



Environmental
Protection Agency

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

10/14/2010

Gary Sampson
Kinder Morgan Liquids Terminal - Queen City Terminals
3801 KELLOGG AVE
Cincinnati, OH 45226

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL AND OPERATE

Facility ID: 1431072036
Permit Number: P0106877
Permit Type: OAC Chapter 3745-31 Modification
County: Hamilton

Certified Mail

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

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 Hamilton County Dept. of Environmental Services at (513)946-7777 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, Manager
Permit Issuance and Data Management Section, DAPC

Cc: HCDOES



FINAL

**Division of Air Pollution Control
Permit-to-Install and Operate
for**

Kinder Morgan Liquids Terminal - Queen City Terminals

Facility ID: 1431072036
Permit Number: P0106877
Permit Type: OAC Chapter 3745-31 Modification
Issued: 10/14/2010
Effective: 10/14/2010
Expiration: 12/23/2014



Division of Air Pollution Control
Permit-to-Install and Operate
for
Kinder Morgan Liquids Terminal - Queen City Terminals

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Authorization

Facility ID: 1431072036
Application Number(s): A0040245
Permit Number: P0106877
Permit Description: Permit modification of an existing emissions unit T038 to allow increased emissions.
Permit Type: OAC Chapter 3745-31 Modification
Permit Fee: \$750.00
Issue Date: 10/14/2010
Effective Date: 10/14/2010
Expiration Date: 12/23/2014
Permit Evaluation Report (PER) Annual Date: Apr 1 - Mar 31, Due May 15

This document constitutes issuance to:

Kinder Morgan Liquids Terminal - Queen City Terminals
3801 Kellogg Avenue
Cincinnati, OH 45226

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:

Hamilton County Dept. of Environmental Services
250 William Howard Taft Pkwy.
Cincinnati, OH 45219-2660
(513)946-7777

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: P0106877

Permit Description: Permit modification of an existing emissions unit T038 to allow increased emissions.

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

Emissions Unit ID:	T038
Company Equipment ID:	Storage Tank - T25
Superseded Permit Number:	P0098456
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 Hamilton County Dept. 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 submitting¹ 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.

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

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).

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.

C. Emissions Unit Terms and Conditions



1. T038, Storage Tank - T25

Operations, Property and/or Equipment Description:

756,000 gallon fixed roof storage tank for methyl methacrylate

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 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.

Table with 2 columns: Applicable Rules/Requirements and Applicable Emissions Limitations/Control Measures. Rows include OAC rule 3745-31-05(A)(3), OAC rule 3745-31-05(C), OAC rule 3745-31-05(D), OAC rule 3745-21-09(L), and 40 CFR Part 60, Subpart Kb.

(2) Additional Terms and Conditions

a. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to Ohio Administrative Code (OAC) paragraph 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 the Ohio Revised Code (ORC) changes effective August 3, 2006 (Senate Bill 265 changes), such that

BAT is no longer required by State regulations for National Ambient Air Quality Standards (NAAQS) pollutant(s) 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 revisions 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 limitations/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 State Implementation Plan.

P0106877 for this air contaminant source takes into account the following voluntary restrictions (including the use of any applicable air pollution control equipment) as proposed by the permittee for the purpose of avoiding Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3):

- i. The annual throughput for this emissions unit shall not exceed 5,500,000 gallons.
- ii. The use of submerged fill.

- c. The allowable emissions of Hazardous Air Pollutants (HAPs), as identified in Section 112(b) of Title III of the Clean Air Act, from emissions units T001 (Tank #6), T002 (Tank #2), T005 (Tank #5), T006 (Tank #1), T007 (Tank #7), T008 (Tank #8), T009 (Tank #9), T010 (Tank E), T011 (Tank #11), T012 (Tank #12), T013 (Tank #13), T014 (Tank K), T015 (Tank #10), T016 (Tank A), T017 (Tank B), T018 (Tank C), T019 (Tank D), T020 (Tank #15), T021 (Tank #16), T023 (Tank J), T024 (Tank L), T025 (Tank M), T026 (Tank N), T027 (Tank F), T028 (Tank #14), T029 (Tank #17), T030 (Tank #18), T031 (Tank #19), T032 (Tank #20), T033 (Tank #21), T034 (Tank #22), T035 (Tank #23), T036 (Tank #24), T037 (Tank #24), T038 (Tank #25) and other de minimis air contaminant sources, as defined in OAC rule 3745-15-05 and other air contaminant sources exempt from the requirement to obtain a permit to install pursuant to OAC rule 3745-31-03 installed subsequent to the issuance of this permit combined shall not exceed 9.9 tons per year (TPY) for any single HAP, as a rolling, 12-month summation and 24.9 TPY for any combination of HAPs, as a rolling, 12-month summation.

c) Operational Restrictions

- (1) The permittee shall operate and maintain equipment for submerged filling of the tank.
- (2) The annual throughput for this emissions unit shall not exceed 5,500,000 gallons.
- (3) The maximum true vapor pressure of any materials stored in this emissions unit shall not exceed 0.508 psia.
- (4) Prior to the change in material stored in this emissions unit, Kinder Morgan Liquids Terminals - Queen City Terminals, Inc. shall provide written notification to Hamilton County Department of Environmental Services (HCDOES). Such notification shall include the information, in an acceptable form, sufficient to determine that the proposed

change in materials comply with the conditions of this permit and all other applicable Ohio EPA rules. Within fifteen working days, HCDOES will notify Kinder Morgan Liquids Terminals - Queen City Terminals whether compliance has been demonstrated. If, in the opinion of the HCDOES, the material being stored may emit a toxic air contaminant, HCDOES will notify Kinder Morgan Liquids Terminals - Queen City Terminals within fifteen days whether a Permit to Install (PTI) is required to store the material. Kinder Morgan Liquids Terminals - Queen City Terminals shall not store the specific material until they have been notified that compliance has been demonstrated or whether or not a PTI is required.

d) Monitoring and/or Recordkeeping Requirements

- (1) The permittee shall maintain records of each material stored in this emissions unit, the period of storage, the throughput of each material stored, and the maximum true vapor pressure (in pounds per square inch absolute), as stored, of each liquid.
- (2) The permittee shall collect and record the following information each month to show compliance with b)(2)c.:
 - a. The name of each HAP* containing material stored or loaded.
 - b. The vapor pressure of each HAP containing material.
 - c. The throughput, in gallons, of each HAP containing material stored or loaded.
 - d. The total individual HAP emissions for each HAP from all HAP containing materials stored or loaded, in pounds or tons per month. (This shall be calculated by using the appropriate emissions factor for each individual HAP for each HAP containing material).
 - e. The total combined HAP emissions from all HAP containing materials stored or loaded, in pounds or tons per month. [This shall be calculated by adding the emissions from d. for each individual HAP emitted].
 - f. The updated rolling, 12-month summation for individual HAP emissions for each HAP, in pounds or tons. This shall include the information for the current month and the preceding eleven calendar months.
 - g. The updated rolling, 12-month summation for total combined HAP emissions, in pounds or tons. This shall include the information for the current month and the preceding eleven calendar months.

* A listing of the HAPs can be found in Section 112(b) of the Clean Air Act or can be obtained by contacting your Hamilton County Department of Environmental Services contact. This information does not have to be kept on a line-by-line basis.
- (3) The permittee shall maintain annual records of the volatile organic compound emissions from this emissions unit.

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) The permittee shall submit quarterly deviation (excursion) reports that identify any exceedance of the HAP emission limitations set forth in b)(2)c. The reports shall be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

f) Testing Requirements

- (1) Compliance with the HAP's emission limitations in b)(2)c. shall be demonstrated by the record keeping in d)(2).
- (2) Compliance with the throughput limit in c)(2) shall be demonstrated by the record keeping in d)(1).
- (3) Compliance with the vapor pressure limit in c)(3) shall be demonstrated by the record keeping in d)(1).
- (4) Compliance with the emission limitation in b)(1) of these terms and conditions shall be determined in accordance with the following methods:

a. Emission Limitation:

The volatile organic compound emissions from this emissions unit shall not exceed 3.75 tons per year.

Applicable Compliance Method:

Compliance with emission limitation in b)(1) shall be determined in accordance with the methods and formulas outlined in AP-42, Storage of Organic Liquids, Section 7.1.

g) Miscellaneous Requirements

- (1) None.