP, or Title V, has been issued authorizing operation of the source.
- G24. For a source operating under an ACDP or LRAPA Title V Operating Permit, a requirement established in an earlier ACDP remains in effect notwithstanding expiration of the ACDP, unless the provision expires by its terms or unless the provision is modified or terminated according to the procedures used to establish the requirement initially. [LRAPA 37-0082(1)(c)]
- G25. Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application must, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. [LRAPA 37-0040(4)]

#### Termination Conditions

- G26. This permit shall be automatically terminated upon: [LRAPA 37-0082(2)]
- a. Issuance of a renewal or new ACDP for the same activity or operation;
  - b. Written request of the permittee, if LRAPA determines that a permit is no longer required;
  - c. Failure to submit a timely application for permit renewal. Termination is effective on the permit expiration date; or;
  - d. Failure to pay annual fees within 90 days of invoice by LRAPA, unless prior arrangements for payment have been approved in writing by LRAPA.

- G27. If LRAPA determines that a permittee is in noncompliance with the terms of the permit, submitted false information in the application or other required documentation, or is in violation of any applicable rule or statute, LRAPA may revoke the permit. LRAPA will provide notice of the intent to revoke the permit to the permittee under LRAPA Title 31. The notice will include the reasons why the permit will be revoked, and include an opportunity for the permittee to request a contested case hearing prior to the revocation. A written request for hearing must be received by LRAPA within 60 days from service of the notice on the permittee and must state the grounds of the request. The hearing will be conducted as a contested case hearing under ORS 183.413 through 183.470 and LRAPA Title 14. The permit will continue in effect until the 60<sup>th</sup> day after service of the notice on the permittee, if the permittee does not timely request a hearing, or until a final order is issued if the permittee timely requests a hearing. [LRAPA 37-0082(4)(a)]
- G28. A permit automatically terminated under LRAPA 37-0082(2)(b) through (2)(d) may only be reinstated by the permittee by applying for a new permit. The permittee must also pay the applicable new source permit application fees in this title unless the owner or operator submits the renewal application within three (3) months of the permit expiration date. [LRAPA 37-0082(3)]
- G29. If LRAPA finds there is a serious danger to the public health, safety or the environment caused by a permittee's activities, LRAPA may immediately revoke or refuse to renew the permit without prior notice or opportunity for a hearing. If no advance notice is provided, notification will be provided to the permittee as soon as possible as provided in LRAPA Title 31. The notification will set forth the specific reasons for the revocation or refusal to renew and will provide an opportunity for the permittee to request a contested case hearing for review of the revocation or refusal to renew. A written request for a hearing must be received by LRAPA within 90 days of service of the notice on the permittee and the request must state the grounds for the request. The hearing will be conducted as a contested case hearing under ORS 183.413 through 183.470 and LRAPA Title 14. The revocation or refusal to renew becomes final without further action by LRAPA if a request for a hearing is not received within the 90 days. If a request for a hearing is timely received, the revocation or refusal to renew will remain in place until issuance of a final order. [LRAPA 37-0082(4)(b)]
- G30. Any hearing requested shall be conducted pursuant to the rules of LRAPA. [LRAPA Title 14]

Asbestos

- G31. The permittee must comply with the asbestos abatement requirements in LRAPA Title 43 for all activities involving asbestos-containing materials, including, but not limited to, demolition, renovation, repair, construction, and maintenance. [LRAPA Title 43]

[Revised 1/12/2018]



**ATTACHMENT A**  
**40 CFR Subpart BBBBBB**

**40 CFR 63.11092(f)**

(f) The annual certification test for gasoline cargo tanks shall consist of the test methods specified in paragraphs (f)(1) or (f)(2) of this section. Affected facilities that are subject to subpart XX of 40 CFR part 60 may elect, after notification to the subpart XX delegated authority, to comply with paragraphs (f)(1) and (2) of this section.

(1) *EPA Method 27, Appendix A-8, 40 CFR part 60.* Conduct the test using a time period (t) for the pressure and vacuum tests of 5 minutes. The initial pressure (P<sub>i</sub>) for the pressure test shall be 460 millimeters (mm) of water (18 inches of water), gauge. The initial vacuum (V<sub>i</sub>) for the vacuum test shall be 150 mm of water (6 inches of water), gauge. The maximum allowable pressure and vacuum changes ( $\Delta p$ ,  $\Delta v$ ) for all affected gasoline cargo tanks is 3 inches of water, or less, in 5 minutes.

**40 CFR 63.11094(b)(2)(i) through (viii)**

(2) The documentation file shall be kept up-to-date for each gasoline cargo tank loading at the facility. The documentation for each test shall include, as a minimum, the following information:

(i) *Name of test:* Annual Certification Test—Method 27 or Periodic Railcar Bubble Leak Test Procedure.

(ii) Cargo tank owner's name and address.

(iii) Cargo tank identification number.

(iv) Test location and date.

(v) Tester name and signature.

(vi) *Witnessing inspector, if any:* Name, signature, and affiliation.

(vii) *Vapor tightness repair:* Nature of repair work and when performed in relation to vapor tightness testing.

(viii) *Test results:* Test pressure; pressure or vacuum change, mm of water; time period of test; number of leaks found with instrument; and leak definition.