Ohio Environmental Protection Agency

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

Certified Mail

3/17/2010

No	TOXIC REVIEW
No	PSD
No	SYNTHETIC MINOR TO AVOID MAJOR NSR
No	CEMS
Yes	MACT
No	NSPS
No	NESHAPS
No	NETTING
No	MAJOR NON-ATTAINMENT
No	MODELING SUBMITTED
No	SYNTHETIC MINOR TO AVOID TITLE V
No	FEDERALLY ENFORCABLE PTIO (FEPTIO)

BOB MALLENDICK
SEAWAY FUELS TRUCKING INC
P.O. BOX 140638
TOLEDO, OH 43614-0638

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL AND OPERATE
Facility ID: 0448011295
Permit Number: P0106110
Permit Type: Renewal
County: Lucas

Dear Permit Holder:

Enclosed please find a final Air Pollution Permit-to-Install and Operate (PTIO) which will allow you to install, modify, and/or operate the described emissions unit(s) in the manner indicated in the permit. Because this permit contains conditions and restrictions, please read it very carefully. Please complete a survey at www.epa.ohio.gov/dapc/permitsurvey.aspx and give us feedback on your permitting experience. We value your opinion.

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 Kevin Boyce," 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
309 South Fourth Street, Room 222
Columbus, OH 43215

If you have any questions, please contact Toledo Department of Environmental Services at (419)936-3015 or the Office of Compliance Assistance and Pollution Prevention at (614) 644-3469. This permit can be accessed electronically on the DAPC Web page, www.epa.ohio.gov/dapc, by clicking the "Issued Air Pollution Control Permits" link.

Sincerely,

Michael W. Ahern

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

Cc: TDES

Ohio | Environmental Protection Agency

FINAL

Division of Air Pollution Control
Permit-to-Install and Operate
for
SEAWAY FUELS TRUCKING INC

Facility ID: 0448011295
Permit Number: P0106110
Permit Type: Renewal
Issued: 3/17/2010
Effective: 3/17/2010
Expiration: 3/17/2020

Ohio Environmental Protection Agency

Division of Air Pollution Control
Permit-to-Install and Operate
for
SEAWAY FUELS TRUCKING INC

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Authorization

Facility ID: 0448011295
Application Number(s): A0039236
Permit Number: P0106110
Permit Description: This is a permit to operate renewal.
Permit Type: Renewal
Permit Fee: $0.00
Issue Date: 3/17/2010
Effective Date: 3/17/2010
Expiration Date: 3/17/2020
Permit Evaluation Report (PER) Annual Date: Jan 1 - Dec 31, Due Feb 15

This document constitutes issuance to:

SEAWAY FUELS TRUCKING INC
2921 AIRPORT HIGHWAY
TOLEDO, OH 43609

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

Ohio EPA District Office or local air agency responsible for processing and administering your permit:

Toledo Department of Environmental Services
348 South Erie Street
Toledo, OH 43604
(419)936-3015

The above named entity is hereby granted this Permit-to-Install and Operate for the air contaminant source(s) (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 described emissions unit(s) will operate in compliance with applicable State and federal laws and regulations.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Chris Korleski
Director

Authorization (continued)

Permit Number: P0106110
Permit Description: This is a permit to operate renewal.

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

Emissions Unit ID:	**G001**
Company Equipment ID:	GDF
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable

A. Standard Terms and Conditions

1. What does this permit-to-install and operate ("PTIO") allow me to do?

This permit allows you to install and operate the emissions unit(s) identified in this PTIO. You must install and operate the unit(s) in accordance with the application you submitted and all the terms and conditions contained in this PTIO, including emission limits and those terms that ensure compliance with the emission limits (for example, operating, recordkeeping and monitoring requirements).

2. Who is responsible for complying with this permit?

The person identified on the "Authorization" page, above, is responsible for complying with this permit until the permit is revoked, terminated, or transferred. "Person" means a person, firm, corporation, association, or partnership. The words "you," "your," or "permittee" refer to the "person" identified on the "Authorization" page above.

The permit applies only to the emissions unit(s) identified in the permit. If you install or modify any other equipment that requires an air permit, you must apply for an additional PTIO(s) for these sources.

3. What records must I keep under this permit?

You must keep all records required by this permit, including monitoring data, test results, strip-chart recordings, calibration data, maintenance records, and any other record required by this permit for five years from the date the record was created. You can keep these records electronically, provided they can be made available to Ohio EPA during an inspection at the facility. Failure to make requested records available to Ohio EPA upon request is a violation of this permit requirement.

4. What are my permit fees and when do I pay them?

There are two fees associated with permitted air contaminant sources in Ohio:

- PTIO fee. This one-time fee is based on a fee schedule in accordance with Ohio Revised Code (ORC) section 3745.11, or based on a time and materials charge for permit application review and permit processing if required by the Director.

  You will be sent an invoice for this fee after you receive this PTIO and payment is due within 30 days of the invoice date. You are required to pay the fee for this PTIO even if you do not install or modify your operations as authorized by this permit.

- Annual emissions fee. Ohio EPA will assess a separate fee based on the total annual emissions from your facility. You self-report your emissions in accordance with Ohio Administrative Code (OAC) Chapter 3745-78. This fee assessed is based on a fee schedule in ORC section 3745.11 and funds Ohio EPA's permit compliance oversight activities. Unless otherwise specified, facilities subject to one or more synthetic minor restrictions must use Ohio EPA's "Air Services" to submit annual emissions associated with this permit requirement. Ohio EPA will notify you when it is time to report your emissions and to pay your annual emission fees.

5. When does my PTIO expire, and when do I need to submit my renewal application?

This permit expires on the date identified at the beginning of this permit document (see "Authorization" page above) and you must submit a renewal application to renew the permit. Ohio EPA will send a renewal notice to you approximately six months prior to the expiration date of this permit. However, it is very important that you submit a complete renewal permit application (postmarked prior to expiration of this permit) even if you do not receive the renewal notice.

If a complete renewal application is submitted before the expiration date, Ohio EPA considers this a timely application for purposes of ORC section 119.06, and you are authorized to continue operating the emissions unit(s) covered by this permit beyond the expiration date of this permit until final action is taken by Ohio EPA on the renewal application.

6. What happens to this permit if my project is delayed or I do not install or modify my source?

This PTIO expires 18 months after the issue date identified on the "Authorization" page above unless otherwise specified if you have not (1) started constructing the new or modified emission sources identified in this permit, or (2) entered into a binding contract to undertake such construction. This deadline can be extended by up to 12 months, provided you apply to Ohio EPA for this extension within a reasonable time before the 18-month period has ended and you can show good cause for any such extension.

7. What reports must I submit under this permit?

An annual permit evaluation report (PER) is required in addition to any malfunction reporting required by OAC rule 3745-15-06 or other specific rule-based reporting requirement identified in this permit. Your PER due date is identified in the Authorization section of this permit.

8. If I am required to obtain a Title V operating permit in the future, what happens to the operating provisions and PER obligations under this permit?

If you are required to obtain a Title V permit under OAC Chapter 3745-77 in the future, the permit-to-operate portion of this permit will be superseded by the issued Title V permit. From the effective date of the Title V permit forward, this PTIO will effectively become a PTI (permit-to-install) in accordance with OAC rule 3745-31-02(B). The following terms and conditions will no longer be applicable after issuance of the Title V permit: Section B, Term 1.b) and Section C, for each emissions unit, Term a)(2).

The PER requirements in this permit remain effective until the date the Title V permit is issued and is effective, and cease to apply after the effective date of the Title V permit. The final PER obligation will cover operations up to the effective date of the Title V permit and must be submitted on or before the submission deadline identified in this permit on the last day prior to the effective date of the Title V permit.

9. What are my obligations when I perform scheduled maintenance on air pollution control equipment?

You must perform scheduled maintenance of air pollution control equipment in accordance with OAC rule 3745-15-06(A). If scheduled maintenance requires shutting down or bypassing any air pollution control equipment, you must also shut down the emissions unit(s) served by the air pollution control equipment during maintenance, unless the conditions of OAC rule 3745-15-06(A)(3) are met. Any emissions that exceed permitted amount(s) under this permit (unless specifically exempted by rule) must be reported as deviations in the annual permit evaluation report (PER), including nonexempt excess emissions that occur during approved scheduled maintenance.

10. Do I have to report malfunctions of emissions units or air pollution control equipment? If so, how must I report?

If you have a reportable malfunction of any emissions unit(s) or any associated air pollution control system, you must report this to the Toledo Department of Environmental Services in accordance with OAC rule 3745-15-06(B). Malfunctions that must be reported are those that result in emissions that exceed permitted emission levels. It is your responsibility to evaluate control equipment breakdowns and operational upsets to determine if a reportable malfunction has occurred.

If you have a malfunction, but determine that it is not a reportable malfunction under OAC rule 3745-15-06(B), it is recommended that you maintain records associated with control equipment breakdown or process upsets. Although it is not a requirement of this permit, Ohio EPA recommends that you maintain records for non-reportable malfunctions.

11. Can Ohio EPA or my local air agency inspect the facility where the emission unit(s) is/are located?

Yes. Under Ohio law, the Director or his authorized representative may inspect the facility, conduct tests, examine records or reports to determine compliance with air pollution laws and regulations and the terms and conditions of this permit. You must provide, within a reasonable time, any information Ohio EPA requests either verbally or in writing.

12. What happens if one or more emissions units operated under this permit is/are shut down permanently?

Ohio EPA can terminate the permit terms associated with any permanently shut down emissions unit. "Shut down" means 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.

You should notify Ohio EPA of any emissions unit that is permanently shut down by submitting[1] a certification that identifies the date on which the emissions unit was permanently shut down. The certification must be submitted by an authorized official from the facility. You cannot continue to operate an emissions unit once the certification has been submitted to Ohio EPA by the authorized official.

[1] Permittees that use Ohio EPA's "Air Services" can mark the affected emissions unit(s) as "permanently shutdown" in the facility profile 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).

You must comply with all recordkeeping and reporting for any permanently shut down emissions unit in accordance with the provisions of the permit, regulations or laws that were enforceable during the period of operation, such as the requirement to submit a PER, air fee emission report, or malfunction report. You must also keep all records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, for at least five years from the date the record was generated.

Again, you cannot resume operation of any emissions unit certified by the authorized official as being permanently shut down without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31.

13. Can I transfer this permit to a new owner or operator?

You can transfer this permit to a new owner or operator. If you transfer the permit, you must follow the procedures in OAC Chapter 3745-31, including notifying Ohio EPA or the local air agency of the change in ownership or operator. Any transferee of this permit must assume the responsibilities of the transferor permit holder.

14. Does compliance with this permit constitute compliance with OAC rule 3745-15-07, "air pollution nuisance"?

This permit and OAC rule 3745-15-07 prohibit operation of the air contaminant source(s) regulated under this permit in a manner that causes a nuisance. Ohio EPA can require additional controls or modification of the requirements of this permit through enforcement orders or judicial enforcement action if, upon investigation, Ohio EPA determines existing operations are causing a nuisance.

15. What happens if a portion of this permit is determined to be invalid?

If a portion of this permit is determined to be invalid, the remainder of the terms and conditions remain valid and enforceable. The exception is where the enforceability of terms and conditions are dependent on the term or condition that was declared invalid.

B. Facility-Wide Terms and Conditions

1. This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).

   a) For the purpose of a permit-to-install document, the facility-wide terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.

      (1) None.

   b) For the purpose of a permit-to-operate document, the facility-wide terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.

      (1) None.

2. The following emissions unit contained in this permit is subject to 40 CFR, Part 63, Subpart CCCCCC, National Emission Standards for Hazardous Air Pollutants: Gasoline Dispensing Facilities: G001. The complete MACT requirements, including the MACT General Provisions may be accessed via the internet from the Electronic Code of federal Regulations (e-CFR) website http://ecfr.gpoaccess.gov or by contacting the appropriate Ohio EPA District office or local air agency.

C. Emissions Unit Terms and Conditions

1. G001, GDF

Operations, Property and/or Equipment Description:

Gasoline & diesel dispensing facility with (3) 8,000 gallon gasoline underground storage tanks; (1) 6,000 gallon diesel underground storage tank and (1) 2,000 gallon kerosene underground storage tanks. Uses Stage I controls.

a) This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).

(1) For the purpose of a permit-to-install document, the emissions unit terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.

a. None.

(2) For the purpose of a permit-to-operate document, the emissions unit terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.

a. None

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operations(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. 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 3745-21-09 (R)	See b)(2)a.
b.	40 CFR 63, subpart CCCCCC (40 CFR 63.11110-11132) [The affected source to which this subpart applies is each gasoline dispensing facility (GDF) that is located at an area source. The affected source includes each gasoline cargo tank during the delivery of product to a GDF and also includes each storage tank. The monthly gasoline throughput is less than 10,000 gallons per month.]	See b)(2)b.

(2) Additional Terms and Conditions

a. The permittee shall not cause, allow, or permit the transfer of gasoline at the gasoline dispensing facility, unless the following requirements are met:

i. each stationary gasoline storage tank shall be equipped and filled with a submerged fill pipe; and

ii. for any transfer of gasoline from a delivery vessel to a stationary storage tank located at the facility, the vapors displaced from the stationary storage tank shall be processed by one of the following systems:

(a) a vapor balance system which is designed and operated to route at least 90 percent, by weight, of the VOC in the displaced vapors to the delivery vessel and which is equipped with a means to prevent the discharge of displaced vapors from an unconnected vapor line; or

(b) a vapor control system which is designed and operated to recover at least 90 percent by weight of the VOC in the displaced vapors.

b. If your GDF has a monthly throughput of less than 10,000 gallons of gasoline, you must comply with the requirements in 40 CFR 63.11116.

c) Operational Restrictions

(1) The permittee shall comply with the following operational restrictions for the Stage I vapor control system:

a. The vapor balance and/or control system shall be kept in good working order and shall be used at all times during the transfer of gasoline.

b. There shall be no leaks in the delivery vessel pressure/vacuum relief valves and hatch covers.

c. There shall be no leaks in the vapor and liquid lines during the transfer of gasoline.

(2) The permittee shall repair any leak from the vapor balance or vapor control system within 15 days of detection, where the system is employed to meet the requirements of paragraph (R)(1) of OAC rule 3745-21-09 and when such leak is equal to or greater than 100 percent of the lower explosive limit as propane, as determined under paragraph (K) of OAC rule 3745-21-10. Leaks of gasoline vapors from the vapor balance or control system shall be detected as described in OAC 3745-21-10(K)(5), using a liquid manometer (or equivalent device) to measure pressure during loading of gasoline and a portable hydrocarbon gas analyzer to detect any leaks. The hydrocarbon gas analyzer shall be calibrated with 2.2% propane by volume in air (or equivalent calibration gas) for 100% of the lower explosive limit according to the procedures and frequency specified by the manufacturer.

(3) [40 CFR 63.11116(a)]
Gasoline shall not be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken to prevent vapor releases shall include, but not limited to, the following:

a. minimize gasoline spills;

b. clean up spills as expeditiously as practicable;

c. cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use; and

d. minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall maintain records of the results of each leak check conducted, for the vapor balance or control system, including, at a minimum, the following information:

a. the date of each inspection;

b. the findings of each inspection, which shall indicate the location, nature, and severity of the leak (highest detected reading);

c. a statement that the leak detection method from paragraph (K) of rule 3745-21-10 of the Administrative Code was used or identification of the approved alternative leak detection method applied;

d. the corrective action(s) taken to repair each leak and the date of final repair;

e. the reasons for any repair interval exceeding 15 calendar days (from the time of detection to the date of final repair) for each leak equal to or greater than one hundred per cent of the lower explosive limit as propane, as determined under paragraph (K) of rule 3745-21-10 of the Administrative Code; and

f. the inspector's name and signature.

(2) [40 CFR 63.1116]
The permittee shall maintain monthly records of the gasoline throughput for the gasoline dispensing facility (GDF) and shall demonstrate that the average monthly gasoline throughput is less than the threshold limit for the method of compliance, meeting the requirements of Section 40 CFR 63.11116.

(3) [40 CFR 63.11111(e)]
The records maintained to document the gasoline throughput of the GDF must be made available within 24 hours of any request by the Director or his or her representative.

e) Reporting Requirements

(1) Annual Permit Evaluation Report (PER) forms will be mailed to the permittee at the end of the reporting period specified in the Authorization section of this permit. The permittee shall submit the PER in the form and manner provided by the director by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit.

(2) Any leak(s) in the vapor balance system or vapor control system equal to or greater than 100 percent of the lower explosive limit as propane, as determined under paragraph (K) of OAC rule 3745-21-10 of the Administrative Code, that is/are not repaired within 15 days after identification, shall be identified in the PER and shall include the date the leak was detected, the highest gas analyzer reading, and the date the leak was repaired.

f) Testing Requirements

(1) None.

g) Miscellaneous Requirements

(1) None.