



Environmental Protection Agency

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

8/28/2012

Steve Clark  
ERGON TRUCKING INC-MARIETTA  
PO BOX 1639  
JACKSON, MS 39215-1639

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL AND OPERATE  
Facility ID: 0684020225  
Permit Number: P0109796  
Permit Type: Initial Installation  
County: Washington

Certified Mail

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

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](http://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 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  
309 South Fourth Street, Room 222  
Columbus, OH 43215

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. This permit can be accessed electronically on the DAPCWeb page, [www.epa.ohio.gov/dapc](http://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: Ohio EPA-SEDO





**FINAL**

**Division of Air Pollution Control  
Permit-to-Install and Operate  
for  
ERGON TRUCKING INC-MARIETTA**

Facility ID:	0684020225
Permit Number:	P0109796
Permit Type:	Initial Installation
Issued:	8/28/2012
Effective:	8/28/2012
Expiration:	7/14/2021





Division of Air Pollution Control
Permit-to-Install and Operate
for
ERGON TRUCKING INC-MARIETTA

Table of Contents

Authorization ..... 1
A. Standard Terms and Conditions ..... 3
1. What does this permit-to-install and operate ("PTIO") allow me to do?..... 4
2. Who is responsible for complying with this permit? ..... 4
3. What records must I keep under this permit? ..... 4
4. What are my permit fees and when do I pay them?..... 4
5. When does my PTIO expire, and when do I need to submit my renewal application? ..... 4
6. What happens to this permit if my project is delayed or I do not install or modify my source? ..... 5
7. What reports must I submit under this permit? ..... 5
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? ..... 5
9. What are my obligations when I perform scheduled maintenance on air pollution control equipment? ... 5
10. Do I have to report malfunctions of emissions units or air pollution control equipment? If so, how must I report? ..... 6
11. Can Ohio EPA or my local air agency inspect the facility where the emission unit(s) is/are located? ..... 6
12. What happens if one or more emissions units operated under this permit is/are shut down permanently? ..... 6
13. Can I transfer this permit to a new owner or operator?..... 7
14. Does compliance with this permit constitute compliance with OAC rule 3745-15-07, "air pollution nuisance"? ..... 7
15. What happens if a portion of this permit is determined to be invalid? ..... 7
B. Facility-Wide Terms and Conditions..... 8
C. Emissions Unit Terms and Conditions ..... 10
1. Emissions Unit Group -Petroleum storage tanks: T005,T006, ..... 11



## Authorization

Facility ID: 0684020225  
Application Number(s): A0043476  
Permit Number: P0109796  
Permit Description: Initial Installation and operation permit to install two new light crude oil storage tanks with a capacity of 5,250,000 gallons each.  
Permit Type: Initial Installation  
Permit Fee: \$1,500.00  
Issue Date: 8/28/2012  
Effective Date: 8/28/2012  
Expiration Date: 7/14/2021  
Permit Evaluation Report (PER) Annual Date: Jan 1 - Dec 31, Due Feb 15

This document constitutes issuance to:

ERGON TRUCKING INC-MARIETTA  
STATE RTE 7  
Marietta, OH 45750

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

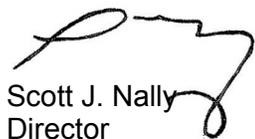
Ohio EPA District Office or local air agency responsible for processing and administering your permit:

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

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

  
Scott J. Nally  
Director



## Authorization (continued)

Permit Number: P0109796  
Permit Description: Initial Installation and operation permit to install two new light crude oil storage tanks with a capacity of 5,250,000 gallons each.

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

**Group Name: Petroleum storage tanks**

<b>Emissions Unit ID:</b>	<b>T005</b>
Company Equipment ID:	Tank 5
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable
<b>Emissions Unit ID:</b>	<b>T006</b>
Company Equipment ID:	Tank 6
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 Ohio EPA DAPC, Southeast District Office 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<sup>1</sup> 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.

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<sup>1</sup>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).

**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 units contained in this permit are subject to 40 CFR Part 60, Subpart Kb: T005 and T006. The complete NSPS requirements, including the 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. Emissions Unit Group -Petroleum storage tanks: T005,T006,**

EU ID	Operations, Property and/or Equipment Description
T005	Crude Oil Storage Tank #5 -Internal floating roof, submerged fill, 125,000 barrel (5,250,000 gallons) capacity, and 4,562,500 barrels (191,625,000 gallons) of maximum annual throughput.
T006	Crude Oil Storage Tank #6 -Internal floating roof, submerged fill, 125,000 barrel (5,250,000 gallons) capacity, and 4,562,500 barrels (191,625,000 gallons) of maximum annual throughput.

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.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-21-09(L)	See c)(1) – (3)
b.	OAC rule 3745-31-05(A)(3), as effective 11/30/01	Volatile Organic Compounds (VOC) emissions shall not exceed 4.61 tons per year.  See b)(2)a.-b.  The requirements of this rule also include compliance with the requirements of OAC rule 3745-21-09(L) and 40 CFR Part 60, Subpart Kb.
c.	OAC rule 3745-31-05(A)(3)(a)(ii), as effective 12/01/06	See b)(2)c.
d.	40 CFR part 60, Subpart Kb (40 CFR 60.110b – 60.117b)	The storage vessel shall be equipped with a fixed roof in combination with an

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
	[In accordance with 40 CFR 6.110b this emissions unit is a storage vessel with a capacity greater than or equal to 75 cubic meters that is used to store volatile organic liquids for which construction, reconstruction, or modification is commenced after July 23, 1984]	internal floating roof meeting the specification outlined in 60.112b(a)(1)(i)-(ix). (60.112b(a)(1)(i)-(ix))  See b)(2)d., b)(2)e. and c)(4)
e.	40 CFR Part 60, Subpart A (40 CFR 60.1-19)	General Provisions

(2) Additional Terms and Conditions

- a. Compliance with OAC rule 3745-31-05(A)(3) shall be demonstrated by the use of submerge fill.
- b. 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 3745-105, 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.
- c. 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 BAT requirements under OAC rule 3745-31-05(A)(3) do not apply to VOC emissions from this air contaminant source since the calculated annual emission rate for VOC is less than 10 tons/yr taking into account the federally enforceable requirements of an internal floating roof and vapor pressure limitation under 40 CFR part 60, Subpart Kb.
- d. Owners or operators may choose to comply with 40 CFR part 65, Subpart C, to satisfy the requirements of 60.112b through 60.117b for storage vessels that are subject to this subpart that meet the specifications in paragraphs (e)(1)(i) and (ii) of this section. When choosing to comply with 40 CFR Part 65, Subpart C, the monitoring requirements of 60.116b(c), (e), (f)(1), and (g) still apply. Other provisions applying to owners or operators who choose to comply with 40 CFR Part 65 are provided in 40 CFR 65.1.

- e. Owners or operators who choose to comply with 40 CFR Part 65, Subpart C, must also comply with 60.1, 60.2, 60.5, 60.6, 60.7(a)(1) and (4), 60.14, 60.15, and 60.16 for those storage vessels. All sections and paragraphs of Subpart A of this part that are not mentioned in this paragraph (e)(2) do not apply to owners or operators of storage vessels complying with 40 CFR Part 65, Subpart C, except that provisions required to be met prior to implementing 40 CFR Part 65 still apply. Owners and operators who choose to comply with 40 CFR Part 65, Subpart C, must comply with 40 CFR Part 65, Subpart A.

c) Operational Restrictions

- (1) No person shall place, store, or hold in a fixed roof tank any petroleum liquid with a true vapor pressure which is greater than 1.52 pounds per square inch absolute after the date specified in paragraph (C)(11) of rule 3745-21-04 of the Administrative Code unless such tank, is designed or equipped as follows, except where exempted under paragraph (L)(2) of this rule:
  - i. Vapor control equipment which is one of the following:
    - (a) Internal floating roof; or
    - (b) Alternative equivalent control for VOC emissions as may be approved by the director.
- (2) If equipped with an internal floating roof, the automatic bleeder vents are to be closed at all times except when the roof is floated off or landed on the roof leg supports, and the rim vents, if provided, are to be set to open when the roof is being floated off the roof leg supports or is at the manufacturer's recommended setting.
- (3) All openings, except stub drains, are to be equipped with a cover, seal or lid which is to be in a closed position at all times except when in actual use for tank gauging or sampling.
- (4) The permittee shall comply with the applicable restrictions required under 40 CFR Part 60, Subpart Kb, including the following sections:

60.112b(a)(1)(i)-(ix)	Required specifications for fixed roof in combination with an internal floating roof.
60.110b(e)	Alternative Means of Compliance-Option to comply with 40 CFR part 65, subpart C to satisfy the requirements of 60.112b through 60.117b.

d) Monitoring and/or Recordkeeping Requirements

- (1) The permittee shall comply with the applicable restrictions required under 40 CFR Part 60, Subpart Kb, including the following sections:

60.113b(a)(1)	Visual inspection requirements after installing permanently affixed roof and internal floating roof
60.113b(a)(2)	Visual inspection requirements for vessels equipped with a liquid-mounted or mechanical shoe primary seal.
60.113b(a)(3)(i)-(ii)	Visual inspection requirements for vessels equipped with a double-seal system.
60.113b(4)	Visual inspection required each time storage vessel is emptied and degassed.
60.115b and 60.116b(a)	Report and record retention requirements.
60.115b(a)(2)	Required records of each inspection performed as required by 60.113b (a)(1), (a)(2), (a)(3), and (a)(4).
60.116b(b)	Dimension of storage vessel and capacity records.
60.116b(c)	Required records of VOL stored, period of storage, and max. true vapor pressure.
60.116b(e)(1)-(3)	Means for determining maximum true vapor pressure.
60.116b(f)(1)-(2)	Requirements for vessel storing waste mixture of indeterminate or variable composition.

e) Reporting Requirements

- (1) The permittee shall submit an annual Permit Evaluation Report (PER) to the Ohio EPA District Office or Local Air Agency 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. It is recommended that the PER is submitted electronically through the Ohio EPA's "e-Business Center: Air Services" although PERs can be submitted via U.S. postal service or can be hand delivered.

- (2) The permittee shall comply with the applicable restrictions required under 40 CFR Part 60, Subpart Kb, including the following sections:

60.115b	Report and record retention requirements.
60.115b(a)(1)	Required certification control equipment report.
60.115b(a)(3) – (4)	Required visual inspection report when defects are detected.
60.113b(a)(5)	Required written notification prior to filling or refilling each storage vessel for which inspection was required by (a)(1) and (a)(4).

f) Testing Requirements

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

a. Emissions Limitation:

VOC emissions shall not exceed 4.61 tons per year.

Applicable Compliance Method:

Compliance shall be determined by a one-time calculation using the TANKS Program 4.09 or other method acceptable to the Ohio EPA Southeast District Office.

g) Miscellaneous Requirements

- (1) None.