John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

6/10/2013

Certified Mail

Bill Couts
Ohio Oil Gathering, LLC. - Black Run Terminal
9320 Black Run Road
Nashport, OH 43830

RE: FINALAIR POLLUTION PERMIT-TO-INSTALL
Facility ID: 0660000236
Permit Number: P0114876
Permit Type: OAC Chapter 3745-31 Modification
County: Muskingum

No	TOXIC REVIEW
No	PSD
No	SYNTHETIC MINOR TO AVOID MAJOR NSR
No	CEMS
Yes	MACT/GACT
No	NSPS
No	NESHAPS
No	NETTING
No	MAJOR NON-ATTAINMENT
No	MODELING SUBMITTED
No	MAJOR GHG
No	SYNTHETIC MINOR TO AVOID MAJOR GHG

Dear Permit Holder:

Enclosed please find a final Ohio Environmental Protection Agency (EPA)Air Pollution Permit-to-Install (PTI) which will allow you to install or modify the described emissions unit(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions, we urge you to read it carefully. Because this permit contains conditions and restrictions, please read it very carefully. In this letter you will find the information on the following topics:

- **How to appeal this permit**
- **How to save money, reduce pollution and reduce energy consumption**
- **How to give us feedback on your permitting experience**
- **How to get an electronic copy of your permit**

How to appeal this permit

The issuance of this PTI is a final action of the Director and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of $70.00, made payable to “Ohio Treasurer Josh Mandel," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General’s Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, OH 43215

How to save money, reduce pollution and reduce energy consumption

The Ohio EPA is encouraging companies to investigate pollution prevention and energy conservation. Not only will this reduce pollution and energy consumption, but it can also save you money. If you would like to learn ways you can save money while protecting the environment, please contact our Office of Compliance Assistance and Pollution Prevention at (614) 644-3469. Additionally, all or a portion of the capital expenditures related to installing air pollution control equipment under this permit may be eligible for financing and State tax exemptions through the Ohio Air Quality Development Authority (OAQDA) under Ohio Revised Code Section 3706. For more information, see the OAQDA website: www.ohioairquality.org/clean_air

How to give us feedback on your permitting experience

Please complete a survey at www.epa.ohio.gov/dapc/permitsurvey.aspx and give us feedback on your permitting experience. We value your opinion.

How to get an electronic copy of your permit

This permit can be accessed electronically via the eBusiness Center: Air Services in Microsoft Word format or in Adobe PDF on the Division of Air Pollution Control (DAPC) Web page, www.epa.ohio.gov/dapc by clicking the "Search for Permits" link under the Permitting topic on the Programs tab.

If you have any questions, please contact Ohio EPA DAPC, Southeast District Office at (740)385-8501 or the Office of Compliance Assistance and Pollution Prevention at (614) 644-3469.

Sincerely,

Michael W. Ahern

Michael W. Ahern, Manager
Permit Issuance and Data Management Section, DAPC

Cc: U.S. EPA
Ohio EPA-SEDO; West Virginia

FINAL

Division of Air Pollution Control
Permit-to-Install
for
Ohio Oil Gathering, LLC. - Black Run Terminal

Facility ID:	0660000236
Permit Number:	P0114876
Permit Type:	OAC Chapter 3745-31 Modification
Issued:	6/10/2013
Effective:	6/10/2013

Division of Air Pollution Control
Permit-to-Install
for
Ohio Oil Gathering, LLC. - Black Run Terminal

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Authorization

Facility ID:	0660000236
Facility Description:	
Application Number(s):	A0047982
Permit Number:	P0114876
Permit Description:	This PTI is to install a temporary flare to control VOC and HAP emissions at the railcar loading rack in order to accomodate light crude oil. Also, this PTI covers unpaved roadways and parking areas in order to accomodate increased vehicle traffic.
Permit Type:	OAC Chapter 3745-31 Modification
Permit Fee:	$600.00
Issue Date:	6/10/2013
Effective Date:	6/10/2013

This document constitutes issuance to:

Ohio Oil Gathering, LLC. - Black Run Terminal
9320 Black Run Road
Nashport, OH 43830

of a Permit-to-Install for the emissions unit(s) identified on the following page.

Ohio Environmental Protection Agency (EPA) District Office or local air agency responsible for processing and administering your permit:

Ohio EPA DAPC, Southeast District Office
2195 Front Street
Logan, OH 43138
(740)385-8501

The above named entity is hereby granted a Permit-to-Install for the emissions unit(s) listed in this section pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the emissions unit(s) of environmental pollutants will operate in compliance with applicable State and Federal laws and regulations, and does not constitute expressed or implied assurance that if constructed or modified in accordance with those plans and specifications, the above described emissions unit(s) of pollutants will be granted the necessary permits to operate (air) or NPDES permits as applicable.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Scott J. Nally
Director

Authorization (continued)

Permit Number: P0114876
Permit Description: This PTI is to install a temporary flare to control VOC and HAP emissions at the railcar loading rack in order to accomodate light crude oil. Also, this PTI covers unpaved roadways and parking areas in order to accomodate increased vehicle traffic.

Permits for the following Emissions Unit(s) or groups of Emissions Units are in this document as indicated below:

Emissions Unit ID:	**F001**
Company Equipment ID:	Roadways & Parking
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable
Emissions Unit ID:	**J001**
Company Equipment ID:	Railcar Loading Facility
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable

A. Standard Terms and Conditions

1. Federally Enforceable Standard Terms and Conditions

a) All Standard Terms and Conditions are federally enforceable, with the exception of those listed below which are enforceable under State law only:

(1) Standard Term and Condition A.2.a), Severability Clause

(2) Standard Term and Condition A.3.c) through A. 3.e)General Requirements

(3) Standard Term and Condition A.6.c) and A. 6.d), Compliance Requirements

(4) Standard Term and Condition A.9., Reporting Requirements

(5) Standard Term and Condition A.10., Applicability

(6) Standard Term and Condition A.11.b) through A.11.e), Construction of New Source(s) and Authorization to Install

(7) Standard Term and Condition A.14., Public Disclosure

(8) Standard Term and Condition A.15., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

(9) Standard Term and Condition A.16., Fees

(10) Standard Term and Condition A.17., Permit Transfers

2. Severability Clause

a) A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.

b) All terms and conditions designated in parts B and C of this permit are federally enforceable as a practical matter, if they are required under the Act, or any of its applicable requirements, including relevant provisions designed to limit the potential to emit of a source, are enforceable by the Administrator of the U.S. EPA and the State and by citizens (to the extent allowed by section 304 of the Act) under the Act. Terms and conditions in parts B and C of this permit shall not be federally enforceable and shall be enforceable under State law only, only if specifically identified in this permit as such.

3. General Requirements

a) The permittee must comply with all terms and conditions of this permit. Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and re-issuance, or modification.

b) It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the federally enforceable terms and conditions of this permit.

c) This permit may be modified, revoked, or revoked and reissued, for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or revocation, or of a notification of planned changes or anticipated noncompliance does not stay any term and condition of this permit.

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

e) The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying or revoking this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Director or an authorized representative of the Director, copies of records required to be kept by this permit. For information claimed to be confidential in the submittal to the Director, if the Administrator of the U.S. EPA requests such information, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

4. Monitoring and Related Record Keeping and Reporting Requirements

a) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:

(1) The date, place (as defined in the permit), and time of sampling or measurements.

(2) The date(s) analyses were performed.

(3) The company or entity that performed the analyses.

(4) The analytical techniques or methods used.

(5) The results of such analyses.

(6) The operating conditions existing at the time of sampling or measurement.

b) Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

c) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall submit required reports in the following manner:

(1) Reports of any required monitoring and/or recordkeeping of federally enforceable information shall be submitted to the Ohio EPA DAPC, Southeast District Office.

(2) Quarterly written reports of (i) any deviations from federally enforceable emissionlimitations, operationalrestrictions, andcontroldeviceoperatingparameterlimitations, excluding deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06, that have been detected by the testing, monitoring and recordkeeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures taken, shall be made to the Ohio EPA DAPC, Southeast District Office. The written reports shall be submitted (i.e., postmarked) quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. See A.15. below if no deviations occurred during the quarter.

(3) Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, andreportingrequirements contained in this permit shall be submitted (i.e., postmarked) to the Ohio EPA DAPC, Southeast District Office every six months, by January 31 and July 31 of each year for the previous six calendar months. If no deviations occurred during a six-month period, the permittee shall submit a semi-annual report, which states that no deviations occurred during that period.

(4) This permit is for an emissions unit located at a Title V facility. Each written report shall be signed by a responsible official certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.

d) The permittee shall report actual emissions pursuant to OAC Chapter 3745-78 for the purpose of collecting Air Pollution Control Fees.

5. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction, i.e., upset, of any emissions units or any associated air pollution control system(s) shall be reported to the Ohio EPA DAPC, Southeast District Office in accordance with paragraph (B) of OAC rule 3745-15-06. (The definition of an upset condition shall be the same as that used in OAC rule 3745-15-06(B)(1) for a malfunction.) The verbal and written reports shall be submitted pursuant to OAC rule 3745-15-06.

Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emission unit(s) that is (are) served by such control system(s).

6. Compliance Requirements

a) The emissions unit(s) identified in this Permit shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.

b) Any document (including reports) required to be submitted and required by a federally applicable requirement in this permit shall include a certification by a responsible official that, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.

c) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:

(1) At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.

(2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with ORC section 3704.08.

(3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.

(4) As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.

d) The permittee shall submit progress reports to the Ohio EPA DAPC, Southeast District Office concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:

(1) Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.

(2) An explanation of why any dates in any schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

7. Best Available Technology

As specified in OAC Rule 3745-31-05, new sources that must employ Best Available Technology (BAT) shall comply with the Applicable Emission Limitations/Control Measures identified as BAT for each subject emissions unit.

8. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

9. Reporting Requirements

The permittee shall submit required reports in the following manner:

a) Reports of any required monitoring and/or recordkeeping of state-only enforceable information shall be submitted to the Ohio EPA DAPC, Southeast District Office.

b) Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from state-only required emission limitations, operational restrictions, and control device operating parameter limitations that have

been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the Ohio EPA DAPC, Southeast District Office. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted (i.e., postmarked) quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

10. Applicability

This Permit-to-Install is applicable only to the emissions unit(s) identified in the Permit-to-Install. Separate application must be made to the Director for the installation or modification of any other emissions unit(s).

11. Construction of New Sources(s) and Authorization to Install

a) This permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. This permit does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the application and terms and conditions of this permit. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of OAC rule 3745-31-02. Furthermore, issuance of this permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Issuance of this permit is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet the requirements of this permit or cannot meet applicable standards.

b) If applicable, authorization to install any new emissions unit included in this permit shall terminate within eighteen months of the effective date of the permit if the owner or operator has not undertaken a continuing program of installation or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

c) The permittee may notify Ohio EPA of any emissions unit that is permanently shut down (i.e., the emissions unit has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31) by submitting a certification from the authorized official that identifies the date on which the emissions unit was permanently shut down. Authorization to operate the affected emissions unit shall cease upon the date certified by the authorized official that the emissions unit was permanently shut down. At a minimum, notification of permanent shut down shall be made or confirmed by marking the affected emissions unit(s) as “permanently shut down” in Ohio EPA’s “Air Services” along with the date the emissions unit(s) was permanently removed and/or disabled. Submitting the facility profile update will constitute notifying of the permanent shutdown of the affected emissions unit(s).

d) The provisions of this permit shall cease to be enforceable for each affected emissions unit after the date on which an emissions unit is permanently shut down (i.e., emissions unit has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31). All records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law. All reports required by this permit must be submitted for any period an affected emissions unit operated prior to permanent shut down. At a minimum, the permit requirements must be evaluated as part of the reporting requirements identified in this permit covering the last period the emissions unit operated.

No emissions unit certified by the authorized official as being permanently shut down may resume operation without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31.

e) The permittee shall comply with any residual requirements related to this permit, such as the requirement to submit a deviation report, air fee emission report, or other any reporting required by this permit for the period the operating provisions of this permit were enforceable, or as required by regulation or law. All reports shall be submitted in a form and manner prescribed by the Director. All records relating to this permit must be maintained in accordance with law.

12. Permit-To-Operate Application

The permittee is required to apply for a Title V permit pursuant to OAC Chapter 3745-77. The permittee shall submit a complete Title V permit application or a complete Title V permit modification application within twelve (12) months after commencing operation of the emissions units covered by this permit. However, if the proposed new or modified source(s) would be prohibited by the terms and conditions of an existing Title V permit, a Title V permit modification must be obtained before the operation of such new or modified source(s) pursuant to OAC rule 3745-77-04(D) and OAC rule 3745-77-08(C)(3)(d).

13. Construction Compliance Certification

The applicant shall identify the following dates in the online facility profile for each new emissions unit identified in this permit.

a) Completion of initial installation date shall be enteredupon completion of construction and prior to start-up.

b) Commence operation after installation or latest modification date shall be entered within 90 days after commencing operation of the applicable emissions unit.

14. Public Disclosure

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC rule 3745-49-03.

15. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly (i.e., postmarked), by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

16. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78. The permittee shall pay all applicable permit-to-install fees within 30 days after the issuance of any permit-to-install. The permittee shall pay all applicable permit-to-operate fees within thirty days of the issuance of the invoice.

17. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The new owner must update and submit the ownership information via the “Owner/Contact Change” functionality in Air Services once the transfer is legally completed.The change must be submitted through Air Services within thirty days of the ownership transfer date.

18. Risk Management Plans

If the permittee is required to develop and register a risk management plan pursuant to section 112(r) of the Clean Air Act, as amended, 42 U.S.C. 7401 et seq. ("Act"), the permittee shall comply with the requirement to register such a plan.

19. Title IV Provisions

If the permittee is subject to the requirements of 40 CFR Part 72 concerning acid rain, the permittee shall ensure that any affected emissions unit complies with those requirements. Emissions exceeding any allowances that are lawfully held under Title IV of the Act, or any regulations adopted thereunder, are prohibited.

B. Facility-Wide Terms and Conditions

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:

   a) None.

2. Emissions unit J001 contained in this permit is subject to 40 CFR Part 63, Subpart EEEE and Subpart SS. The complete MACT requirements, including the MACT General Provisions, may be accessed via the internet from the Electronic Code of Federal Regulation (e-CFR) website http://ecfr.gpoaccess.gov or by contacting the appropriate Ohio EPA District office or local air agency.

3. This facility consists of the following affected facilities under 40 CFR part 63, Subpart EEEE:

   a) All storage tanks storing organic liquids (EUs T001 and T003);
   b) All transfer racks at which organic liquids are loaded into or unloaded out of transport vehicles and/or containers;
   c) All equipment leak components in organic liquids service that are associated with: (i) storage tanks storing organic liquids; (ii) transfer racks loading or unloading organic liquids; (iii) pipelines that transfer organic liquids directly between a storage tank subject to this subpart and a transfer rack subject to this subpart.
   d) All transport vehicles while they are loading or unloading organic liquids at transfer racks subject to this subpart.

   See 40 CFR part 63, Subpart EEEE [40 CFR 63.2330 - 63.2406]

4. The 9.51 mmBtu/hr temporary flare associated with emissions unit J001 will cease operation at the time that a permanent flare to control J001 is installed.

C. Emissions Unit Terms and Conditions

1. F001, Roadways and Parking

Operations, Property and/or Equipment Description:

Unpaved roadways and parking areas with a maximum of 3,014 VMT/yr

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.

(1) None.

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operation(s), property, and/or equipment that constitute each emissions unit along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures are identified below. Emissions from each unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-31-05(A)(3), as effective 11/30/01	Particulate emissions (PE) shall not exceed 0.25 ton per year. No visible PE except for 3 minutes during any 60-minute period. Best available control measures that are sufficient to minimize or eliminate visible PE of fugitive dust. See b)(2)a. and b)(2)c.) through b)(2)h. below.
b.	OAC rule 3745-31-05(A)(3)(bi), as effective 12/01/06	See b)(2)b. below.

(2) Additional Terms and Conditions

a. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to OAC rule 3745-31-05(A)(3), as effective November 30, 2001, in this permit. On December 1, 2006, paragraph (A)(3) of OAC rule 3745-31-05 was revised to conform to ORC changes effective August 3, 2006 (S.B. 265 changes), such that BAT is no longer required by State regulation for NAAQS pollutant emissions less than ten tons per year. However, that rule revision has not yet been approved by U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revision to OAC rule 3745-31-05, the requirement to satisfy BAT still exists as part of the federally–approved SIP for Ohio. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05, then these emission limits/control measures no longer apply.

b. This rule paragraph applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the SIP.

The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the PE from this air contaminant source since the uncontrolled potential to emit for PE is less than 10 tons/yr.

c. The permittee shall employ best available control measures on all unpaved roadways and parking areas for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's application, the permittee has committed to treat the unpaved roadways and parking areas by application of chemical stabilization/dust suppressants and/or watering at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

d. The needed frequencies of implementation of the control measures shall be determined by the permittee's inspections pursuant to the monitoring section of this permit. Implementation of the control measures shall not be necessary for unpaved roadways and parking areas that are covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by its use.

e. The permittee shall promptly remove, in such a manner as to minimize or prevent resuspension, earth and/or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means.

f. Open-bodied vehicles transporting materials likely to become airborne shall have such materials covered at all times if the control measure is necessary for the materials being transported.

g. Any unpaved roadway or parking area, which during the term of this permit is paved or takes the characteristics of paved surface due to application of certain types of dust suppressants, may be controlled with the control measure specified above for paved surfaces. Any unpaved roadway or parking area that takes the characteristics of a paved roadway or parking area due to the application of certain types of dust suppressants shall remain subject to the visible emissions limitation for unpaved roadways and parking areas. Any unpaved roadway or parking area that is paved shall be subject to the visible emissions limitation of no VEs except for one minute during any 60-minute period.

h. Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the best available technology requirements of OAC rule 3745-31-05(A)(3).

c) Operational Restrictions

(1) None.

d) Monitoring and/or Recordkeeping Requirements

(1) Except as otherwise provided in this section, the permittee shall perform inspections of each of the roadway segments and parking areas in accordance with the following frequencies:

unpaved roadways and parking areas	minimum inspection frequency
all roads and parking areas	daily

(2) The purpose of the inspections is to determine the need for implementing the above-mentioned control measures. The inspections shall be performed during representative, normal traffic conditions. No inspection shall be necessary for a roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above-identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.

(3) The permittee shall maintain records of the following information:

a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;

b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;

c. the dates the control measures were implemented; and

d. on a calendar quarter basis, the total number of days the control measures were implemented and the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measures.

The information required in Term d)(3)d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

e) Reporting Requirements

(1) Unless other arrangements have been approved by the Director, all notifications and reports shall be submitted through the Ohio EPA's eBusiness Center: Air Services online web portal.

(2) The permittee shall submit deviation reports that identify any of the following occurrences:

a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and

b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.

(3) The deviation reports shall be submitted in accordance with the reporting requirements of the Standard Terms and Conditions of this permit.

f) Testing Requirements

(1) Compliance with the Emissions Limitations and/or Control Requirements specified in section b) of these terms and conditions shall be determined in accordance with the following methods:

a. Emissions Limitation:

PE shall not exceed 0.25 ton per year.

Applicable Compliance Method:

$EF = ((k*(s/12)^{a}*(W/3)^{b}))((365-p)/365)$

where:

EF = size-specific emission factor (lb/VMT)
s = 6.4% surface material silt content
W = 9.74 tons average vehicle weight (tons)
P = 140 days/yr with >0.01 inch precipitation (130-150)
VMT = 3,014 miles/yr
k = 4.9 (dimension less constant) particle size multiplier
a = 0.7 (dimension less constant)
b = 0.45 (dimension less constant)

Therefore, EF = 3.30lbs particulate/VMT

Maximum travel = 3,014 VMT/year (as submitted in application)

(3,014 VMT/yr)(3.30lbs/VMT) = 9,946lbs of particulate/year

(9,946lbs/year)(1 ton/2000 lbs) = 4.98 tons of particulate uncontrolled/year

Assume 95% control for roadway watering (Cleveland SIP study)

(4.98 tons/year) (1-0.95) = 0.25 ton of particulate controlled/year

b. Emissions Limitation:

No visible PE from unpaved roadways and parking areas except for a period of time not to exceed 3 minutes during any 60-minute observation period.

Applicable Compliance Method:

If required, visible particulate emissions shall be determined according to USEPA Method 22.

g) Miscellaneous Requirements

(1) None.

2. J001, Railcar Loading Rack with flare

Operations, Property and/or Equipment Description:

Railcar loading rack with maximum hourly throughput of 42,000 gallons (367,920,000 gallons annually) of crude or light crude oil controlling HAP and VOC emissions with a temporary flare rated at a maximum of 9.51 mmBtu per hour with a 98% control efficiency and a 100% capture efficiency

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.

(1) g)(1).

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operation(s), property, and/or equipment that constitute each emissions unit along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures are identified below. Emissions from each unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	ORC 3704.03(T)	Carbon monoxide (CO) emissions shall not exceed 0.55 lb/mmBtu. The volatile organic compound (VOC) emission limitation specified by this rule is equivalent to the emission limitation established pursuant to 40 CFR Part 63, Subpart EEEE.
b.	OAC rule 3745-31-05(A)(3), as effective 11/30/01	Nitrogen oxide (NO_x) emissions shall not exceed 0.138lb/mmBtu and 5.75 tons per year. Sulfur dioxide (SO_2) emissions shall not exceed 0.00056 lb/mmBtu and 0.02 ton per year. Particulate emissions (PE) shall not exceed 0.0059 lb/mmBtu and 0.25 ton per year. See b)(2)a. below
c.	OAC rule 3745-31-05(A)(3)(b), as effective 12/01/06	See b)(2)b. below.
b.	40 CFR, Part 63, Subpart EEEE [40 CFR 63.2330 – 63.2406]	For all such loading arms at the rack, reduce emissions of total organic HAP (or, upon approval, TOC) from the loading

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
	[In accordance with 40 CFR 63.2334, this emissions unit is an affected source consisting of an existing organic liquids distribution (OLD) operation,subject to the emissionlimitations/controlmeasures specified in this section.]	of organic liquids by venting the emissions that occur during loading through a closed vent system to any combination of control devices meeting the applicable requirements of 40 CFR part 63, subpart SS, achieving at least 98 weight-percent HAP reduction. [40 CFR part 63, Subpart EEEE, Table 2]
c.	40 CFR, Part 63, Subpart A [40 CFR 63.1 through 63.15]	Table 12 to 40 CFR, Part 63, Subpart EEEE – Applicability of General Provisions to Subpart EEEE shows which parts of the General Provisions in 40 CFR 63.1 - 63.15 apply. The General Provisions in 63.1-63.15 do not apply to 40 CFR part 63, Subpart SS except as specified in a referencing subpart.
d.	40 CFR, Part 63, Subpart SS [40 CFR 63.980 – 63.999] [In accordance with 40 CFR 63.980, the provisions of Subpart SS include requirements for closed vent systems, control devices and routing of air emissions to a fuel gas system or process. These provisions apply since 40 CFR, Part 63, Subpart EEEE references the use of this Subpart for such air emission.]	Flares shall be designed for and operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. [40 CFR 63.987(a) and 40 CFR 63.11(b)(4)]

(2) Additional Terms and Conditions

a. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to OAC rule 3745-31-05(A)(3), as effective November 30, 2001, in this permit. On December 1, 2006, paragraph (A)(3) of OAC rule 3745-31-05 was revised to conform to ORC changes effective August 3, 2006 (S.B. 265 changes), such that BAT is no longer required by State regulation for NAAQS pollutant emissions less than ten tons per year. However, that rule revision has not yet been approved by U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revision to OAC rule 3745-31-05, the requirement to satisfy BAT still exists as part of the federally–approved SIP for Ohio. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05, then these emission limits/control measures no longer apply.

b. This rule paragraph applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the SIP.

The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the NO_x, SO_2 and PE from this air contaminant source since the uncontrolled potential to emit for NO_x, SO_2 and PE is less than 10 tons/yr.

c. Existing affected sources must comply with the emissions limitation, operating limits, and work practice standards for existing affected sources no later than February 5, 2007.

d. No later than 180 days after the initial startup, the permittee shall demonstrate compliance with the applicable requirements of 40 CFR 63.997(b) and (c), and 63.999(a).

e. All collected gas shall be vented to a flare designed and operated as follows:

i. The flare shall be operated with a flame present at all times when gases are vented to it. The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame. The net heating value of the gas being combusted and the actual exit velocity shall be calculated as required in the Testing Section of this permit.

ii. The net heating value (HT) of the gas being combusted and actual exit velocity of the flare shall be calculated as required in the Testing Section of this permit.

f. Flares shall be air-assisted and shall comply with the following requirements for the heat content in paragraph “i” and the maximum tip velocity in paragraph “ii”:

i. Air-assisted flares shall have a net heating value of 300 Btu/scf (11.2 MJ/scm) or greater, for the gas being combusted.

ii. Air-assisted flares shall be designed and operated with an exit velocity less than the velocity V_{max}, calculated as follows:

$V_{max} = 8.706 + 0.7084\ (H_T)$
where:
V_{max} = maximum permitted velocity, m/sec;
8.706 = constant;
0.7084 = constant; and
H_T = the net heating value as determined in the Testing Section of this permit.

g. When using the flare as a control device for J001, the permittee shall meet the requirements in 63.983 for closed vent systems; 63.987 for flares; 63.997(a), (b) and (c) for provisions regarding flare compliance assessments; the monitoring,

recordkeeping, and reporting requirements referenced therein; and the applicable recordkeeping and reporting requirements of 63.998 and 63.999.

h. The permittee shall operate any flare used to comply with 40 CFR 63.2346(b)(1) in accordance with the requirements of 40 CFR 63.987(a) through (c), as specified in 40 CFR, Part 63, Subpart EEEE, Table 2, option 8.

i. Pursuant to 40 CFR 63.987(a), flares used to comply with 40 CFR 63.987 shall comply with the requirements of 40 CFR 63.11.

c) Operational Restrictions

(1) See 40 CFR Part 63, Subpart EEEE [40 CFR 63.2330 - 63.2406].

(2) See 40 CFR Part 63, Subpart SS [40 CFR 63.980 - 63.999].

d) Monitoring and/or Recordkeeping Requirements

(1) See 40 CFR Part 63, Subpart EEEE [40 CFR 63.2330 - 63.2406].

(2) See 40 CFR Part 63, Subpart SS [40 CFR 63.980 - 63.999].

e) Reporting Requirements

(1) Unless other arrangements have been approved by the Director, all notifications and reports shall be submitted through the Ohio EPA's eBusiness Center: Air Services online web portal.

(2) The permittee shall submit quarterly deviation reports that identify all periods of time during which the pilot flame was not functioning properly or the flare was not maintained as required in this permit. The reports shall include the date, time, and duration of each such period.

(3) See 40 CFR Part 63, Subpart EEEE [40 CFR 63.2330 - 63.2406].

(4) See 40 CFR Part 63, Subpart SS [40 CFR 63.980 - 63.999].

f) Testing Requirements

(1) Compliance with the Emissions Limitations and/or Control Requirements specified in section b) of these terms and conditions shall be determined in accordance with the following methods:

a. Emissions Limitation:

CO emissions shall not exceed 0.55 lb/mmBtu.

Applicable Compliance Method:

Compliance shall be based upon an emission factor of 0.55lb/mmBtu specified in TNRCC RG-109 “Air Permits Technical Guidance for Chemical Sources: Flares and Vapor Oxidizers”, Table 4.

If required, carbon monoxide emissions shall be determined according to test Methods 1 - 4, and 10 as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60 "Standards of Performance for New Stationary Sources". Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Southeast District Office.

b. Emissions Limitations:

NO_x emissions shall not exceed 0.138 lb/mmBtu and 5.75 tons per year.

Applicable Compliance Method:

Compliance shall be based upon an emission factor of 0.138 lb/mmBtu specified in TNRCC RG-109 “Air Permits Technical Guidance for Chemical Sources: Flares and Vapor Oxidizers”, Table 4.

If required, nitrogen oxides emissions shall be determined according to test Methods 1 - 4, and 7 as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60 "Standards of Performance for New Stationary Sources". Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Southeast District Office.

The annual NO_x emissions limitations were determined by multiplying the emissions factorof 0.138 lb/mmBtuby the maximum heat input capacity of 9.51mmBtu/hr., then by multiplying by the maximum hours operated, 8,760 hours/year, and dividing by 2,000 pounds/ton.

c. Emission Limitation:

SO_2 emissions shall not exceed 0.00056 lb/mmBtu and 0.02 ton per year.

Applicable Compliance Method:

Compliance with the lb/million BTU emission limitation shall be based upon an emission factor of 0.00056lb/million BTU calculated by the following:

[(standard sulfur content of 2,000 gr/mmscf / 7,000 gr/lb) * (sulfur MW of 64.06 lb/lbmol / SO2 MW of 32.07 lb/lbmol)] / heating value of natural gas of 1,020 BTU/cubic foot (per permittee’s application).

If required, SO_2 emissions shall be determined according to test Methods 1 - 4, and 6 as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60 "Standards of Performance for New Stationary Sources". Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Southeast District Office.

The annual SO_2emissions limitations were determined by multiplying the emissions factor of 0.00056lb/mmBtu by the maximum heat input capacity of 9.51 mmBtu/hr., then by multiplying by the maximum hours operated, 8,760 hours/year, and dividing by 2,000 pounds/ton.

d. Emissions Limitations:

PE shall not exceed 0.0059 lb/mmBtu and 0.25 ton per year.

Applicable Compliance Method:

Compliance shall be based upon an emission factor of 0.0059 lb/mmBtu specified in AP-42 section 1.4, table 1.4-2, 7/1998).

If required, particulate emissions shall be determined according to test Methods 1 - 5, as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60 "Standards of Performance for New Stationary Sources". Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Southeast District Office.

The annual PEemissions limitations were determined by multiplying the emissions factor of 0.0059lb/mmBtu by the maximum heat input capacity of 9.51 mmBtu/hr., then by multiplying by the maximum hours operated, 8,760 hours/year, and dividing by 2,000 pounds/ton.

e. Emissions Limitation:

For all such loading arms at the rack, reduce emissions of total organic HAP (or, upon approval, TOC) from the loading of organic liquids by venting the emissions that occur during loading through a closed vent system to any combination of control devices meeting the applicable requirements of 40 CFR part 63, subpart SS, achieving at least 98 weight-percent HAP reduction.

Applicable Compliance Method

An owner or operator is not required to conduct a performance test to determine percent emission reduction or outlet regulated material or total organic compound concentration when a flare is used.

f. Emissions Limitation:

There shall be no visible emissions from the flare, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

Applicable Compliance Method

Compliance with the visible emissions limitation shall be determined in accordance with U.S. EPA Method 22 in Appendix A of 40 CFR Part 60. See f)(4).

(2) The net heating value of the gas being combusted at the flare shall be calculated as follows:

$$H_T = k\sum_{i=1}^{n} C_i H_i$$

where:

H_T = net heating value of the sample, MJ/scm; where the net enthalpy per mole of off gas is based on combustion at 25 degrees Celsius and 760 mm Hg, but the standard temperature of 20 degrees Celsius is used for determining the volume corresponding to one mole;

k = constant, 1.740 x 10^{-7} (1/ppm) (g mole/scm) (MJ/kcal), where the standard temperature for "g mole/scm" is 20 degrees Celsius;

C_i = concentration of sample component "i" in ppm on a wet basis, as measured for organics by Reference Method 18 and measured for hydrogen and carbon monoxide by ASTM D1946-90;

H_i = net heat of combustion of sample component "i", kcal/g mole at 25 degrees Celsius and 760 mm Hg. The heats of combustion may be determined using ASTM D4809-95 if published values are not available or cannot be calculated;

i = subscript denoting a specific component in the sample; and

n = total number of components within the sample.

The conversion factor of "26.84 Btu scm/MJ scf" can be used to convert the net heating value of the gas (H_T) from MJ/scm to Btu/scf.

(3) The actual exit velocity of the flare shall be determined by dividing the volumetric flow rate (in units of standard temperature and pressure) of the flare header or headers that feed the flare, as determined by Reference Methods 2, 2A, 2C, or 2D (found in 40 CFR 60, Appendix A), as appropriate, by the unobstructed (free) cross-sectional area of the flare tip.

The conversion factor of 3.281 ft/m can be used to convert the velocity from m/sec to ft/sec.

(4) Performance testing shall be conducted as required in 40 CFR Part 63 Subpart SS and Subpart A. The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:

a. The initial performance testing shall be conducted not later than 180 days after the compliance date that is specified in 40 CFR 63.2342(b)(1) for this emissions unit pursuant to 40 CFR 63.2358(a). Testing shall be completed in accordance with the requirements in 40 CFR 63.987 in Subpart SS and 40 CFR 63.11(b)(4) in Subpart A.

b. The emission testing shall be conducted to demonstrate compliance with the visible emission limitation according to the requirements in 40 CFR 63.11(b)(4).

c. The test method(s) in 63.11(b)(4) of 40 CFR Subpart A shall be employed to demonstrate compliance with the allowable emission rate(s).

d. The test(s) shall be conducted under those representative conditions that challenge to the fullest extent possible a facility's ability to meet the applicable emissions limits and/or control requirements, unless otherwise specified or approved by the appropriate Ohio EPA District Office or local air agency. Although this generally consists of operating the emissions unit at its maximum material input/production rates and results in the highest emission rate of the tested pollutant, there may be circumstances where a lower emissions loading is deemed the most challenging control scenario. Failure to test under these conditions is justification for not accepting the test results as a demonstration of compliance.

e. Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the appropriate Ohio EPA District Office or local air agency. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Ohio EPA District Office's or local air agency's refusal to accept the results of the emission test(s).

f. Personnel from the appropriate Ohio EPA District Office or local air agency shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

g. A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the appropriate Ohio EPA District Office or local air agency within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the appropriate Ohio EPA District Office or local air agency.

(5) See 40 CFR Part 63, Subpart EEEE [40 CFR 63.2330 - 63.2406].

(6) See 40 CFR Part 63, Subpart SS [40 CFR 63.980 - 63.999].

g) Miscellaneous Requirements

(1) Modeling to demonstrate compliance with, the Toxic Air Contaminant Statute, ORC 3704.03(F)(4)(b), was not necessary because the emissions unit's maximum annual emissions for each toxic air contaminant, as defined in OAC rule 3745-114-01, will be less than 1.0 ton per year and per Ohio EPA's Engineering Guide #69, the pollutants are subject to MACT. OAC Chapter 3745 31 requires permittees to apply for and obtain a

new or modified PTI prior to making a "modification" as defined by OAC rule 3745 31 01. The permittee is hereby advised that changes in the composition of the materials, or use of new materials, that would cause the emissions of any toxic air contaminant to increase to above 1.0 ton per year may require the permittee to apply for and obtain a new PTI.