Permit #: **28.0702-02**

Effective Date: **October 10, 2008**

Expiration Date: **May 4, 2012**

SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

TITLE V AIR QUALITY PERMIT

Steven M Pirner, Secretary
Department of Environment and Natural Resources

Under the South Dakota Air Pollution Control Regulations

Pursuant to Chapter 34A-1-21 of the South Dakota Codified Laws and the Air Pollution Control Regulations of the State of South Dakota and in reliance on statements made by the owner designated below, a permit to operate is hereby issued by the Secretary of the Department of Environment and Natural Resources. This permit authorizes such owner to operate the unit(s) listed in Table 1-1 under the listed conditions.

A. Owner

1. Company Name and Mailing Address

Rocky Mountain Pipeline System LLC.
1575 Hwy 150 South Suite E
Evanston, WY 82930

2. Actual Source Location if Different from Above

3225 Elgin Street
Rapid City, SD 57701

3. Permit Contact

Tom McCormick
(307) 783-8336

4. Facility Contact

Tom McCormick
(307) 783-8336

5. Responsible Official

Tom McCormick
(307) 783-8336

B. Permit Revisions or Modifications

May 24, 2007 – permit amended to include new ethanol storage tank (Unit #15/Tank 5-22)

October 10, 2008- permit amended to allow storage of gasoline or ethanol in Tank (Unit #5/Tank 12-1)

C. Type of Operation

Refined petroleum pipeline distribution terminal

TABLE OF CONTENTS

Page

TABLE OF CONTENTS

TABLE OF CONTENTS

Page

1.0 STANDARD CONDITIONS

1.1 Operation of Source. In accordance with Administrative Rules of South Dakota (ARSD) 74:36:05:16.01(8), the owner or operator shall operate the units, controls, and processes as described in Table 1-1 in accordance with the statements, representations, and supporting data contained in the complete permit application submitted and dated January 24, 2003, March 13, 2007, and August 22, 2008, unless modified by the conditions of this permit. The control equipment shall be operated in manner that achieves compliance with the conditions of this permit at all times. The application consists of the application forms, supporting data, and supplementary correspondence. If the owner or operator becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in an application, such information shall be promptly submitted.

Table 1-1 – Description of Permitted Units, Operations, and Processes

Unit	Description	Maximum Capacity	Control Equipment
#1	A submerged-fill truck loading rack to load product into trucks.	Not applicable	Vapor combustor
	John Zink vapor combustor fired with natural gas.	52 million Btus per hour	
#2	Tank 10-53 - 1962 above ground external floating roof storage tank	424,620 gallons	Not applicable
#3	Tank 10-54 - 1962 above ground external floating roof storage tank	424,620 gallons	Not applicable
#4	Tank 11-1 - 1962 above ground fixed roof storage tank	475,860 gallons	Not applicable
#5	Tank 12-1 - 1989 above ground internal floating roof storage tank	510,468 gallons	Not applicable
#6	Tank 14-1 – 1962 above ground external floating roof storage tank	581,580 gallons	Not applicable
#7	Tank 17-1 - 1962 above ground fixed roof storage tank	705,180 gallons	Not applicable
#8	Tank 20-27 - 1962 above ground fixed roof storage tank	845,880 gallons	Not applicable
#9	Tank 24-1 - 1962 above ground external floating roof storage tank	1,015,140 gallons	Not applicable
#10	Tank 24-2 - 1962 above ground external floating roof storage tank	1,015,140 gallons	Not applicable
#11	Tank 24-3 - 1968 above ground fixed roof storage tank	1,015,140 gallons	Not applicable
#12	Tank 33-1 - 1962 above ground external floating roof storage tank	1,381,800 gallons	Not applicable

Unit	Description	Maximum Capacity	Control Equipment
#13	Tank 33-2 - 1969 above ground internal floating roof storage tank	1,381,842 gallons	Not applicable
#14	Tank 33-3 - 1969 above ground internal floating roof storage tank	1,381,842 gallons	Not applicable
#15	Tank 5-22 - 2007 above ground internal floating roof storage tank	211,512 gallons	Not applicable

1.2 Duty to comply. In accordance with ARSD 74:36:05:16.01(12), the owner or operator shall comply with the conditions of this permit. An owner or operator who knowingly makes a false statement in any record or report or who falsifies, tampers with, or renders inaccurate, any monitoring device or method is in violation of this permit. A violation of any condition in this permit is grounds for enforcement, reopening this permit, permit termination, or denial of a permit renewal application. The owner or operator, in an enforcement action, cannot use the defense that it would have been necessary to cease or reduce the permitted activity to maintain compliance. The owner or operator shall provide any information requested by the Secretary to determine compliance or whether cause exists for reopening or terminating this permit.

1.3 Property rights or exclusive privileges. In accordance with ARSD 74:36:05:16.01(12), the State's issuance of this permit, adoption of design criteria, and approval of plans and specifications does not convey any property rights of any sort, any exclusive privileges, any authorization to damage, injure or use any private property, any authority to invade personal rights, any authority to violate federal, state or local laws or regulations, or any taking, condemnation or use of eminent domain against any property owned by third parties. The State does not warrant that the owner's or operator's compliance with this permit, design criteria, approved plans and specifications, and operation under this permit, will not cause damage, injury or use of private property, an invasion of personal rights, or violation of federal, state or local laws or regulations. The owner or operator is solely and severally liable for all damage, injury or use of private property, invasion of personal rights, infringement of federal, state or local laws and regulations, or taking or condemnation of property owned by third parties, which may result from actions taken under the permit.

1.4 Penalty for violating a permit condition. In accordance with South Dakota Codified Laws (SDCL) 34A-1, a violation of a permit condition may subject the owner or operator to civil or criminal prosecution, a state penalty of not more than $10,000 per day per violation, injunctive action, administrative permit action, and other remedies as provided by law.

1.5 Inspection and entry. In accordance with SDCL 34A-1-41, the owner or operator shall allow the Secretary to:

1. Enter the premises where a regulated activity is located or where pertinent records are stored;
2. Have access to and copy any records that are required under this permit;

3. Inspect operations regulated under this permit; and/or
4. Sample or monitor any substances or parameters for the purpose of assuring compliance.

1.6 Severability. In accordance with ARSD 74:36:05:16.01(11), any portion of this permit that is void or challenged shall not affect the validity of the remaining permit requirements.

1.7 Permit termination, modification, or revocation. In accordance with ARSD 74:36:05:46, the Secretary may recommend that the Board of Minerals and Environment terminate, modify, or revoke this permit for violations of SDCL 34A-1 or the federal Clean Air Act or for nonpayment of any outstanding fee or enforcement penalty.

1.8 Credible evidence. In accordance with ARSD 74:36:13:07, credible evidence may be used for the purpose of establishing whether the owner or operator has violated or is violation of this permit. Credible evidence is as follows:

1. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred at the source:
   a. A monitoring method approved for the source pursuant to 40 CFR § 70.6(a)(3) and incorporated in this permit; or
   b. Compliance methods specified in an applicable plan;
2. The following testing, monitoring, or information gathering methods are presumptively credible testing, monitoring, or information-gathering methods:
   a. Any monitoring or testing methods approved in this permit, including those in 40 CFR Parts 51, 60, 61, and 75; or
   b. Other testing, monitoring, or information-gathering methods that produce information comparable to that produced by any method in section (1) or (2)(a).

2.0 PERMIT FEES

2.1 Annual air fee required. In accordance with ARSD 74:36:05:06.01, the owner or operator shall submit an annual administrative fee and an annual fee. The fee is based on actual emissions in accordance with ARSD 74:37.

2.2 Annual operational report. In accordance with ARSD 74:37:01:06, the Secretary will supply the owner or operator with an annual operational report in January of each year. The owner or operator shall complete and submit the operational report to the Secretary by March 1 of each year. The responsible official shall sign the operational report in the presence of a notary public.

2.3 Annual air fee. In accordance with ARSD 74:37:01:08, the Secretary will notify the owner or operator of the required annual air emission fee and administrative fee by June 1 of

each year. The fees shall accrue on July 1 and are payable to the Department of Revenue by July 31 of each year.

3.0 PERMIT AMENDMENT AND MODIFICATION CONDITIONS

3.1 Permit flexibility. In accordance with ARSD 74:36:05:30, the owner or operator shall have the flexibility to make changes to the source during the term of this permit. The owner or operator shall provide the Secretary written notice at least seven days in advance of the proposed change (NOTE: The Secretary will forward a copy of the written notice to EPA). The written notice shall include a brief description of the change, the date on which the change is to occur, any change in emissions, and the proposed changes to this permit.

The Secretary will notify the owner or operator whether the change is an administrative permit amendment, a minor permit amendment, or a permit modification. A proposed change that is considered an administrative permit amendment or a minor permit amendment can be completed immediately after the Secretary receives the written notification. The owner or operator must comply with both the applicable requirements governing the change and the proposed permit terms and conditions until the Secretary takes final action on the proposed change.

A proposed change that is considered a modification can not be constructed until the Secretary takes final action on the proposed change. Permit modifications are subject to the same procedural requirements, including public comment, as the original permit issuance except that the required review shall cover only the proposed changes.

3.2 Administrative permit amendment. In accordance with ARSD 74:36:05:33, the Secretary has 60 days from receipt of a written notice to verify that the proposed change is an administrative permit amendment. The Secretary considers a proposed change an administrative permit amendment if the proposed change accomplishes one of the following:

1. Corrects typographical errors;
2. Changes the name, address, or phone number of any person identified in this permit or provides a similar minor administrative change at the source;
3. Requires more frequent monitoring or reporting by the source;
4. The ownership or operational control of a source change and the Secretary determines that no other change in this permit is necessary. However, the new owner must submit a certification of applicant form and a written statement specifying the date for transfer of operating permit responsibility, coverage, and liability; or
5. Any other changes that the Secretary and the administrator of EPA determines to be similar to those requirements in this condition.

3.3 Minor permit amendment. In accordance with ARSD 74:36:05:38, the Secretary has 90 days from receipt of a written notice or 15 days after the end of EPA's 45-day review period,

whichever is later, to take final action on a minor permit amendment. Final action consists of issuing or denying a minor permit amendment or determining that the proposed change is a permit modification. The Secretary considers a proposed change to be a minor permit amendment if the proposed change:

1. Does not violate any applicable requirements;
2. Does not involve significant changes to existing monitoring, reporting, or record keeping requirements;
3. Does not require or change a case-by-case determination of an emission limit or other standard, a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis; or
4. Does not seek to establish or change a permit term or condition for which the source has assumed to avoid an applicable requirement, a federally enforceable emission cap, or an alternative emission limit. An alternative emission limit is approved pursuant to regulations promulgated under section 112(i)(5) of the federal Clean Air Act.

3.4 Permit modification. In accordance with ARSD 74:36:05:39, an owner or operator may apply for a permit modification. A permit modification is any proposed change that meets the definition of a modification in ARSD 74:36:01:10 or is not an administrative amendment or a minor permit amendment. Modification is defined as a physical change or change in operation that increases the amount of air pollutant emitted by the source or results in the emission of an air pollutant not previously emitted. Permit modifications are subject to the same procedural requirements, including public comment, as the original permit issuance except that the required review shall cover only the proposed changes.

3.5 Permit revision. In accordance with ARSD 74:36:05:40, the Secretary may reopen and revise this permit to meet requirements of SDCL 34A-1 or the federal Clean Air Act.

3.6 Testing new fuels or raw materials. In accordance with ARSD 74:36:11:04, an owner or operator may request permission to test a new fuel or raw material to determine if it is compatible with existing equipment before requesting a permit amendment or modification. A complete test proposal shall consist of the following:

1. A written proposal that describes the new fuel or raw material, operating parameters, and parameters that will be monitored and any testing associated with air pollutant emissions during the test;
2. An estimate of the type and amount of regulated air pollutant emissions that will result from the proposed change; and
3. The proposed schedule for conducting the test. In most cases the owner or operator will be allowed to test for a maximum of one week. A request for a test period longer than one week will need additional justification. A test period shall not exceed 180 days.

The Secretary shall approve, conditionally approve, or deny in writing the test proposal within 45 days after receiving a complete proposal. Approval conditions may include changing the test schedule or pollutant sampling and analysis methods. Pollutant sampling and analysis methods may include, but are not limited to performance testing, visible emission evaluation, fuel analysis, dispersion modeling, and monitoring of raw material or fuel rates.

If the Secretary determines that the proposed change will result in an increase in the emission of a regulated air pollutant or result in the emission of an additional regulated air pollutant, the Secretary shall give public notice of the proposed test for 30 days. The Secretary shall consider all comments received during the 30-day public comment period before making a final decision on the test.

The Secretary will not approve a test if the test would cause or contribute to a violation of a national ambient air quality standard.

4.0 PERMIT RENEWAL REQUIREMENTS

4.1 **Permit effective.** In accordance with ARSD 74:36:05:07, this permit shall expire five years from date of issuance unless reopened or terminated for cause.

4.2 **Permit renewal.** In accordance with ARSD 74:36:05:08, the owner or operator shall submit an application for a permit renewal at least 180 days before the date of permit expiration if the owner or operator wishes to continue an activity regulated by this permit. The current permit shall not expire and shall remain in effect until the Secretary takes final action on the timely permit renewal application.

4.3 **Permit expiration.** In accordance with ARSD 74:36:05:28, permit expiration terminates the owner's or operator's right to operate any unit covered by this permit.

5.0 RECORD KEEPING AND REPORTING REQUIREMENTS

5.1 **Record keeping and reporting.** In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall maintain all monitoring data, records, reports, and pertinent information specified by this permit for five years from the date of sample, measurement, report, or application, unless otherwise specified in this permit. The records shall be maintained on site for the first two years and may be maintained off site for the last three years, unless otherwise specified in this permit. All records must be made available to the Secretary for inspection. All notifications and reports shall be submitted to the following address:

South Dakota Department of Environment and Natural Resources
PMB 2020, Air Quality Program

523 E. Capitol, Joe Foss Building
Pierre, SD 57501-3182

5.2 Signatory requirements. In accordance with ARSD 74:36:05:12, all applications submitted to the Secretary shall be signed and certified by a responsible official. A responsible official for a corporation is a responsible corporate officer and for a partnership or sole proprietorship is a general partner or the proprietor, respectively. All reports or other information submitted to the Secretary shall be signed and certified by a responsible official or a duly authorized representative. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to the Secretary; and
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters.

The responsible official shall notify the Secretary if an authorization is no longer accurate. The new duly authorized representative must be designated prior to or together with any reports or information to be signed by a duly authorized representative.

5.3 Certification statement. In accordance with ARSD 74:36:05:16.01(14)(a), all documents required by this permit, including application forms, reports, and compliance certification, must be certified by a responsible official or a duly authorized representative. The certification shall include the following statement:

> "I certify that, based on information and belief formed after reasonable inquiry, the statements and information in this document and all attachments are true, accurate, and complete."

5.4 Monitoring log. In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall maintain a monitoring log. The following information shall be recorded in the monitoring log within two days of each emergency exceedance:

1. The date of the emergency exceedance and the date the emergency exceedance was reported to the Secretary;
2. The cause(s) of the emergency;
3. The reasonable steps taken to minimize the emissions during the emergency; and
4. A statement that the permitted equipment was at the time being properly operated.

5.5 Annual compliance certification. In accordance with ARSD 74:36:05:16.01(14), the owner or operator shall submit an annual compliance certification letter to the Secretary by

March 1 of each year this permit is in effect (NOTE: The Secretary will forward a copy of the certification letter to EPA). The certification shall contain the following information:

1. Methods used to determine compliance, including: monitoring, record keeping, performance testing and reporting requirements;
2. The source is in compliance and will continue to demonstrate compliance with all applicable requirements;
3. In the event the source is in noncompliance, a compliance plan that indicates how the source has or will be brought into compliance; and
4. Certification statement required in permit condition 5.3.

5.6 Reporting permit violations. In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall report all permit violations. A permit violation should be reported as soon as possible, but no later than the first business day following the day the violation was discovered. The permit violation may be reported by telephone to the South Dakota Department of Environment and Natural Resources at (605) 773-3151 or by FAX at (605) 773-5286. A written report shall be submitted within five days of discovering the permit violation. Upon prior approval from the Secretary, the submittal deadline for the written report may be extended up to 30 days. The written report shall contain:

1. Description of the permit violation and its cause(s);
2. Duration of the permit violation, including exact dates and times; and
3. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the permit violation.

6.0 CONTROL OF REGULATED AIR POLLUTANTS

6.1 Visibility limit. In accordance with ARSD 74:36:12:01, the owner or operator may not discharge into the ambient air an air contaminant of a density equal to or greater than that designated as 20 percent opacity from any permitted unit, operation, or process listed in Table 1-1. This provision does not apply when the presence of uncombined water is the only reason for failure to meet the requirement.

6.2 Air emission exceedances -- normal operation. In accordance with ARSD 74:36:12:02, an exceedance of the operating limit in permit condition 6.1 is not considered a violation during brief periods of soot blowing, start-up, shutdown, or malfunctions. Malfunction means any sudden and unavoidable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. A failure caused entirely or in part by poor maintenance, careless operation, preventable equipment breakdown, or any other cause within the control of the owner or operator of the source is not a malfunction and is considered a violation.

6.3 Total suspended particulate matter limits. In accordance with ARSD 74:36:06:02(1), the owner or operator shall not allow the emission of total suspended particulate matter in excess of the emission limit specified in Table 6-1 for the appropriate permitted unit, operation, and process.

Table 6-1 – Total Suspended Particulate Matter Emission Limit

Unit	Description	Emission Limit
#1	Loading rack vapor combustor	0.5 pounds per million Btu heat input

6.4 Sulfur dioxide limits. In accordance with ARSD 74:36:06:02(2), the owner or operator shall not allow the emission of sulfur dioxide in excess of the emission limit specified in Table 6-2 for the appropriate permitted unit, operations, and process.

Table 6-2 – Sulfur Dioxide Emission Limit

Unit	Description	Emission Limit
#1	Loading rack vapor combustor	3.0 pounds per million Btu heat input

Compliance with the sulfur dioxide emission limit is based on a three-hour rolling average, which is the arithmetic average of three contiguous one-hour periods.

6.5 Air emission exceedances – emergency conditions. In accordance with ARSD 74:36:05:16.01(18), the Secretary will allow for an unavoidable emission exceedance of a technology-based emission limit if the exceedance is caused by an emergency condition and immediate action is taken by the owner or operator to restore the operations back to normal. An emergency condition is a situation arising from a sudden and reasonably unforeseeable event beyond the control of the source, including acts of God. An emergency shall not include an emission exceedance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error. The owner or operator shall notify the Secretary within two working days of the incident and take all steps possible to eliminate the excess emissions. The notification must provide a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. If the notification is submitted orally, a written report summarizing the information required by the notification shall be submitted and postmarked within 30 days of the oral notification.

6.6 Circumvention not allowed. In accordance with ARSD 74:36:05:47.01, the owner or operator may not install, use a device, or use a means that conceals or dilutes an air emission that would otherwise violate this permit. This includes operating a unit or control device that emits air pollutants from an opening other than the designed stack, vent, or equivalent opening.

6.7 Minimizing emissions. In accordance with ARSD 74:36:07:01, as referenced to 40 CFR § 60.11(d), the owner or operator shall at all times, when practicable, maintain and operate all permitted units in a manner that minimizes air pollution emissions.

7.0 PERFORMANCE TESTS

7.1 Performance test may be required. In accordance with ARSD 74:36:11:02, the Secretary may request a performance test. A performance test shall be conducted while operating the unit at or greater than 90 percent of its maximum design capacity, unless otherwise specified by the Secretary. A performance test that is conducted while operating less than 90 percent of its maximum design capacity will result in the operation being limited to the percent achieved during the performance test. The Secretary has the discretion to extend the deadline for completion of performance test required by the Secretary if circumstances reasonably warrant but will not extend the deadline past a federally required performance test deadline.

7.2 Test methods and procedures. The owner or operator shall conduct the performance test in accordance with 40 CFR Part 60, Appendix A, 40 CFR Part 63, Appendix A, and 40 CFR Part 51, Appendix M. The Secretary may approve an alternative method if a performance test specified in 40 CFR Part 60, Appendix A, 40 CFR Part 63, Appendix A, and 40 CFR Part 51, Appendix M is not federally applicable or federally required.

7.3 Representative performance test. In accordance with ARSD 74:36:07:01, as referenced to 40 CFR § 60.8(c), performance tests shall be conducted under such conditions as the Secretary shall specify to the owner or operator based on the representative performance of the unit being tested. The owner or operator shall make available to the Secretary such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in this permit.

7.4 Submittal of test plan. In accordance with ARSD 74:36:11:01, the owner or operator shall submit the proposed testing procedures to the Secretary at least 30 days prior to any performance test. The Secretary will notify the owner or operator if the proposed test procedures are approved or denied. If the proposed test procedures are denied, the Secretary will provide written notification that outlines what needs to be completed for approval.

7.5 Notification of test. In accordance with ARSD 74:36:11:03, the owner or operator shall notify the Secretary at least 10 days prior to the start of a performance test to arrange for an agreeable test date when the Secretary may observe the test. The Secretary may extend the deadline for the performance test in order to accommodate schedules in arranging an agreeable test date.

7.6 Performance test report. In accordance with ARSD 74:36:05:16.01(9), the owner or operator shall submit a performance test report to the Secretary within 60 days after completing the performance test or by a date designated by the Secretary. The performance test report shall contain the following information:

1. A brief description of the process and the air pollution control system being tested;
2. Sampling location description(s);
3. A description of sampling and analytical procedures and any modifications to standard procedures;
4. Test results;
5. Quality assurance procedures and results;
6. Records of operating conditions during the test, preparation of standards, and calibration procedures;
7. Raw data sheets for field sampling and field and laboratory analyses;
8. Documentation of calculations;
9. All data recorded and used to establish parameters for compliance monitoring; and
10. Any other information required by the test method.

8.0 STANDARDS FOR BULK GASOLINE TERMINALS

8.1 Vapor collection system. In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.502(a), the owner or operator shall operate the truck loading rack (Unit #1) with a vapor collection system designed to collect the total organic compound vapors displaced from tank trucks during product loading.

8.2 Vapor collection system emission limit. In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.502(b), the owner or operator shall not allow the total organic compound emissions from the vapor collection system due to the loading of liquid product into gasoline tank trucks to exceed 35 milligrams of total organic compounds per liter of gasoline loaded.

8.3 Product loading into vapor-tight gasoline tank trucks. In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.502(e), liquid product shall only be loaded into vapor-tight gasoline tank trucks, in which the owner or operator has implemented the following procedures:

1. Obtain vapor tightness documentation described in permit condition 8.12 for each gasoline tank truck loaded at the facility;
2. Record the tank identification number as each gasoline tank truck is loaded at the facility;
3. Within two weeks after the corresponding tank is loaded, crosscheck each tank identification number obtained in permit condition 8.3(2) with the file of tank vapor tightness documentation;
4. Notify the owner or operator of each nonvapor-tight gasoline tank truck loaded at the facility within three weeks after the loading has occurred; and
5. Take steps to assure that the nonvapor-tight gasoline tank truck will not be reloaded at the facility until vapor tightness documentation for that tank is obtained;

Alternate procedures to those described above for limiting gasoline tank truck loading may be used upon application to and approval by the Secretary.

8.4 Vapor collection system compatibility. In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.502(f), the owner or operator shall act to assure that loading of gasoline tank trucks are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.

8.5 Vapor collection systems connected during product loading. In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.502(g), the owner or operator shall act to assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck. Examples include training drivers in the hookup procedures and posting visible reminder signs at the loading rack.

8.6 Gauge pressure limit in the delivery tank. In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.502(h), the vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 Pascals during product loading.

8.7 Pressure vacuum vent design. In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.502(i), the pressure vacuum vent in the bulk gasoline terminal's vapor collection system shall not begin to open at a system pressure less than 4,500 Pascals.

8.8 Leak detection during product loading. In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.502(j), the owner or operator shall inspect the vapor collection system, the vapor processing system, and each loading rack handling gasoline each calendar month. The inspection shall be conducted for total organic compound liquid or vapor leaks during the loading of gasoline tank trucks. Leak detection methods incorporating sight, sound, or smell are acceptable. Each leak detected shall be recorded and the source of the leak repaired within 15 calendar days after it is detected.

8.9 Pressure measurement on vapor combustor for Unit #1. In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR §§ 60.503(d)(1) and 60.503(d)(2), a pressure measurement device capable of measuring up to 500 millimeters of water gauge pressure, with a precision of plus or minus 2.5 millimeters of water, shall be installed on the vapor combustor to determine compliance with permit condition 8.6. The device shall be located as close as possible to the connection with the gasoline tank truck. The pressure shall be recorded every five minutes while a gasoline tank truck is being loaded. The highest instantaneous pressure that occurs during each loading shall also be recorded. Every loading position must be tested at least once during the performance test.

8.10 Notification of physical or operational changes to Unit #1. In accordance with ARSD 74:36:07:01, incorporating by reference 40 CFR §§ 60.7(a)(4) and 60.14(e), the owner or operator shall notify the Secretary of any physical or operational change to Unit #1 which may increase the emission rate of an air pollutant regulated under Chapter 8.0 of this permit unless the change meets one of the following exempt criteria:

1. Maintenance, repair, and replacement determined to be routine;
2. An increase in production rate of Unit #1, if that increase can be accomplished without a capital expenditure;
3. An increase in the hours of operation;
4. Use of an alternative fuel or raw material if Unit #1 was designed to accommodate that alternative fuel or raw material;
5. The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or replaced by a system which is determined to be less environmentally beneficial; and
6. The relocation or change in ownership of Unit #1.

The notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change; present and proposed emission control systems; productive capacity of Unit #1 before and after the change; the expected completion date of the change, and any addition information the Secretary may request that is relevant to the change.

8.11 Tank truck vapor tightness documentation. In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.505(a), the tank truck vapor tightness documentation required by permit condition 8.3 shall be maintained on file at the terminal.

8.12 Tank truck vapor tightness documentation updates. In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.505(b), the owner or operator shall update each gasoline tank truck file at least once per year to reflect current test results as determined by 40 CFR Part 60, Appendix A, Method 27. This documentation shall include the following information at a minimum:

1. Test title: Gasoline Delivery Tank Pressure Test – 40 CFR Part 60, Appendix A, Method 27;
2. Tank owner and address;
3. Tank identification number;
4. Testing location;
5. Date of test;
6. Tester name and signature;
7. Witnessing inspector, if any: name, signature, and affiliation; and
8. Test results: Actual pressure change in 5 minutes, millimeters of water (average for 2 runs).

8.13 Leak inspection record. In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.505(c), the owner or operator shall maintain for at least two years a record of each monthly leak inspection required under permit condition 8.8. At a minimum, the following information must be contained in the file:

1. Date of inspection;
2. Findings (may indicate no leaks discovered; or location, nature, and severity of each leak);
3. Leak determination method;
4. Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days); and
5. Inspector name and signature.

8.14 Record of notifications. In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.505(d), the owner or operator shall maintain documentation of all notifications required under permit condition 8.3(4) for at least two years.

8.15 Vapor combustor performance test requirements. In accordance with ARSD 74:36:07:23, incorporating by reference 40 CFR § 60.503(c), if the owner or operator is required under Chapter 7.0 of this permit to conduct a performance test on the vapor combustor to determine compliance with permit condition 8.2, the performance test shall meet the following procedures:

1. The performance test shall be six hours long during which at least 300,000 liters of gasoline is loaded. If this is not possible, the test may be continued the same day until 300,000 liters of gasoline is loaded or the test may be resumed the next day with another complete six hour period. If the test is resumed the following day, the 300,000 liter criterion does not have to be met. However, as much as possible, testing should be conducted during the six hour period in which the highest throughput normally occurs;
2. If the vapor combustor is intermittent in operation, the performance test shall begin at a reference vapor holder level and shall end at the same reference point. The test shall include at least two startups and shutdowns of the vapor combustor. If this does not occur automatically, the system shall be manually controlled;
3. The emission rate of total organic compounds shall be computed using Equation 8.1;

Equation 8.1 – Total Organic Compound Emission Rate

$$E = K \times \sum_{i=1}^{n} \left[\left(V_{esi} \times C_{ei} \right) \left(L \times 10^{6} \right) \right]$$

Where:

- E = Emission rate of total organic compound, in milligrams per liter of gasoline loaded;
- V_{esi} = Volume of air-vapor mixture exhausted at each interval (i), in standard cubic meters;
- C_{ei} = Concentration of total organic compounds at each interval (i), in parts per million;

- L = Total volume of gasoline loaded, in liters;
- n = Number of testing intervals;
- i = Emission testing interval of 5 minutes; and
- K = Density of calibration gas, 1.83×10^6 for propane and 2.41×10^6 for butane in milligrams per standard cubic meter.

4. The performance test shall be conducted in intervals of 5 minutes;
5. 40 CFR Part 60, Appendix A, Method 2B shall be used to determine the volume of air-vapor mixture exhausted at each interval;
6. 40 CFR Part 60, Appendix A, Method 25A or 25B shall be used to determine the total organic compound concentration at each interval. The calibration gas shall be either propane or butane. The owner or operator may exclude the methane and ethane content in the exhaust vent by any method that is approved by the Secretary; and
7. During the performance test, the volume of gasoline dispensed from the loading rack shall be determined from terminal records or readings from gasoline dispensing meters at the loading rack.

9.0 OPERATING RESTRICTIONS

9.1 <u>Gasoline throughput and operational parameter restrictions.</u> In accordance with ARSD 74:36:08:12, as referenced to 40 CFR § 63.420(a)(1) and (c), the owner or operator shall not exceed the value of the gasoline throughput or operational parameters listed in Table 9-1 in any 30-day rolling period.

Table 9-1 – Gasoline Throughput and Operational Parameter Values

CF	T_F	CE	T_E	T_{ES}	T_I	C	K	Q	OE
0.161	0	0	4	0	3	10,000	2.16E-07	76,500	0.685

Where:

- CF = Fuel factor (1.0 for reformulated and 0.161 for all other gasoline);
- T_F = The number of fixed roof gasoline storage tanks with no internal floating roofs;
- CE = Control efficiency of the vapor processing system on the storage vessels;
- T_E = The number of external floating roof gasoline storage tanks with only primary roof seals;
- T_{ES} = The number of external floating roof gasoline storage tanks with primary and secondary roof seals;
- T_I = The number of fixed roof gasoline storage tanks with an internal floating roof;
- C = The number of pumps, valves, connectors, load arm valves, and open ended lines in gasoline service;
- K = 4.52E-6 for racks with no vapor collection and processing system;
- Q = Gasoline throughput limit in barrels/day (convert to liters/day); and
- OE = Total HAP from other emission sources not specified by the other parameters.

9.2 <u>Proposed change to gasoline throughput or operational parameters.</u> In accordance with ARSD 74:36:08:12, as referenced to 40 CFR § 63.428(i)(4), the owner or operator may submit a written notice to request a change to the gasoline throughput or any operational parameters listed in Table 9-1 prior to an exceedance of the gasoline throughput or operational parameter. The written notice shall consist of the following:

1. Name of facility, permit number, and reference to this permit condition;
2. A description of the change and the potential emissions resulting from the change;
3. A written proposal that lists the existing operational parameters, operational parameter changes, the screening equation, and the result of the screening equation;
4. The proposed schedule for changing the operational parameter(s); and
5. A signed certification as described in permit condition 5.3.

A request to change the gasoline throughput or operational parameter in Table 9-1 is considered a minor permit amendment if the proposed change is entered in Equation 9-1 and result in a value of "E_T" less than one and the Secretary determines no other state or federal requirements are applicable. A proposed change that results in an "E_T" equal to or greater than one is considered a permit modification.

Equation 9-1 – Screening Equation for an Area Source

$$E_T = CF\left[0.59(T_F)(1-CE)+0.17(T_E)+0.08(T_{ES})+0.038(T_I)+8.5\times10^{-6}(C)+KQ\right]+0.04(OE)$$

Where:

- E_T = Emissions screening factor for bulk gasoline terminals;
- CF = Fuel factor (1.0 for reformulated and 0.161 for all other gasoline);
- T_F = The number of fixed roof gasoline storage tanks with no internal floating roofs;
- CE = Control efficiency of the vapor processing system on the storage vessels;
- T_E = The number of external floating roof gasoline storage tanks with only primary roof seals;
- T_{ES} = The number of external floating roof gasoline storage tanks with primary and secondary roof seals;
- T_I = The number of fixed roof gasoline storage tanks with an internal floating roof;
- C = The number of pumps, valves, connectors, load arm valves, and open ended lines in gasoline service;
- K = 4.52E-6 for racks with no vapor collection and processing system;
- Q = Gasoline throughput limit in barrels/day (convert to liters/day); and
- OE = Total HAP from other emission sources not specified by the other parameters.

9.3 <u>NESHAP for gasoline distribution requirements.</u> A proposed change to an operational parameter in Table 9-1 that results in an "E_T" value equal to or greater than one as calculated by Equation 9-1 will require the owner or operator to comply with ARSD

74:36:08:12, as referenced to 40 CFR, Part 63, Subpart R before the proposed change may be implemented.

9.4 Daily gasoline throughput and operational parameter records. In accordance with ARSD 74:36:05:16.01(8) and (9) and ARSD 74:36:08:12, as referenced to 40 CFR § 63.428(i)(2), the owner or operator shall maintain daily records and a 30 day rolling total to document that the gasoline throughput and operational parameters listed in Table 9-1 have not been exceeded.

9.5 Annual gasoline throughput and operational parameter report. In accordance with ARSD 74:36:08:12, as referenced to 40 CFR § 63.428(i)(3), the owner or operator shall submit an annual report to the Secretary. The annual report shall include the following information:

1. Name of facility, permit number, reference to this permit condition, identifying the submittal as an annual report, and calendar dates covered in the reporting period; and
2. A statement that the gasoline throughput and operational parameters in Table 9-1 have not been exceeded during the reporting period.

The annual report must be postmarked no later than 30 days (January 30th) after the end of the reporting period.

10.0 TANK REQUIREMENTS

10.1 Record of storage vessel capacity. In accordance with ARSD 74:36:07:14, as referenced to 40 CFR § 60.116b(a) and (b), the owner or operator shall maintain records of the dimension and an analysis showing the capacity of Tank 12-1 and Tank 5-22. These records must be maintained for the life of the tank.

10.2 Tank standards for volatile organic compounds. In accordance with ARSD 74:36:07:14, as reference to 40 CFR § 60.112b(a), the owner or operator shall install and maintain a fixed roof with an internal floating type cover on Tank 12-1 and Tank 5-22 that meets the requirements in this permit.

10.3 Internal floating roof specifications. In accordance with ARSD 74:36:07:14, as reference to 40 CFR § 60.112b(a)(1), the following operating and maintenance requirements for a fixed roof with an internal floating type cover must be adhered to at all times by the owner or operator:

1. The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside the storage vessel;
2. The internal floating roof shall be floating on the liquid surface at all times except during initial fill and when the tank is completely emptied and subsequently refilled. The process of

emptying and refilling when the cover is resting on the leg supports shall be continuous and accomplished as rapidly as possible;

3. The internal floating roof shall be equipped with a double-seal system. A double-seal system is two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor mounted, but must be continuous.
4. Each opening in a non-contact internal floating roof except for automatic bleeder vents and the rim space vents is to provide a projection below the liquid surface;
5. Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when in use;
6. Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the leg supports. Rim vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting;
7. Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening;
8. Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover; and
9. Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

10.4 Visual inspections prior to filling tank(s). In accordance with ARSD 74:36:07:14, as reference to 40 CFR § 60.113b(a)(1), the owner or operator shall visually inspect the internal floating roof, the primary seal, and the secondary seal prior to filling Tank 12-1 and Tank 5-22 with volatile organic liquid. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.

10.5 Periodic visual inspections of tank(s). In accordance with ARSD 74:36:07:14, as reference to 40 CFR § 60.113b(a)(2), (3) and (4), the owner or operator shall visually inspect Tank 12-1 and Tank 5-22 on a periodic basis as specified below:

1. If the storage vessel is equipped with a liquid mounted primary seal, mechanical shoe primary seal, or double seal system, visually inspect the internal floating roof and the primary seal or secondary seal at least once very 12 months after the initial fill. The visual inspection may be conducted through manholes and roof hatches on the fixed roof. A failure occurs if the internal roof is not resting on the surface of the volatile organic liquid inside the storage vessel, there is liquid accumulated on the roof, the seal is detached, or there are holes

or tears in the seal fabric. The owner or operator shall either repair the internal floating roof and/or the primary seal or secondary seal or empty or remove the storage vessel from service within 45 days of discovering a failure. The owner or operator may request a 30-day extension if the tank cannot be repaired or emptied within 45 days of discovering a failure. The written request for the 30-day extension shall be included with the report required in permit condition 10.8. The Secretary will grant a 30-day extension if the extension request documents that alternate storage capacity is unavailable and specifies a schedule of actions the owner or operator will take that will assure that the equipment will be repaired or the vessel will be emptied as soon as possible; and

2. The owner or operator shall visually inspect the internal floating roof, the primary seal, the secondary seal, gaskets, slotted membranes and sleeve seals each time the storage vessel is emptied and degassed. If a double seal system is installed, this type of visual inspection shall occur at intervals no greater than five years. A visual inspection of other seal systems shall occur at intervals no greater than 10 years. The owner or operator shall repair internal floating roof defects, holes, tears, or other openings in the primary or secondary seal or the seal fabric, gaskets that no longer close off the liquid surfaces from the atmosphere, or slotted membrane with more than 10 percent open area before refilling the storage vessel with volatile organic liquids.

10.6 Record of products stored in tanks. In accordance with ARSD 74:36:07:14, as reference to 40 CFR § 60.116b(a), (c) and (e), the owner or operator shall maintain a record of the volatile organic liquid stored in Tank 12-1 and Tank 5-22, the period of storage, and the maximum true vapor pressure of the liquid during the respective storage period. The owner or operator may determine the maximum true vapor pressure using the available data on the Reid vapor pressure, the maximum expected storage temperature based on the highest expected calendar-month average temperature of the stored product and nomographs contained in API bulletin 2517. These records must be maintained for at least two years.

10.7 Tank inspection records. In accordance with ARSD 74:36:07:14, as reference to 40 CFR § 60.115(a)(2), the owner or operator shall maintain a record of each inspection performed as required by permit condition 10.4 and 10.5. The records shall identify the tank on which the inspection was performed and shall contain the date the tank was inspected, and the observed condition of the seals, internal floating roof, and fittings. These records must be maintained for at least two years.

10.8 Tank defect report. In accordance with ARSD 74:36:07:14, as reference to 40 CFR § 60.115b(a)(3) and (4), if any of the defects described in permit condition 10.4 and 10.5 are detected during a visual inspection, a report shall be submitted to the Secretary within 30-days of the inspection. Each report shall identify the storage vessel, the nature of the defects, the date the storage vessel was repaired, and a list of the repairs made. A copy of this report must be maintained for at least two years.

10.9 Notification of visual tank inspections. In accordance with ARSD 74:36:07:14, as reference to 40 CFR § 60.113b(a)(5), the owner or operator must notify the Secretary 30 days prior to conducting a visual inspection of Tank 12-1 and Tank 5-22 as required in permit condition 10.4 and 10.5. If the visual inspection was not planned and the owner or operator could not have known about the inspection 30 days in advance, the owner or operator shall notify the Secretary at least seven days prior to conducting the inspection. This notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned.