



# INTERMEDIATE STATE PERMIT TO OPERATE

Under the authority of RSMo 643 and the Federal Clean Air Act the applicant is authorized to operate the air contaminant source(s) described below, in accordance with the laws, rules, and conditions set forth herein.

**Intermediate Operating Permit Number:** OP2016-038  
**Expiration Date:** NOV 02 2021  
**Installation ID:** 155-0077 & 155-0078  
**Project Number:** 2014-05-075 & 2014-05-076

**Installation Name and Address**

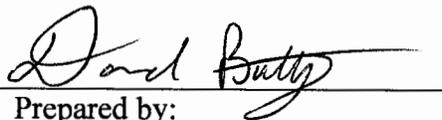
Marquis-Missouri Terminal LLC & OakMar  
Terminal LLC  
2353 North State Highway D  
Hayti, MO 63851  
Pemiscot County

**Parent Company's Name and Address**

Marquis-Missouri Terminal LLC & OakMar  
Terminal LLC  
11953 Prairie Industrial Parkway  
Hennepin, IL 61327

**Installation Description:**

Marquis-Missouri Terminal LLC is a crude oil terminal and OakMar Terminal LLC is a diesel fuel terminal. OakMar Terminal has accepted a diesel throughput limit in order to maintain total emissions for both Marquis-Missouri and OakMar below the major source thresholds for Volatile Organic Compounds (VOCs) and Hazardous Air Pollutants (HAPs).

  
Prepared by:  
David Buttig  
Operating Permit Unit

  
Director or Designee  
Department of Natural Resources

NOV 02 2016

Effective Date

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## I. Installation Description and Equipment Listing

| Reported Air Pollutant Emissions, tons per year          |       |       |       |      |      |
|--|-------|-------|-------|------|------|
| Pollutants   | 2015  | 2014  | 2013  | 2012 | 2011 |
| Particulate Matter<br>≤ Ten Microns (PM <sub>10</sub> )  | 0.48  | 0.60  | --    | --   | N/A  |
| Particulate Matter<br>≤ 2.5 Microns (PM <sub>2.5</sub> ) | 0.07  | 0.08  | --    | --   |      |
| Nitrogen Oxides<br>(NO <sub>x</sub> )                    | 0.68  | 0.78  | 1.55  | 0.21 |      |
| Volatile Organic<br>Compounds(VOC)                       | 13.06 | 12.86 | 16.44 | 5.48 |      |
| Carbon Monoxide<br>(CO)                                  | 2.14  | 2.54  | 8.26  | 1.12 |      |
| Hazardous Air Pollutants<br>(HAPs)                       | 1.34  | 1.46  | 1.43  | 0.29 |      |

\*The reported emissions for years 2014 and 2015 are for both Marquis-Missouri and OakMar Terminals. Years 2013, 2012, and 2011 are only for the Marquis-Missouri Terminal since the OakMar Terminal did not start receiving diesel fuel until April of 2014.

### EMISSION UNITS

The following list provides a description of the equipment at this installation which emits air pollutants. Since both Marquis-Missouri Terminal and OakMar Terminal report emissions separately, MM has been added before the emission unit #s for Marquis-Missouri Terminal's emission units, and OM has been added before the emission unit #s for OakMar Terminal's emission units.

#### Marquis-Missouri Terminal LLC (155-0077) Emission Units

| Emission Unit #  | Description of Emission Unit              |
|------------------|---|
| MM-EP01          | Railcar Unloading/Pipeline Filing         |
| MM-EP02          | Crude Oil Barge Loadout – Pilot Light     |
| MM-EP02          | Crude Oil Barge Loadout – Smokeless Flare |
| MM-EP02          | Crude Oil Barge Loadout – Rack            |
| MM-FS01          | Equipment Leaks – Valve Seals             |
| MM-FS01          | Equipment Leaks – Pump Seals              |
| MM-FS01          | Equipment Leaks – Flanges                 |
| MM-Roof Landings | Roof Landings Storage Tanks Empty to 6'   |
| MM-Roof Landings | Roof Landings Storage Tanks Drain Dry     |
| MM-T01           | Internal Floating Roof Tank               |
| MM-T02           | Internal Floating Roof Tank               |
| N/A              | 10,000 gallon pressure tank               |

**OakMar Terminal LLC (155-0078) Emission Units**

| <u>Emission Unit #</u> | <u>Description of Emission Unit</u>                                   |
|------------------------|---|
| OM-EP1                 | Internal Floating Roof Tank   |
| OM-EP02                | Diesel Loading Rack – Smokeless Flare – Pilot Light and Enriching Gas |
| OM-EP02                | Diesel Loading Rack – Smokeless Flare – Burnoff of Vapor              |
| OM-EP02                | Diesel Loading Rack – Tank Trucks – Previously Hold Gasoline          |
| OM-FS01                | Equipment Leaks – Pressure Release Valve Releases                     |
| OM-FS01                | Equipment Leaks – Sampling Connections                                |
| OM-FS02                | Haul Road   |
| OM-Roof Landings       | Roof Landings Storage Tanks Empty to 6’                               |
| OM-Roof Landings       | Roof Landings Storage Tanks Drain Dry                                 |
| N/A                    | 10,000 gallon pressure tank   |

## **II. Plant Wide Emission Limitations**

The installation shall comply with each of the following emission limitations. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect on the date of permit issuance. The plant wide conditions apply to all emission units at this installation. All emission units are listed in Section I under Emission Units with Limitations and Emission Units without Limitations.

None

### III. Emission Unit Specific Emission Limitations

The installation shall comply with each of the following emission limitations. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect on the date of permit issuance.

| <b>PERMIT CONDITION 1</b>                              |                                   |                  |                                    |
|--|-----------------------------------|------------------|------------------------------------|
| 10 CSR 10-6.060 Construction Permits Required          |                                   |                  |                                    |
| Construction Permit 092012-001A, Issued April 30, 2013 |                                   |                  |                                    |
| Emission Unit  | Description                       | Control Device # | Control Device Description         |
| MM-EP01  | Railcar Unloading/Pipeline Filing | MM-CD02          | Vapor collection system with flare |

#### **Operational Limitations:**

- 1) The permittee shall employ a vapor balance system to capture VOC and HAP emissions from EP-01 Railcar Unloading/Initial Pipeline Filing. The permittee shall not operate EP-01 Railcar Unloading/Initial Pipeline Filing unless the vapor balance system is in operation.
- 2) MM-CD02 Vapor Balance System shall be operated and maintained in accordance with the manufacturer(s) specifications. The manufacturer specifications shall be retained on-site.
- 3) Each loading and vapor return line shall be equipped with fittings that are designed to be both liquid and vapor tight.

#### **Recordkeeping:**

- 1) The permittee shall maintain an operating and maintenance log for MM-CD02 Vapor Balance System (using attachment B, or its equivalent) which shall include the following:
  - a) Incidents of malfunction, with impact on emissions, duration of event, probable cause, and corrective actions; and
  - b) Maintenance activities, with inspection schedule, repair actions, and replacements, etc.
- 2) The permittee shall maintain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request. These records shall include Material Safety Data Sheets (MSDS) for the crude oil brought to and shipped from the facility.

#### **Reporting:**

The permittee shall report any deviations/exceedances of this permit condition using the annual compliance certification to the Air Pollution Control Program Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as required by 10 CSR 10-6.065(5)(A).

| <b>PERMIT CONDITION 2</b>  |   |                      |
|--|---|----------------------|
| <i>40 CFR Part 60 Subpart Kb – Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984</i> |   |                      |
| EIQ Reference #  | Description   | Manufacturer/Model # |
| MM-T01   | Crude Oil Internal Floating Roof Tank #1: MHDR = 5.6 Million Gallon Capacity; Constructed in September 2012 | Winbico              |
| MM-T02   | Crude Oil Internal Floating Roof Tank #2: MHDR = 5.6 Million Gallon Capacity; Constructed in September 2012 | Winbico              |

**Operational Standards:**

- 1) The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible. [§60.112b(a)(1)(i)]
- 2) Each internal floating roof shall be equipped with 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 both must be continuous. [§60.112b(a)(1)(ii)(B)]
- 3) Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface. [§60.112b(a)(1)(iii)]
- 4) 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 they are in use. [§60.112b(a)(1)(iv)]
- 5) 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 roof leg supports. [§60.112b(a)(1)(v)]
- 6) Rim space 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. [§60.112b(a)(1)(vi)]
- 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. [§60.112b(a)(1)(vii)]
- 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. [§60.112b(a)(1)(viii)]
- 9) Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover. [§60.112b(a)(1)(ix)]

**Monitoring:**

- 1) The permittee shall visually inspect the internal floating roof, the primary seal, and the secondary seal, prior to filling the storage vessel with volatile organic liquids (VOL). 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 permittee shall repair the items before filling the storage vessel. [§60.113(b)(a)(1)]
- 2) The permittee shall either
  - a) 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 the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the permittee shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel with VOL. The permittee shall inspect the vessel at least every five (5) years. [§60.113b(a)(4)]; or
  - b) For Vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the permittee shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in § 60.115b(a)(3). Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible. [§60.113b(a)(2)]

**Recordkeeping:**

- 1) The permittee shall keep and furnish records as required by §60.115b. The permittee shall keep copies of all reports and records required by §60.115b.  
The permittee shall meet the following requirements.
  - a) Furnish the Director with a report that describes the control equipment and certifies that the control equipment meets the specifications of § 60.112b(a)(1) and § 60.113b(a)(1). This report shall be an attachment to the notification required by § 60.7(a)(3). [§60.115b(a)(1)]
  - b) Keep a record of each inspection performed as required by § 60.113b (a)(1), (a)(2), (a)(3), and (a)(4). Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings). [§60.115b(a)(2)]
- 2) The permittee shall keep copies of all records required by §60.116b, except for the record required by §60.116b(b) for at least five (5) years. The record required by §60.116b(b) shall be kept for the life of the source.
  - a) The permittee shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel. [§60.116b(b)]

- b) The permittee shall maintain a record of the VOL stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period. [§60.116b(c)]

**Reporting:**

- 1) Notify the director in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by §60.113b(a)(1) and (a)(4) to afford the director the opportunity to have an observer present. If the inspection required by §60.113b(a)(4) is not planned and permittee could not have known about the inspection 30 days in advance or refilling the tank, the permittee shall notify the administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the director at least 7 days prior to the refilling. [§60.113b(a)(5)]
- 2) If any of the conditions described in §60.113b(a)(2) are detected during the annual visual inspection required by § 60.113b(a)(2), a report shall be furnished to the Director within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made. [§60.115b(a)(3)]
- 3) After each inspection required by §60.113b(a)(3) that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in §60.113b(a)(3)(ii), a report shall be furnished to the Director within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of §61.112b(a)(1) or §60.113b(a)(3) and list each repair made. [§60.115b(a)(4)]
- 4) The permittee shall report any deviations/exceedances of this permit condition using the annual compliance certification to the Air Pollution Control Program Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as required by 10 CSR 10 CSR 10-6.065(5)(A).

| <b>PERMIT CONDITION 3</b><br>10 CSR 10-6.060 Construction Permits Required<br>Construction Permit 092012-001A, Issued April 30, 2013<br>40 CFR Part 63 Subpart Y – <i>National Emission Standards for Marine Tank Vessel Loading Operations</i> |  |                  |                                    |
|---|--|------------------|------------------------------------|
| Emission Unit   | Description  | Control Device # | Control Device Description         |
| MM-EP02   | Loading out crude oil to barges:<br>MHDR = 194,000 gal/hr;<br>Construction date: August 2012 | MM-CD01          | Vapor collection system with flare |

**Emission Limitations:**

- 1) Vapor collection system of the terminal.
  - a) The permittee shall operate and maintain each terminal with a vapor collection system that is designed to collect HAP vapors displaced from marine tank vessels during marine tank vessel loading operations and to prevent HAP vapors collected at one loading berth from passing through another loading berth to the atmosphere. [§63.562(b)(1)(i)]
- 2) Ship-to-shore compatibility.
  - a) The permittee shall limit marine tank vessel loading operations to those vessels that are equipped with vapor collection equipment that is compatible with the terminal’s vapor collection system. [§63.562(b)(1)(ii)]

- 3) Vapor tightness of marine vessels.
  - a) The permittee shall limit marine tank vessel loading operations to those vessels that are vapor tight and to those vessels that are connected to the vapor collection system. [§63.562(b)(1)(iii)]
- 4) The permittee shall reduce HAP emissions from marine tank vessel loading operations by 98 weight-percent, as determined using methods in §63.565(1). [§63.562(b)(3)]

**Operational Limitations:**

- 1) The permittee shall control emissions captured by the vapor collection system using an Open Flame Air Assisted Smokeless Flare (MM-CD01). The permittee shall not operate MM-EP02 Crude Oil Barge Loadout Rack unless the flare is in operation. [Special Condition 1.B.]
- 2) MM-CD01 Vapor Collection System and Open Flame Air Assisted Smokeless Flare shall be operated and maintained in accordance with the manufacturer(s) specifications. The manufacturer specifications shall be retained on-site. [Special Condition 1.D.]
- 3) Each loading and vapor return line shall be equipped with fittings that are designed to be both liquid and vapor tight. [Special Condition 1.E.]

**Compliance Demonstration:**

- 1) Ship-to-shore compatibility of vapor collection systems.
  - a) Following the date on which the initial performance test is completed, marine tank vessel loading operations must be performed only if the marine tank vessel's vapor collection equipment is compatible to the terminal's vapor collection system; marine tank vessel loading operations must be performed only when the marine tank vessel's vapor collection equipment is connected to the terminal's vapor collection system. [§63.563(a)(2)]
- 2) Vapor-tightness requirements of the marine vessel. (Either a, b, or c)
  - a) The owner or operator of the marine tank vessel shall provide a copy of the vapor-tightness pressure test documentation described in §63.567(i) for each marine tank vessel prior to loading. The date of the test listed in the documentation must be within the preceding 12 months, and the test must be conducted in accordance with the procedures in §63.565(c)(1). Following the date on which the initial performance test is completed, the affected source must check vapor-tightness pressure test documentation for marine tank vessels loaded at positive pressure. [§63.563(a)(4)(i)]
  - b) If no documentation of the vapor tightness pressure test as described in §63.563(a)(4)(i) is available, the owner or operator of a marine tank vessel shall provide the leak test documentation described in §63.567(i) for each marine tank vessel prior to loading. The date of the test listed in the documentation must be within the preceding 12 months, and the test must be conducted in accordance with the procedures in §63.565(c)(2). If the marine tank vessel has failed its most recent vapor-tightness leak test at that terminal, the owner or operator of the non-vapor-tight marine tank vessel shall provide documentation that the leaks detected during the previous vapor-tightness test have been repaired and documented with a successful vapor-tightness leak test described in §63.565(c)(2) conducted during loading. If the owner or operator of the marine tank vessel can document that repair is technically infeasible without cleaning and gas freeing or dry-docking the vessel, the permittee of the affected source may load the marine tank vessel. Following the date on which the initial performance test is completed, an affected source must check the vapor-tightness leak test documentation for marine tank vessels loaded at positive pressure. [§63.563(a)(4)(ii)]
  - c) If no documentation of vapor tightness as described in §63.563(a)(4)(i) or (ii) is available, the owner or operator of a marine tank vessel shall perform a leak test of the marine tank vessel

during marine tank vessel loading operation using the procedures described in §63.565(c)(2).  
[§63.563(a)(4)(iii)]

- i) If no leak is detected, the owner or operator of a marine tank vessel shall complete the documentation described in §63.567(i) prior to departure of the vessel.  
[§63.563(a)(4)(iii)(A)]
- ii) If a leak is detected, the owner or operator of the marine tank vessel shall document the vapor-tightness failure for the marine tank vessel prior to departure of the vessel. The leaking component shall be repaired prior to the next marine tank vessel loading operation at a controlled terminal unless the repair is technically infeasible without cleaning and gas freeing or dry-docking the vessel. If the owner or operator of the vessel provides documentation that repair of such equipment is technically infeasible without cleaning and gas freeing or dry-docking the vessel, the equipment responsible for the leak will be excluded from future Method 21 tests until repairs are effected. A copy of this documentation shall be maintained by the owner or operator of the affected source. Repair of the equipment responsible for the leak shall occur the next time the vessel is cleaned and gas freed or dry-docked. For repairs that are technically feasible without dry-docking the vessel, the owner or operator of the affected source shall not load the vessel again unless the marine tank vessel owner or operator can document that the equipment responsible for the leak has been repaired.  
[§63.563(a)(4)(iii)(B)]

**Inspection and Maintenance:**

- 1) The permittee shall inspect and monitor all ductwork and piping and connections to vapor collection systems and control devices once each calendar year using Method 21. [§63.563(c)(1)]
- 2) If evidence of a potential leak is found by visual, audible, olfactory, or any other detection method, all ductwork and piping and connections to vapor collection systems and control devices shall be inspected to the extent necessary to positively identify the potential leak and any potential leaks shall be monitored within 5 days by Method 21. Each detection of a leak shall be recorded, and the leak shall be tagged until repaired. [§63.563(c)(2)]
- 3) When a leak is detected, a first effort to repair the vapor collection system and control device shall be made within 15 days or prior to the next marine tank vessel loading operation, whichever is later. [§63.563(c)(3)]

**Operation and Maintenance Plan:**

- 1) The permittee shall keep the written operation and maintenance plan on record to be made available for inspection, upon request, by the Director for the life of the source. In addition, if the operation and maintenance plan is revised, the permittee shall keep previous (i.e., superseded) versions of the plan on record to be made available for inspection upon request by the Director for a period of 5 years after each revision to the plan. [§63.562(e)(5)]
- 2) To satisfy the requirements of the operation and maintenance plan, the permittee may use the source's standard operating procedures (SOP) manual, an Occupational Safety and Health Administration (OSHA) plan, or other existing plans provided the alternative plans meet the requirements of §63.562(e) and are made available for inspection when requested by the Director. [§63.562(e)(6)]

**Monitoring:**

- 1) The permittee shall comply with the monitoring requirements in §63.8 in accordance with the provisions for applicability of subpart A to subpart Y in Table 1 of §63.560 and the monitoring requirements in §63.564. [§63.564(a)(1)]
- 2) The permittee shall monitor the parameters specified in this permit condition. All monitoring equipment shall be installed such that representative measurements of emissions or process parameters from the source are obtained. For monitoring equipment purchased from a vendor, verification of the operational status of the monitoring equipment shall include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system. [§63.564(a)(2)]
- 3) The permittee shall measure continuously the operating pressure of the marine tank vessel during loading. [§63.564(c)]
- 4) The permittee shall monitor and record continuously the presence of the flare pilot flame. The permittee shall install, calibrate, maintain, and operate a heat sensing device (an ultraviolet beam sensor or thermocouple) at the pilot light to indicate the presence of a flame during the entire loading cycle. [§63.564(f)]

**Recordkeeping and Reporting:**

- 1) The permittee shall fulfill all reporting and recordkeeping requirements in §§63.9 and 63.10 of 40 CFR Part 63 Subpart A in accordance with the provisions for applicability of subpart A to this subpart in Table 1 of §63.560 and fulfill all reporting and recordkeeping requirements in this section. These reports will be made to the Director at the appropriate address identified in §63.13 of subpart A of this part. [§63.567(a)]
  - a) Reports required by subpart A and this section may be sent by U.S. mail, facsimile (fax), or by another courier. [§63.567(a)(1)]
    - i) Submittals sent by U.S. mail shall be postmarked on or before the specified date. [§63.567(a)(1)(i)]
    - ii) Submittals sent by other methods shall be received by the Director on or before the specified date. [§63.567(a)(1)(ii)]
  - b) If acceptable to both the Director and the permittee, reports may be submitted on electronic media. [§63.567(a)(2)]
- 2) Summary reports and excess emissions and monitoring system performance reports.
  - a) The permittee of a source subject to these emissions standards that is required to install a CMS shall submit an excess emissions and continuous monitoring system performance report and/or a summary report to the Director once each year, except, when the source experiences excess emissions, the source shall comply with a semi-annual reporting format until a request to reduce reporting frequency under §63.567(e)(2) is approved. [§63.567(e)(1)]
  - b) The permittee may reduce the frequency of reporting to annual if the following conditions are met: [§63.567(e)(2)]
    - i) For 1 full year the source's excess emissions and continuous monitoring system performance reports continually demonstrate that the source is in compliance; and [§63.567(e)(2)(i)]
    - ii) The permittee continues to comply with all recordkeeping and monitoring requirements specified in 40 CFR Part 63 Subpart Y and 40 CFR Part 63 subpart A. [§63.567(e)(2)(ii)]
  - c) The frequency of reporting of excess emissions and continuous monitoring system performance and summary reports required may be reduced only after the permittee notifies the Director in writing of his or her intention to make such a change and the Director does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Director

may review information concerning the source's entire previous performance history during the 5-year recordkeeping prior to the intended change, including performance test results, monitoring data, and evaluations of the permittee's conformance with operation maintenance requirements. Such information may be used by the Director to make a judgment about the source's potential for noncompliance in the future. If the Director will notify the permittee in writing within 45 days after receiving notice of the permittee's intention. The notification from the Director to the permittee will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

[§63.567(e)(3)]

- d) All excess emissions and monitoring system performance reports and all summary reports, if required per §63.567(e)(5) and (6), shall be delivered or postmarked within 30 days following the end of each calendar year, or within 30 days following the end of each six month period, if appropriate. Written reports of excess emissions or exceedances of process or control system parameters shall include all information required in §63.10(c)(5) through (13) of subpart A of this part as applicable in Table 1 of §63.560 and information from any calibration tests in which the monitoring equipment is not in compliance with PS 8 or other methods used for accuracy testing of temperature, pressure, or flow monitoring devices. The written report shall also include the name, title, and signature of the responsible official who is certifying the accuracy of the report. When no excess emissions or exceedances have occurred or monitoring equipment has not been inoperative, repaired, or adjusted, such information shall be stated in the report. This information will be kept for a minimum of 5 years and made readily available to the Director or delegated State authority upon request. [§63.567(e)(4)]
  - e) If the total duration of excess emissions or control system parameter exceedances for the reporting period is less than 5 percent of the total operating time for the reporting period, and CMS downtime for the reporting period is less than 10 percent of the total operating time for the reporting period, only the summary report of §63.10(e)(3)(vi) of subpart A of this part shall be submitted, and the full excess emissions and continuous monitoring system performance report of §63.567(e)(4) need not be submitted unless required by the Administrator. [§63.567(e)(5)]
  - f) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is 5 percent or greater of the total operating time for the reporting period, or the total CMS downtime for the reporting period is 10 percent or greater of the total operating time for the reporting period, both the summary report of §63.10(e)(3)(vi) of subpart A of this part and the excess emissions and continuous monitoring system performance report of §63.567(e)(4) of this section shall be submitted. [§63.567(e)(6)]
- 3) The permittee shall submit with the initial performance test and maintain in an accessible location on site an engineering report describing in detail the vent system, or vapor collection system, used to vent each vent stream to a control device. This report shall include all valves and vent pipes that could vent the stream to the atmosphere, thereby bypassing the control device, and identify which valves are car-sealed opened and which valves are car-sealed closed. [§63.567(f)]
  - 4) The permittee shall keep the vapor-tightness documentation required under §63.563(a)(4) on file at the source in permittee or operator of an affected source shall maintain a documentation file for each marine tank vessel loaded at that source to reflect current test results as determined by the appropriate method in §63.565(c)(1) and (2). Updates to this documentation file shall be made at least once per year. The permittee shall include, as a minimum, the information under §63.567(i)(1) through (10). [§63.567(i)]
  - 5) The permittee of each source complying with the emission limits specified in §63.562(b)(2), (3), and (4) shall comply with the following provisions: [§63.567(j)]

- a) Maintain records of all measurements, calculations, and other documentation used to identify commodities exempted under §63.560(d); [§63.567(j)(1)]
- b) Keep readily accessible records of the emission estimation calculations performed in §63.565(l) for 5 years; and [§63.567(j)(2)]
- c) Submit an annual report of the source's HAP control efficiency calculated using the procedures specified in §63.565(l), based on the source's actual throughput. [§63.567(j)(3)]
- 6) When each leak of the vapor collection system, or vapor collection system, and control device is detected and repaired as specified in §63.563(c) the following information required shall be maintained for 5 years: [§63.567(k)]
  - a) Date of inspection; [§63.567(k)(1)]
  - b) Findings (location, nature, and severity of each leak); [§63.567(k)(2)]
  - c) Leak determination method; [§63.567(k)(3)]
  - d) Corrective action (date each leak repaired, reasons for repair interval); and [§63.567(k)(4)]
  - e) Inspector name and signature. [§63.567(k)(5)]
- 7) The permittee shall maintain an operating and maintenance log for MM-CD01 Vapor Collection System and Open Flame Air Assisted Smokeless Flare which shall include the following: [Special Condition 1.F.]
  - a) Incidents of malfunction, with impact on emissions, duration of event, probable cause, and corrective actions; and
  - b) Maintenance activities, with inspection schedule, repair actions, and replacements, etc.
- 8) The permittee shall report any deviations/exceedances of this permit condition using the annual compliance certification to the Air Pollution Control Program Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as required by 10 CSR 10 CSR 10-6.065(5)(A).

| <b>PERMIT CONDITION 4</b>  |             |
|--|-------------|
| 10 CSR 10-6.060 Construction Permits Required  |             |
| Construction Permit 022015-006, Issued February 09, 2015   |             |
| Emission Unit  | Description |
| Applies to all emission units located at the OakMar Terminal LLC as listed in Section I under "Emission Units with Limitations". |             |

**Operational Limitations:**

- 1) The permittee shall handle less than 80,000,000 gallons of petroleum products per consecutive 12-month period.
- 2) The permittee shall exclusively handle diesel or other petroleum products with a true vapor pressure less than or equal to 0.02 psi at 90°F.

**Recordkeeping:**

- 1) The permittee shall maintain records of the monthly and 12-month rolling total amount of petroleum products handled using Attachment A or an equivalent form approved by the Air Pollution Control Program.
- 2) The permittee shall maintain MSDS for all petroleum products loaded at the installation.
- 3) For petroleum products that are not diesel, the permittee shall maintain records of the true vapor pressure of the petroleum product being loaded.
- 4) The permittee shall maintain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon

request. These records include MSDS or manufacturer specification sheets for all petroleum products handled by the facility.

**Reporting:**

The permittee shall report to the Air Pollution Control Program’s Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than 10 days after the end of the month during which any record required by this permit shows an exceedance of a limitation imposed by this permit.

| <b>PERMIT CONDITION 5</b>                                |  |
|--|--|
| 10 CSR 10-6.060 Construction Permits Required            |  |
| Construction Permit 022014-003, Issued February 05, 2014 |  |
| Emission Unit  | Description  |
| OM-FS02  | Haul Road: 0.3295 mile gravel road; Hauling Ultra Low Sulfur Diesel Fuel |

**Operational Requirements:**

The permittee shall periodically water Haul Road (FS-02) whenever conditions exist which could cause visible fugitive emissions to enter the ambient air beyond the property boundary.

**Recordkeeping:**

- 1) The permittee shall record the date of each Haul Road watering.
- 2) The operator shall keep these records with the plant for not less than five (5) years, and the operator shall make these records available to Department of Natural Resources’ personnel upon request

**Reporting:**

The permittee shall report to the Air Pollution Control Program’s Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than 10 days after the end of the month during which any record required by this permit shows an exceedance of a limitation imposed by this permit.

| <b>PERMIT CONDITION 6</b>                                |  |                |
|--|--|----------------|
| 10 CSR 10-6.060 Construction Permits Required            |  |                |
| Construction Permit 022014-003, Issued February 05, 2014 |  |                |
| Emission Unit  | Description  | Control Device |
| OM-EP02  | Diesel Loading Rack with OM-CD01 Vapor Collection System and Open Flame Air Assisted Smokeless Flare | OM-CD01        |

**Operational Limitations:**

- 1) The permittee shall employ a vapor collection system to capture VOC and HAP emissions from EP-02 Diesel Loading Rack. The permittee shall not operate EP-02 Diesel Loading Rack unless the vapor collection system is in operation. [Special Condition 3.A.]
- 2) Emissions to the atmosphere from the vapor collection system due to loading of liquid petroleum product into tank trucks are not to exceed 35 mg of total organic compounds per liter of petroleum product loaded. [Special Condition 3.B.]
- 3) Loading of petroleum product into tank trucks previously containing gasoline shall be limited to vapor-tight tank trucks using the following procedures: [Special Condition 3.C.]
  - a) The permittee shall obtain the vapor tightness documentation described in §60.505(b) for each tank truck which is to be loaded at the facility. [Special Condition 3.C.1)]

- b) The permittee shall require the tank identification number to be recorded as each tank truck is loaded at the facility. [Special Condition 3.C.2)]
- c) The permittee shall cross-check each tank identification number with the file tank vapor tightness within two weeks after the corresponding tank is loaded, unless either of the following conditions is maintained: [Special Condition 3.C.3)]
  - i) If less than an average of one tank truck per month over the last 26 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed each quarter; or [Special Condition 3.C.3)a)]
  - ii) If less than an average of one tank truck per month over the last 52 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed semiannually. [Special Condition 3.C.3)b)]
  - iii) If either the quarterly or semiannual cross-check reveals that these conditions were not maintained, the permittee shall return to biweekly cross-checks until such time as these conditions are again met. [Special Condition 3.C.3)c)]
- d) The permittee shall notify the owner or operator of each non-vapor-tight tank truck loaded at the facility within one week of the documentation cross-check. [Special Condition 3.C.4)]
- e) The permittee shall take steps to assure that the non-vapor-tight tank truck is not reloaded at the facility until vapor tightness documentation for the tank truck is obtained. [Special Condition 3.C.5)]
- 4) The permittee shall act to assure that loadings of all tank trucks at the facility are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system. [Special Condition 3.D.]
- 5) The permittee shall act to assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a tank truck at the facility. The permittee shall create and maintain an operational/procedural manual for the vapor collection system. Example procedures include training drivers in the hookup procedures and posting visible reminder signs at the loading rack. [Special Condition 3.E.]
- 6) The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4.5 kPa during product loading. The gauge pressure in the delivery tank shall be measured according to the following procedures: [Special Condition 3.F.]
  - a) A pressure measurement device (liquid manometer, magnehelic gauge, or equivalent instrument), capable of measuring up to 500 mm of water gauge pressure with  $\pm 2.5$  mm of water precision, shall be calibrated and installed on the terminal's vapor collection system at a pressure tap located as close as possible to the connection with the tank truck. [Special Condition 3.F.1)]
- 7) No pressure-vacuum vent in the vapor collection system shall begin to open at a system pressure less than 4.5 kPa. [Special Condition 3.G.]
- 8) The permittee shall control emissions captured by the vapor collection system using an Open Flame Air Assisted Smokeless Flare (OM-CD01). The permittee shall not operate EP-02 Diesel Loading Rack unless the flare is in operation. [Special Condition 3.H.]
- 9) The permittee shall maintain a pilot flame in the flare at all time that vapors may be vented to the flare. The permittee shall maintain a flare flame at all times that vapors are actively being vented to the flare. [Special Condition 3.I.]
- 10) Each calendar month OM-CD01 Vapor Collection System and Open Flame Air Assisted Smokeless Flare and EP-02 Diesel Loading Rack shall be inspected during the loading of tank trucks for total organic compounds liquid or vapor leaks. Detection methods incorporating sight, sound, or smell are acceptable. Each detection of a leak shall be recorded and the source of the leak repaired within 15 calendar days after it is detected. [Special Condition 3.J.]

- 11) OM-CD01 Vapor Collection System and Open Flame Air Assisted Smokeless Flare shall be operated and maintained in accordance with the manufacturer(s) specifications. The manufacturer specifications shall be retained on-site. [Special Condition 3.K.]
- 12) The permittee shall maintain an operating and maintenance log for OM-CD01 Vapor Collection System and Open Flame Air Assisted Smokeless Flare which shall include the following: [Special Condition 3.L.]
  - a) Incidents of malfunction, with impact on emissions, duration of event, probable cause, and corrective actions; and [Special Condition 3.L.1)]
  - b) Maintenance activities, with inspection schedule, repair actions, and replacements, etc. [Special Condition 3.L.2)]

**Recordkeeping:**

The permittee shall maintain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request. These records shall include MSDS or manufacturer's specification sheets for all petroleum products handles by the facility.

**Reporting:**

The permittee shall report any deviations/exceedances of this permit condition using the annual compliance certification to the Air Pollution Control Program Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as required by 10 CSR 10 CSR 10-6.065(5)(A).

## IV. Core Permit Requirements

The installation shall comply with each of the following requirements. Consult the appropriate sections in the Code of Federal Regulations (CFR), Code of State Regulations (CSR), and local ordinances for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect on the date of permit issuance. The following are only excerpts from the regulation or code, and are provided for summary purposes only

### **10 CSR 10-6.045 Open Burning Requirements**

- 1) General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.
- 2) Certain types of materials may be open burned provided an open burning permit is obtained from the director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.

### **10 CSR 10-6.050 Start-up, Shutdown and Malfunction Conditions**

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the director within two business days, in writing, the following information:
  - a) Name and location of installation;
  - b) Name and telephone number of person responsible for the installation;
  - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
  - d) Identity of the equipment causing the excess emissions;
  - e) Time and duration of the period of excess emissions;
  - f) Cause of the excess emissions;
  - g) Air pollutants involved;
  - h) Estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;
  - i) Measures taken to mitigate the extent and duration of the excess emissions; and
  - j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 2) The permittee shall submit the paragraph 1 information to the director in writing at least ten days prior to any maintenance, start-up or shutdown activity which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, notice shall be given as soon as practicable prior to the activity.
- 3) Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under section 643.080 or 643.151, RSMo.

- 4) Nothing in this rule shall be construed to limit the authority of the director or commission to take appropriate action, under sections 643.080, 643.090 and 643.151, RSMo to enforce the provisions of the Air Conservation Law and the corresponding rule.
- 5) Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported.

#### **10 CSR 10-6.060 Construction Permits Required**

The permittee shall not commence construction, modification, or major modification of any installation subject to this rule, begin operation after that construction, modification, or major modification, or begin operation of any installation which has been shut down longer than five years without first obtaining a permit from the permitting authority.

#### **10 CSR 10-6.065 Operating Permits**

The permittee shall file a complete application for renewal of this operating permit at least six months before the date of permit expiration. In no event shall this time be greater than eighteen months. The permittee shall retain the most current operating permit issued to this installation on-site. The permittee shall immediately make such permit available to any Missouri Department of Natural Resources personnel upon request.

#### **10 CSR 10-6.110 Reporting of Emission Data, Emission Fees and Process Information**

- 1) The permittee shall submit a Full Emissions Report either electronically via MoEIS, which requires Form 1.0 signed by an authorized company representative, or on Emission Inventory Questionnaire (EIQ) paper forms on the frequency specified in this rule and in accordance with the requirements outlined in this rule. Alternate methods of reporting the emissions, such as spreadsheet file, can be submitted for approval by the director.
- 2) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- 3) The permittee shall submit a full EIQ for the 2017 and 2020 reporting years. In the interim years the installation may submit a Reduced Reporting Form; however, if the installation's emissions increase or decrease by more than five tons when compared to their last submitted full EIQ, the installation shall submit a full EIQ rather than a Reduced Reporting Form.
- 4) In addition to the EIQ submittal schedule outlined above, any permit issued under 10 CSR 10-6.060 section (5) or (6) triggers a requirement that a full EIQ be submitted in the first full calendar year after the permitted equipment initially operates.

#### **10 CSR 10-6.130 Controlling Emissions During Episodes of High Air Pollution Potential**

This rule specifies the conditions that establish an air pollution alert (yellow/orange/red/purple), or emergency (maroon) and the associated procedures and emission reduction objectives for dealing with each. The permittee shall submit an appropriate emergency plan if required by the Director.

#### **10 CSR 10-6.150 Circumvention**

The permittee shall not cause or permit the installation or use of any device or any other means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission or air contaminant which violates a rule of the Missouri Air Conservation Commission.

### **10 CSR 10-6.165 Restriction of Emission of Odors**

**This requirement is not federally enforceable.**

No person may cause, permit or allow the emission of odorous matter in concentrations and frequencies or for durations that odor can be perceived when one volume of odorous air is diluted with seven volumes of odor-free air for two separate trials not less than 15 minutes apart within the period of one hour.

### **10 CSR 10-6.170 Restriction of Particulate Matter to the Ambient Air Beyond the Premises of Origin**

#### **Emission Limitation:**

- 1) The permittee shall not cause or allow to occur any handling, transporting or storing of any material; construction, repair, cleaning or demolition of a building or its appurtenances; construction or use of a road, driveway or open area; or operation of a commercial or industrial installation without applying reasonable measures as may be required to prevent, or in a manner which allows or may allow, fugitive particulate matter emissions to go beyond the premises of origin in quantities that the particulate matter may be found on surfaces beyond the property line of origin. The nature or origin of the particulate matter shall be determined to a reasonable degree of certainty by a technique proven to be accurate and approved by the director.
- 2) The permittee shall not cause nor allow to occur any fugitive particulate matter emissions to remain visible in the ambient air beyond the property line of origin.
- 3) Should it be determined that noncompliance has occurred, the director may require reasonable control measures as may be necessary. These measures may include, but are not limited to, the following:
  - a) Revision of procedures involving construction, repair, cleaning and demolition of buildings and their appurtenances that produce particulate matter emissions;
  - b) Paving or frequent cleaning of roads, driveways and parking lots;
  - c) Application of dust-free surfaces;
  - d) Application of water; and
  - e) Planting and maintenance of vegetative ground cover.

### **10 CSR 10-6.180 Measurement of Emissions of Air Contaminants**

- 1) The director may require any person responsible for the source of emission of air contaminants to make or have made tests to determine the quantity or nature, or both, of emission of air contaminants from the source. The director may specify testing methods to be used in accordance with good professional practice. The director may observe the testing. All tests shall be performed by qualified personnel.
- 2) The director may conduct tests of emissions of air contaminants from any source. Upon request of the director, the person responsible for the source to be tested shall provide necessary ports in stacks or ducts and other safe and proper sampling and testing facilities, exclusive of instruments and sensing devices as may be necessary for proper determination of the emission of air contaminants.
- 3) The director shall be given a copy of the test results in writing and signed by the person responsible for the tests.

### **10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants**

#### **Emission Limitation:**

The permittee shall not cause or permit to be discharged into the atmosphere from any source not exempted under 10 CSR 10-6.220 any visible emissions in excess of the limits specified by this rule. This permit will contain the opacity limits identified (10, 20 or 40 percent) for the specific emission units.

### **10 CSR 10-6.280 Compliance Monitoring Usage**

- 1) The permittee is not prohibited from using the following in addition to any specified compliance methods for the purpose of submission of compliance certificates:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) Monitoring method(s) approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Any other monitoring methods approved by the director.
- 2) Any credible evidence may be used for the purpose of establishing whether a permittee has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred at an installation:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Compliance test methods specified in the rule cited as the authority for the emission limitations.
- 3) The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
  - a) Applicable monitoring or testing methods, cited in:
    - i) 10 CSR 10-6.030, "Sampling Methods for Air Pollution Sources";
    - ii) 10 CSR 10-6.040, "Reference Methods";
    - iii) 10 CSR 10-6.070, "New Source Performance Standards";
    - iv) 10 CSR 10-6.080, "Emission Standards for Hazardous Air Pollutants"; or
  - b) Other testing, monitoring, or information gathering methods, if approved by the director, that produce information comparable to that produced by any method listed above.

### **40 CFR Part 82 Protection of Stratospheric Ozone (Title VI)**

- 1) The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
  - a) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR §82.106.
  - b) The placement of the required warning statement must comply with the requirements of 40 CFR §82.108.
  - c) The form of the label bearing the required warning statement must comply with the requirements of 40 CFR §82.110.
  - d) No person may modify, remove, or interfere with the required warning statement except as described in 40 CFR §82.112.

- 2) The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B of 40 CFR Part 82:
  - a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices described in 40 CFR §82.156.
  - b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment described in 40 CFR §82.158.
  - c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR §82.161.
  - d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with the record keeping requirements of 40 CFR §82.166. ("MVAC-like" appliance as defined at 40 CFR §82.152).
  - e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR §82.156.
  - f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR §82.166.
- 3) If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.
- 4) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements contained in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.
- 5) The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program. *Federal Only - 40 CFR Part 82.*

## V. General Permit Requirements

The installation shall comply with each of the following requirements. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued.

### **10 CSR 10-6.065, §(5)(E)2 and §(6)(C)1.B Permit Duration**

This permit is issued for a term of five years, commencing on the date of issuance. This permit will expire at the end of this period unless renewed.

### **10 CSR 10-6.065, §(5)(C)1 and §(6)(C)1.C General Record Keeping and Reporting Requirements**

- 1) Record Keeping
  - a) All required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report or application.
  - b) Copies of all current operating and construction permits issued to this installation shall be kept on-site for as long as the permits are in effect. Copies of these permits shall be made immediately available to any Missouri Department of Natural Resources' personnel upon request.
- 2) Reporting
  - a) All reports shall be submitted to the Air Pollution Control Program, Compliance and Enforcement Section, P. O. Box 176, Jefferson City, MO 65102.
  - b) The permittee shall submit a report of all required monitoring by:
    - i) April 1st for monitoring which covers the January through December time period.
    - ii) Exception. Monitoring requirements which require reporting more frequently than annually shall report no later than 30 days after the end of the calendar quarter in which the measurements were taken.
  - c) Each report shall identify any deviations from emission limitations, monitoring, record keeping, reporting, or any other requirements of the permit.
  - d) Submit supplemental reports as required or as needed. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
    - i) Notice of any deviation resulting from an emergency (or upset) condition as defined in paragraph (6)(C)7 of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.
    - ii) Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.
    - iii) Any other deviations identified in the permit as requiring more frequent reporting than the permittee's annual report shall be reported on the schedule specified in this permit, and no

later than ten days after any exceedance of any applicable rule, regulation, or other restriction.

- e) Every report submitted shall be certified by the responsible official, except that, if a report of a deviation must be submitted within ten days after the deviation, the report may be submitted without a certification if the report is resubmitted with an appropriate certification within ten days after that, together with any corrected or supplemental information required concerning the deviation.
- f) The permittee may request confidential treatment of information submitted in any report of deviation.

**10 CSR 10-6.065 §(5)(C)1 and §(6)(C)1.D Risk Management Plan Under Section 112(r)**

If the installation is required to develop and register a risk management plan pursuant to Section 112(R) of the Act, the permittee will verify that it has complied with the requirement to register the plan.

**10 CSR 10-6.065(5)(C)1.A General Requirements**

- 1) The permittee must comply with all of the terms and conditions of this permit. Any noncompliance with a permit condition constitutes a violation and is grounds for enforcement action, permit termination, permit revocation and re-issuance, permit modification or denial of a permit renewal application.
- 2) The permittee may not use as a defense in an enforcement action that it would have been necessary for the permittee to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit
- 3) The permit may be modified, revoked, reopened, reissued or terminated for cause. Except as provided for minor permit modifications, the filing of an application or request for a permit modification, revocation and reissuance, or termination, or the filing of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- 4) This permit does not convey any property rights of any sort, nor grant any exclusive privilege.
- 5) The permittee shall furnish to the Air Pollution Control Program, upon receipt of a written request and within a reasonable time, any information that the Air Pollution Control Program reasonably may require to determine whether cause exists for modifying, reopening, reissuing or revoking the permit or to determine compliance with the permit. Upon request, the permittee also shall furnish to the Air Pollution Control Program copies of records required to be kept by the permittee. The permittee may make a claim of confidentiality for any information or records submitted under this rule.
- 6) Failure to comply with the limitations and conditions that qualify the installation for an Intermediate permit make the installation subject to the provisions of 10 CSR 10-6.065(6) and enforcement action for operating without a valid part 70 operating permit.

**10 CSR 10-6.065(5)(C)1.C Reasonably Anticipated Operating Scenarios**

None.

**10 CSR 10-6.065, §(5)(B)4; §(5)(C)1, §(6)(C)3.B; and §(6)(C)3.D; and §(5)(C)3 and §(6)(C)3.E.(I) – (III) and (V) – (VI) Compliance Requirements**

- 1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
- 2) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized

agents, to perform the following (subject to the installation's right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):

- a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
  - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
  - d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.
- 3) All progress reports required under an applicable schedule of compliance shall be submitted semiannually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
- a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
  - b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
- 4) The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and exceedances must be included in the compliance certifications. The compliance certification shall include the following:
- a) The identification of each term or condition of the permit that is the basis of the certification;
  - b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;
  - c) Whether compliance was continuous or intermittent;
  - d) The method(s) used for determining the compliance status of the installation, both currently and over the reporting period; and
  - e) Such other facts as the Air Pollution Control Program will require in order to determine the compliance status of this installation.

|  |
|--|
| <b>10 CSR 10-6.065, §(5)(C)1 and §(6)(C)7 Emergency Provisions</b> |
|--|

- 1) An emergency or upset as defined in 10 CSR 10-6.065(6)(C)7.A shall constitute an affirmative defense to an enforcement action brought for noncompliance with technology-based emissions limitations. To establish an emergency- or upset-based defense, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, the following:
  - a) That an emergency or upset occurred and that the permittee can identify the source of the emergency or upset,
  - b) That the installation was being operated properly,
  - c) That the permittee took all reasonable steps to minimize emissions that exceeded technology-based emissions limitations or requirements in this permit, and
  - d) That the permittee submitted notice of the emergency to the Air Pollution Control Program within two working days of the time when emission limitations were exceeded due to the

emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken.

- 2) Be aware that an emergency or upset shall not include noncompliance caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

#### **10 CSR 10-6.065(5)(C)5 Off-Permit Changes**

- 1) Except as noted below, the permittee may make any change in its permitted installation's operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Off-permit changes shall be subject to the following requirements and restrictions:
  - a) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is a Title I modification; Please Note: Changes at the installation which affect the emission limitation(s) classifying the installation as an intermediate source (add additional equipment to the record keeping requirements, increase the emissions above major source level) do not qualify for off-permit changes.
  - b) The permittee must provide contemporaneous written notice of the change to the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change; and
  - c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes.

#### **10 CSR 10-6.020(2)(R)12 Responsible Official**

The application utilized in the preparation of this permit was signed by Jason Marquis, Vice-President. If this person terminates employment, or is reassigned different duties such that a different person becomes the responsible person to represent and bind the installation in environmental permitting affairs, the owner or operator of this air contaminant source shall notify the Director of the Air Pollution Control Program of the change. Said notification shall be in writing and shall be submitted within 30 days of the change. The notification shall include the name and title of the new person assigned by the source owner or operator to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the installation until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

#### **10 CSR 10-6.065 §(5)(E)4 and §(6)(E)6.A(III)(a)-(c) Reopening-Permit for Cause**

This permit may be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MDNR) or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,
- 2) Additional applicable requirements under the Act become applicable to the installation; however, reopening on this ground is not required if—:
  - a) The permit has a remaining term of less than three years;

- b) The effective date of the requirement is later than the date on which the permit is due to expire;  
or
  - c) The additional applicable requirements are implemented in a general permit that is applicable to the installation and the installation receives authorization for coverage under that general permit,
- 3) MDNR or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

|   |
|---|
| <b>10 CSR 10-6.065 §(5)(E)1.A and §(6)(E)1.C Statement of Basis</b> |
|---|

This permit is accompanied by a statement setting forth the legal and factual basis for the permit conditions (including references to applicable statutory or regulatory provisions). This Statement of Basis, while referenced by the permit, is not an actual part of the permit.

## **VI. Attachments**

Attachments follow.





# STATEMENT OF BASIS

## **Voluntary Limitations**

In order to qualify for this Intermediate State Operating Permit, the permittee has accepted voluntary, federally enforceable emission limitations. Per 10 CSR 10-6.065(5)(C)1.A.(VI), if these limitations are exceeded, the installation immediately becomes subject to 10 CSR 10-6.065(6) and enforcement action for operating without a valid part 70 operating permit. It is the permittee's responsibility to monitor emission levels and apply for a part 70 operating permit far enough in advance to avoid this situation. This may mean applying more than eighteen months in advance of the exceedance, since it can take that long or longer to obtain a part 70 operating permit.

## **INSTALLATION DESCRIPTION**

Marquis-Missouri Terminal, LLC (155-0077) (Marquis) operates a crude oil storage and loadout operation in Hayti, Missouri. Crude oil is delivered via railcars and transferred to two (2) 5.6 million gallon above ground storage tanks. From the storage tanks, the crude oil is routed through a 10,000 gallon pressure tank to barges for transportation offsite.

OakMar Terminal LLC (155-0078) (OakMar) operates a diesel fuel terminal in Hayti, Missouri. Diesel fuel is delivered to OakMar via barge and routed through a 10,000 gallon pressure tank. From the pressure tank, the diesel fuel is routed to a 5.6 million gallon above ground storage tank. The diesel fuel is transported offsite via trucks.

### Marquis-Missouri Terminal, LLC (155-0077) (Marquis)

Marquis has installed a vapor balancing system for purposes of controlling vapors during the unloading of railcars to a sump system prior to routing the crude oil to ASTs. The vapor balance system employs hoses that return organic vapors displaced from filling the 24-inch gravity drain line and sump to the railcar cargo compartments being emptied. For purposes of the emissions estimate, potential organic emissions displaced during the beginning of the loading until such time as the 24-inch gravity line and sump system is full of liquid have been quantified. Once the pipe is full, additional vapors are not generated or displaced.

Two 5.6 million gallon ASTs have been permitted for storage of crude oil prior to transport offsite. Organic emissions resulting from breathing and working losses are reduced due to an internal floating roof tank design. A lined secondary containment berm has been installed around the ASTs.

A 10,000 gallon pressurized tank was installed and is utilized for loading crude oil into the barges. The tank is an ASME tank with an internal design pressure of 275 psi @ 125°F and an external design pressure of 14.7 psi @ 125°F. As detailed in the AP-42 emission factor Section 7 .1.3 .4 for pressure tanks, high pressure storage tanks can be operated so that virtually no evaporative or working losses occur from the tank. The tank is operated so that no venting to the atmosphere occurs.

Vapors generated during barge loading are routed to an open air assisted smokeless flare for purposes of emissions control. The flare has a maximum rated capacity of 12.4 mmBtu/hr. Performance testing was conducted on the flare on March 28, 2013 in accordance with a Test Plan approved by the Missouri Department of Natural Resources. The results of the testing were submitted on April 24, 2013.

OakMar Terminal LLC (155-0078) (OakMar)

Diesel fuel barges are delivered to the OakMar facility on the Oakley dock located at the Pemiscot Port Authority, 241 Meridith Boulevard Port, Hayti, Missouri. While diesel fuel is unloaded from barges, no marine vessels will be loaded with diesel. When connecting the barge to the piping, there will be flanged connections to the piping on the barge that also have a valve. The hose is connected to the flange and then the valve on the piping is opened so the barge can then pump ULSD fuel off the barge through the pipe to a 10,000-gallon tank and then to the AST located near the truck loadout rack.

The OakMar 10,000-gallon pressure tank is located adjacent to the Marquis' 10,000-gallon pressure tank. Like the Marquis' operation, the 10,000-gallon tank is operated so that virtually no evaporative or working losses occur from the tank.

Diesel fuel passes through the 10,000-gallon tank to an OakMar AST that has a holding capacity of 5.6 million gallons per year. The OakMar AST is located adjacent to the Marquis' ASTs; however, the piping to and from the OakMar AST is separate and distinct from the Marquis' tank. The OakMar AST is equipped with an internal floating roof for purposes of controlling organic vapors resulting from breathing and working losses.

Diesel fuel stored in the AST is loaded out to trucks and transported offsite. OakMar constructed a new diesel truck loading rack. The truck loading rack is equipped with 3 bays, and each bay has two loading arms. Trucks are bottom filled from the racks and displaced vapors are routed to a vapor combustion unit (i.e., flare) for purposes of emissions control during truck loadout. The maximum loadout capacity when loading out from all bays and arms is 180,000 gallons per hour (gph), and the average loadout rate is 108,000 gph. For purposes of determining worst case emissions, truck loadout to nondedicated trucks (trucks that could have previously contained gasoline) was permitted. Based on design engineer information, the flare has a VOC destruction efficiency of 98%.

Marquis and OakMar do not share any storage tanks, pipelines, or barges. The two facilities are located adjacent to each other. For permitting purposes, Marquis and Oakmar are considered one installation due to the following criteria:

- 1) Both facilities share the primary SIC code 5171 *Petroleum Stations and Terminals*.
- 2) The two facilities are located on one or more contiguous or adjacent properties: both facilities are located at 2353 North State Highway D in Hayti, Missouri.
- 3) The two facilities are under common control: both facilities list their responsible official as D. L. Marquis and share a common parent company contact person (Elizabeth Steinhour) and address (11953 Prairie Industrial Parkway, Hennepin, Illinois).

Marquis and OakMar facilities are a named source by 10 CSR 10-6.020(3)(B) and therefore all fugitive emissions count towards major source applicability.

### Updated Potential to Emit for the Installation

| Pollutant          | <sup>1</sup> Potential to Emit with Diesel Throughput Limit (tons/yr) |
|--------------------|---|
| CO                 | 15.84   |
| NO <sub>x</sub>    | 11.21   |
| PM <sub>10</sub>   | 9.93  |
| PM <sub>2.5</sub>  | 1.66  |
| PM                 | 32.34   |
| SO <sub>x</sub>    | 0.07  |
| VOC                | 62.59   |
| HAP                | 8.07  |
| Toluene (108-88-3) | 2.50  |
| Xylene (1330-20-7) | 2.50  |
| Hexane (110-54-3)  | 1.41  |
| Benzene (71-43-2)  | 0.81  |
| Ethylbenzene       | 0.48  |
| Naphthalene        | 0.19  |

<sup>1</sup>Each emission unit was evaluated at 8,760 hours of uncontrolled annual operation unless otherwise noted.

\* The potential emissions listed in this table are a combined total of both the Marquis-Missouri Terminal and the OakMar Terminal.

\*Flares are used to control emissions from the crude oil barge loadout (MM-EP02) and the diesel loading rack (OM-EP02).

### Permit Reference Documents

These documents were relied upon in the preparation of the operating permit. Because they are not incorporated by reference, they are not an official part of the operating permit.

- 1) Intermediate Operating Permit Application, received May 27, 2014;
- 2) 2013 Emissions Inventory Questionnaire, received April 15, 2014;
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition;
- 4) APCP Construction Permit #092012-001A, Issued April 30, 2013;
- 5) APCP Construction Permit #022014-003, Issued February 05, 2014; and
- 6) APCP Construction Permit #022015-006, Issued February 09, 2015.

### Applicable Requirements Included in the Operating Permit but Not in the Application or Previous Operating Permits

In the operating permit application, the installation indicated they were not subject to the following regulation(s). However, in the review of the application, the agency has determined that the installation is subject to the following regulation(s) for the reasons stated.

None

### Other Air Regulations Determined Not to Apply to the Operating Permit

The Air Pollution Control Program (APCP) has determined that the following requirements are not applicable to this installation at this time for the reasons stated.

10 CSR 10-6.100, *Alternate Emission Limits*

This rule is not applicable because the installation is in an ozone attainment area.

10 CSR 10-6.260, *Restriction of Emission of Sulfur Compounds*

This rule is not applicable to MM-EP02 and OM-EP02. §6.260(1)(A)2. excludes combustion equipment that burns exclusively natural gas. Therefore this rule is not applicable to these emission units.

10 CSR 10-6.261, *Control of Sulfur Dioxide Emissions*

This rule is not applicable to MM-EP02 and OM-EP02. §6.261(1)(A) excludes combustion equipment that is fueled exclusively by natural gas. Therefore this rule is not applicable to these emission units.

**Construction Permit History**

Marquis-Missouri Terminal

Construction Permit #092012-001, Issued September 05, 2012

Installation of a crude oil storage and loadout operation.

Construction Permit #092012-001A

Amendment to Construction Permit #092012-001 to construct a new crude oil storage and loadout operation.

OakMar Terminal

Construction Permit #022014-003

Installation of a new facility to unload diesel from barges to storage and then from storage into trucks for distribution.

Construction Permit #022015-006

Add the capability to transfer diesel fuel from bulk storage to marine towing vessels.

**New Source Performance Standards (NSPS) Applicability**

40 CFR Part 60, Subpart Kb – *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) For Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.*

EP-01 Internal Floating Roof Storage Tank is not applicable to this rule. This 5.6 million gallon tank is limited to the storage of petroleum products with a vapor pressure less than or equal to 0.02 psi (0.14 kPa) by Permit Condition 4.

This regulation is applicable to T-01 Crude Oil Internal Floating Roof Storage Tank and T-02 Crude Oil Internal Floating Roof Storage Tank.

40 CFR Part 60, Subpart XX – *Standards of Performance for Bulk Gasoline Terminals*

This regulation is not applicable to the installation because the installation is restricted by Permit Condition 4 to handling petroleum products with a vapor pressure less than or equal to 0.02 psi at 90°F. This restriction prohibits the handling of gasoline which has a vapor pressure of at least 6.2 psi at 90°F.

**Maximum Achievable Control Technology (MACT) Applicability**

40 CFR Part 63, Subpart R – *National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)*

This regulation is not applicable to the installation because the installation is restricted by Permit Condition 4 to handling petroleum products with a vapor pressure less than or equal to 0.02 psi at 90°F. This restriction prohibits the handling of gasoline which has a vapor pressure of at least 6.2 psi at 90°F.

40 CFR Part 63, Subpart Y – *National Emission Standards for Marine Tank Vessel Loading Operations*  
This regulation is not applicable to the OakMar Terminal LLC facility. The facility does not load any petroleum products onto marine vessels or tanks.

This regulation is applicable to Marquis-Missouri Terminal LLC's EP-02 Crude Oil Barge Loadout Rack. The emission unit is exempt from the emission standards in 63.562(c) and (d). The emission unit is subject to the emission standards of §63.562(b) and shall demonstrate compliance as required by §§63.563, 63.564, 63.565, 63.566, and 63.567.

The facility has met initial notification and testing requirements.

40 CFR Part 63, Subpart EEEE – *National Emission standards for Hazardous Air Pollutants: Organic Liquid Distribution (Non-Gasoline)*

This regulation is not applicable to the installation. The installation is not a major source for HAPs.

40 CFR Part 63, Subpart BBBB – *National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Bulk terminals, Bulk Plants, and Pipeline Facilities*

This regulation is not applicable to the OakMar Terminal. The OakMar Terminal is restricted by Permit Condition 4 to handling petroleum products with a vapor pressure less than or equal to 0.02 psi at 90°F. This restriction prohibits the handling of gasoline which has a vapor pressure of at least 6.2 psi at 90°F.

40 CFR Part 63, Subpart CCCCC – *National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities*

This regulation is not applicable to the installation. The OakMar Terminal is restricted by Permit Condition 4 to handling petroleum products with a vapor pressure less than or equal to 0.02 psi at 90°F. This restriction prohibits the handling of gasoline which has a vapor pressure of at least 6.2 psi at 90°F.

### **National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability**

In the permit application and according to APCP records, there was no indication that any Missouri Air Conservation Law, Asbestos Abatement, 643.225 through 643.250; 10 CSR 10-6.080, Emission Standards for Hazardous Air Pollutants, Subpart M, National Standards for Asbestos; and 10 CSR 10-6.250, Asbestos Abatement Projects - Certification, Accreditation, and Business Exemption Requirements apply to this installation. The installation is subject to these regulations if they undertake any projects that deal with or involve any asbestos containing materials. None of the installation's operating projects underway at the time of this review deal with or involve asbestos containing material. Therefore, the above regulations were not cited in the operating permit. If the installation should undertake any construction or demolition projects in the future that deal with or involve any asbestos containing materials, the installation must follow all of the applicable requirements of the above rules related to that specific project.

### **Other Regulatory Determinations**

10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminants*

Monitoring and recordkeeping requirements are not applied to MM-EP02 and OM-EP02 because the potential PM emissions are less than 0.5 lb/hr. When these units are properly maintained and operated, opacity emissions are not expected. For this reason, no conditions for this rule were placed in to this operating permit.

**Other Regulations Not Cited in the Operating Permit or the Above Statement of Basis**

Any regulation which is not specifically listed in either the Operating Permit or in the above Statement of Basis does not appear, based on this review, to be an applicable requirement for this installation for one or more of the following reasons.

- 1) The specific pollutant regulated by that rule is not emitted by the installation.
- 2) The installation is not in the source category regulated by that rule.
- 3) The installation is not in the county or specific area that is regulated under the authority of that rule.
- 4) The installation does not contain the type of emission unit which is regulated by that rule.
- 5) The rule is only for administrative purposes.

Should a later determination conclude that the installation is subject to one or more of the regulations cited in this Statement of Basis or other regulations which were not cited, the installation shall determine and demonstrate, to the Air Pollution Control Program's satisfaction, the installation's compliance with that regulation(s). If the installation is not in compliance with a regulation which was not previously cited, the installation shall submit to the Air Pollution Control Program a schedule for achieving compliance for that regulation(s).

## Response to Public Comments

A draft of the Intermediate Operating Permit for Marquis-Missouri Terminal LLC and OakMar Terminal LLC in Hayti was placed on public notice May 22, 2015 by the Missouri Department of Natural Resources. Comments were received on June 23, 2015 from Mark Smith, Air Permitting and Compliance Branch Chief of the Environmental Protection Agency Region 7. The fourteen (14) comments are presented below as submitted, with the response to each comment by the Air Pollution Control Program directly following.

### **EPA Comment #1:**

The installation description in an operating permit should provide sufficient information to allow for a complete and expeditious evaluation of the permit terms and conditions. The Installation Description in the Marquis-Missouri Terminal and OakMar Terminal Intermediate State Permit to Operate lacks the pertinent information to allow for a determination as to whether or not the proposed operating permit is in compliance with all applicable regulations. The operating permit application submitted in May 2014 includes what appears to be an installation description, including control equipment discussion, which would allow a valuable information review critical to the understanding of the facility process and equipment critical to operating permit review. EPA recommends MDNR strongly consider revising the Installation Description of this draft operating permit to include additional information necessary to aid in an operating permit review.

Additionally, OakMar Terminal LLC was issued Construction Permit #022015-006 on February 9, 2015 authorizing additional process activities which do not appear to have been included in this draft operating permit. 10 CSR 10-6.065(5)(C)l requires every operating permit to contain all applicable requirements. The requirements imposed on OakMar Terminal, in Construction Permit #022015-006, do not appear to have been included in this draft operating permit. Therefore, EPA recommends MDNR revise the draft operating permit to include all applicable requirements.

Finally, the Installation Description on the operating permit cover page, says that "OakMar Terminal has accepted a diesel throughput limit in order to maintain emissions below the major source threshold." First, OakMar Terminal is only one portion of the facility seeking this operating permit. To limit emissions below the major source threshold in order to be considered for this Intermediate State Permit to Operate, the permitting authority must take into account all of potential emissions including those associated with the Marquis-Missouri Terminal. Second, MDNR fails to indicate what emissions are being limited, in order for Marquis-Missouri Terminal and OakMar Terminal to avoid being subject to a Part 70 operating permit. Third, there is no permit condition that restricts OakMar Terminal diesel throughput and there is no method of verification that the throughput limit restricts the appropriate emissions. Construction Permit #092012-001A, issued to Marquis-Missouri Terminal on September 5, 2012 indicates their potential-to-emit (PTE) of volatile organic compounds (VOC) is 667.94 tons per year (TPY); hazardous air pollutants (HAPs) is 100.19 TPY and four (4) individual HAPs greater than 10 TPY. Construction Permit #022014-003, issued to OakMar Terminal on February 4, 2014, indicates their PTE emissions of VOC and HAPs are 215.86 TPY and 62.12 TPY, respectively.

MDNR defines a Part 70 installation as installations that emit or have the potential to emit 10 TPY of an individual HAP; 25 TPY of a combination of HAPs and 100 TPY of VOC. It appears to EPA, that a Part 70 operating permit is the appropriate option for the Marquis-Missouri Terminal and OakMar Terminal and recommends MDNR revisit the appropriateness of the Intermediate State Permit to Operate.

**Missouri Air Pollution Control Program Response to EPA Comment #1:**

Additional information has been included in the description of the installation.

Construction permit #022015-006 has been included in the operating permit.

The required control equipment along with the voluntary diesel throughput limitation taken by the OakMar half of the installation brings the potential VOC and HAPs emissions below major source levels. Therefore, an intermediate operating permit is appropriate for this facility.

**EPA Comment #2:**

Permit Condition 1 incorporates, into the operating permit, applicable requirements from Construction Permit #092012-001A, issued April 30, 2013 and requires the permittee to employ a vapor balance system to capture emissions. However, the operational limitation does not identify the emissions being captured. Therefore, EPA recommends MDNR identify the emissions to be captured by the vapor balance system.

**Missouri Air Pollution Control Program Response to EPA Comment #2:**

Crude oil vapor emissions were specified as the emissions captured by the vapor balance system associated with Railcar Unloading/Initial Pipeline Filling (MM-EP01).

**EPA Comment #3:**

**Permit Condition 2** incorporates applicable requirements from 40 CFR Part 60, Subpart Kb *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquids Storage Vessels) for Which Construction, Reconstruction or Modification Commenced After 7/23/84. Operational Limitation 2*) provides the permittee options for which the permittee should have already selected. Therefore, there may be permit condition requirements which are not applicable to the Marquis-Missouri Terminal & OakMar Terminal installation and EPA recommends all nonapplicable requirements be removed from Permit Condition 2. Additionally, *Reporting* requirements, in Permit Condition 2, require the permittee to submit reports to the "Administrator." 40 CFR part 60, Subpart Kb is being managed by MDNR. Therefore EPA suggests that the "Director" may be a more appropriate recipient of the report and recommends MDNR replace Administrator with Director.

**Missouri Air Pollution Control Program Response to EPA Comment #3:**

The options not chosen by the permittee have been removed from the operating permit so only the chosen option has remained.

Instances of the “Administrator” have been removed and replaced with the “Director”.

**EPA Comment #4:**

Permit Condition 3 incorporates applicable requirements from 40 CFR part 63. Subpart Y-*National Emission Standards for Marine Tank Vessel Loading Operations*. The Emission Limitations included in the draft Permit Condition 3 requires the permittee to install a vapor collection system. Construction Permit #092012-001A and the operating permit application installation description indicate a vapor collection system was required and is in fact in place. Therefore, it would appear to be unnecessary to include a permit condition requiring the permittee to install a vapor collection system that already exists. It is likely more appropriate for the permittee to operate and maintain the existing vapor collection system and EPA recommends MDNR consider rewording Permit Condition 3 taking into account Marquis-Missouri Terminal and OakMar Terminal existing facilities and controls.

**Missouri Air Pollution Control Program Response to EPA Comment #4:**

The permit condition has been changed to have the permittee operate and maintain the vapor collection system rather than to install the vapor collection system.

**EPA Comment #5:**

*Operational limitation 1)*, in Permit Condition 3, requires the permittee to control emissions from the vapor collection system using a flare, as specified in permit application. 10 CSR 10-6.065(5)(C)l requires every Intermediate State Permit to Operate to include all requirements applicable to the facility at the time of operating permit issuance. A reference to the proposed emission controls in a permit application; which is not included as an attachment to the operating permit appears to not meet the requirement of MDNR's regulations. Also, this permit application is not listed in the Statement of Basis as a document relied upon in the preparation of this operating permit. Therefore, EPA strongly recommends MDNR detail the specifications that are attempted to be reference from the permit application in Permit Condition 3.

**Missouri Air Pollution Control Program Response to EPA Comment #5:**

Operational Limitation 1) has been modified to not include the wording “as specified in permit application” because it is not necessary for the operating permit.

**EPA Comment #6:**

*Compliance Demonstration* in Permit Condition 3 has several references to "owner or operator" as the individual responsible for compliance. However, these requirements are incorporated into an operating permit condition issued to Marquis-Missouri Terminal & OakMar Terminal. Therefore, permittee would appear to be a more appropriate compliance responsible individual and EPA recommends MDNR replace "owner or operator" with permittee.

### **Missouri Air Pollution Control Program Response to EPA Comment #6:**

All mentions of “owner or operator” remaining in Permit Condition 3 refer to the owner or operator of the marine tank vessel, not the owner or operator of the loading facility. All other instances have been changed to “the permittee”.

### **EPA Comment #7:**

*Monitoring requirements* 1) and 2), in Permit Condition 3, require the permittee to monitor the parameters specified in "this section." There are no "sections" in an operating permit and there are no parameters specified in Permit Condition 3. Therefore, EPA recommends MDNR revise Permit Condition 3 to include the actual requirement(s) in Permit Condition 3 which are referred to as "in this section."

### **Missouri Air Pollution Control Program Response to EPA Comment #7:**

The monitoring requirements of Permit Condition 3 have been clarified.

### **EPA Comment #8:**

Permit Condition 5 includes an *Operational requirement* where the permittee shall periodically water haul roads whenever conditions exist that cause fugitive emissions to enter ambient air. This requirement is too vague to be enforceable from a practical matter. An operating permit must contain not only all applicable requirements; it must be sufficiently clear and specific to ensure that those requirements are enforceable as a practical matter. A permit is enforceable as a practical matter (or practically enforceable) if permit conditions establish a clear legal obligation for the source and allow compliance to be verified. Providing the source with clear information goes beyond identifying the applicable requirement. It is also important that permit conditions be unambiguous and do not contain language which may intentionally or unintentionally prevent enforcement. Permit conditions must contain sufficient detail to ensure that the facility and the public clearly understand obligations in the permit and how compliance with these requirements will be evaluated. The Office of Inspector General reported to the EPA that "the presence of vague permit language makes a permit virtually unenforceable or not practically enforceable." Vague permit provisions preclude the permittee from understanding its obligations and preclude regulators and the public from ensuring that the permittee is complying with its obligations. As such, EPA recommends MDNR amend the permit condition to include more specific compliance requirements that make clear the permittee's obligations to the permittee, regulators and the public in order to ensure practical enforceability.

Additionally, *Operational limitation 2* in Permit Condition 3 and *Operational limitation 11* in Permit Condition 6 are too vague as to be enforceable from a practical matter. These two (2) operational limitations require the permittee to comply with manufacturer's standards. Provisions in the permit which require the permittee to comply with "manufacturer's specifications" is practically unenforceable because the compliance criteria are not in the permit, not necessarily available to the public, and subject to change at the manufacturers will. According to EPA, a permit "must contain more explicit monitoring requirements' than just the manufacturer's specification. As such, EPA recommends MDNR should amend the permit condition to include

more specific compliance requirements that make clear the permittee's obligations to the permittee, regulators and the public in order to ensure practical enforceability.

**Missouri Air Pollution Control Program Response to EPA Comment #8:**

Recordkeeping requirements have been added for Permit Condition 5.

No changes have been made to Permit Conditions 3 and 6 due to this comment.

**EPA Comment #9:**

*Operational limitation 8*), in Permit Condition 6, requires the permittee to control emissions from the vapor collection system using a flare, as specified in permit application. 10 CSR 10-6.065(5)(C) requires every Intermediate State Permit to Operate to include all requirements applicable to the facility at the time of operating permit issuance. A reference to the proposed emission controls in a permit application; which is not included as an attachment to the operating permit appears to not meet the requirement of MDNR's regulations. Also, this permit application is not listed in the Statement of Basis as a document relied upon in the preparation of this operating permit. Therefore, EPA strongly recommends MDNR detail the specifications, which are attempted to be reference from the permit application, in Permit Condition 6.

**Missouri Air Pollution Control Program Response to EPA Comment #9:**

Operational Limitation 8) has been modified to not include the wording “as specified in permit application” because it is not necessary for the operating permit.

**EPA Comment #10:**

Permit Condition 6 incorporates, into the operating permit, applicable requirements from Construction Permit #022014-003, issued February 5, 2014 and requires the permittee to employ a vapor balance system to capture emissions. However, the operational limitation does not identify the emissions being captured. Therefore, EPA recommends MDNR identify the emissions be captured by the vapor balance system.

**Missouri Air Pollution Control Program Response to EPA Comment #10:**

Diesel vapor emissions were specified as the emissions captured by the vapor balance system associated with the Diesel Loading Rack (OM-EP02).

**EPA Comment #11:**

*Operational limitation 5) a)*, in Permit Condition 6, requires the permittee to include their vapor collection system operational/procedures manual for review and approval. EPA recommends MDNR include this document as an attachment to the operating permit, with appropriate references, to enhance practical enforceability.

**Missouri Air Pollution Control Program Response to EPA Comment #11:**

The operational/procedural manual has already been submitted. Therefore, Operational Limitation 5)a) has been removed from Permit Condition 6.

**EPA Comment #12:**

The language regarding the written notification requirement for Off-Permit Changes in Section V used in operating permits has recently been modified to more closely match the wording in 10 CSR 10-6.065(6)(C)5. Therefore, EPA recommends MDNR use the newer Off-Permit Change wording in the Marquis-Missouri Terminal & OakMar Terminal operating permit.

**Missouri Air Pollution Control Program Response to EPA Comment #12:**

Off-Permit Changes in Section V of the operating permit has been updated to the current language used by the Air Pollution Control Program,

**EPA Comment #13:**

The potential-to-emit (PTE) for the Marquis-Missouri Terminal & OakMar Terminal are presented in a PTE table in the Statement of Basis. The installations PTE should equal the sum of the "potential" emission of the Marquis-Missouri Terminal, as detailed in Construction Permit #09012-001A, and the OakMar Terminal, as detailed in Construction Permit #022014-003 and Construction Permit #022015-006. However, the installations potential emissions presented in the Statement of Basis are not equal to the sum of the potential emissions in the three (3) construction permits. Therefore, EPA recommends MDNR correct the PTE table in the operating permit Statement of Basis.

**Missouri Air Pollution Control Program Response to EPA Comment #13:**

The PTE has been updated to include all potential emissions.

**EPA Comment #14:**

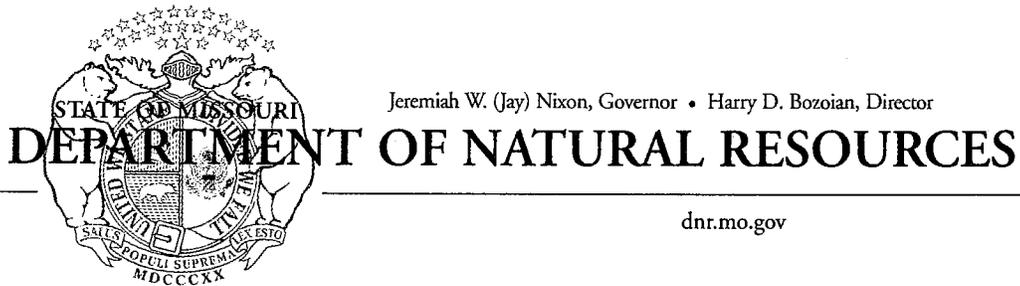
Both Construction Permit #092012-001A, authorizing the construction of the Marquis-Missouri Terminal; and Construction Permit #022014-003, authorizing the construction of the OakMar Terminal; indicate that the potential-to-emit of each project is greater than major source levels. This assertion would appear to require Marquis-Missouri Terminal & OakMar Terminal obtain a Part 70 Operating Permit, in lieu of the Intermediate State Permit to Operate. Additionally, these two (2) construction permits state that the permittee will install controls to reduce emissions below major source thresholds to avoid going through prevention of significant deterioration (PSD) permitting.

40 CFR Part 64, §64.2 (a)(3) requires pollutant specific emission units, that have the potential precontrol device emissions of regulated air pollutant(s) that are equal to or greater than the amount required for a source to be classified as a major source, to comply with the Compliance Assurance Monitoring (CAM) requirements specified in 40 CFR Part 64. The construction

permits authorizing the construction of this installation appear to satisfy the applicability of CAM and therefore, EPA recommends MDNR issue Marquis-Missouri Terminal & OakMar Terminal a Part 70 Operating Permit with a Permit Condition which incorporates the applicable CAM requirements.

**Missouri Air Pollution Control Program Response to EPA Comment #14:**

Intermediate operating permits do not require CAM. Therefore no changes were made due to this comment.



Jeremiah W. (Jay) Nixon, Governor • Harry D. Bozoian, Director

dnr.mo.gov

**NOV 02 2016**

Mr. Jason Marquis  
Marquis-Missouri Terminal LLC & OakMar Terminal LLC  
2353 North Highway D  
Hayti, MO 63851

Re: Marquis-Missouri Terminal LLC & OakMar Terminal LLC, 155-0077 & 155-0078  
Permit Number: OP2016-038

Dear Mr. Marquis:

Enclosed with this letter is your intermediate operating permit. Please review this document carefully. Operation of your installation in accordance with the rules and regulations cited in this document is necessary for continued compliance. It is very important that you read and understand the requirements contained in your permit.

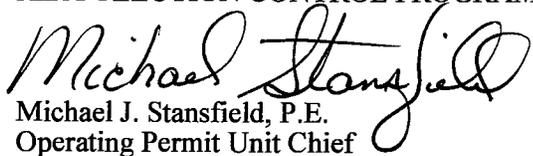
This permit may include requirements with which you may not be familiar. If you would like the department to meet with you to discuss how to understand and satisfy the requirements contained in this permit, an appointment referred to as a Compliance Assistance Visit (CAV) can be set up with you. To request a CAV, please contact your local regional office or fill out an online request. The regional office contact information can be found at <http://dnr.mo.gov/regions/>. The online CAV request can be found at <http://dnr.mo.gov/cav/compliance.htm>.

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.078.16 and 621.250.3. If you choose to appeal, you must file a petition with the AHC within thirty (30) days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If you send your appeal by registered or certified mail, we will deem it filed on the date you mailed it. If you send your appeal by a method other than registered or certified mail, we will deem it filed on the date the AHC receives it.

If you have any questions or need additional information regarding this permit, please contact the Air Pollution Control Program (APCP) at (573) 751-4817, or you may write to the Department of Natural Resources, Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

  
Michael J. Stansfield, P.E.  
Operating Permit Unit Chief

MJS/dbj

Enclosures



c: PAMS File: 2014-05-075 & 2014-05-076