



State of Ohio Environmental Protection Agency

**RE: DRAFT PERMIT TO INSTALL MODIFICATION**

**CERTIFIED MAIL**

Street Address:

Lazarus Gov. Center TELE: (614) 644-3020 FAX: (614) 644-2329

Mailing Address:

Lazarus Gov. Center

**LUCAS COUNTY**

**Application No: 04-01319**

**Fac ID: 0448010246**

**DATE: 5/15/2007**

Sunoco, Inc.  
Elaine Moore  
1819 Woodville Rd.  
Oregon, OH 43616

You are hereby notified that the Ohio Environmental Protection Agency has made a draft action recommending that the Director issue a Permit to Install modification for the air contaminant source(s) [emissions unit(s)] shown on the enclosed draft permit modification. This draft action is not an authorization to begin construction or modification of your emissions unit(s). The purpose of this draft is to solicit public comments on the proposed installation. A public notice concerning the draft permit will appear in the Ohio EPA Weekly Review and the newspaper in the county where the facility will be located. Public comments will be accepted by the field office within 30 days of the date of publication in the newspaper. Any comments you have on the draft permit modification should be directed to the appropriate field office within the comment period. A copy of your comments should also be mailed to Robert Hodanbosi, Division of Air Pollution Control, Ohio EPA, P.O. Box 1049, Columbus, OH, 43266-0149.

A Permit to Install modification may be issued in proposed or final form based on the draft action, any written public comments received within 30 days of the public notice, or record of a public meeting if one is held. You will be notified in writing of a scheduled public meeting. Upon issuance of a final Permit to Install modification a fee of \$ 0 will be due. Please do not submit any payment now.

The Ohio EPA is urging 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 Pollution Prevention at (614) 644-3469. If you have any questions about this draft permit, please contact the field office where you submitted your application, or Mike Ahern, Permit Issuance and Data Management Section at (614) 644-3631.

Sincerely,

*Michael W. Ahern*

Michael W. Ahern, Manager  
Permit Issuance and Data Management Section  
Division of Air Pollution Control

CC: USEPA TDES Toledo Metro Area Coun of Govts IN MI

**LUCAS COUNTY**

**PUBLIC NOTICE**  
**ISSUANCE OF DRAFT PERMIT TO INSTALL 04-01319 FOR AN AIR CONTAMINANT SOURCE**  
**FOR Sunoco, Inc.**

On 5/15/2007 the Director of the Ohio Environmental Protection Agency issued a draft action of a Permit To Install an air contaminant source for **Sunoco, Inc.**, located at **1819 Woodville Rd., Oregon, Ohio**.

Installation of the air contaminant source identified below may proceed upon final issuance of Permit To Install 04-01319:

**This is a modification to all sources in the PTI. P039 had the flare terms removed and T163 was not built, therefore all terms for this source will be removed.**

Comments concerning this draft action, or a request for a public meeting, must be sent in writing to the address identified below no later than thirty (30) days from the date this notice is published. All inquiries concerning this draft action may be directed to the contact identified below.

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



**Permit To Install  
Terms and Conditions**

**Issue Date: To be entered upon final issuance  
Effective Date: To be entered upon final issuance**

**DRAFT MODIFICATION OF PERMIT TO INSTALL 04-01319**

Application Number: 04-01319  
Facility ID: 0448010246  
Permit Fee: **To be entered upon final issuance**  
Name of Facility: Sunoco, Inc.  
Person to Contact: Elaine Moore  
Address: 1819 Woodville Rd.  
Oregon, OH 43616

Location of proposed air contaminant source(s) [emissions unit(s)]:  
**1819 Woodville Rd.  
Oregon, Ohio**

Description of proposed emissions unit(s):  
**This is a modification to all sources in the PTI. P039 had the flare terms removed and T163 was not built, therefore all terms for this source will be removed.**

The above named entity is hereby granted a modification to the permit to install described above pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this modification does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described source(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 included in the application, the above described source(s) of pollutants will be granted the necessary operating permits.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

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Chris Korleski  
Director

Sunoco, Inc.

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## Part I - GENERAL TERMS AND CONDITIONS

### A. State and Federally Enforceable Permit-To-Install General Terms and Conditions

#### 1. Monitoring and Related Recordkeeping 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:
  - i. The date, place (as defined in the permit), and time of sampling or measurements.
  - ii. The date(s) analyses were performed.
  - iii. The company or entity that performed the analyses.
  - iv. The analytical techniques or methods used.
  - v. The results of such analyses.
  - vi. 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:
  - i. Reports of any required monitoring and/or recordkeeping of federally enforceable information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
  - ii. Quarterly written reports of (i) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, 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,

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shall be made to the appropriate Ohio EPA District Office or local air agency. 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 B.9 below if no deviations occurred during the quarter.

- iii. Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, and reporting requirements contained in this permit shall be submitted (i.e., postmarked) to the appropriate Ohio EPA District Office or local air agency 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.
  - iv. If this permit is for an emissions unit located at a Title V facility, then 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.

## 2. 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 appropriate Ohio EPA District Office or local air agency 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).

## 3. 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.

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#### 4. 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.

#### 5. Severability Clause

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.

#### 6. 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.

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## 7. 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.

## 8. Federal and State Enforceability

Only those terms and conditions designated in this permit as federally enforceable, that are required under the Act, or any 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. All other terms and conditions of this permit shall not be federally enforceable and shall be enforceable under State law only.

## 9. Compliance Requirements

- a. 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.
- b. 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:
  - i. 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.
  - ii. 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.
  - iii. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.

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- iv. 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.
- c. The permittee shall submit progress reports to the appropriate Ohio EPA District Office or local air agency 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:
  - i. Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.
  - ii. 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.

#### 10. Permit-To-Operate Application

- a. If 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).
- b. If the permittee is required to apply for permit(s) pursuant to OAC Chapter 3745-35, the source(s) identified in this permit is (are) permitted to operate for a period of up to one year from the date the source(s) commenced operation. Permission to operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the permittee shall submit a complete operating permit application within ninety (90) days after commencing operation of the source(s) covered by this permit.

#### 11. Best Available Technology

As specified in OAC Rule 3745-31-05, all new sources must employ Best Available Technology (BAT). Compliance with the terms and conditions of this permit will fulfill this requirement.

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**12. 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.

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**13. Permit-To-Install**

A permit-to-install must be obtained pursuant to OAC Chapter 3745-31 prior to "installation" of "any air contaminant source" as defined in OAC rule 3745-31-01, or "modification", as defined in OAC rule 3745-31-01, of any emissions unit included in this permit.

**B. State Only Enforceable Permit-To-Install General Terms and Conditions**

**1. Compliance Requirements**

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.

**2. 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 appropriate Ohio EPA District Office or local air agency.
- 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 appropriate Ohio EPA District Office or local air agency. 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.)

**3. Permit Transfers**

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

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**4. Authorization To Install or Modify**

If applicable, authorization to install or modify any new or existing 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 modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. 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.

**5. Construction of New Sources(s)**

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.

**6. 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.

**7. 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).

**8. Construction Compliance Certification**

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If applicable, the applicant shall provide Ohio EPA with a written certification (see enclosed form if applicable) that the facility has been constructed in accordance with the permit-to-install application and the terms and conditions of the permit-to-install. The certification shall be provided to Ohio EPA upon completion of construction but prior to startup of the source.

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Emissions Unit ID: B053

**Issued: To be entered upon final issuance**

**9. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations (See Section A of This Permit)**

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.

**C. Permit-To-Install Summary of Allowable Emissions**

The following information summarizes the total allowable emissions, by pollutant, based on the individual allowable emissions of each air contaminant source identified in this permit.

**SUMMARY (for informational purposes only)  
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS**

<u>Pollutant</u>	<u>Tons Per Year</u> (net increase)
CO	58.10 (53.43)
NOx	28.25 (1.64)
PE	13.15 (-20.46)
SO2	17.69 (-791.69)
VOC	9.76 (1.35)

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**Issued: To be entered upon final issuance****Part II - FACILITY SPECIFIC TERMS AND CONDITIONS****A. State and Federally Enforceable Permit To Install Facility Specific Terms and Conditions**

1. The permittee will be subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial and Institutional Boilers and Process Heaters, 40 CFR Part 63, Subpart DDDDD. U.S. EPA failed to promulgate this standard by May 15, 2002, the Maximum Achievable Control Technology (MACT) hammer date. In accordance with 40 CFR Part 63, Subpart B (40 CFR Parts 63.50 through 63.56), the permittee shall submit an application to revise the permit to include equivalent emission limitations as a result of a case-by-case MACT determination. The application shall be submitted in two Parts. The deadline to submit the Part I application, as specified in 40 CFR Part 63.53, was May 15, 2002.
2. If the final MACT standard is not promulgated by May 15, 2004, the permittee shall submit the Part II application as specified in 40 CFR Part 63.53. The Part II application shall be submitted no later than May 15, 2004 [this date may be changed to May 15, 2003 as a result of a settlement between U.S. EPA and the Sierra Club], and must contain the following information:
  - a. for a new affected source, the anticipated date of startup of operation;
  - b. the hazardous air pollutants (HAPs) emitted by each affected source in the relevant source category and an estimated total uncontrolled and controlled emission rate for HAPs from the affected source;
  - c. any existing federal, State, or local limitations or requirements applicable to the affected source;
  - d. for each affected emission point or group of affected emission points, an identification of control technology in place;
  - e. information relevant to establishing the MACT floor (or MACT emission limitation), and, at the option of the permittee, a recommended MACT floor; and
  - f. any other information reasonably needed by the permitting authority including, at the discretion of the permitting authority, information required pursuant to Subpart A of 40 CFR Part 63.
3. The Part II application for a MACT determination may, but is not required to, contain the following information:
  - a. recommended emission limitations for the affected source and support

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information. (the permittee may recommend a specific design, equipment, work practice, or operational standard, or combination thereof, as an emission limitation);

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- b. a description of the control technologies that would be applied to meet the emission limitation, including technical information on the design, operation, size, estimated control efficiency and any other information deemed appropriate by the permitting authority, and identification of the affected sources to which the control technologies must be applied; and
    - c. relevant parameters to be monitored and frequency of monitoring to demonstrate continuous compliance with the MACT emission limitation over the applicable reporting period.
4. If the NESHAP is promulgated before May 15, 2004, the facility shall be subject to the rule as an existing major source with a compliance date as specified in the NESHAP. Pursuant to the Subpart, the permittee shall submit the following notifications:
  - a. Within 120 days after promulgation of 40 CFR Part 63, Subpart DDDDD, the permittee shall submit an Initial Notification Report which certifies whether or not the permittee is subject to the promulgated standard. If the permittee is subject to the final standard, the following information shall also be included in the Initial Notification Report, in accordance with 40 CFR Part 63.9(b)(2):
    - i. the name and mailing address of the permittee;
    - ii. the physical location of the source if it is different from the mailing address;
    - iii. identification of the relevant MACT standard and the source's compliance date;
    - iv. a brief description of the nature, design, size, and method of operation of the source, including the operating design capacity and an identification of each emission point of each HAP; and
    - v. a statement confirming the facility is a major source for HAPs.
  - b. Within 60 days following completion of any required compliance demonstration activity specified in 40 CFR Part 63, Subpart DDDDD, the permittee shall submit a notification of compliance status that contains the following information:
    - i. the methods used to determine compliance;
    - ii. the results of any performance tests, visible emission observations, continuous monitoring systems performance evaluations, and/or other monitoring procedures or methods that were conducted;
    - iii. the methods that will be used for determining continuous compliance, including a description of monitoring and reporting requirements and

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- test methods;
- iv. the type and quantity of HAPs emitted by the source, reported in units and averaging times in accordance with the test methods specified in 40 CFR Part 63, Subpart DDDDD;
- v. an analysis demonstrating whether the affected source is a major source or an area source;
- vi. a description of the air pollution control equipment or method for each emission point, including each control device or method for each HAP and the control efficiency (percent) for each control device or method; and
- vii. a statement of whether or not the permittee has complied with the requirements of 40 CFR Part 63, Subpart DDDDD.

**B. State Only Enforceable Permit To Install Facility Specific Terms and Conditions**

None

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Emissions Unit ID: B053

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**Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)****A. State and Federally Enforceable Section****I. Applicable Emissions Limitations and/or Control Requirements**

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

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	
		OAC rule 3745-21-07(B)
B053 - 97 mmBtu/hr heater [H-9501] fired with refinery fuel gas, a mixture of refinery process gas, landfill gas and/or natural gas, which may be fired individually or in combination	OAC rule 3745-31-05(A)(3)	OAC rule 3745-21-08(B)
		OAC rule 3745-23-06(B)
		40 CFR Part 60 Subpart J
		40 CFR Part 63 Subpart DDDDD
	OAC rule 3734-17-07(A)(1)	
	OAC rule 3745-17-10(B)(1)	
	OAC rule 3745-18-54(O)(1)	

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Applicable Emissions  
Limitations/Control  
Measures

See section 2.e.

8.58 pounds of carbon monoxide (CO) per hour,  
37.57 tons of CO per year,

4.17 pounds of nitrogen oxides (NOx) per hour,  
18.27 tons of NOx per year,

1.94 pounds of particulate emissions (PE) per hour,  
8.50 tons of PE per year,  
2.61 pounds of sulfur dioxide (SO2) per hour,  
11.43 tons of SO2 per year,

0.56 pound of volatile organic compounds (VOC),  
2.46 tons of VOC per year, and

See section 2.a.

Visible particulate emissions from any stack shall not exceed 20% opacity as a 6-minute average.

0.020 pound of PE per mmBtu of actual heat input.

See section 2.b.

See section 2.c.

See section 2.c.

See section 2.c.

See section 2.d.

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**Issued: To be entered upon final issuance****2. Additional Terms and Conditions**

- 2.a** The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-10(B)(1) and 40 CFR Part 60 Subpart J.
- 2.b** The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
- 2.c** The permittee has satisfied the "best available control techniques and operating practices" and "latest available control techniques and operating practices" required pursuant to OAC rules 3745-21-07, 3745-21-08 and 3745-23-06, by committing to comply with the best available technology requirements established pursuant to OAC rule 3745-31-05(A)(3).
- 2.d** The permittee shall not burn in any fuel gas combustion device any fuel gas that contains hydrogen sulfide (H<sub>2</sub>S) in excess of 230 mg/dscm (0.10 gr/dscf or 159 ppmv). The combustion in a flare of process upset gases or fuel gas that is released to the flare as a result of relief valve leakage or other emergency malfunctions is exempt from this paragraph.
- 2.e** The permittee shall ensure that this emissions unit complies with the requirements of 40 CFR Part 63 Subpart DDDDD, as summarized in Part II. Section A. of this permit, concerning boilers and process heaters. It is the permittee's responsibility to review these regulations to ensure compliance once they become effective and to incorporate any requirements of the regulations into the design of this emissions unit by the required date.

**II. Operational Restrictions**

1. The permittee shall burn only refinery fuel gas in this emissions unit.

**III. Monitoring and/or Recordkeeping Requirements**

1. For each day during which the permittee burns a fuel other than refinery fuel gas, the permittee shall maintain a record of the type, quantity, sulfur content in pound(s) of sulfur per mmdscf, and heating value in Btu/dscf of the fuel burned.

[60.105(a)(4) & (a)(4)(i)-(iii)]

2. A continuous monitoring systems shall be installed, calibrated, maintained, and

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operated by the permittee subject to the provisions of 40 CFR 60, Subpart J, as

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follows: an instrument for continuously monitoring and recording the concentration (dry basis) of H<sub>2</sub>S in fuel gases before being burned in any fuel gas combustion device.

- a. The span value for this instrument is 425 mg/dscm H<sub>2</sub>S.
- b. Fuel gas combustion devices having a common source of fuel gas may be monitored at only one location, if monitoring at this location accurately represents the concentration of H<sub>2</sub>S in the fuel gas being burned.
- c. The performance evaluations for this H<sub>2</sub>S monitor under 40 CFR 60.13(c) shall use Performance Specification 7 from Appendix B. Method 11, 15, 15A, 16 shall be used for conducting the relative accuracy evaluations.

[60.13(d)]

3. The permittee must automatically check the zero (or low level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span must, as a minimum, be adjusted whenever either the 24-hour zero drift or the 24-hour span drift exceeds two times the limit of the applicable performance specification in appendix B of 40 CFR Part 60. The system must allow the amount of the excess zero and span drift to be recorded and quantified whenever specified.

[40 CFR 60 Appendix F, Procedure 1, Section 4.2]

4. Monitors that automatically adjust the data to the corrected calibration values (e.g., microprocessor control) must be programmed to record the unadjusted concentration measured in the calibration drift (CD) prior to resetting the calibration, if performed, or record the amount of adjustment.

[40 CFR 60 Appendix F, Procedure 1, Section 4.3]

5. If either the zero (or low-level) or high-level CD result exceeds twice the applicable drift specification in appendix B for five, consecutive, daily periods, the CEMS is out-of-control. If either the zero (or low-level) or high-level CD result exceeds four times the applicable drift specification in 40 CFR Part 60, Appendix B during any CD check, the CEMS is out-of-control. If the CEMS is out-of-control, take necessary corrective action. Following corrective action, repeat the CD checks.

[60.13(e)]

6. Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required in 40 CFR 60.13(d), all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation

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requirements as follows: the continuous monitoring system for measuring emissions shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15- minute period.

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[60.13(h)]

7. One-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorded during periods of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O<sub>2</sub> or ng/J of pollutant). All excess emissions shall be converted into units of the standard. After conversion into units of the standard, the data may be rounded to the same number of significant digits as used in the applicable Subparts to specify the emission limit.

[40 CFR 60 Appendix F Procedure 1, Section 3]

8. The permittee must implement a quality control program. As a minimum, each quality control program must include written procedures which should describe in detail, complete, step-by-step procedures and operations for each of the following activities:
  - a. Calibration of CEMS.
  - b. CD determination and adjustment of CEMS.
  - c. Preventive maintenance of CEMS (including spare Parts inventory).
  - d. Data recording, calculations, and reporting.
  - e. Accuracy audit procedures including sampling and analysis methods.
  - f. Program of corrective action for malfunctioning CEMS.

As described in Section 5.2 of 40 CFR Part 60, Appendix F Procedure 1, whenever excessive inaccuracies occur for two consecutive quarters, the source permittee must revise the current written procedures or modify or replace the CEMS to correct the deficiency causing the excessive inaccuracies.

[60.7(f)]

9. The permittee shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this

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Part recorded in a permanent form suitable for inspection. The file shall be retained for at least five years following the date of such measurements, maintenance, reports, and records.

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10. A statement of certification of the existing H<sub>2</sub>S CEMS shall be maintained on site and shall consist of a letter from the Ohio EPA detailing the results of an Agency review of the certification tests and a statement by the Agency that the system is considered certified in accordance with the requirements of 40 CFR Part 60, Appendix B, Performance Specification 7. Proof of certification shall be made available to representatives of the Toledo local air agency upon request.

**IV. Reporting Requirements**

1. The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than refinery fuel gas was burned in this emissions unit. Each report shall be submitted within 30 days after the deviation occurs.

[60.7(c)]

2. The permittee shall submit a quarterly written excess emissions and monitoring systems performance report and/or summary report form quarterly of all 3-hour periods during which the average concentration of H<sub>2</sub>S exceeds 0.10 grain H<sub>2</sub>S per dry standard cubic foot of fuel gas burned as a volume weighted average. These reports shall include the following information:
  - a. The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.
  - b. Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
  - c. The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.
  - d. When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

[60.7(d)]

3. The summary report form shall contain the information and be in the format shown in Figure 1 of 40 CFR 60.7 unless otherwise specified by the Administrator. One

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summary report form shall be submitted for each pollutant monitored at each affected facility.

- a. If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in 40 CFR 60.7(c) need not be submitted unless requested by the Administrator.
- b. If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in 40 CFR 60.7(c) shall both be submitted.

[40 CFR 60 Appendix F, Procedure 1, Section 7]

4. The permittee shall submit a quarterly report for each CEMS, the accuracy results from Section 6 and the CD assessment results from Section 4. Report the drift and accuracy information as a Data Assessment Report (DAR), and include one copy of this DAR for each quarterly audit with the report of emissions required under the applicable Subparts of this Part. As a minimum, the DAR must contain the following information:
  - a. Permittee name and address.
  - b. Identification and location of monitors in the CEMS.
  - c. Manufacturer and model number of each monitor in the CEMS.
  - d. Assessment of CEMS data accuracy and date of assessment as determined by a Relative Accuracy Test Audit (RATA), Relative Accuracy Audit (RAA), or Cylinder Gas Audit (CGA) described in Section 5 including the relative accuracy for the RATA, the Accuracy (A) for the RAA or CGA, the Reference Method (RM) results, the cylinder gases certified values, the CEMS responses, and the calculations results as defined in Section 6. If the accuracy audit results show the CEMS to be out-of-control, the CEMS operator shall report both the audit results showing the CEMS to be out-of-control and the results of the audit following corrective action showing the CEMS to be operating within specifications.
  - e. Results from EPA performance audit samples described in Section 5 and the applicable RM's.
  - f. Summary of all corrective actions taken when CEMS was determined out-of-

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control, as described in Sections 4 and 5.

An example of a DAR format is shown in Figure 1 of 40 CFR 60 Appendix F, Procedure 1.

5. The deviation reports shall be submitted in accordance with the requirements specified in Part I - General Term and Condition A.1.c of this permit.

**V. Testing Requirements**

1. Compliance with the emissions limitation(s) in Section A.I.1. of these terms and conditions shall be determined in accordance with the following methods:

- a. Emission Limitation:

20% opacity as a 6-minute average

Applicable Compliance Method:

Compliance shall be determined through visible emission observations performed in accordance with Method 9 of 40 CFR Part 60, Appendix A using the methods and procedures specified in OAC rule 3745-17-03(B)(1).

- b. Emission Limitation:

8.58 pounds of CO per hour.

Applicable Compliance Method:

If required, the permittee shall demonstrate compliance with this emission limitation through emission testing performed in accordance with Method 10 of 40 CFR Part 60 Appendix A.

- c. Emission Limitation:

37.57 tons of CO per year.

Applicable Compliance Method:

This emission limitation was developed by multiplying the hourly allowable CO emission limitation (8.58 lbs/hr) by the maximum annual hours of

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operation (8760 hrs), and then dividing by 2000 lbs/ton and, therefore, if compliance is shown with the hourly limitation, compliance shall also be shown with the annual emission limitation.

d. Emission Limitation:

4.17 pounds of NO<sub>x</sub> per hour.

Applicable Compliance Method:

If required, the permittee shall demonstrate compliance with this emission limitation through emission testing performed in accordance with Method 7 of 40 CFR Part 60 Appendix A.

e. Emission Limitation:

18.27 tons of NO<sub>x</sub> per year.

Applicable Compliance Method:

This emission limitation was developed by multiplying the hourly allowable NO<sub>x</sub> emission limitation (4.17 lbs/hr) by the maximum annual hours of operation (8760 hrs), and then dividing by 2000 lbs/ton and, therefore, if compliance is shown with the hourly limitation, compliance shall also be shown with the annual emission limitation.

f. Emission Limitation:

1.94 pounds of PE per hour.

Applicable Compliance Method:

If required, the permittee shall demonstrate compliance with this emission limitation through emission testing performed in accordance with Method 5 of 40 CFR Part 60 Appendix A using the methods and procedures specified in OAC rule 3745-17-03(B)(9).

g. Emission Limitation:

8.50 tons of PE per year.

Applicable Compliance Method:

This emission limitation was developed by multiplying the hourly allowable PE limitation (1.94 lbs/hr) by the maximum annual hours of operation (8760 hrs), and then dividing by 2000 lbs/ton and, therefore, if compliance is shown

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with the hourly limitation, compliance shall also be shown with the annual emission limitation.

h. Emission Limitation:

2.61 pounds of SO<sub>2</sub> per hour.

Applicable Compliance Method:

If required, the permittee shall demonstrate compliance with this emission limitation through emission testing performed in accordance with Method 6 of 40 CFR Part 60 Appendix A using the methods and procedures specified in OAC rule 3745-18-04.

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## i. Emission Limitation:

11.43 tons of SO<sub>2</sub> per year.

## Applicable Compliance Method:

This emission limitation was developed by multiplying the hourly allowable SO<sub>2</sub> emission limitation (2.61 lbs/hr) by the maximum annual hours of operation (8760 hrs), and then dividing by 2000 lbs/ton and, therefore, if compliance is shown with the hourly limitation, compliance shall also be shown with the annual emission limitation.

## j. Emission Limitation:

0.56 pound of VOC per hour.

## Applicable Compliance Method:

If required, the permittee shall demonstrate compliance with this emission limitation through emission testing performed in accordance with Method 25 of 40 CFR Part 60 Appendix A using the methods and procedures specified in OAC rule 3745-21-10.

## k. Emission Limitation:

2.46 tons of VOC per year.

## Applicable Compliance Method:

This emission limitation was developed by multiplying the hourly allowable VOC emission limitation (0.56 lbs/hr) by the maximum annual hours of operation (8760 hrs), and then dividing by 2000 lbs/ton and, therefore, if compliance is shown with the hourly limitation, compliance shall also be shown with the annual emission limitation.

## l. Emission Limitation:

0.020 pound of PE per mmBtu.

## Applicable Compliance Method:

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If required, the permittee shall demonstrate compliance with this emission limitation through emission testing performed in accordance with Method 5 of 40 CFR Part 60 Appendix A using the methods and procedures specified in OAC rule 3745-17-03(B)(9).

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m. Emission Limitation:

230 mg/dscm (0.10 gr/dscf or 159 ppm) hydrogen sulfide (H<sub>2</sub>S)

Applicable Compliance Method:

[60.106(e)]

The permittee shall determine compliance with the H<sub>2</sub>S standard as follows: Method 11, 15, 15A or 16 shall be used to determine the H<sub>2</sub>S concentration. The gases entering the sampling train should be at about atmospheric pressure. If the pressure in the refinery fuel gas lines is relatively high, a flow control valve may be used to reduce the pressure. If the line pressure is high enough to operate the sampling train without a vacuum pump, the pump may be eliminated from the sampling train. The sample shall be drawn from a point near the centroid of the fuel gas line.

For Method 11, the sampling time and sample volume shall be at least 10 minutes and 0.010 dscm (0.35 dscf). Two samples of equal sampling times shall be taken at about 1-hour intervals. The arithmetic average of these two samples shall constitute a run. For most fuel gases, sampling times exceeding 20 minutes may result in depletion of the collection solution, although fuel gases containing low concentrations of H<sub>2</sub>S may necessitate sampling for longer periods of time.

For Method 15 or 16, at least three injects over a 1-hour period shall constitute a run.

For Method 15A, a 1-hour sample shall constitute a run.

2. The permittee shall perform on-going quality assurance tests for the H<sub>2</sub>S CEMS as required in section A.III. in accordance with the procedures specified in 40 CFR Part 60, Appendix F.

**VI. Miscellaneous Requirements**

1. [40 CFR 60 Appendix F, Procedure 1, Section 5.2]  
If the RA, using the RATA, CGA, or RAA exceeds the criteria in section 5.2.3, the CEMS is out-of-control. If the CEMS is out-of-control, take necessary corrective action to eliminate the problem. Following corrective action, the source permittee must audit the CEMS with a RATA, CGA, or RAA to determine if the CEMS is operating within the specifications. A RATA must always be used following an out-of-

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control period resulting from a RATA. The audit following corrective action does not require analysis of EPA performance audit samples. If audit results show the CEMS to be out-of-control, the CEMS operator shall report both the audit showing the CEMS to be out-of-control and the results of the audit following corrective action showing the CEMS to be operating within specifications.

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**B. State Only Enforceable Section****I. Applicable Emissions Limitations and/or Control Requirements**

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

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
B053 - 97 mmBtu/hr heater [H-9501] fired with refinery fuel gas, a mixture of refinery process gas, landfill gas and/or natural gas, which may be fired individually or in combination		

**2. Additional Terms and Conditions**

2.a None

**II. Operational Restrictions**

None

**III. Monitoring and/or Recordkeeping Requirements**

None

**IV. Reporting Requirements**

None

**V. Testing Requirements**

None

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**VI. Miscellaneous Requirements**

None

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**Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)****A. State and Federally Enforceable Section****I. Applicable Emissions Limitations and/or Control Requirements**

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

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	
B054 - 53 mmBtu/hr process heater [ H-9502] fired with refinery fuel gas, a mixture of refinery process gas, a mixture of refinery process gas, landfill gas and/or natural gas, which may be fired individually or in combination	OAC rule 3745-31-05(A)(3)	OAC rule 3745-21-07(B)
		OAC rule 3745-21-08(B)
		OAC rule 3745-23-06(B)
		40 CFR Part 60 Subpart J
		40 CFR Part 63 Subpart DDDDD
	OAC rule 3734-17-07(A)(1)	
	OAC rule 3745-17-10(B)(1)	
	OAC rule 3745-18-54(O)(1)	

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Applicable Emissions  
Limitations/Control  
Measures

See section 2.e.

4.69 pounds of carbon  
 monoxide (CO) per hour,  
 20.53 tons of CO per  
 year,

2.28 pounds of nitrogen  
 oxides (NOx) per hour,  
 9.98 tons of NOx per  
 year,

1.06 pounds of particulate  
 emissions (PE) per hour,  
 4.64 tons of PE per year,

1.42 pounds of sulfur  
 dioxide (SO2) per hour,  
 6.24 tons of SO2 per  
 year,

0.31 pound of volatile  
 organic compounds  
 (VOC),

1.34 tons of VOC per  
 year, and

See section 2.a.

Visible particulate  
 emissions from any stack  
 shall not exceed 20%  
 opacity as a 6-minute  
 average.

0.020 pound of PE per  
 mmBtu of actual heat  
 input.

See section 2.b.

See section 2.c.

See section 2.c.

See section 2.c.

See section 2.d.

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**Issued: To be entered upon final issuance****2. Additional Terms and Conditions**

- 2.a** The requirements of this rule also include compliance with the requirements of OAC rule 3734-17-07(A)(1), OAC rule 3745-17-10(B)(1) and 40 CFR Part 60 Subpart J.
- 2.b** The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
- 2.c** The permittee has satisfied the "best available control techniques and operating practices" and "latest available control techniques and operating practices" required pursuant to OAC rules 3745-21-07, 3745-21-08 and 3745-23-06, by committing to comply with the best available technology requirements established pursuant to OAC rule 3745-31-05(A)(3).
- 2.d** The permittee shall not burn in any fuel gas combustion device any fuel gas that contains hydrogen sulfide (H<sub>2</sub>S) in excess of 230 mg/dscm (0.10 gr/dscf or 159 ppmv). The combustion in a flare of process upset gases or fuel gas that is released to the flare as a result of relief valve leakage or other emergency malfunctions is exempt from this paragraph.
- 2.e** The permittee shall ensure that this emissions unit complies with the requirements of 40 CFR Part 63 Subpart DDDDD, as summarized in Part II. Section A. of this permit, concerning boilers and process heaters. It is the permittee's responsibility to review these regulations to ensure compliance once they become effective and to incorporate any requirements of the regulations into the design of this emissions unit by the required date.

**II. Operational Restrictions**

1. The permittee shall burn only refinery fuel gas in this emissions unit.

**III. Monitoring and/or Recordkeeping Requirements**

1. For each day during which the permittee burns a fuel other than refinery fuel gas, the permittee shall maintain a record of the type, quantity, sulfur content in pound(s) of sulfur per mmdscf, and heating value in Btu/dscf of the fuel burned.

[60.105(a)(4) &amp; (a)(4)(i)-(iii)]

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2. A continuous monitoring systems shall be installed, calibrated, maintained, and operated by the permittee subject to the provisions of 40 CFR 60, Subpart J, as follows: an instrument for continuously monitoring and recording the concentration (dry basis) of H<sub>2</sub>S in fuel gases before being burned in any fuel gas combustion device.
  - a. The span value for this instrument is 425 mg/dscm H<sub>2</sub>S.
  - b. Fuel gas combustion devices having a common source of fuel gas may be monitored at only one location, if monitoring at this location accurately represents the concentration of H<sub>2</sub>S in the fuel gas being burned.
  - c. The performance evaluations for this H<sub>2</sub>S monitor under 40 CFR 60.13(c) shall use Performance Specification 7 from Appendix B. Method 11, 15, 15A, 16 shall be used for conducting the relative accuracy evaluations.
3. [60.13(d)]

The permittee must automatically check the zero (or low level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span must, as a minimum, be adjusted whenever either the 24-hour zero drift or the 24-hour span drift exceeds two times the limit of the applicable performance specification in appendix B of 40 CFR Part 60. The system must allow the amount of the excess zero and span drift to be recorded and quantified whenever specified.
4. [40 CFR 60 Appendix F, Procedure 1, Section 4.2]

Monitors that automatically adjust the data to the corrected calibration values (e.g., microprocessor control) must be programmed to record the unadjusted concentration measured in the calibration drift (CD) prior to resetting the calibration, if performed, or record the amount of adjustment.
5. [40 CFR 60 Appendix F, Procedure 1, Section 4.3]

If either the zero (or low-level) or high-level CD result exceeds twice the applicable drift specification in appendix B for five, consecutive, daily periods, the CEMS is out-of-control. If either the zero (or low-level) or high-level CD result exceeds four times the applicable drift specification in 40 CFR Part 60, Appendix B during any CD check, the CEMS is out-of-control. If the CEMS is out-of-control, take necessary corrective action. Following corrective action, repeat the CD checks.
6. [60.13(e)]

Except for system breakdowns, repairs, calibration checks, and zero and span

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adjustments required in 40 CFR 60.13(d), all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows: the continuous monitoring system for measuring emissions shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15- minute period.

[60.13(h)]

7. One-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorded during periods of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O<sub>2</sub> or ng/J of pollutant). All excess emissions shall be converted into units of the standard. After conversion into units of the standard, the data may be rounded to the same number of significant digits as used in the applicable Subparts to specify the emission limit.

[40 CFR 60 Appendix F Procedure 1, Section 3]

8. The permittee must implement a quality control program. As a minimum, each quality control program must include written procedures which should describe in detail, complete, step-by-step procedures and operations for each of the following activities:
  - a. Calibration of CEMS.
  - b. CD determination and adjustment of CEMS.
  - c. Preventive maintenance of CEMS (including spare Parts inventory).
  - d. Data recording, calculations, and reporting.
  - e. Accuracy audit procedures including sampling and analysis methods.
  - f. Program of corrective action for malfunctioning CEMS.

As described in Section 5.2 of 40 CFR Part 60, Appendix F Procedure 1, whenever excessive inaccuracies occur for two consecutive quarters, the source permittee must revise the current written procedures or modify or replace the CEMS to correct the deficiency causing the excessive inaccuracies.

[60.7(f)]

9. The permittee shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring

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system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this Part recorded in a permanent form suitable for inspection. The file shall be retained for at least five years following the date of such measurements, maintenance, reports, and records.

10. A statement of certification of the existing H<sub>2</sub>S CEMS shall be maintained on site and shall consist of a letter from the Ohio EPA detailing the results of an Agency review of the certification tests and a statement by the Agency that the system is

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considered certified in accordance with the requirements of 40 CFR Part 60, Appendix B, Performance Specification 7. Proof of certification shall be made available to representatives of the Toledo local air agency upon request.

**IV. Reporting Requirements**

1. The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than refinery fuel gas was burned in this emissions unit. Each report shall be submitted within 30 days after the deviation occurs.

[60.7(c)]

2. The permittee shall submit a quarterly written excess emissions and monitoring systems performance report and/or summary report form quarterly of all 3-hour periods during which the average concentration of H<sub>2</sub>S exceeds 0.10 grain H<sub>2</sub>S per dry standard cubic foot of fuel gas burned as a volume weighted average. These reports shall include the following information:
  - a. The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.
  - b. Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
  - c. The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.
  - d. When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

[60.7(d)]

3. The summary report form shall contain the information and be in the format shown in Figure 1 of 40 CFR 60.7 unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

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- a. If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in 40 CFR 60.7(c) need not be submitted unless requested by the Administrator.
- b. If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in 40 CFR 60.7(c) shall both be submitted.

[40 CFR 60 Appendix F, Procedure 1, Section 7]

4. The permittee shall submit a quarterly report for each CEMS, the accuracy results from Section 6 and the CD assessment results from Section 4. Report the drift and accuracy information as a Data Assessment Report (DAR), and include one copy of this DAR for each quarterly audit with the report of emissions required under the applicable Subparts of this Part. As a minimum, the DAR must contain the following information:
  - a. Permittee name and address.
  - b. Identification and location of monitors in the CEMS.
  - c. Manufacturer and model number of each monitor in the CEMS.
  - d. Assessment of CEMS data accuracy and date of assessment as determined by a Relative Accuracy Test Audit (RATA), Relative Accuracy Audit (RAA), or Cylinder Gas Audit (CGA) described in Section 5 including the relative accuracy for the RATA, the Accuracy (A) for the RAA or CGA, the Reference Method (RM) results, the cylinder gases certified values, the CEMS responses, and the calculations results as defined in Section 6. If the accuracy audit results show the CEMS to be out-of-control, the CEMS operator shall report both the audit results showing the CEMS to be out-of-control and the results of the audit following corrective action showing the CEMS to be operating within specifications.
  - e. Results from EPA performance audit samples described in Section 5 and the applicable RM's.
  - f. Summary of all corrective actions taken when CEMS was determined out-of-control, as described in Sections 4 and 5.

An example of a DAR format is shown in Figure 1 of 40 CFR 60 Appendix F,

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Procedure 1.

5. The deviation reports shall be submitted in accordance with the requirements specified in Part I - General Term and Condition A.1.c of this permit.

## **V. Testing Requirements**

1. Compliance with the emissions limitation(s) in Section A.I.1. of these terms and conditions shall be determined in accordance with the following methods:
  - a. Emission Limitation:  
  
20% opacity as a 6-minute average  
  
Applicable Compliance Method:  
  
Compliance shall be determined through visible emission observations performed in accordance with Method 9 of 40 CFR Part 60, Appendix A using the methods and procedures specified in OAC rule 3745-17-03(B)(1).
  - b. Emission Limitation:  
  
4.69 pounds of CO per hour.  
  
Applicable Compliance Method:  
  
If required, the permittee shall demonstrate compliance with this emission limitation through emission testing performed in accordance with Method 10 of 40 CFR Part 60 Appendix A.
  - c. Emission Limitation:  
  
20.53 tons of CO per year.  
  
Applicable Compliance Method:  
  
This emission limitation was developed by multiplying the hourly allowable CO emission limitation (4.69 lbs/hr) by the maximum annual hours of operation (8760 hrs), and then dividing by 2000 lbs/ton and, therefore, if compliance is shown with the hourly limitation, compliance shall also be shown with the annual emission limitation.
  - d. Emission Limitation:  
  
2.28 pounds of NO<sub>x</sub> per hour.

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Applicable Compliance Method:

If required, the permittee shall demonstrate compliance with this emission limitation through emission testing performed in accordance with Method 7 of 40 CFR Part 60 Appendix A.

e. Emission Limitation:

9.98 tons of NOx per year.

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## Applicable Compliance Method:

This emission limitation was developed by multiplying the hourly allowable NOx emission limitation (2.28 lbs/hr) by the maximum annual hours of operation (8760 hrs), and then dividing by 2000 lbs/ton and, therefore, if compliance is shown with the hourly limitation, compliance shall also be shown with the annual emission limitation.

## f. Emission Limitation:

1.06 pounds of PE per hour.

## Applicable Compliance Method:

If required, the permittee shall demonstrate compliance with this emission limitation through emission testing performed in accordance with Method 5 of 40 CFR Part 60 Appendix A using the methods and procedures specified in OAC rule 3745-17-03(B)(9).

## g. Emission Limitation:

4.64 tons of PE per year.

## Applicable Compliance Method:

This emission limitation was developed by multiplying the hourly allowable PE limitation (1.06 lbs/hr) by the maximum annual hours of operation (8760 hrs), and then dividing by 2000 lbs/ton and, therefore, if compliance is shown with the hourly limitation, compliance shall also be shown with the annual emission limitation.

## h. Emission Limitation:

1.42 pounds of SO<sub>2</sub> per hour.

## Applicable Compliance Method:

If required, the permittee shall demonstrate compliance with this emission limitation through emission testing performed in accordance with Method 6 of 40 CFR Part 60 Appendix A using the methods and procedures specified in OAC rule 3745-18-04.

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- i. Emission Limitation:  
6.24 tons of SO<sub>2</sub> per year.

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Applicable Compliance Method:

This emission limitation was developed by multiplying the hourly allowable SO<sub>2</sub> emission limitation (1.42 lbs/hr) by the maximum annual hours of operation (8760 hrs), and then dividing by 2000 lbs/ton and, therefore, if compliance is shown with the hourly limitation, compliance shall also be shown with the annual emission limitation.

j. Emission Limitation:

0.31 pound of VOC per hour.

Applicable Compliance Method:

If required, the permittee shall demonstrate compliance with this emission limitation through emission testing performed in accordance with Method 25 of 40 CFR Part 60 Appendix A using the methods and procedures specified in OAC rule 3745-21-10.

k. Emission Limitation:

1.34 tons of VOC per year.

Applicable Compliance Method:

This emission limitation was developed by multiplying the hourly allowable VOC emission limitation (0.31 lbs/hr) by the maximum annual hours of operation (8760 hrs), and then dividing by 2000 lbs/ton and, therefore, if compliance is shown with the hourly limitation, compliance shall also be shown with the annual emission limitation.

l. Emission Limitation:

0.020 pound of PE per mmBtu.

Applicable Compliance Method:

If required, the permittee shall demonstrate compliance with this emission limitation through emission testing performed in accordance with Method 5 of 40 CFR Part 60 Appendix A using the methods and procedures specified in OAC rule 3745-17-03(B)(9).

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m. Emission Limitation:

230 mg/dscm (0.10 gr/dscf or 159 ppm) hydrogen sulfide (H<sub>2</sub>S)

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Applicable Compliance Method:

[60.106(e)]

The permittee shall determine compliance with the H<sub>2</sub>S standard as follows: Method 11, 15, 15A or 16 shall be used to determine the H<sub>2</sub>S concentration. The gases entering the sampling train should be at about atmospheric pressure. If the pressure in the refinery fuel gas lines is relatively high, a flow control valve may be used to reduce the pressure. If the line pressure is high enough to operate the sampling train without a vacuum pump, the pump may be eliminated from the sampling train. The sample shall be drawn from a point near the centroid of the fuel gas line.

For Method 11, the sampling time and sample volume shall be at least 10 minutes and 0.010 dscm (0.35 dscf). Two samples of equal sampling times shall be taken at about 1-hour intervals. The arithmetic average of these two samples shall constitute a run. For most fuel gases, sampling times exceeding 20 minutes may result in depletion of the collection solution, although fuel gases containing low concentrations of H<sub>2</sub>S may necessitate sampling for longer periods of time.

For Method 15 or 16, at least three injects over a 1-hour period shall constitute a run.

For Method 15A, a 1-hour sample shall constitute a run.

2. The permittee shall perform on-going quality assurance tests for the H<sub>2</sub>S CEMS as required in section A.III. in accordance with the procedures specified in 40 CFR Part 60, Appendix F.

## **VI. Miscellaneous Requirements**

[40 CFR 60 Appendix F, Procedure 1, Section 5.2]

1. If the RA, using the RATA, CGA, or RAA exceeds the criteria in section 5.2.3, the CEMS is out-of-control. If the CEMS is out-of-control, take necessary corrective action to eliminate the problem. Following corrective action, the source permittee must audit the CEMS with a RATA, CGA, or RAA to determine if the CEMS is operating within the specifications. A RATA must always be used following an out-of-control period resulting from a RATA. The audit following corrective action does not require analysis of EPA performance audit samples. If audit results show the CEMS to be out-of-control, the CEMS operator shall report both the audit showing the CEMS to be out-of-control and the results of the audit following corrective action

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showing the CEMS to be operating within specifications.

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**B. State Only Enforceable Section**

**I. Applicable Emissions Limitations and/or Control Requirements**

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

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
B054 - 53 mmBtu/hr process heater [ H-9502] fired with refinery fuel gas, a mixture of refinery process gas, a mixture of refinery process gas, landfill gas and/or natural gas, which may be fired individually or in combination		

**2. Additional Terms and Conditions**

2.a None

**II. Operational Restrictions**

None

**III. Monitoring and/or Recordkeeping Requirements**

None

**IV. Reporting Requirements**

None

**V. Testing Requirements**

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None

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**VI. Miscellaneous Requirements**

None

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**Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)**

**A. State and Federally Enforceable Section**

**I. Applicable Emissions Limitations and/or Control Requirements**

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

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	
		40 CFR Part 63, Subpart A
P039 - Desulfurized gasoline blending components with an existing flare as control during process upsets, and comprised of the following emissions sources:	<i>equipment leaks:</i> OAC rule 3745-31-05(A)(3)	40 CFR Part 63, Subpart CC
	OAC rule 3745-21-09(T)	
	40 CFR Part 60, Subpart A	
equipment leaks, controlled by equipment design and operating and maintenance programs	40 CFR Part 60, Subpart GGG	
	40 CFR Part 63, Subpart A	
	40 CFR Part 63, Subpart CC	
wastewater, controlled by equipment design and operating and maintenance programs	<i>wastewater:</i> OAC rule 3745-31-05(A)(3)	
	40 CFR Part 60, Subpart A	
	40 CFR Part 60, Subpart QQQ	
	40 CFR Part 61, Subpart A	
	40 CFR Part 61, Subpart FF	

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Applicable Emissions  
Limitations/Control  
Measures

4.41 tons per year of  
volatile organic  
compounds (VOC), and  
see section A.1.2.a.

See section A.1.2.b.

See section A.1.2.c.

See section A.1.2.d.

See section A.1.2.e.

See sections A.1.2.f  
through i.

1.55 tons per year of  
VOC, and  
see section A.1.2.j.

See section A.1.2.c.

See section A.1.2.k.

See section A.1.2.l.

See section A.1.2.m.

See sections A.1.2.e and  
f.

See sections A.1.2.f, h, i,  
n, o and p.

**2. Additional Terms and Conditions**

- 2.a** i. The annual emission limitation was established for PTI purposes to reflect the potential to emit for this emissions unit. Therefore, it is not necessary to develop monitoring, record keeping and/or reporting

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- requirements to ensure compliance with this limitation.
- ii. The requirements of this rule also include compliance with the requirements of OAC rule 3745-21-09(T), 40 CFR Part 60 Subparts A and GGG, and 40 CFR Part 63 Subparts A and CC.
- 2.b**
- i. This regulation applies to petroleum refinery equipment leaks of volatile organic compounds (VOC) from pump seals, pipeline valves, process drains, compressor seals and pressure relief devices.
  - ii. Except as otherwise provided in paragraphs iii. and iv. below, and OAC rule 3745-21-09(T)(1)(c) , the permittee shall establish a VOC leak detection and repair program for the sources identified above, in compliance with the monitoring, record keeping and reporting requirements of sections II.1., III.1. and IV.1. of this permit.
  - iii. The monitoring, record keeping, and reporting requirements of 40 CFR Part 63 Subpart CC contain a degree of compliance and control greater than this applicable regulation. Compliance with this applicable regulation may be demonstrated by maintaining compliance with 40 CFR Part 63 Subpart CC for those sources affected by both regulations.
  - iv. Pressure relief devices which are connected to an operating flare header, vapor recovery devices, valves which are located in pipelines containing kerosene or heavier liquids, storage tank valves and valves which are not externally regulated are exempt from the requirements of OAC rule 3745-21-09(T).
  - v. The Administrator may accept an alternative monitoring, record keeping and reporting program for that required by paragraph ii. above, if the permittee can demonstrate to the satisfaction of the Administrator that the alternative program is at least as effective in identifying, documenting and reporting VOC leaks from petroleum refinery equipment as the program outlined in paragraph ii. For purposes of this paragraph, any proposed alternative program which the Administrator finds comparable to the requirements of paragraph (DD)(12) or (DD)(13) of OAC rule 3745-21-09 shall be acceptable to the Administrator.

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- 2.c** 40 CFR Part 60 Subpart A provides applicability provisions, definitions, and other general provisions that are pertinent to emissions units affected by 40 CFR Part 60.
- 2.d** i. [60.590(a)]  
The provisions of 40 CFR part 60 subpart GGG applies to petroleum refinery equipment leaks of VOC from a compressor, valve, pump, pressure relief device, sampling connection system, open-ended valve or line, and flange or other connector in VOC service.
- ii. [60.592(a)]  
The permittee shall demonstrate compliance with the VOC requirements of 40 CFR part 60 subpart GGG by complying with the VOC requirements of 40 CFR Part 60, Subpart VV, sections 60.482-1 to 60.482-10, as soon as practicable, but no later than 180 days after initial startup. It is the permittee's responsibility to review these regulations to ensure compliance and to incorporate any requirements of these regulations into the design, monitoring, record keeping and reporting for this emissions unit.
- iii. [60.592(d)]  
The permittee shall also comply with the provisions of 40 CFR 60.485 through 60.487 of 40 CFR 60, subpart VV.
- 2.e** [63.1.(b)(1)]  
40 CFR Part 63 Subpart A provides applicability provisions, definitions, and other general provisions that are pertinent to emissions units which emit, or have the potential to emit, any hazardous air pollutant (HAP) listed in, or pursuant to, section 112(b) of the Clean Air Act of 1990 and are subject to any standard, limitation, prohibition, or other federally enforceable requirement established pursuant to 40 CFR part 63.
- 2.f** i. [63.642(c)]  
Table 6 of 40 CFR Part 63 Subpart CC specifies the provisions of 40 CFR Part 63 Subpart A that apply and those that do not apply to sources subject to of 40 CFR Part 63 Subpart CC. These applicable provisions of 40 CFR Part 63 Subpart A have been summarized and included as section A.VI.1. of this permit. It is the permittee's responsibility to review these regulations to ensure compliance and to incorporate any requirements of these regulations into the design, monitoring, record keeping and reporting for this emissions unit.

- [63.640(a)]

  - ii. 40 CFR Part 63 Subpart CC applies to petroleum refining process units that are located at a plant site that meet the criteria in paragraphs (a) and (b) below;
    - (a) Are located at a plant site that is a major source as defined in section 112(a) of the Clean Air Act; and
    - (b) Emit or have equipment containing or contacting one or more of the hazardous air pollutants (HAPs) listed in 40 CFR Part 63 Subpart CC, table 1.
  
- [63.640(c)]

  - iii. For the purpose of 40 CFR Part 63 Subpart CC, the affected source shall comprise all HAP emission points, in combination, listed in paragraphs (a) through (d) below that are located at a single refinery plant site.
    - (a) All miscellaneous process vents from petroleum refining process units meeting the criteria in paragraph ii. above;
    - (b) All storage vessels associated with petroleum refining process units meeting the criteria in paragraph ii. above;
    - (c) All wastewater streams and treatment operations associated with petroleum refining process units meeting the criteria in paragraph ii. above;
    - (d) All equipment leaks from petroleum refining process units meeting the criteria in paragraph ii. above;
  
- [63.640(i)]

  - iv. If an additional petroleum refining process unit is added to a plant site that is a major source as defined in section 112(a) of the Clean Air Act, the addition shall be subject to the requirements for a new source if it meets the criteria specified in paragraphs (a) through (c) below:
    - (a) It is an addition that meets the definition of construction in 40 CFR 63.2 of subpart A of this part;
    - (b) Such construction commenced after July 14, 1994; and
    - (c) The addition has the potential to emit 10 tons per year or more of any HAP or 25 tons per year or more of any combination of

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HAPs.

Note: The petroleum refining process unit addition which comprises this permit has a potential to emit of HAPs less than levels listed in paragraph (c) above. Therefore, the petroleum refining process unit addition which comprises this permit is subject to the requirements of 40 CFR Part 63 Subpart CC as an existing source, as described in paragraph v. below.

[63.640(l)]

- v. If an additional petroleum refining process unit is added to a plant site or if a miscellaneous process vent or storage vessel, that meets the criteria in paragraph iii. above, is added to an existing petroleum refinery, and if the addition or process change is not subject to the new source requirements as determined according to paragraph iv. above, the requirements in paragraphs (a) and (b) below shall apply.
- (a) The added emission point(s) and any emission point(s) within the added or changed petroleum refining process unit are subject to the requirements for an existing source.
- (b) The added emission point(s) and any emission point(s) within the added or changed petroleum refining process unit shall be in compliance with the requirements of 40 CFR Part 63 Subpart CC upon initial startup.

[63.648(a)]

- 2.g** Except as provided in paragraphs (a) through (d) below, to demonstrate compliance with the HAP equipment leak requirements of 40 CFR Part 63 Subpart CC, the permittee shall comply with the VOC provisions of 40 CFR Part 60 Subpart VV. Refer to emissions unit P801 for the applicable equipment leak provisions referencing 40 CFR part 60, subpart VV. . It is the permittee's responsibility to review this regulation to ensure compliance and to incorporate any requirements of this regulation into the design, monitoring, record keeping and reporting for this emissions unit.
- i. For purposes of compliance with 40 CFR 63.648, the provisions of 40 CFR 60 Subpart VV apply only to equipment in organic HAP service, as defined in 40 CFR 63.641.
- ii. Calculation of percentage leaking equipment components of 40 CFR

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Part 60 Subpart VV may be done on a process unit basis or a source wide basis.

- [63.648(f)]

iii. Reciprocating pumps in light liquid service are exempt from 60.482-2, if recasting the distance piece or reciprocating pump replacement is required.
- [63.648(i)]

iv. Reciprocating compressors are exempt from seal requirements if recasting the distance piece or compressor replacement is required.

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- [63.640(p)]
- 2.h** If there is an overlap of 40 CFR 63, Subpart CC with other regulations for equipment leaks that are also subject to the provisions of 40 CFR 60 and 61, the permittee is required to comply only with the provisions specified in 40 CFR 63, Subpart CC.
- [63.640(q)]
- 2.i** For overlap of 40 CFR 63, Subpart CC with local or State regulations, the permitting authority for the affected source may allow consolidation of the monitoring, record keeping, and reporting requirements under Subpart CC with the monitoring, record keeping, and reporting requirements under other applicable requirements in 40 CFR 60, 61, or 63, and in any 40 CFR Part 52 approved State implementation plan provided the implementation plan allows for approval of alternative monitoring, reporting, or record keeping requirements and provided that the permit contains an equivalent degree of compliance and control.
- 2.j**
- i. The annual emission limitation was established for PTI purposes to reflect the potential to emit for this emissions unit. Therefore, it is not necessary to develop monitoring, record keeping and/or reporting requirements to ensure compliance with this limitation.
  - ii. The requirements of this rule also include compliance with the requirements of 40 CFR Part 60, Subparts A and QQQ, 40 CFR Part 61, Subparts A and FF, and 40 CFR Part 63, Subparts A and CC.
- [60.690]
- 2.k**
- i. The provisions of 40 CFR part 60 subpart QQQ apply to VOC emissions from all process drains and the first common box associated with this emissions unit.
  - ii. [60.692-1(a)]  
The permittee shall comply with the requirements of 40 CFR 60.692-1 to 60.692-5, except during periods of startup, shutdown, or malfunction. Refer to emissions unit P017 for the applicable wastewater provisions referencing 40 CFR part 60, subpart QQQ. . It is the permittee's responsibility to review these regulations to ensure compliance and to incorporate any requirements of this regulation into the design, monitoring, record keeping and reporting for this emissions unit.

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[60.692-1(d)]

- (a) Stormwater sewer systems are not subject to the requirements of 40 CFR part 60 subpart QQQ.

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- (b) Ancillary equipment, which is physically separate from the wastewater system and does not come in contact with or store oily wastewater, is not subject to the requirements of 40 CFR part 60 subpart QQQ.
  - (c) Non-contact cooling water systems are not subject to the requirements of 40 CFR part 60 subpart QQQ.
  - (d) The permittee shall demonstrate compliance with the exclusions in paragraphs (a) through (c) above, as provided in in §60.697 (h), (i), and (j) of 40 CFR part 60 subpart QQQ (refer to emissions unit P017).
- iii. [60.692-2(a)(1)]  
Each drain shall be equipped with water seal controls.
- iv. [60.692-2(b)(1)]
  - (a) Junction boxes shall be equipped with a cover and may have an open vent pipe. The vent pipe shall be at least 90 cm (3 ft) in length and shall not exceed 10.2 cm (4 in) in diameter.
  - (b) Junction box covers shall have a tight seal around the edge and shall be kept in place at all times, except during inspection and maintenance.
- v. [60.692-2(c)(1)]  
Sewer lines shall not be open to the atmosphere and shall be covered or enclosed in a manner so as to have no visual gaps or cracks in joints, seals, or other emission interfaces.
- vi. [60.692-2(d)]  
Except as provided in paragraph vii. below, each modified or reconstructed individual drain system that has a catch basin in the existing configuration prior to May 4, 1987 shall be exempt from the provisions of this section.
- vii. [60.692-2(e)]  
Refinery wastewater routed through new process drains and a new first common downstream junction box, either as part of a new individual drain system or an existing individual drain system, shall not be routed through a downstream catch basin.

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- 2.1** 40 CFR Part 61 Subpart A provides applicability provisions, definitions, and other general provisions that are pertinent to emissions units affected by 40 CFR Part 61.

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- 2.m** i. [61.340]  
The provisions of 40 CFR Part 61 Subpart FF apply to petroleum refineries with benzene-containing hazardous waste treatment, storage, and disposal facilities. The following waste is exempt from the requirements of 40 CFR Part 61 Subpart FF:
- (a) Waste in the form of gases or vapors that is emitted from process fluids:
  - (b) Waste that is contained in a segregated stormwater sewer system.
- ii. [61.342(c)]  
The permittee shall manage and treat the facility waste as follows:
- (a) For each waste stream that contains benzene, including (but not limited to) organic waste streams that contain less than 10 percent water and aqueous waste streams, even if the wastes are not discharged to an individual drain system, the permittee shall:
    - (i) Remove or destroy the benzene contained in the waste using a treatment process or wastewater treatment system that complies with the standards specified in 40 CFR 61.348.
    - (ii) Comply with the standards specified in 40 CFR 61.343 through 61.347 for each waste management unit that receives or manages the waste stream prior to and during treatment of the waste stream in accordance with paragraph (i) above.
    - (iii) Each waste management unit used to manage or treat waste streams that will be recycled to a process shall comply with the standards specified in 40 CFR 61.343 through 61.347. Once the waste stream is recycled to a process, including to a tank used for the storage of production process feed, product, or product intermediates, unless this tank is used primarily for the storage of wastes, the material is no longer subject to paragraph ii. above.

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- (b) A waste stream is exempt from paragraph (a) above, provided that the permittee demonstrates initially and, thereafter, at least once per year that the flow-weighted annual average benzene concentration for the waste stream is less than 10 ppmw as determined by the procedures specified in 61.355(c)(2) or 61.355(c)(3).
- (c) A waste stream is exempt from paragraph (a) above provided that the permittee demonstrates initially and, thereafter, at least once per year that the conditions specified in either paragraph (i) or (ii) below are met.
  - (i) The waste stream is process wastewater that has a flow rate less than 0.02 liters per minute (0.005 gallons per minute) or an annual wastewater quantity of less than 10 Mg/yr (11 ton/yr); or
  - (ii) All of the following conditions are met:
    - (A) The permittee does not choose to exempt process wastewater under paragraph (i) above,
    - (B) The total annual benzene quantity in all waste streams chosen for exemption does not exceed 2.0 Mg/yr (2.2 ton/yr) as determined in the procedures in 61.355(j), , and
    - (C) The total annual benzene quantity in a waste stream chosen for exemption, including process unit turnaround waste, is determined for the year in which the waste is generated.
- iii. [61.342(d)]  
As an alternative to the requirements specified in 61.342(c) and (e), as described in paragraphs ii. above and iv. below, the permittee may elect to manage and treat the facility waste as follows:
  - (a) The permittee shall manage and treat facility waste other than process wastewater in accordance with the requirements of paragraph ii. above.
  - (b) The permittee shall manage and treat process wastewater in accordance with the following requirements:
    - (i) Process wastewater shall be treated to achieve a total annual benzene quantity from facility process

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wastewater less than 1 Mg/yr (1.1 ton/yr). Total annual benzene from facility process wastewater shall be determined by adding together the annual benzene quantity at the point of waste generation for each untreated process wastewater stream plus the annual benzene quantity exiting the treatment process for each process wastewater stream treated in accordance with the requirements of 61.342(c)(1)(i), as described in paragraph ii.(a)(i) above.

- (ii) Each treated process wastewater stream identified in paragraph (i) above shall be managed and treated in accordance with 61.342(c)(1), as described in paragraph ii.(a) above.
- (iii) Each untreated process wastewater stream identified in paragraph (i) above is exempt from the requirements of 61.342(c)(1), as described in paragraph ii.(a) above.

[61.342(e)]

- iv. As an alternative to the requirements specified in 61.342(c) and (d), as described in paragraphs ii. and iii. above, the permittee may elect to manage and treat the facility waste as follows:
  - (a) The permittee shall manage and treat facility waste with a flow-weighted annual average water content of less than 10 percent in accordance with the requirements of 61.342(c)(1), as described in paragraph ii.(a) above; and
  - (b) The permittee shall manage and treat facility waste (including remediation and process unit turnaround waste) with a flow-weighted annual average water content of 10 percent or greater, on a volume basis as total water, and each waste stream that is mixed with water or wastes at any time such that the resulting mixture has an annual water content greater than 10 percent, in accordance with the following:
    - (i) The benzene quantity for the wastes described in paragraph (b) above must be equal to or less than 6.0 Mg/yr (6.6 ton/yr), as determined in 61.355(k). Wastes as described in paragraph (b) above that are transferred offsite shall be included in the determination of benzene quantity as provided in 61.355(k). The provisions of 40 CFR 61.342(f) as described in paragraph v. below, shall not apply to any permittee who elects to comply with the provisions of paragraph iv. above.

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- (ii) The determination of benzene quantity for each waste stream defined in paragraph (a) above, shall be made in accordance with 61.355(k).

[61.342(f)]

- v. Rather than treating the waste onsite, the permittee may elect to comply with 61.342(c)(1)(i) as described in paragraph ii.(a)(i) above, by transferring the waste offsite to another facility where the waste is treated in accordance with the requirements of 61.342(c)(1)(i). The permittee transferring the waste shall:
  - (a) Comply with the standards specified in 40 CFR 61.343 through 61.347 for each waste management unit that receives or manages the waste prior to shipment of the waste offsite.
  - (b) Include with each offsite waste shipment a notice stating that the waste contains benzene which is required to be managed and treated in accordance with the provisions of 40 CFR part 61 subpart FF.

[61.342(g)]

- vi. Compliance with 40 CFR part 61 subpart FF will be determined by review of facility records and results from tests and inspections using methods and procedures specified in 61.355.

[61.342(h)]

- viii. Permission to use an alternative means of compliance to meet the requirements of 40 CFR 61.342 through 61.352 may be granted by the Administrator as provided in 40 CFR 61.353.
- ix. Refer to emissions unit P017 for the applicable wastewater provisions referencing 40 CFR part 61, subpart FF. . Provisions for compliance with this regulation are also incorporated into the terms and conditions of emissions unit P017. It is the permittee's responsibility to review this regulation to ensure compliance and to incorporate any requirements of this regulation into the design, monitoring, record keeping and reporting for this emissions unit.

[63.640(o)(1)]

- 2.n A Group 1 wastewater stream managed in a piece of equipment that is also subject to the VOC provisions of 40 CFR part 60, subpart QQQ is required to

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comply only with the HAP provisions of 40 CFR part 63 subpart CC.

[63.641]

Note: A Group 1 wastewater stream means a wastewater stream at a petroleum refinery with a total annual benzene loading of 10 megagrams per year or greater as calculated according to the procedures in 40 CFR 61.342 of subpart FF of part 61 that has a flow rate of 0.02 liters per minute or greater, a benzene concentration of 10 parts per million by weight or greater, and is not exempt from control requirements under the provisions of 40 CFR part 61, subpart FF. A Group 2 wastewater stream means a wastewater stream that does not meet the definition of Group 1 wastewater stream.

[63.640(o)(2)]

- 2.o** A Group 1 or Group 2 wastewater stream, as defined in paragraph 2.n. above, that is conveyed, stored, or treated in a wastewater stream management unit that also receives streams subject to the HAP provisions of sections 63.133 through 63.147 of 40 CFR part 63 subpart G wastewater provisions shall comply as specified below. Compliance with the HAP provisions of this paragraph shall constitute compliance with the HAP requirements of 40 CFR part 63 subpart CC for that wastewater stream.
- i. The permittee shall comply with paragraphs (a) through (c) below.
    - (a) The provisions in 63.133 through 63.140 of subpart G for all equipment used in the storage and conveyance of the Group 1 or Group 2 wastewater stream.
    - (b) The provisions in both 40 CFR part 61, subpart FF and in 63.138 and 63.139 of subpart G for the treatment and control of the Group 1 or Group 2 wastewater stream.
    - (c) The provisions in sections 63.143 through 63.148 of subpart G for monitoring and inspections of equipment and for record keeping and reporting requirements. The permittee is not required to comply with the monitoring, record keeping, and reporting requirements associated with the treatment and control requirements in 40 CFR part 61, subpart FF, 61.355 through 61.357.
  - ii. It is the permittee's responsibility to review this regulation to ensure compliance and to incorporate any requirements of this regulation into the design, monitoring, record keeping and reporting for this emissions unit.

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- 2.p i. [63.647(a)]  
Except as provided in 63.647(b), as described in paragraph ii. below, the permittee shall comply with the benzene requirements of 40 CFR 61.340 through 61.355 of 40 CFR 61 subpart FF., for each process wastewater stream that meets the definition of a Group 1 wastewater stream in 63.641 and as defined in paragraph 2.n. above.
- ii. [63.647(b)]  
As used in the wastewater provisions section, all terms not defined in 40 CFR 63.641 shall have the meaning given them in the Clean Air Act or in 40 CFR 61.341.

**II. Operational Restrictions**

1. Refer to emissions unit P801 for the state requirements for equipment leaks found in section A.II. referencing OAC 3745-21-09(T).
2. Refer to emissions unit P801 for the applicable equipment leak provisions found in section A.II. referencing 40 CFR part 60, subpart VV.
3. Refer to emissions unit P017 for the applicable wastewater provisions found in section A.II. referencing 40 CFR part 61, subpart FF.

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4. Refer to emissions unit P017 for the applicable wastewater provisions found in section A.II. referencing 40 CFR part 60, subpart QQQ.

**III. Monitoring and/or Recordkeeping Requirements**

1. Refer to emissions unit P801 for the state requirements for equipment leaks found in section A.III. referencing OAC 3745-21-09(T).
2. Refer to emissions unit P801 for the applicable equipment leak provisions found in section A.III. referencing 40 CFR part 60, subpart VV.
3. Refer to emissions unit P017 permit for the applicable wastewater provisions found in section A.III. referencing 40 CFR part 61, subpart FF.
4. Refer to emissions unit P017 for the applicable wastewater provisions found in section A.III. referencing 40 CFR part 60, subpart QQQ.

**IV. Reporting Requirements**

1. Refer to emissions unit P801 for the state requirements for equipment leaks found in section A.IV. referencing OAC 3745-21-09(T).
2. Refer to emissions unit P801 for the applicable equipment leak provisions found in section A.IV., referencing 40 CFR part 60, subpart VV.
3. Refer to emissions unit P017 for the applicable wastewater provisions found in section A.IV. referencing 40 CFR part 61, subpart FF.
4. Refer to emissions unit P017 for the applicable wastewater provisions found in section A.IV. referencing 40 CFR part 60, subpart QQQ.

**V. Testing Requirements**

1. Refer to emissions unit P801 for the state requirements for equipment leaks found in section A.V. referencing OAC 3745-21-09(T).
2. Refer to emissions unit P801 for the applicable equipment leak provisions found in section A.V. referencing 40 CFR part 60, subpart VV.
3. Refer to emissions unit P017 for the applicable wastewater provisions found in section A.V. referencing 40 CFR part 61, subpart FF.

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4. Refer to emissions unit P017 for the applicable wastewater provisions found in section A.V. referencing 40 CFR part 60, subpart QQQ.

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5. Compliance with the allowable emission limitations in this permit shall be determined according to the following methods:

- a. Emission Limitation;

4.41 tons per year of volatile organic compounds (VOC) from equipment leaks

Applicable Compliance Method;

The potential to emit (PTE) fugitive emissions are based upon the sum of PTE fugitive emissions from components in each emissions unit at the facility. These components include all valves, pumps, pressure relief valves, connectors, open-ended lines and sampling connections in regulated service at the facility. The fugitive emissions are calculated using the facility component count, component service type, and the petroleum industry screening value correlations.

Fugitive emission rates are calculated utilizing Tables 2-10 "Petroleum Industry Leak Rate/Screening Value Correlations"; 2-12 "Default-Zero Values: Petroleum Industry" and 2-14 "10,000 ppmv and 100,000 ppmv Screening Value Pegged Emission Rates for the Petroleum Industry" as listed in "Protocol for Equipment Leak Emission Estimates" (EPA-453/R-95-017). Use of "Default Zero Values" can only be used for non-detectable screening values as measured by a portable monitoring device having a minimum detection limit of greater than 1 ppmv.

The equipment service/type (gas/vapor, light liquid and heavy liquid service) for each component is determined according to the definitions contained in 40 CFR Part 63, Subpart CC for equipment in organic HAP service. For equipment not in organic HAP service, the equipment service/type (gas/vapor, light liquid and heavy liquid service) is determined according to the following definitions.

In gas/vapor service means that the piece of equipment contains or contacts process fluid that is in the gaseous state at the operating conditions.

In heavy liquid service means that the piece of equipment is not in gas/vapor service or in light liquid service.

In light liquid service means that the piece of equipment contains or contacts

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process fluid that meets the conditions specified in paragraph (O)(3) of OAC rule 3745-21-10.

The fugitive emissions shall be calculated by multiplying all components in a given service type by the respective leak emission rates as listed in the tables of "Protocol for Equipment Leak Emission Estimates" (EPA-453/R-95-017) and then converted to tons per year. The total VOC emissions from fugitive equipment leaks is the sum of emissions from all components comprised in this emissions unit.

## b. Emission Limitation;

1.55 tons per year of volatile organic compounds (VOC) from wastewater

Applicable Compliance Method;

Compliance for those components subject to 40 CFR Part 61, subpart FF, shall be demonstrated through the "Test methods, Procedures and Compliance Provisions" of 40 CFR Part 61.355 of subpart FF [see Part III, section A.V. of emissions unit P017 of the Title V permit].

Compliance for those components subject to 40 CFR Part 60, subpart QQQ, shall be demonstrated using the fugitive emission factors contained in "VOC Emissions from Petroleum Refinery Wastewater Systems-Background Information for Proposed Standards", EPA-450/3-85-001a, Feb. 1985, Table 4-1 (drains) and section 3.2.1.6 (junction boxes):

drains, with 50% control (water seal)      0.012 tons VOC/year/drain

junction boxes with 50% control (water seal)      0.31 tons VOC/year/box

Multiply the stated emission factor times the number of respective components (in tons VOC per year) and add them to the tons VOC per year determined for those components subject to 40 CFR Part 61, subpart FF as calculated according to section 61.355 [see section A.V. of emissions unit P017].

**VI. Miscellaneous Requirements****1. GENERAL PROVISIONS OF 40 CFR 63, subpart A:**

- [63.1]
- a. Applicability
- [63.1(a)(11)]
- i. For the purposes of 40 CFR part 63, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, test plan, report, or other written communication to the Administrator, the permittee shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery agreed to by the permitting authority, is acceptable.
- [63.1(a)(12)]
- ii. Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by the permittee, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the permittee and the Administrator. Procedures governing the implementation of this provision are specified in 63.9(i) and included as section A.VI.1.g.iii. of this permit.
- [63.6(e)]
- b. Operation and maintenance requirements. (Does not apply to Group 2 emission points.)
- [63.6(e)(1)]
- i. (a) Malfunctions shall be corrected as soon as practicable after their occurrence in accordance with the startup, shutdown, and malfunction plan required in paragraph iii. below.
- (b) Operation and maintenance requirements established pursuant to section 112 of the Clean Air Act as amended in 1990 are enforceable independent of emissions limitations or other requirements in relevant standards.
- [63.6(e)(2)]
- ii. Determination of whether acceptable operation and maintenance



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shutdown, and malfunction plan, the permittee may use the affected source's standard operating procedures (SOP) manual, or an Occupational Safety and Health Administration (OSHA) or other plan, provided the alternative plans meet all the requirements of this section and are made available for inspection when requested by the Administrator.

[63.6(e)(3)(vii)]

(d) Based on the results of a determination made under paragraph a.ii. of this section, the Administrator may require that the permittee of an affected source make changes to the startup, shutdown, and malfunction plan for that source. The Administrator may require reasonable revisions to a startup, shutdown, and malfunction plan, if the Administrator finds that the plan:

- (i) Does not address a startup, shutdown, or malfunction event that has occurred;
- (ii) Fails to provide for the operation of the source (including associated air pollution control equipment) during a startup, shutdown, or malfunction event in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by all relevant standards; or
- (iii) Does not provide adequate procedures for correcting malfunctioning process and/or air pollution control equipment as quickly as practicable.

[63.6(e)(3)(viii)]

(e) If the startup, shutdown, and malfunction plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction but was not included in the startup, shutdown, and malfunction plan at the time the permittee developed the plan, the permittee shall revise the startup, shutdown, and malfunction plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control equipment.

[63.6(f)]

c. Compliance with non-opacity emission standards

[63.6(f)(1)]

i. Applicability.

The non-opacity emission standards set forth in 40 CFR part 63 shall

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apply at all times except during periods of startup, shutdown, and malfunction, and as otherwise specified in an applicable subpart. If a startup, shutdown, or malfunction of one portion of an affected source does not affect the ability of particular emission points within other portions of the affected source to comply with the non-opacity emission standards set forth in this part, then that emission point must still be required to comply with the non-opacity emission standards and other applicable requirements.

ii. Methods for determining compliance.

[63.6(f)(2)]

- (a) The Administrator will determine compliance with non-opacity emission standards in 40 CFR part 63 based on the results of performance tests conducted according to the procedures in 63.7, as summarized in section A.VI.1.e. of this permit, unless otherwise specified in an applicable subpart of 40 CFR part 63.

[63.6(f)(2)(ii)]

- (b) The Administrator will determine compliance with non-opacity emission standards in this part by evaluation of the permittees conformance with operation and maintenance requirements, including the evaluation of monitoring data, as specified in 63.6(e), as summarized in section A.VI.1.b. of this permit, and applicable subparts of 40 CFR part 63.

[63.6(f)(2)(iii)]

- (c) If an affected source conducts performance testing at startup to obtain an operating permit in the State in which the source is located, the results of such testing may be used to demonstrate compliance with a relevant standard if:
- (i) The performance test was conducted within a reasonable amount of time before an initial performance test is required to be conducted under the relevant standard;
  - (ii) The performance test was conducted under representative operating conditions for the source; and
  - (iii) The performance test was conducted and the resulting data were reduced using EPA-approved test methods and procedures, as specified in 63.7(e), as described in section A.VI.1.e.iii. of this permit.

- [63.6(f)(2)(iv)]
- (d) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards in this part by review of records, inspection of the source, and other procedures specified in applicable subparts of 40 CFR part 63.
- [63.6(f)(2)(v)]
- (e) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards in this part by evaluation of the permittee's conformance with operation and maintenance requirements, as specified in paragraph 63.7(e), as described in section A.VI.1.e. below, and applicable subparts of 40 CFR part 63.
- [63.6(f)(3)]
- iii. Finding of compliance.  
 The Administrator will make a finding concerning an affected source's compliance with a non-opacity emission standard, as specified in paragraphs 63.6(f)(1) and (2) and described in sections i. and ii. above, upon obtaining all the compliance information required by the relevant standard (including the written reports of performance test results, monitoring results, and other information, if applicable), and information available to the Administrator pursuant to paragraph 63.6(e)(1)(i) as described in section A.VI.b.i.(a) above.
- [63.6(h)]
- d. Compliance with opacity and visible emission standards
- [63.6(h)(1)]
- i. Applicability.  
 The opacity and visible emission standards set forth in 40 CFR part 63 must apply at all times except during periods of startup, shutdown, and malfunction, and as otherwise specified in an applicable subpart. If a startup, shutdown, or malfunction of one portion of an affected source does not affect the ability of particular emission points within other portions of the affected source to comply with the opacity and visible emission standards set forth in 40 CFR part 63, then that emission point shall still be required to comply with the opacity and visible emission standards and other applicable requirements.
- [63.6(h)(2)]
- ii. Methods for determining compliance.

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- (a) The Administrator will determine compliance with opacity and visible emission standards in this part based on the results of the test method specified in an applicable subpart. Whenever a continuous opacity monitoring system (COMS) is required to be installed to determine compliance with numerical opacity emission standards in 40 CFR part 63., compliance with opacity emission standards in this part shall be determined by using the results from the COMS. Whenever an opacity emission test method is not specified, compliance with opacity emission standards in this part shall be determined by conducting observations in accordance with Test Method 9 in appendix A of 40 CFR part 60 or the method specified in 40 CFR 63.6(h)(7)(ii). Whenever a visible emission test method is not specified, compliance with visible emission standards in this part shall be determined by conducting observations in accordance with Test Method 22 in appendix A of 40 CFR part 60.
  - (b) If an affected source undergoes opacity or visible emission testing at startup to obtain an operating permit in the State in which the source is located, the results of such testing may be used to demonstrate compliance with a relevant standard if:
    - (i) The opacity or visible emission test was conducted within a reasonable amount of time before a performance test is required to be conducted under the relevant standard;
    - (ii) The opacity or visible emission test was conducted under representative operating conditions for the source;
    - (iii) The opacity or visible emission test was conducted and the resulting data were reduced using EPA-approved test methods and procedures, as specified in 40 CFR part 63.7(e) and included as section A.VI.1.e.iii. of this permit, and
    - (iv) The opacity or visible emission test was appropriately quality-assured, as specified in 40 CFR part 63.7(c).
- [63.6(h)(6)]
- iii. Availability of records.  
The permittee shall make available, upon request by the Administrator, such records that the Administrator deems necessary to determine the conditions under which the visual observations were

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made and shall provide evidence indicating proof of current visible observer emission certification.

[63.7]

## e. Performance testing requirements.

[63.7(a)(3)]

## i. Applicability and performance test dates.

The Administrator may require the permittee to conduct performance tests at the affected source at any other time when the action is authorized by section 114 of the Clean Air Act of 1990.

[63.7(d)]

## ii. Performance testing facilities.

If required to do performance testing, the permittee, at the request of the Administrator, shall provide performance testing facilities as follows:

## (a) Sampling ports adequate for test methods applicable to such source. This includes:

- (i) Constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures; and
- (ii) Providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures;

## (b) Safe sampling platform(s);

## (c) Safe access to sampling platform(s);

## (d) Utilities for sampling and testing equipment; and

## (e) Any other facilities that the Administrator deems necessary for safe and adequate testing of a source.

[63.7(e)]

## iii. Conduct of performance tests.

- (a) Performance tests shall be conducted under such conditions as the Administrator specifies to the permittee based on representative performance (i.e., performance based on normal operating conditions) of the affected source. Operations during periods of startup, shutdown, and malfunction shall not

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constitute representative conditions for the purpose of a performance test, nor shall emissions in excess of the level of the relevant standard during periods of startup, shutdown, and malfunction be considered a violation of the relevant standard unless otherwise specified in the relevant standard or a determination of noncompliance is made under 63.6(e) as described in section A.VI.1.b. above. Upon request, the permittee shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

- (b) Performance tests shall be conducted and data shall be reduced in accordance with the test methods and procedures set forth in this section, in each relevant standard, and, if required, in applicable appendices of 40 CFR parts 51, 60, 61, and 63 unless the Administrator:
  - (i) Specifies or approves, in specific cases, the use of a test method with minor changes in methodology; or
  - (ii) Approves the use of an intermediate or major change or alternative to a test method, the results of which the Administrator has determined to be adequate for indicating whether a specific affected source is in compliance; or
  - (iii) Approves shorter sampling times or smaller sample volumes when necessitated by process variables or other factors; or
  - (iv) Waives the requirement for performance tests because the permittee has demonstrated by other means to the Administrator's satisfaction that the affected source is in compliance with the relevant standard.
  
- (c) Nothing in paragraphs (a) and (b) above shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

[63.7(h)]

- iv. Waiver of performance tests.

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- (a) Until a waiver of a performance testing requirement has been granted by the Administrator under this paragraph, the permittee remains subject to the requirements of this section.
- (b) Individual performance tests may be waived upon written application to the Administrator if, in the Administrator's judgment, the source is meeting the relevant standard(s) on a continuous basis, or the source is being operated under an extension of compliance, or the permittee has requested an extension of compliance and the Administrator is still considering that request.
- (c) Request to waive a performance test.
  - (i) If a request is made for an extension of compliance under 40 CFR 63.6(i), the application for a waiver of an initial performance test shall accompany the information required for the request for an extension of compliance. If no extension of compliance is requested or if the permittee has requested an extension of compliance and the Administrator is still considering that request, the application for a waiver of an initial performance test shall be submitted at least 60 days before the performance test if the site-specific test plan under 40 CFR 63.7(c) is not submitted.
  - (ii) If an application for a waiver of a subsequent performance test is made, the application may accompany any required compliance progress report, compliance status report, or excess emissions and continuous monitoring system performance report [such as those required under 40 CFR 63.6(i), 63.9(h), and 63.10(e) or specified in a relevant standard or in the source's title V permit], but it shall be submitted at least 60 days before the performance test if the site-specific test plan required under 40 CFR 63.7(c) is not submitted.
  - (iii) Any application for a waiver of a performance test shall include information justifying the permittee's request for a waiver, such as the technical or economic infeasibility, or the impracticality, of the affected source performing the required test.

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- (d) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the permittee.

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- [63.8]
- f. Monitoring requirements.
- [63.8(b)]
- i. Conduct of monitoring.
- (a) Monitoring shall be conducted as set forth in this section and the relevant standard(s) unless the Administrator:
- (i) Specifies or approves the use of minor changes in methodology for the specified monitoring requirements and procedures; or
- (ii) Approves the use of an intermediate or major change or alternative to any monitoring requirements or procedures.
- (iii) The permittee with a flare subject to 40 CFR 63.11(b) is not subject to the requirements of this section unless otherwise specified in the relevant standard.
- (b) When more than one CMS is used to measure the emissions from one affected source (e.g., multiple breechings, multiple outlets), the permittee shall report the results as required for each CMS. However, when one CMS is used as a backup to another CMS, the permittee shall report the results from the CMS used to meet the monitoring requirements of this 40 CFR part 63. If both such CMS are used during a particular reporting period to meet the monitoring requirements of this part, then the permittee shall report the results from each CMS for the relevant compliance period.
- [63.8(c)]
- ii. Operation and maintenance of continuous monitoring systems.
- (a) The permittee shall maintain and operate each CMS as specified in this section, or in a relevant standard, and in a manner consistent with good air pollution control practices.
- (i) The permittee must maintain and operate each CMS as specified in 63.6(e)(1) and included as section A.VI.1.b.i. of this permit.
- (ii) The permittee must develop and implement a written startup, shutdown, and malfunction plan for CMS as specified in 63.6(e)(3) and included as section

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A.VI.1.b.iii. of this permit.

- (b) (i) All CMS must be installed such that representative measures of emissions or process parameters from the affected source are obtained. In addition, CEMS must be located according to procedures contained in the applicable performance specification(s).
        - (ii) Unless the individual subpart states otherwise, the permittee must ensure the read out (that portion of the CMS that provides a visual display or record), or other indication of operation, from any CMS required for compliance with the emission standard is readily accessible on site for operational control or inspection by the operator of the equipment.
      - (c) All CMS shall be installed, operational, and the data verified as specified in the relevant standard either prior to or in conjunction with conducting performance tests under 63.7 as described in section A.VI.1.e. of this permit. Verification of operational status shall, at a minimum, include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system.
- g. [63.9]  
Notification requirements.
  - i. [63.9(a)]  
Applicability and general information.
    - (a) The applicability of this section is set out in 40 CFR 63.1(a)(4).
    - (b) For affected sources that have been granted an extension of compliance under 40 CFR part 63 subpart D, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.
    - (c) If any State requires a notice that contains all the information required in a notification listed in this section, the permittee may send the Administrator a copy of the notice sent to the State to satisfy the requirements of this section for that notification.

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- (d) (i) Before a State has been delegated the authority to implement and enforce notification requirements established under this part, the permittee in such State subject to such requirements shall submit notifications to the appropriate Regional Office of the EPA (to the attention of the Administrator of the Division indicated in the list of the EPA Regional Offices in 40 CFR 63.13 and included as section A.VI.1.i. of this permit.
        - (ii) After a State has been delegated the authority to implement and enforce notification requirements established under this part, the permittee in such State subject to such requirements shall submit notifications to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the permittee shall send a copy of each notification submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (i) above. The Regional Office may waive this requirement for any notifications at its discretion.
- ii. [63.9(b)] Initial notifications.  
The permittee of a new or reconstructed major affected source for which an application for approval of construction or reconstruction is required under 40 CFR 63.5(d) must provide a notification of the actual date of startup of the source, delivered or postmarked within 15 calendar days after that date, in writing to the Administrator.
  - iii. [63.9(i)] Adjustment to time periods or postmark deadlines for submittal and review of required communications.
    - (a) (i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (b) and (c) below, the permittee remains strictly subject to the requirements of 40 CFR part 63.
    - (ii) The permittee shall request the adjustment provided for in paragraphs (b) and (c) below each time he or she wishes to change an applicable time period or postmark deadline specified in this part.
  - (b) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by the permittee, or the review of such information by the Administrator, such time periods or deadlines may be changed

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by mutual agreement between the permittee and the Administrator. The permittee who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The permittee shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

- (c) If, in the Administrator's judgment, the permittee's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the permittee in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.
- (d) If the Administrator is unable to meet a specified deadline, he or she will notify the permittee of any significant delay and inform the permittee of the amended schedule.

## [63.10]

## h. Recordkeeping and reporting requirements.

## [63.10(a)]

## i. Applicability and general information.

- (a) The applicability of this section is set out in 40 CFR 63.1(a)(4).
- (b) For affected sources that have been granted an extension of compliance under subpart D of this 40 CFR part 63, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.
- (c) If any State requires a report that contains all the information required in a report listed in this section, the permittee may send the Administrator a copy of the report sent to the State to satisfy the requirements of this section for that report.
- (d) (i) Before a State has been delegated the authority to implement and enforce recordkeeping and reporting

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requirements established under 40 CFR part 63, the permittee in such State subject to such requirements shall submit reports to the appropriate Regional Office of the EPA (to the attention of the Administrator of the Division indicated in the list of the EPA Regional Offices in 63.13 and included as section A.VI.1.i. of this permit).

- (ii) After a State has been delegated the authority to implement and enforce recordkeeping and reporting requirements established under 40 CFR part 63, the permittee in such State subject to such requirements shall submit reports to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the permittee shall send a copy of each report submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (i) above. The Regional Office may waive this requirement for any reports at its discretion.

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(e) If the permittee in a State with delegated authority is required to submit periodic reports under 40 CFR part 63 to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such source under this part, the permittee may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the permittee and the State. For each relevant standard established pursuant to section 112 of the Act, the allowance in the previous sentence applies in each State beginning 1 year after the affected source's compliance date for that standard. Procedures governing the implementation of this provision are specified in 63.9(i), as described in section A.VI.1.g.iii above.

(f) If the permittee supervises one or more stationary sources affected by more than one standard established pursuant to section 112 of the Act, he/she may arrange by mutual agreement between the permittee and the Administrator (or the State permitting authority) a common schedule on which periodic reports required for each source shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the latest compliance date for any

relevant standard established pursuant to section 112 of the Act for any such affected source(s). Procedures governing the implementation of this provision are specified in 63.9(i), as described in section A.VI.1.g.iii. above.

(g) If the permittee supervises one or more stationary sources affected by standards established pursuant to section 112 of the Act (as amended November 15, 1990) and standards set under part 60, part 61, or both such parts of this 40 CFR, the permittee may arrange by mutual agreement between the

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permittee and the Administrator (or the State permitting authority) a common schedule on which periodic reports required by each relevant (i.e., applicable) standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the relevant section 112 standard, or 1 year after the stationary source is required to be in compliance with the applicable part 60 or part 61 standard, whichever is latest. Procedures governing the implementation of this provision are specified in 63.9(i), as described in section A.VI.1.g.iii. above.

- [63.10(b)]
- ii. General recordkeeping requirements.  
The permittee subject to the provisions of 40 CFR part 63 shall maintain relevant records for such source of:
- (a) The occurrence and duration of each startup, shutdown, or malfunction of operation (i.e., process equipment);
  - (b) The occurrence and duration of each malfunction of the required air pollution control and monitoring equipment;
  - (c) Actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) when such actions are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan (see 63.6(e)(3), as described in section A.VI.1.b.iii. above);
  - (d) All information necessary to demonstrate conformance with the affected source's startup, shutdown, and malfunction plan (see 63.6(e)(3), as described in section A.VI.1.b.iii. above, when all actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. (The information needed to demonstrate conformance with the startup, shutdown, and malfunction plan may be recorded using

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a "checklist," or some other effective form of record keeping, in order to minimize the record keeping burden for conforming events);

- (e) All CMS calibration checks;
- (f) All adjustments and maintenance performed on CMS;

[63.10(d)(5)]

- iii. (a) Periodic startup, shutdown, and malfunction reports. If actions taken by the permittee during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the source's startup, shutdown, and malfunction plan [see 63.6(e)(3) as described in section A.VI.1.b.iii. above], the permittee shall state such information in a startup, shutdown, and malfunction report. Reports shall only be required if a startup, shutdown, or malfunction occurred during the reporting period, and they must include the number, duration, and a brief description of each startup, shutdown, or malfunction. The startup, shutdown, and malfunction report shall consist of a letter, containing the name, title, and signature of the permittee or other responsible official who is certifying its accuracy, that shall be submitted to the Administrator semiannually (or on a more frequent basis if specified otherwise in a relevant standard or as established otherwise by the permitting authority in the source's title V permit). The startup, shutdown, and malfunction report shall be delivered or postmarked by the 30th day following the end of each calendar half (or other calendar reporting period, as appropriate). If the permittee is required to submit excess emissions and continuous monitoring system performance (or other periodic) reports under this part, the startup, shutdown, and malfunction reports required under this paragraph may be submitted simultaneously with the excess emissions and continuous monitoring system performance (or other) reports. If startup, shutdown, and malfunction reports are submitted with excess emissions and continuous monitoring system performance (or other periodic) reports, and the permittee receives approval to reduce the frequency of reporting for the latter under paragraph 40 CFR 63.10(e), the frequency of reporting for the startup, shutdown, and malfunction reports also may be reduced if the Administrator does not object to the intended change. The procedures to implement the allowance in the preceding sentence shall be the same as the procedures

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specified in paragraph 40 CFR 63.10(e)(3).

- (b) Immediate startup, shutdown, and malfunction reports. Notwithstanding the allowance to reduce the frequency of reporting for periodic startup, shutdown, and malfunction reports under paragraph (a) above, any time an action taken by the permittee during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the permittee shall report the actions taken for that event within 2 working days after commencing actions inconsistent with the plan followed by a letter within 7 working days after the end of the event. The immediate report required under this paragraph shall consist of a telephone call (or facsimile (FAX) transmission) to the Administrator within 2 working days after commencing actions inconsistent with the plan, and it shall be followed by a letter, delivered or postmarked within 7 working days after the end of the event, that contains the name, title, and signature of the permittee or other responsible official who is certifying its accuracy, explaining the circumstances of the event, the reasons for not following the startup, shutdown, and malfunction plan, and whether any excess emissions and/or parameter monitoring exceedances are believed to have occurred. Notwithstanding the requirements of the previous sentence, after the effective date of an approved permit program in the State in which an affected source is located, the permittee may make alternative reporting arrangements, in advance, with the permitting authority in that State. Procedures governing the arrangement of alternative reporting requirements under this paragraph are specified in 40 CFR 63.9(i), as described in section A.VI.1.g.iii. above.

[63.11(a)]

- i. 40 CFR 63.11 contains requirements for control devices used to comply with provisions in relevant standards. These requirements apply only to affected sources covered by relevant standards referring directly or indirectly to this section.

[63.13]

- j. Addresses of State air pollution control agencies and EPA Regional Offices.

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**[63.13(a)]**

- i. All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this permit shall be submitted to: Director Ohio EPA c/o Bob Hodanbosi, Ohio EPA, Lazarus Government Center, P.O. Box 1049, Columbus, OH 43216-1049.

**[63.13(b)]**

- ii. All information required to be submitted to the Administrator in compliance with the requirements of this permit also shall be submitted to the Toledo Division of Environmental Services, 348 S. Erie St., Toledo, Ohio 43604, to which authority has been delegated under section 112(l) of the Clean Air Act as amended in 1990.

**[63.13(c)]**

- iii. If any State requires a submittal that contains all the information required in an application, notification, request, report, statement, or other communication required in this part, the permittee may send the appropriate Regional Office of the EPA a copy of that submittal to satisfy the requirements of this part for that communication.

**[63.14(a)]**

- k. Incorporations by reference. The materials listed in 40 CFR 63.14 are incorporated by reference in the corresponding sections.

**[63.15]**

- l. Availability of information and confidentiality.

**[63.15(a)]**

- i. (a) With the exception of information protected through 40 CFR part 2, all reports, records, and other information collected by the Administrator under 40 CFR part 63 are available to the public. In addition, a copy of each permit application, compliance plan (including the schedule of compliance), notification of compliance status, excess emissions and continuous monitoring systems performance report, and title V permit is available to the public, consistent with protections recognized in section 503(e) of the Clean Air Act as amended in 1990.  
  
(b) The availability to the public of information provided to or otherwise obtained by the Administrator under this part shall be governed by 40 CFR part 2.

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- [63.15(b)]
- ii. (a) If a permittee is required to submit information entitled to protection from disclosure under section 114(c) of the Clean Air Act as amended in 1990, the permittee may submit such information separately. The requirements of section 114(c) shall apply to such information.
  
  - (b) The contents of a Title V permit shall not be entitled to protection under section 114(c) of the Clean Air Act as amended in 1990; however, information submitted as part of an application for a Title V permit may be entitled to protection from disclosure.

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**B. State Only Enforceable Section**

**I. Applicable Emissions Limitations and/or Control Requirements**

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

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
P039 - Desulfurized gasoline blending components with a flare as control during process upsets		

**2. Additional Terms and Conditions**

2.a None

**II. Operational Restrictions**

None

**III. Monitoring and/or Recordkeeping Requirements**

None

**IV. Reporting Requirements**

None

**V. Testing Requirements**

None

**VI. Miscellaneous Requirements**

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None