

## **FACILITY PERMIT TO OPERATE**

**TESORO REFINING MARKETING COMPANY LLC,  
8601 GARFIELD AVE  
SOUTH GATE, CA 90280**

### **NOTICE**

IN ACCORDANCE WITH RULE 206, THIS PERMIT TO OPERATE OR A COPY THEREOF MUST BE KEPT AT THE LOCATION FOR WHICH IT IS ISSUED.

THIS PERMIT DOES NOT AUTHORIZE THE EMISSION OF AIR CONTAMINANTS IN EXCESS OF THOSE ALLOWED BY DIVISION 26 OF THE HEALTH AND SAFETY CODE OF THE STATE OF CALIFORNIA OR THE RULES OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT. THIS PERMIT SHALL NOT BE CONSTRUED AS PERMISSION TO VIOLATE EXISTING LAWS, ORDINANCES, REGULATIONS OR STATUTES OF ANY OTHER FEDERAL, STATE OR LOCAL GOVERNMENTAL AGENCIES.

Barry R. Wallerstein, D. Env.  
EXECUTIVE OFFICER

By \_\_\_\_\_  
Mohsen Nazemi, P.E.  
Deputy Executive Officer  
Engineering & Compliance

**FACILITY PERMIT TO OPERATE  
 TESORO REFINING MARKETING COMPANY LLC,**

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**FACILITY PERMIT TO OPERATE  
TESORO REFINING AND MARKETING COMPANY, LLC**

**SECTION A: FACILITY INFORMATION**

**LEGAL OWNER &/OR OPERATOR:** TESORO REFINING MARKETING COMPANY, LLC

**LEGAL OPERATOR (if different than owner):**

**EQUIPMENT LOCATION:** 8601 GARFIELD AVE  
SOUTH GATE, CA 90280

**MAILING ADDRESS:** 400 OCEANGATE, SUITE 400  
LONG BEACH, CA 90802

**RESPONSIBLE OFFICIAL:** CHRIS M. MAUDLIN

**TITLE:** VP, WEST COAST LOGISTICS OPN

**TELEPHONE NUMBER:** (714) 880-1670

**CONTACT PERSON:** DARRELL FAH

**TITLE:** ENVIRONMENTAL REMED. ADMIN.

**TELEPHONE NUMBER:** (562) 495-6876

TITLE V	RECLAIM
YES	NOX: NO SOX: NO CYCLE: 0 ZONE: COASTAL

**FACILITY PERMIT TO OPERATE  
TESORO REFINING MARKETING COMPANY LLC,  
SECTION B: RECLAIM ANNUAL EMISSION ALLOCATION**

NOT APPLICABLE

**FACILITY PERMIT TO OPERATE  
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**SECTION C: FACILITY PLOT PLAN**

**(TO BE DEVELOPED)**

**FACILITY PERMIT TO OPERATE  
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**Facility Description and Equipment Specific Conditions  
(Section D)**

This section consists of a table listing all permitted equipment at the facility, facility wide requirements, all individual Permits to Operate issued to various equipment at the facility, and Rule 219-exempt equipment subject to source-specific requirements. Each permit and Rule 219-exempt equipment will list operating conditions, including periodic monitoring requirements and applicable emission limits and requirements. Also included are the rule origin and authority of each emission limit and permit condition.

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**PERMITTED EQUIPMENT LIST**

THE FOLLOWING IS A LIST OF ALL PERMITS TO OPERATE AT THIS FACILITY:

<b>Application Number</b>	<b>Permit to Operate Number</b>	<b>Equipment Description</b>	<b>Page No.</b>
553194	G27294	STORAGE TANK NO. 914 FX RF W/CTL HYDROCARBON/WATER MIX	4
553195	G27296	SOIL VAPOR EXTRACTION, GASOLINE UNDER, FLAME OXIDIZER	6
553196	G27299	SOIL VAPOR EXTRACTION, GASOLINE UNDER, (3) INTERNAL COMBUSTION ENGINES	10

**NOTE:** ANY APPLICATIONS THAT ARE STILL BEING PROCESSED AND HAVE NOT BEEN ISSUED PERMITS TO CONSTRUCT OR PERMITS TO OPERATE WILL NOT BE FOUND IN THIS TITLE V PERMIT.

**FACILITY PERMIT TO OPERATE  
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**FACILITY WIDE CONDITION(S)**

**Condition(s):**

1. EXCEPT FOR OPEN ABRASIVE BLASTING OPERATIONS, THE OPERATOR SHALL NOT DISCHARGE INTO THE ATMOSPHERE FROM ANY SINGLE SOURCE OF EMISSIONS WHATSOEVER ANY AIR CONTAMINANT FOR A PERIOD OR PERIODS AGGREGATING MORE THAN THREE MINUTES IN ANY ONE HOUR WHICH IS:
  - A. AS DARK OR DARKER IN SHADE AS THAT DESIGNATED NO. 1 ON THE RINGELMANN CHART, AS PUBLISHED BY THE UNITED STATES BUREAU OF MINES; OR
  - B. OF SUCH OPACITY AS TO OBSCURE AN OBSERVER'S VIEW TO A DEGREE EQUAL TO OR GREATER THAN DOES SMOKE DESCRIBED IN SUBPARAGRAPH (A) OF THIS CONDITION.  
[RULE 401]
  
2. THE OPERATOR SHALL NOT USE NATURAL GAS CONTAINING SULFUR COMPOUNDS, CALCULATED AS H<sub>2</sub>S, IN EXCESS OF 16 PARTS PER MILLION BY VOLUME (PPMV). THE OPERATOR SHALL NOT USE OTHER GASEOUS FUELS CONTAINING SULFUR COMPOUNDS, CALCULATED AS H<sub>2</sub>S, IN EXCESS OF 40 PPMV AS MEASURED OVER 4 HOURS AVERAGING PERIOD, UNLESS THE EMISSIONS OF TOTAL SULFUR COMPOUNDS AT THE FACILITY ARE LESS THAN 5 POUNDS PER DAY, CALCULATED AS H<sub>2</sub>S, FROM THE BURNING OF GASEOUS FUELS OTHER THAN NATURAL GAS.  
[RULE 431.1]

**FACILITY PERMIT TO OPERATE  
TESORO REFINING AND MARKETING COMPANY, LLC**

**PERMIT TO OPERATE**

**Permit No. G27294  
A/N 553194**

**Equipment description:**

HORIZONTAL STORAGE TANK, NO. 914, FIXED ROOF, 13'-0" D. X 50'-0" L., 42,000 GALLONS CAPACITY, STORING PETROLEUM HYDROCARBON/WATER MIXTURE.

**Conditions:**

1. OPERATION OF THIS EQUIPMENT SHALL BE CONDUCTED IN ACCORDANCE WITH ALL DATA AND SPECIFICATIONS SUBMITTED WITH THE APPLICATION UNDER WHICH THIS PERMIT IS ISSUED UNLESS OTHERWISE NOTED BELOW.  
[RULE 204]
2. THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITION AT ALL TIMES.  
[RULE 204]
3. THIS TANK SHALL NOT BE OPERATED UNLESS IT IS CONNECTED ONLY TO AIR POLLUTION CONTROL EQUIPMENT WHICH IS IN FULL USE AND WHICH HAS BEEN ISSUED A PERMIT TO CONSTRUCT OR PERMIT TO OPERATE BY THE EXECUTIVE OFFICER. THIS CONNECTION SHALL BE MAINTAINED AT ALL TIMES, WHILE THE TANK IS IN SERVICE.  
[RULE 463, 1303(a)(1) - BACT]
4. THE OPERATOR SHALL NOT USE THIS EQUIPMENT WITH MATERIALS HAVING A TRUE VAPOR PRESSURE GREATER THAN 7.6 PSIA UNDER ACTUAL OPERATING CONDITIONS.  
[1313(g) - EMISSIONS LIMITATION]
5. THE OPERATOR SHALL LIMIT THE THROUGHPUT TO NO MORE THAN 23,400 GALLON(S) IN ANY ONE CALENDAR MONTH. THROUGHPUT SHALL BE MONITORED WITH TANK LEVEL GAUGING. THE VOLUME OF PRODUCT TRANSFERRED TO THE TANK SHALL BE MONITORED AND RECORDED DURING EACH TANK FILLING EVENT. RECORDS OF MONTHLY THROUGHPUT SHALL BE KEPT FOR AT LEAST FIVE YEARS AND MADE AVAILABLE TO SCAQMD PERSONNEL UPON REQUEST.  
[1313(g) - EMISSIONS LIMITATION]

**Periodic Monitoring:**

6. THE OPERATOR SHALL MONITOR FOR LEAKS ACCORDING TO RULE 1173 FOR ANY VAPOR EXTRACTION AND TREATMENT SYSTEM CONNECTED TO THIS EQUIPMENT.  
[RULE 463, 3004(a)(4) - PERIODIC MONITORING]

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### **Emissions and Requirements:**

7. THIS EQUIPMENT SHALL BE OPERATED IN COMPLIANCE WITH THE FOLLOWING RULES AND REGULATIONS:

VOC: RULE 463

VOC:  $\geq$  95% CONTROL EFFICIENCY FOR ANY AIR POLLUTION CONTROL SYSTEM VENTING THIS EQUIPMENT, RULE 463

VOC: RULE 1178

VOC: 40 CFR 60 SUBPART Kb

**FACILITY PERMIT TO OPERATE  
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**PERMIT TO OPERATE**

**Permit No. G27296  
A/N 553195**

**Equipment description:**

SOIL-VAPOR EXTRACTION AND TREATMENT SYSTEM, 3-IN-1 FLAME-OX, MODEL 4, CATALYTIC COMBUSTION CORP., FOR NON-HALOGENATED HYDROCARBON IN-SITU SOIL REMEDIATION, CONSISTING OF:

1. VAPOR EXTRACTION WELLS.
2. EXTRACTION BLOWER, MAXIMUM 1500 SCFM, 75 H.P.
3. FLAME/THERMAL OXIDIZER, MAXIMUM 6 MMBTU PER HOUR HEAT INPUT RATING, NATURAL GAS, NORTH AMERICA BURNER, MODEL 6514-9, WITH COMBUSTION AND DILUTION AIR BLOWERS, AND A FULLY MODULATED AUTOMATIC TEMPERATURE CONTROL SYSTEM.
4. EXHAUST STACK, 3'-10" I.D. X MINIMUM 23' H. ABOVE GROUND (NO RAIN CAP).

**Conditions:**

1. OPERATION OF THIS EQUIPMENT SHALL BE CONDUCTED IN ACCORDANCE WITH ALL DATA AND SPECIFICATIONS SUBMITTED WITH THE APPLICATION UNDER WHICH THIS PERMIT IS ISSUED UNLESS OTHERWISE NOTED BELOW.  
[RULE 204]
2. THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITION AT ALL TIMES.  
[RULE 204]
3. AN IDENTIFICATION TAG OR NAMEPLATE SHALL BE DISPLAYED ON THE EQUIPMENT TO SHOW MANUFACTURER MODEL NUMBER AND SERIAL NUMBER. THE TAG(S) OR PLATES(S) SHALL BE ISSUED BY THE MANUFACTURER AND SHALL BE ADHERED TO THE EQUIPMENT IN A PERMANENT AND CONSPICUOUS POSITION.  
[RULE 204]
4. CURRENT CONTACT PERSON NAME, COMPANY, AND PHONE NUMBER SHALL BE DISPLAYED IN A PERMANENT AND CONSPICUOUS POSITION.  
[RULE 204]
5. THIS PERMIT IS VALID ONLY FOR OPERATIONS IN FLAME OXIDATION OR THERMAL OXIDATION MODE.  
[RULE 204]

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6. UPON COMPLETION, ANY VAPOR EXTRACTION WELL(S) AND DUCT(S) SHALL BE CAPPED TO PREVENT VAPORS FROM VENTING TO THE ATMOSPHERE. VAPORS SHALL NOT BE EXTRACTED FROM THE SOIL, UNLESS VENTED TO THE VAPOR CONTROL SYSTEM.  
[RULE 204]
7. A FLOW INDICATOR SHALL BE INSTALLED AND MAINTAINED AT ALL INLET STREAM(S) TO THE VAPOR CONTROL SYSTEM TO INDICATE THE TOTAL VAPOR AND FUEL FLOW RATE IN STANDARD CUBIC FEET PER MINUTE (SCFM). IF A PRESSURE SENSOR DEVICE IS USED INSTEAD OF THE FLOW INDICATOR, A CONVERSION CHART SHALL BE AVAILABLE TO INDICATE THE CORRESPONDING FLOW RATE (IN SCFM) TO THE PRESSURE READING. THE FLOW SHALL BE RECORDED DURING EACH MONITORING VISIT.  
[RULE 1303(a)(1) – BACT, 1313(g) – EMISSION LIMITATION]
8. THE TOTAL HEAT INPUT TO THE FLAME/THERMAL OXIDIZER SHALL NOT EXCEED 6 MILLION BTU PER HOUR. RECORDS OF VAPOR PLUS FUEL FLOW AND CORRESPONDING CALCULATIONS TO DEMONSTRATE COMPLIANCE WITH THIS LIMIT SHALL BE MONITORED DAILY.  
[RULE 1303(a)(1) – BACT, 1313(g) – EMISSION LIMITATION]
9. EQUIPMENT SHUTDOWN INTERLOCKS SHALL BE PROVIDED FOR LOW OPERATING TEMPERATURES OF THE FLAME/THERMAL OXIDIZER.  
[RULE 204]
10. THE VOLATILE ORGANIC COMPOUNDS (VOC) CONCENTRATION SHALL BE MEASURED AT THE OUTLET OF THE FLAME/THERMAL OXIDIZER AT LEAST ONCE EVERY OPERATING DAY FOR THE FIRST 7 DAYS AND WEEKLY THEREAFTER, BY USING A FLAME IONIZATION DETECTOR (FID) OR SCAQMD APPROVED ORGANIC VAPOR ANALYZER CALIBRATED IN PARTS PER MILLION BY VOLUME (PPMV) OF HEXANE (IF OTHER CALIBRATING AGENT WAS USED, IT SHALL BE CORRELATED TO AND EXPRESSED AS HEXANE). PRIOR TO VOC MONITORING, CALIBRATION OF THE INSTRUMENT SHALL BE PERFORMED EACH MONITORING VISIT. THE INSTRUMENT SHALL BE MAINTAINED AND CALIBRATED PER EPA METHOD 21.  
[RULE 1303(b)(2) – OFFSETS, 3004(a)(4) – PERIODIC MONITORING]
11. GRAB SAMPLES SHALL BE COLLECTED AND ANALYZED ONCE PER CALENDAR MONTH OF OPERATION FOR VOLATILE ORGANIC COMPOUNDS AND SPECIATED FOR BENZENE AND METHYL TERT-BUTYL ETHER (MTBE) AS FOLLOWS.
  - A. SAMPLES SHALL BE COLLECTED AT THE INLET AND OUTLET OF FLAME/THERMAL OXIDIZER.
  - B. SAMPLING AND ANALYSIS SHALL BE CONDUCTED BY AN INDEPENDENT LABORATORY PER RULE 304, PROVIDED THE PERSONNEL PERFORMING THE SAMPLING HAVE BEEN PROPERLY TRAINED IN SAMPLING METHODOLOGY.
  - C. SAMPLING SHALL CONFORM TO CARB METHOD 422 OR EQUIVALENT. SAMPLES WITH HIGH MOISTURE SHALL BE COLLECTED USING AN APPROPRIATE METHOD SUCH AS SCAQMD METHOD 25.1/25.3 OR OTHER METHODS APPROVED BY SCAQMD.
  - D. ANALYSIS SHALL BE CONDUCTED USING EPA METHOD TO-3 AND EPA METHOD TO-15 OR OTHER METHOD APPROVED BY SCAQMD.  
[RULE 304, 1401]

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12. THE OWNER OR OPERATOR OF THE EQUIPMENT SHALL CONDUCT AN ANNUAL TEST AND SHALL SUBMIT A WRITTEN REPORT TO THE SCAQMD. THE TEST SHALL DETERMINE, AT A MINIMUM, THE FOLLOWING:
- A. CONCENTRATION (PPMV) AND MASS EMISSIONS RATE (LB/HR) FOR NOX, CO & TNMOC.
  - B. PERCENT OXYGEN, NITROGEN, MOISTURE, TEMPERATURE & FLOW RATE.
  - C. A TEST PROTOCOL SHALL BE SUBMITTED TO THE SCAQMD, REFINERY AND WASTE MANAGEMENT TEAM, NO LATER THAN 30 DAYS BEFORE THE PROPOSED TEST DATE.
  - D. THE TEST SHALL BE PERFORMED BY A TESTING LABORATORY CERTIFIED TO MEET THE CRITERIA IN SCAQMD RULE 304(M) (CONFLICT OF INTEREST).
  - E. SAMPLING FACILITIES SHALL COMPLY WITH SCAQMD "GUIDELINES FOR CONSTRUCTION OF SAMPLING AND TESTING FACILITIES" PURSUANT TO RULE 217. [RULE 304, 1303(a)(1) – BACT, 1303(b)(2) – OFFSETS, 1401]
13. THIS EQUIPMENT SHALL NOT BE USED TO EXTRACT AND TREAT ANY CARCINOGENIC COMPOUNDS LISTED UNDER RULE 1401, AS AMENDED ON JUNE 5, 2009, OTHER THAN BENZENE AND METHYL TERT-BUTYL ETHER (MTBE).  
[RULE 1401]
14. RECORDS SHALL BE KEPT TO PROVE COMPLIANCE WITH THE ABOVE PERMIT CONDITIONS. RECORDS SHALL BE MAINTAINED ON FILE FOR AT LEAST TWO YEARS AND MADE AVAILABLE TO THE SCAQMD PERSONNEL UPON REQUEST.  
[RULE 204]

### Periodic Monitoring:

15. THE OPERATOR SHALL OPERATE AND MAINTAIN THIS EQUIPMENT ACCORDING TO THE FOLLOWING REQUIREMENTS:

WHENEVER THE FLAME OXIDIZER IS IN OPERATION, THE TEMPERATURE AT THE OUTLET OF THE COMBUSTION CHAMBER SHALL NOT BE LESS THAN 1750 DEGREES FAHRENHEIT.

THE OPERATOR SHALL OPERATE AND MAINTAIN A TEMPERATURE MEASURING AND RECORDING SYSTEM TO CONTINUOUSLY MEASURE AND RECORD THE TEMPERATURE AT THE OUTLET OF THE FLAME OXIDIZER COMBUSTION CHAMBER PURSUANT TO THE OPERATION AND MAINTENANCE REQUIREMENTS SPECIFIED IN 40 CFR PART 64.7. SUCH A SYSTEM SHALL HAVE AN ACCURACY OF WITHIN 1% OF THE TEMPERATURE BEING MONITORED AND SHALL BE INSPECTED, MAINTAINED, AND CALIBRATED ON AN ANNUAL BASIS IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS USING AN APPLICABLE SCAQMD OR EPA APPROVED METHOD. THE RECORDER SHALL RECORD THE INSTANTANEOUS TEMPERATURE AT LEAST ONCE EVERY 15 MINUTES OR RECORD 15-MINUTE OR MORE FREQUENT BLOCK AVERAGES. IN ADDITION, THE RECORDING SYSTEM SHALL RECORD HOURLY AVERAGE AND DAILY AVERAGE COMBUSTION CHAMBER TEMPERATURES.

FOR THE PURPOSE OF THIS CONDITION, AN EXCEEDANCE SHALL BE DEFINED AS WHEN A COMBUSTION CHAMBER TEMPERATURE OF LESS THAN 1750 DEGREES FAHRENHEIT OCCURS DURING NORMAL FLAME MODE OPERATION, OF THE EQUIPMENT IT SERVES. THE OPERATOR SHALL REVIEW THE RECORDS OF THE COMBUSTION CHAMBER TEMPERATURES ON A DAILY BASIS TO DETERMINE IF AN EXCEEDANCE OCCURS OR SHALL INSTALL AN ALARM SYSTEM TO ALERT THE OPERATOR WHEN AN EXCEEDANCE OCCURS.

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WHENEVER AN EXCEEDANCE OCCURS, THE OPERATOR SHALL INSPECT THIS EQUIPMENT TO IDENTIFY THE CAUSE OF SUCH AN EXCEEDANCE, TAKE IMMEDIATE CORRECTIVE ACTION TO MAINTAIN THE COMBUSTION CHAMBER TEMPERATURE AT OR ABOVE 1750 DEGREES FAHRENHEIT, AND KEEP RECORDS OF THE DURATION AND CAUSE (INCLUDING UNKNOWN CAUSE, IF APPLICABLE) OF THE EXCEEDANCE AND THE CORRECTIVE ACTION TAKEN.

ALL EXCEEDANCES SHALL BE REPORTED TO THE SCAQMD ON A SEMI-ANNUAL BASIS PURSUANT TO THE REQUIREMENTS SPECIFIED IN 40 CFR PART 64.9 AND CONDITION NOS. 22 AND 23 IN SECTION K OF THIS PERMIT. THE SEMI-ANNUAL MONITORING REPORT SHALL INCLUDE THE TOTAL OPERATING TIME OF THIS EQUIPMENT AND THE TOTAL ACCUMULATED DURATION OF ALL EXCEEDANCES FOR EACH SEMI-ANNUAL REPORTING PERIOD SPECIFIED IN CONDITION NO. 23 IN SECTION K OF THIS PERMIT. ALL PROMPT REPORTING SHALL BE AS DEFINED IN CONDITION NO. 22 IN SECTION K OF THIS PERMIT.

THE OPERATOR SHALL SUBMIT AN APPLICATION WITH A QUALITY IMPROVEMENT PLAN (QIP) IN ACCORDANCE WITH 40 CFR PART 64.8 TO THE SCAQMD IF AN ACCUMULATION OF EXCEEDANCES IS GREATER THAN 5 PERCENT DURATION OF THIS EQUIPMENT'S TOTAL OPERATING TIME FOR ANY SEMI-ANNUAL REPORTING PERIOD SPECIFIED IN CONDITION NO. 23 IN SECTION K OF THIS PERMIT. THE REQUIRED QIP SHALL BE SUBMITTED TO THE SCAQMD WITHIN 90 CALENDAR DAYS AFTER THE DUE DATE FOR THE SEMI-ANNUAL MONITORING REPORT.

THE OPERATOR SHALL INSPECT AND MAINTAIN ALL COMPONENTS OF THIS EQUIPMENT ON AN ANNUAL BASIS IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS.

THE OPERATOR SHALL KEEP ADEQUATE RECORDS IN A FORMAT THAT IS ACCEPTABLE TO THE SCAQMD TO DEMONSTRATE COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS SPECIFIED IN THIS CONDITION AND 40 CFR PART 64.9 FOR A MINIMUM OF FIVE YEARS. [RULE 1303(a)(1)-BACT, 1303(b)(2) – OFFSETS, 1401, 3004(a)(4)-PERIODIC MONITORING, 40CFR PART 64]

### **Emissions and Requirements:**

16. EMISSIONS FROM THIS EQUIPMENT SHALL NOT EXCEED THE FOLLOWING:

VOC: 0.27 LBS/HR (MEASURED AS HEXANE), RULE 1313(g)-EMISSION LIMITATION

BENZENE: 1.2 PPMV, RULE 1401

MTBE: 0.01 PPMV, RULE 1401

HAP: 40 CFR SUBPART 63 GGGGG

HAP: 95% CONTROL EFFICIENCY, OR 20 PPM @ 3% O<sub>2</sub>, 40 CFR 63 SUBPART GGGGG

**FACILITY PERMIT TO OPERATE  
TESORO REFINING AND MARKETING COMPANY, LLC**

**PERMIT TO OPERATE**

**Permit No. G27299  
A/N 553196**

**Equipment description:**

SOIL VAPOR EXTRACTION AND TREATMENT SYSTEM, RSI MODEL NO. V5, SERIAL NO. 252, FOR NON-HALOGENATED HYDROCARBON IN-SITU SOIL REMEDIATION CONSISTING OF:

1. VAPOR EXTRACTION WELLS.
2. VACUUM EXTRACTION, FLEXIBLE HOSE WITH AIR FILTER, INDUCED SUCTION BY ENGINE INTAKE.
3. THREE (3) INTERNAL COMBUSTION ENGINES, FORD, MODEL NO. LSG-875, EACH WITH 8 CYLINDERS, 150 BHP, EACH COMBINED WITH CAR SOUND 3-WAY AND 2-WAY CATALYSTS AND A COMPUTERIZED OXYGEN AIR TO FUEL SENSING AND CONTROL UNIT.

**Conditions:**

1. OPERATION OF THIS EQUIPMENT SHALL BE CONDUCTED IN ACCORDANCE WITH ALL DATA AND SPECIFICATIONS SUBMITTED WITH THE APPLICATION UNDER WHICH THIS PERMIT IS ISSUED UNLESS OTHERWISE NOTED BELOW.  
[RULE 204]
2. THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITIONS AT ALL TIMES.  
[RULE 204]
3. A FLOW INDICATOR SHALL BE INSTALLED AND MAINTAINED AT ALL INLET STREAMS TO THE VAPOR CONTROL SYSTEM TO INDICATE THE TOTAL AIR FLOW RATE IN STANDARD CUBIC FEET PER MINUTE (SCFM). THE TOTAL FLOW RATE SHALL NOT EXCEED 400 SCFM. IN CASE A PRESSURE SENSOR DEVICE IS USED IN PLACE OF THE FLOW INDICATOR, A CONVERSION CHART SHALL BE AVAILABLE TO INDICATE THE CORRESPONDING FLOW RATE, IN SCFM, TO THE PRESSURE READING.  
[RULE 1303(a)(1) – BACT, 1313(g) – EMISSION LIMITATION]
4. UPON COMPLETION, ANY VAPOR EXTRACTION WELLS AND DUCTS SHALL BE CAPPED TO PREVENT VAPORS FROM VENTING TO THE ATMOSPHERE. VAPORS SHALL NOT BE EXTRACTED FROM THE SOIL UNLESS THEY ARE VENTED TO THE VAPOR CONTROL SYSTEM, WITH NO DETECTABLE LEAK BETWEEN THE OUTLET OF THE EXTRACTION BLOWER AND THE OUTLET OF THE VAPOR CONTROL SYSTEM.  
[RULE 204]
5. THE INTERNAL COMBUSTION ENGINES SHALL ONLY BE FIRED ON PROPANE AS SUPPLEMENTAL FUEL.  
[RULE 204]

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6. THE OPERATOR SHALL INSTALL AND MAINTAIN NON-RESETTABLE TOTALIZING FUEL METERS TO ACCURATELY INDICATE THE FUEL USAGE IN THE INTERNAL COMBUSTION ENGINES. FUEL METERS SHALL BE INSTALLED IN THE PIPING BETWEEN THE FUEL TANKS AND THE ENGINES.  
[RULE 204]
7. THE OPERATOR SHALL LIMIT THE FUEL USAGE TO NO MORE THAN 1,786 GALLONS OF LIQUID PROPANE OR 65,234 STANDARD CUBIC FEET OF GASEOUS PROPANE IN ANY ONE CALENDAR MONTH.  
[RULE 1303(b)(2) – OFFSETS, 1313(g) – EMISSION LIMITATION]
8. AN IDENTIFICATION TAG OR NAME PLATE SHALL BE DISPLAYED ON THE EQUIPMENT TO SHOW MANUFACTURER MODEL NUMBER, SERIAL NUMBER, FLOW RATE, AND VOLUME OF CATALYST. THE TAG(S) OR PLATE(S) SHALL BE ISSUED BY THE MANUFACTURER AND SHALL BE AFFIXED TO THE EQUIPMENT IN A PERMANENT AND CONSPICUOUS POSITION.  
[RULE 204]
9. THE EQUIPMENT SHALL ONLY BE USED TO EXTRACT AND TREAT NON-HALOGENATED PETROLEUM HYDROCARBON VAPORS. THIS SHALL BE DEMONSTRATED BY AN ONSITE SOIL CHARACTERIZATION ANALYSIS REPORT.  
[RULE 1401]
10. UNCONTROLLED INLET VOC EMISSIONS SHALL BE LESS THAN 10 TONS IN ANY ONE CALENDAR YEAR. INLET MASS EMISSIONS SHALL BE CALCULATED BASED ON THE AVERAGE WEEKLY INLET FLOW RATE MEASURED IN CONDITION 3 AND THE MEASURED INLET CONCENTRATION. THE INLET CONCENTRATION RECORDED EACH 7 OPERATING DAYS AS OUTLINED IN CONDITION 12 SHALL BE USED FOR THIS CALCULATION EACH DAY UNTIL THE SUBSEQUENT INLET CONCENTRATION MEASUREMENT OCCURS.  
[RULE 204]
11. A CONTINUOUS MONITORING AND RECORDING DEVICE SHALL BE FACTORY CALIBRATED AND MAINTAINED AT THE INLET OF EACH OF THE CATALYSTS TO MEASURE AND RECORD THE OXYGEN CONTENT. THE OXYGEN CONTENT AT THE INLET OF THE CATALYST SHALL BE MAINTAINED AT LESS THAN ONE PERCENT BY VOLUME WHENEVER THE ENGINES ARE IN OPERATION.  
[RULE 204]
12. VOLATILE ORGANIC COMPOUND (VOC) CONCENTRATION SHALL BE MEASURED AT THE INLET AND OUTLET OF THE VAPOR CONTROL SYSTEM AT LEAST ONCE EVERY 7 OPERATING DAYS BY USING A FLAME IONIZATION DETECTOR OR A SCAQMD APPROVED ORGANIC VAPOR ANALYZER (OVA) CALIBRATED IN PARTS PER MILLION BY VOLUME (PPMV) OF HEXANE. IF ANOTHER CALIBRATING AGENT IS USED, IT SHALL BE CORRELATED TO AND EXPRESSED AS HEXANE. THE VOC CONCENTRATION AT THE OUTLET OF THE VAPOR CONTROL SYSTEM SHALL NOT EXCEED 50 PPMV.  
[RULE 204, 1303(a)(1) – BACT, 1313(g) – EMISSION LIMITATION]
13. A TIMER SHALL BE INSTALLED AND MAINTAINED TO INDICATE THE TOTAL OPERATING HOURS OF THE EQUIPMENT.  
[RULE 204]

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14. THE CATALYSTS SHALL BE REPLACED BASED ON THE MEASUREMENTS MADE UNDER CONDITION NUMBER 12 OR AFTER 4,000 HOURS OF OPERATION, WHICHEVER OCCURS FIRST. THE TOTAL NUMBER OF HOURS THE CATALYST HAS BEEN IN USE SHALL BE RECORDED. THESE RECORDS SHALL BE MAINTAINED ON SITE.  
[RULE 1303(a)(1) – BACT, 1313(g) – EMISSION LIMITATION]
  
15. RECORDS SHALL BE MAINTAINED TO PROVE COMPLIANCE WITH THESE CONDITIONS. RECORDS SHALL BE MAINTAINED FOR AT LEAST FIVE YEARS AND MADE AVAILABLE TO SCAQMD PERSONNEL UPON REQUEST.  
[RULE 204]

**Periodic Monitoring: NONE**

**Emissions and Requirements:**

16. VOC: 50 PPMV  
HAP: 40 CFR 63 SUBPART ZZZZ  
HAP: 40 CFR 63 SUBPART GGGGG  
CRITERIA: 40 CFR 60 SUBPART JJJJ

## **FACILITY PERMIT TO OPERATE TESORO REFINING MARKETING COMPANY LLC,**

### **SECTION E: ADMINISTRATIVE CONDITIONS**

The operating conditions in this section shall apply to all permitted equipment at this facility unless superseded by condition(s) listed elsewhere in this permit.

1. The permit shall remain effective unless this permit is suspended, revoked, modified, reissued, denied, or it is expired for nonpayment of permit processing or annual operating fees. [201, 203, 209, 301]
  - a. The permit must be renewed annually by paying annual operating fees, and the permit shall expire if annual operating fees are not paid pursuant to requirements of Rule 301(d). [301(d)]
  - b. The Permit to Construct listed in Section H shall expire one year from the Permit to Construct issuance date, unless a Permit to Construct extension has been granted by the Executive Officer or unless the equipment has been constructed and the operator has notified the Executive Officer prior to the operation of the equipment, in which case the Permit to Construct serves as a temporary Permit to Operate. [202, 205]
  - c. The Title V permit shall expire as specified under Section K of the Title V permit. The permit expiration date of the Title V facility permit does not supercede the requirements of Rule 205. [205, 3004]
2. The operator shall maintain all equipment in such a manner that ensures proper operation of the equipment. [204]
3. This permit does not authorize the emissions of air contaminants in excess of those allowed by Division 26 of the Health and Safety Code of the State of California or the Rules and Regulations of the SCAQMD. This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other governmental agencies. [204]
4. The operator shall not use equipment identified in this facility permit as being connected to air pollution control equipment unless they are so vented to the identified air pollution control equipment which is in full use and which has been included in this permit. [204]

## **FACILITY PERMIT TO OPERATE TESORO REFINING MARKETING COMPANY LLC,**

### **SECTION E: ADMINISTRATIVE CONDITIONS**

5. The operator shall not use any equipment having air pollution control device(s) incorporated within the equipment unless the air pollution control device is in full operation. [204]
6. The operator shall maintain records to demonstrate compliance with rules or permit conditions that limit equipment operating parameters, or the type or quantity of material processed. These records shall be made available to SCAQMD personnel upon request and be maintained for at least five years. [204]
7. The operator shall maintain and operate all equipment to ensure compliance with all emission limits as specified in this facility permit. Compliance with emission limits shall be determined according to the following specifications, unless otherwise specified by SCAQMD rules or permit conditions: [204]
  - a. For internal combustion engines and gas turbines, measured concentrations shall be corrected to 15 percent stack-gas oxygen content on a dry basis and be averaged over a period of 15 consecutive minutes; [1110.2, 1134]
  - b. For other combustion devices, measured concentrations shall be corrected to 3 percent stack-gas oxygen content on a dry basis and be averaged over a period of 15 consecutive minutes; [1146, 1146.1, 204]
  - c. For non-combustion sources, compliance with emission limits shall be determined and averaged over a period of 60 minutes; [204]
  - d. For the purpose of determining compliance with Rule 407, carbon monoxide (CO) shall be measured on a dry basis and be averaged over 15 consecutive minutes, and sulfur compounds which would exist as liquid or gas at standard conditions shall be calculated as sulfur dioxide (SO<sub>2</sub>) and be averaged over 15 consecutive minutes; [407]
  - e. For the purpose of determining compliance with Rule 409, combustion contaminant emission measurements shall be corrected to 12 percent of carbon dioxide (CO<sub>2</sub>) at standard conditions and averaged over a minimum of 15 consecutive minutes. [409]

## **FACILITY PERMIT TO OPERATE TESORO REFINING MARKETING COMPANY LLC,**

### **SECTION E: ADMINISTRATIVE CONDITIONS**

- f. For the purpose of determining compliance with Rule 475, combustion contaminant emission measurements shall be corrected to 3 percent of oxygen (O<sub>2</sub>) at standard conditions and averaged over 15 consecutive minutes or any other averaging time specified by the Executive Officer. [475]
8. The operator shall, when a source test is required by SCAQMD, provide a source test protocol to SCAQMD no later than 60 days before the proposed test date. The test shall not commence until the protocol is approved by SCAQMD. The test protocol shall contain the following information: [204, 304]
  - a. Brief description of the equipment tested.
  - b. Brief process description, including maximum and normal operating temperatures, pressures, throughput, etc.
  - c. Operating conditions under which the test will be performed.
  - d. Method of measuring operating parameters, such as fuel rate and process weight. Process schematic diagram showing the ports and sampling locations, including the dimensions of the ducts and stacks at the sampling locations, and distances of flow disturbances, (e.g. elbows, tees, fans, dampers) from the sampling locations (upstream and downstream).
  - e. Brief description of sampling and analytical methods used to measure each pollutant, temperature, flow rates, and moisture.
  - f. Description of calibration and quality assurance procedures.
  - g. Determination that the testing laboratory qualifies as an "independent testing laboratory" under Rule 304 (conflict of interest).
9. The operator shall submit a report no later than 60 days after conducting a source test, unless otherwise required by SCAQMD rules or equipment-specific conditions. The report shall contain the following information: [204]
  - a. The results of the source test.

## **FACILITY PERMIT TO OPERATE TESORO REFINING MARKETING COMPANY LLC,**

### **SECTION E: ADMINISTRATIVE CONDITIONS**

- b. Brief description of the equipment tested.
  - c. Operating conditions under which the test was performed.
  - d. Method of measuring operating parameters, such as fuel rate and process weight. Process schematic diagram showing the ports and sampling locations, including the dimensions of the ducts and stacks at the sampling locations, and distances of flow disturbances, (e.g. elbows, tees, fans, dampers) from the sampling locations (upstream and downstream).
  - e. Field and laboratory data forms, strip charts and analyses.
  - f. Calculations for volumetric flow rates, emission rates, control efficiency, and overall control efficiency.
10. The operator shall, when a source test is required, provide and maintain facilities for sampling and testing. These facilities shall comply with the requirements of SCAQMD Source Test Method 1.1 and 1.2. [217]
11. Whenever required to submit a written report, notification or other submittal to the Executive Officer, SCAQMD, or the District, the operator shall mail or deliver the material to: Deputy Executive Officer, Engineering and Compliance, SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765-4178. [204]

**FACILITY PERMIT TO OPERATE  
TESORO REFINING MARKETING COMPANY LLC,**

**SECTION F: RECLAIM MONITORING AND SOURCE TESTING REQUIREMENTS**

NOT APPLICABLE

**FACILITY PERMIT TO OPERATE  
TESORO REFINING MARKETING COMPANY LLC,**

**SECTION G: RECORDKEEPING AND REPORTING REQUIREMENTS FOR  
RECLAIM SOURCES**

NOT APPLICABLE

**FACILITY PERMIT TO OPERATE  
TESORO REFINING AND MARKETING COMPANY, LLC**

**Permit to Construct and Temporary Permit to Operate  
(Section H)**

## FACILITY PERMIT TO OPERATE TESORO REFINING AND MARKETING COMPANY, LLC

### PERMITTED EQUIPMENT LIST

THE FOLLOWING IS A LIST OF ALL PERMITS TO CONSTRUCT AT THIS FACILITY:

<b>Application Number</b>	<b>Permit to Construct Number</b>	<b>Equipment Description</b>	<b>Page No.</b>
573110	573110	SOIL VAPOR EXTRACTION, GASOLINE UNDER, FLAME OXIDIZER	3

**NOTE:** ANY APPLICATIONS THAT ARE STILL BEING PROCESSED AND HAVE NOT BEEN ISSUED PERMITS TO CONSTRUCT OR PERMITS TO OPERATE WILL NOT BE FOUND IN THIS TITLE V PERMIT.

## FACILITY PERMIT TO OPERATE TESORO REFINING AND MARKETING COMPANY, LLC

### PERMIT TO CONSTRUCT

A/N 573110

#### Equipment description:

SOIL VAPOR EXTRACTION AND TREATMENT SYSTEM, FOR NON-HALOGENATED HYDROCARBON IN SITU SOIL REMEDIATION ONLY, CONSISTING OF:

1. DUAL PHASE EXTRACTION WELL(S).
2. KNOCKOUT TANK 24" D. X 60" H.
3. EXTRACTION BLOWER, MAXIMUM FLOW RATE OF 575 SCFM.
4. 3-IN-1 FLAME OXIDIZER, CATALYTIC COMBUSTION INC MODEL 2 FLAME-OX, NATURAL GAS FIRED, MAXIMUM 4,000,000 BTU/HR, WITH ONE NORTH AMERICAN MODEL 6514-8A BURNER, 100 SCFM COMBUSTION AIR BLOWER, TERTIARY BLOWER, MAXIMUM FLOW RATE OF 1400 SCFM, AND A FULLY MODULATING TEMPERATURE CONTROL SYSTEM.
5. EXHAUST STACK, 22" I.D. X 25' H., WITHOUT RAIN CAP.

#### Conditions:

- 1) CONSTRUCTION AND OPERATION OF THIS EQUIPMENT SHALL BE CONDUCTED IN ACCORDANCE WITH ALL DATA AND SPECIFICATIONS SUBMITTED WITH THE APPLICATION UNDER WHICH THIS PERMIT IS ISSUED UNLESS OTHERWISE NOTED BELOW.  
[RULE 204]
- 2) THIS EQUIPMENT SHALL BE PROPERLY MAINTAINED AND KEPT IN GOOD OPERATING CONDITION AT ALL TIMES.  
[RULE 204]
- 3) UPON COMPLETION, ANY VAPOR EXTRACTION WELLS AND DUCTS SHALL BE SHALL BE CAPPED TO PREVENT VAPORS FROM VENTING TO THE ATMOSPHERE. VAPORS SHALL NOT BE EXTRACTED FROM THE SOIL UNLESS THEY ARE VENTED TO THE VAPOR CONTROL SYSTEM, WITH NO DETECTABLE LEAKS BETWEEN THE OUTLET OF THE BLOWER AND THE OUTLET OF THE VAPOR CONTROL SYSTEM.  
[RULE 204]
- 4) PRIOR TO OPERATING THIS EQUIPMENT UNDER WHICH THIS PERMIT IS GRANTED, THE OPERATOR SHALL NOTIFY SCAQMD BY SUBMITTING A RULE 1166 NOTIFICATION FORM WITH THE APPROPRIATE FEES PER THE FORM INSTRUCTIONS. THE NOTIFICATION SHALL INCLUDE:
  - A. THE PERMIT NUMBER OF THE EQUIPMENT
  - B. THE NAME AND PHONE NUMBER OF A CONTACT PERSON.
  - C. THE PROJECT START DATE AND THE ESTIMATED PROJECT COMPLETION DATE.[RULE 1166]
- 5) AN IDENTIFICATION TAG OR NAMEPLATE SHALL BE DISPLAYED ON THE EQUIPMENT TO SHOW MANUFACTURER, MODEL NUMBER, SERIAL NUMBER, AND RATED HEAT INPUT

## FACILITY PERMIT TO OPERATE TESORO REFINING AND MARKETING COMPANY, LLC

CAPACITY. THE TAG(S) OR PLATE(S) SHALL BE ISSUED BY THE MANUFACTURER AND SHALL BE ADHERED TO THE EQUIPMENT IN A PERMANENT AND CONSPICUOUS POSITION.  
[RULE 204]

- 6) THE CURRENT CONTACT PERSON'S NAME, COMPANY, AND PHONE NUMBER SHALL BE DISPLAYED IN A PERMANENT AND CONSPICUOUS POSITION.  
[RULE 204]
  
- 7) THIS EQUIPMENT SHALL ONLY BE USED FOR THE TREATMENT OF NON-HALOGENATED PETROLEUM HYDROCARBON VAPORS. THIS SHALL BE DEMONSTRATED BY AN ONSITE SOIL CHARACTERIZATION ANALYSIS REPORT.  
[RULE 1401]
  
- 8) THE TOTAL INLET FLOW RATE SHALL NOT EXCEED 575 SCFM.  
[RULE 1303(b)(2)-OFFSETS, 1401]
  
- 9) THIS UNIT SHALL ONLY BE OPERATED IN FLAME MODE.  
[RULE 204]
  
- 10) THE LABORATORY DETECTION LIMITS (LDL) FOR BENZENE, ETHYL BENZENE, AND MTBE SHALL BE LOWER THAN THE EMISSION LIMITS SPECIFIED IN THESE CONDITIONS. IF THE CONCENTRATION IS DETERMINED TO BE BELOW THE LDL, THE LDL SHALL BE REPORTED.  
[RULE 204]
  
- 11) SAMPLES SHALL BE COLLECTED AND ANALYZED ONCE EACH MONTH FOR OPERATION IN FLAME MODE AND SPECIATED FOR BENZENE, ETHYL BENZENE, AND MTBE AND OTHER TOXICS (AS REQUIRED IN PARAGRAPH E) AS FOLLOWS:
  - A. SAMPLES SHALL BE COLLECTED AT THE INLET AND OUTLET OF THE FLAME OXIDIZER.
  - B. SAMPLING AND ANALYSIS SHALL BE CONDUCTED BY AN INDEPENDENT LABORATORY PER RULE 304. THE PERSONNEL CONDUCTING THE SAMPLING SHALL HAVE BEEN PROPERLY TRAINED IN SAMPLING METHODOLOGY.
  - C. SAMPLING SHALL CONFORM TO CARB METHOD 422 OR EQUIVALENT. SAMPLES WITH HIGH MOISTURE SHALL BE COLLECTED USING AN APPROPRIATE METHOD SUCH AS SCAQMD METHOD 25.1/25.3 OR OTHER METHODS APPROVED BY SCAQMD.
  - D. ANALYSIS SHALL BE CONDUCTED USING EPA METHOD 8260 OR OTHER METHOD APPROVED BY SCAQMD.
  - E. THE INLET SAMPLE SHALL ALSO BE ANALYZED FOR ALL VOLATILE ORGANIC COMPOUNDS THAT WERE BOTH DETECTED BY THE PHASE II SITE ASSESSMENT (SOIL AND GROUNDWATER CHARACTERIZATION STUDIES) AND FOUND ON THE RULE 1401 COMPOUND LIST. IF NO ASSESSMENTS OF SOIL OR GROUNDWATER EXIST, THE INLET SAMPLE SHALL BE ANALYZED FOR ALL VOLATILE ORGANIC COMPOUNDS LISTED IN SCAQMD RULE 1401, UNLESS OTHERWISE APPROVED IN WRITING BY SCAQMD.  
[RULE 304, 1401]

## **FACILITY PERMIT TO OPERATE TESORO REFINING AND MARKETING COMPANY, LLC**

- 12) EQUIPMENT SHUTDOWN INTERLOCKS SHALL BE PROVIDED FOR LOW OXIDATION TEMPERATURES EXCEPT DURING STARTUPS.  
[RULE 204]
- 13) THIS EQUIPMENT SHALL ONLY EXHAUST THROUGH A STACK AT A HEIGHT OF AT LEAST 25 FEET ABOVE GRADE, WITH NO RAIN CAP.  
[RULE 1401]
- 14) THIS EQUIPMENT SHALL NOT EXTRACT OR TREAT VAPORS FROM SOILS CONTAMINATED WITH ANY RULE 1401 LISTED CARCINOGENIC AIR CONTAMINANTS (AS AMENDED SEPTEMBER 10, 2010) WITH THE EXCEPTION OF BENZENE, ETHYL BENZENE, AND MTBE. THIS SHALL BE VERIFIED BY SITE ASSESSMENT, PERFORMANCE TEST RESULTS, VAPOR SAMPLING, OR OTHER APPROPRIATE STUDIES.  
[RULE 1401]
- 15) THE OPERATOR SHALL SUBMIT TO THE SCAQMD IN WRITING THE RESULTS OF THE FIRST MONTH OF OPERATIONS, INCLUDING BUT NOT LIMITED TO: MONITORING, LAB ANALYSES, FLOW READINGS, AND TEMPERATURE READINGS SUFFICIENT TO PROVE COMPLIANCE WITH THE CONDITIONS OF THIS PERMIT. SUBMITTAL SHALL BE WITHIN 30 DAYS OF LAST MONITORING/SAMPLING DAY AND ADDRESSED TO:
- SCAQMD  
REFINERY AND WASTE MANAGEMENT TEAM  
ENGINEERING AND COMPLIANCE DIVISION  
21865 COPLEY DRIVE  
DIAMOND BAR, CA 91765
- DATA FOR SUBSEQUENT MONTHS OF OPERATION SHALL BE MAINTAINED ON SITE AND MADE AVAILABLE TO SCAQMD PERSONNEL UPON REQUEST.  
[RULE 204]
- 16) THE OPERATOR SHALL PERFORM COMBUSTION SYSTEM MAINTENANCE IN ACCORDANCE WITH MANUFACTURER RECOMMENDED MAINTENANCE SCHEDULE. A COPY OF THE MANUFACTURER'S MANUAL OR OTHER WRITTEN GUIDANCE MATERIALS SUPPLIED BY THE MANUFACTURER OR DISTRIBUTOR AND RECORDS OF MAINTENANCE ACTIVITIES SHALL BE RETAINED ON SITE AND SHALL BE MADE AVAILABLE TO DISTRICT PERSONNEL UPON REQUEST.  
[RULE 1147]
- 17) RECORDS SHALL BE KEPT FOR AT LEAST FIVE YEARS AND MADE AVAILABLE TO SCAQMD PERSONNEL UPON REQUEST.  
[RULE 204]
- 18) THIS PERMIT TO CONSTRUCT SHALL EXPIRE ONE YEAR FROM THE DATE OF ISSUANCE UNLESS AN EXTENSION IS GRANTED BY THE EXECUTIVE OFFICER.  
[RULE 205]

## FACILITY PERMIT TO OPERATE TESORO REFINING AND MARKETING COMPANY, LLC

- 19) A CONTINUOUS FLOW INDICATOR AND RECORDER SHALL BE INSTALLED AND MAINTAINED AT ALL INLET STREAM(S) TO THE VAPOR CONTROL SYSTEM TO INDICATE THE TOTAL AIR FLOW RATE IN STANDARD CUBIC FEET PER MINUTE (SCFM). IN CASE A PRESSURE SENSOR DEVICE IS USED IN PLACE OF THE FLOW INDICATOR, A CONVERSION CHART SHALL BE MADE AVAILABLE TO INDICATE THE CORRESPONDING FLOW RATE, IN SCFM, TO THE PRESSURE READING. THE FLOW RATE TO THE VAPOR CONTROL SYSTEM SHALL BE RECORDED ON A WEEKLY BASIS.  
[RULE 1303(b)(2)-OFFSETS, 1401]
- 20) THE OWNER OR OPERATOR SHALL PERFORM A PERFORMANCE TEST WITHIN 180 DAYS OF STARTUP FOR NOX, CO, AND VOC, TO DEMONSTRATE COMPLIANCE WITH THE EMISSION LIMITS OF THIS PERMIT. A WRITTEN PROTOCOL AND NOTIFICATION OF THE TEST SHALL BE SUBMITTED AT LEAST 60 DAYS BEFORE THE PERFORMANCE TEST IS SCHEDULED TO BEGIN. RESULTS SHALL BE SUBMITTED WITHIN 60 DAYS OF COMPLETION OF THE TEST(S). THE PERFORMANCE TEST SHALL CONSIST OF THREE SEPARATE TEST RUNS, AND EACH RUN LASTING FOR AT LEAST ONE HOUR, USING APPROVED METHODS. THE TEST SHALL DETERMINE, AT A MINIMUM, THE FOLLOWING:
- A. CONCENTRATION (PPMV) AND MASS EMISSIONS RATE (LB/HR) FOR NOX, CO & VOC.
  - B. PERCENT OXYGEN, NITROGEN, MOISTURE, TEMPERATURE & FLOW RATE.
  - C. THE TEST SHALL BE PERFORMED BY A TESTING LABORATORY CERTIFIED TO MEET THE CRITERIA IN SCAQMD RULE 304(M) (CONFLICT OF INTEREST).
  - D. SAMPLING FACILITIES SHALL COMPLY WITH SCAQMD "GUIDELINES FOR CONSTRUCTION OF SAMPLING AND TESTING FACILITIES" PURSUANT TO RULE 217.  
[RULE 304, 1303(a)(1)-BACT, 1303(b)(2) - OFFSETS, 1313(g)-EMISSION LIMITATION]

### Periodic Monitoring:

- 21) VOLATILE ORGANIC COMPOUND (VOC) CONCENTRATION SHALL BE MEASURED DAILY AT THE OUTLET OF THE VAPOR EXTRACTION SYSTEM DURING THE FIRST SEVEN DAYS OF OPERATION, THEN AT LEAST ONCE EVERY SEVEN OPERATING DAYS BY USING A FLAME IONIZATION DETECTOR OR A DISTRICT APPROVED ORGANIC VAPOR ANALYZER (OVA) CALIBRATED IN PARTS PER MILLION BY VOLUME (PPMV) OF HEXANE (IF OTHER CALIBRATING AGENT WAS USED, IT SHALL BE CORRELATED TO AND EXPRESSED AS HEXANE). CALIBRATION SHALL BE PERFORMED WITH EACH MONITORING VISIT.  
[RULE 1303(b)(2)-OFFSETS, 3004(a)(4)-PERIODIC MONITORING]
- 22) SAMPLES SHALL BE COLLECTED AND ANALYZED ONCE EACH MONTH FOR EACH MODE OF OPERATION FOR VOLATILE ORGANIC COMPOUNDS AND SPECIATED FOR BENZENE, ETHYL BENZENE, MTBE, AND OTHER TOXIC COMPOUNDS (AS REQUIRED IN PARAGRAPH E BELOW) AS FOLLOWS:
- A. SAMPLES SHALL BE COLLECTED AT THE INLET AND OUTLET OF THE FLAME OXIDIZER.

## FACILITY PERMIT TO OPERATE TESORO REFINING AND MARKETING COMPANY, LLC

- B. SAMPLING AND ANALYSIS SHALL BE CONDUCTED BY AN INDEPENDENT LABORATORY PER RULE 304. THE PERSONNEL CONDUCTING THE SAMPLING SHALL HAVE BEEN PROPERLY TRAINED IN SAMPLING METHODOLOGY.
- C. SAMPLING SHALL CONFORM TO CARB METHOD 422 OR EQUIVALENT. SAMPLES WITH HIGH MOISTURE SHALL BE COLLECTED USING AN APPROPRIATE METHOD SUCH AS SCAQMD METHOD 25.1/25.3 OR OTHER METHODS APPROVED BY SCAQMD.
- D. ANALYSIS SHALL BE CONDUCTED USING EPA METHOD 8015/8021 AND EPA METHOD 8260 OR OTHER METHOD APPROVED BY SCAQMD.
- E. THE INLET SAMPLE SHALL ALSO BE ANALYZED FOR ALL VOLATILE ORGANIC COMPOUNDS THAT WERE BOTH DETECTED BY THE PHASE II SITE ASSESSMENT (SOIL AND GROUNDWATER CHARACTERIZATION STUDIES) AND FOUND ON THE RULE 1401 COMPOUND LIST. IF NO ASSESSMENTS OF SOIL OR GROUNDWATER EXIST, THE INLET SAMPLE SHALL BE ANALYZED FOR ALL VOLATILE ORGANIC COMPOUNDS LISTED IN SCAQMD RULE 1401, UNLESS OTHERWISE APPROVED IN WRITING BY SCAQMD.  
[RULE 304, 1303(b)(2)-OFFSETS, 1401, 3004(a)(4)-PERIODIC MONITORING]

- 23) THE OPERATOR SHALL OPERATE AND MAINTAIN THIS EQUIPMENT ACCORDING TO THE FOLLOWING REQUIREMENTS:

WHENEVER THE FLAME OXIDIZER IS IN OPERATION, THE TEMPERATURE AT THE OUTLET OF THE COMBUSTION CHAMBER SHALL NOT BE LESS THAN 1750 DEGREES FAHRENHEIT.

THE OPERATOR SHALL OPERATE AND MAINTAIN A TEMPERATURE MEASURING AND RECORDING SYSTEM TO CONTINUOUSLY MEASURE AND RECORD THE TEMPERATURE AT THE OUTLET OF THE FLAME OXIDIZER COMBUSTION CHAMBER PURSUANT TO THE OPERATION AND MAINTENANCE REQUIREMENTS SPECIFIED IN 40 CFR PART 64.7. SUCH A SYSTEM SHALL HAVE AN ACCURACY OF WITHIN 1% OF THE TEMPERATURE BEING MONITORED AND SHALL BE INSPECTED, MAINTAINED, AND CALIBRATED ON AN ANNUAL BASIS IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS USING AN APPLICABLE SCAQMD OR EPA APPROVED METHOD. THE RECORDER SHALL RECORD THE INSTANTANEOUS TEMPERATURE AT LEAST ONCE EVERY 15 MINUTES OR RECORD 15-MINUTE OR MORE FREQUENT BLOCK AVERAGES. IN ADDITION, THE RECORDING SYSTEM SHALL RECORD HOURLY AVERAGE AND DAILY AVERAGE COMBUSTION CHAMBER TEMPERATURES.

FOR THE PURPOSE OF THIS CONDITION, AN EXCEEDANCE SHALL BE DEFINED AS WHEN A COMBUSTION CHAMBER TEMPERATURE OF LESS THAN 1750 DEGREES FAHRENHEIT OCCURS DURING NORMAL FLAME MODE OPERATION, OF THE EQUIPMENT IT SERVES. THE OPERATOR SHALL REVIEW THE RECORDS OF THE COMBUSTION CHAMBER TEMPERATURES ON A DAILY BASIS TO DETERMINE IF AN EXCEEDANCE OCCURS OR SHALL INSTALL AN ALARM SYSTEM TO ALERT THE OPERATOR WHEN A DEVIATION OCCURS.

WHENEVER AN EXCEEDANCE OCCURS, THE OPERATOR SHALL INSPECT THIS EQUIPMENT TO IDENTIFY THE CAUSE OF SUCH AN EXCEEDANCE, TAKE IMMEDIATE CORRECTIVE ACTION TO MAINTAIN THE COMBUSTION CHAMBER TEMPERATURE AT OR ABOVE 1750 DEGREES FAHRENHEIT, AND KEEP RECORDS OF THE DURATION AND CAUSE (INCLUDING UNKNOWN CAUSE, IF APPLICABLE) OF THE EXCEEDANCE AND THE CORRECTIVE ACTION TAKEN.

## FACILITY PERMIT TO OPERATE TESORO REFINING AND MARKETING COMPANY, LLC

ALL EXCEEDANCES SHALL BE REPORTED TO THE AQMD ON A SEMI-ANNUAL BASIS PURSUANT TO THE REQUIREMENTS SPECIFIED IN 40 CFR PART 64.9 AND CONDITION NOS. 22 AND 23 IN SECTION K OF THIS PERMIT. THE SEMI-ANNUAL MONITORING REPORT SHALL INCLUDE THE TOTAL OPERATING TIME OF THIS EQUIPMENT AND THE TOTAL ACCUMULATED DURATION OF ALL EXCEEDANCES FOR EACH SEMI-ANNUAL REPORTING PERIOD SPECIFIED IN CONDITION NO. 23 IN SECTION K OF THIS PERMIT. ALL PROMPT REPORTING SHALL BE AS DEFINED IN CONDITION NO. 22 IN SECTION K OF THIS PERMIT.

THE OPERATOR SHALL SUBMIT AN APPLICATION WITH A QUALITY IMPROVEMENT PLAN (QIP) IN ACCORDANCE WITH 40 CFR PART 64.8 TO THE SCAQMD IF AN ACCUMULATION OF EXCEEDANCES IS GREATER THAN 5 PERCENT DURATION OF THIS EQUIPMENT'S TOTAL OPERATING TIME FOR ANY SEMI-ANNUAL REPORTING PERIOD SPECIFIED IN CONDITION NO. 23 IN SECTION K OF THIS PERMIT. THE REQUIRED QIP SHALL BE SUBMITTED TO THE AQMD WITHIN 90 CALENDAR DAYS AFTER THE DUE DATE FOR THE SEMI-ANNUAL MONITORING REPORT.

THE OPERATOR SHALL INSPECT AND MAINTAIN ALL COMPONENTS OF THIS EQUIPMENT ON AN ANNUAL BASIS IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS.

THE OPERATOR SHALL KEEP ADEQUATE RECORDS IN A FORMAT THAT IS ACCEPTABLE TO THE AQMD TO DEMONSTRATE COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS SPECIFIED IN THIS CONDITION AND 40 CFR PART 64.9 FOR A MINIMUM OF FIVE YEARS. [RULE 1303(a)(1)-BACT, 1303(b)(2) – OFFSETS, 1401, 3004(a)(4)-PERIODIC MONITORING, 40CFR PART 64]

### **Emissions and Requirements:**

- 24) The concentrations of the following compounds measured at the outlet of the vapor control system shall not exceed the following:

VOC: 19.91 PPMV, RULE 1303(b)(2)-OFFSETS, 1313(g)-EMISSION LIMITATION  
NOX: 30.00 PPMV @ 3% O<sub>2</sub>, RULE 1303(a)(1)-BACT, 1303(g)-EMISSION LIMITATION  
CO: 2000.0 PPMV, RULE 407  
BENZENE: 1.01 PPMV, RULE 1401  
ETHYL BENZENE: 0.80 PPMV, RULE 1401  
MTBE: 0.96 PPMV, RULE 1401  
HAP: 40 CFR SUBPART GGGGG  
HAP: 95% CONTROL EFFICIENCY, OR 20 PPM @ 3% O<sub>2</sub>, 40 CFR SUBPART GGGGG

**FACILITY PERMIT TO OPERATE  
TESORO REFINING AND MARKETING COMPANY, LLC**

**SECTION I: PLANS AND SCHEDULES**

This section lists all plans approved by AQMD for the purposes of meeting the requirements of applicable AQMD rules specified below. The operator shall comply with all conditions specified in the approval of these plans.

Documents pertaining to the plan applications listed below are available for public review at AQMD Headquarters. Any changes to plan applications will require permit modification in accordance with Title V permit revision procedures.

List of approved plans:

Application	Rule
577945	40 CFR 64

**FACILITY PERMIT TO OPERATE  
TESORO REFINING MARKETING COMPANY LLC,**

**SECTION J: AIR TOXICS  
[40CFR 63 Subpart GGGGG 11-29-2006]**

**National Emission Standards for Hazardous Air Pollutants: Site Remediation**

The owner/operator of a facility meeting the criteria in §63.7881, and which conducts a site remediation as defined in §63.7957, shall comply with the applicable requirements of 40 CFR 63 Subpart GGGGG, including but not limited to the following:

1. The owner/operator shall meet the general compliance requirements as specified in §63.7935.
2. Affected process vents, as defined in §63.7957, shall meet the general standards specified in §63.7888 and the emission limitation and work practice standards specified in §63.7890.
3. Remediation material management units, as defined in §63.7957, shall meet the general standards as specified in §63.7886. Tanks, as defined in §63.7957, shall meet the emission limitations and work practice standards as specified in §63.7895; containers, as defined in §63.7957, shall meet the emission limitations and work practice standards as specified in §63.7900; surface impoundments, as defined in §63.7957, shall meet the emission limitations and work practice standards as specified in §63.7905; separators, as defined in §63.7957, shall meet the emission limitations and work practice standards as specified in §63.7910; and transfer systems, as defined in §63.7957, shall meet the emission limitations and work practice standards as specified in §63.7915.
4. The owner/operator shall comply with the emission limitations and work practice standards for equipment leaks as specified in §63.7920.

**FACILITY PERMIT TO OPERATE  
TESORO REFINING MARKETING COMPANY LLC,**

**SECTION J: AIR TOXICS  
[40CFR 63 Subpart GGGGG 11-29-2006]**

5. The owner/operator shall, for closed vent systems and control devices as defined in §63.7957, comply with the emission limitations and work practice standards as specified in §63.7925. For each control device other than a flare or a control device meeting the process vent emission limits in §63.7890(b), HAP emissions shall be reduced by 95 percent by weight or the concentration of total HAP from the control device shall not exceed 20 ppmv on a dry basis corrected to 3 percent oxygen.
6. The owner/operator shall conduct performance tests as specified in §63.7940, §63.7941 and §63.7942. In addition, the owner/operator shall comply with the monitoring installation, operation, and maintenance requirements for continuous monitoring systems (CMS) as specified in §63.7945.
7. The owner/operator shall, for any remediation material defined in §63.7957 and that is transferred off-site to another facility, meet the requirements specified in §63.7936.
8. The owner/operator shall submit notifications and reports as specified in §63.7950 and §63.7951 and shall keep records as specified in §63.7952 and §63.7953.

## FACILITY PERMIT TO OPERATE TESORO REFINING MARKETING COMPANY LLC,

### SECTION J: AIR TOXICS [40CFR 63SubpartZZZZ 03-09-2011]

**NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS:  
 STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES**

The owner/operator of existing emergency stationary Reciprocating Internal Combustion Engines (RICE) located at an area source of hazardous air pollutant (HAP) emissions shall comply with the applicable requirements of 40 CFR 63 Subpart ZZZZ including but not limited to the following:

1. The owner/operator shall comply with the applicable requirements as specified in 63.6603 including but not limited to the following:

**Table 2d to Subpart ZZZZ of Part 63—Requirements for Existing Stationary RICE Located at Area Sources of HAP Emissions**

As stated in §§63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
4. Emergency stationary CI RICE and black start stationary CI RICE. <sup>2</sup>	a. Change oil and filter every 500 hours of operation or annually, whichever comes first; <sup>1</sup>	
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; and	
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	
5. Emergency stationary SI RICE; black start stationary SI RICE. <sup>2</sup>	a. Change oil and filter every 500 hours of operation or annually, whichever comes first; <sup>1</sup> b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first; and c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	

<sup>1</sup>Sources have the option to utilize an oil analysis program as described in §63.6625(i) in order to extend the specified oil change requirement in Table 2d of this subpart.

<sup>2</sup>If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law

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has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable.

2. The owner/operator shall comply with the applicable general requirements as specified in 63.6605.
3. The owner/operator shall comply with the applicable monitoring, installation, collection, operation, and maintenance requirements specified in 63.6625.
4. The owner/operator shall demonstrate continuous compliance with the applicable emission limitations and operating limitations specified in 63.6640 including but not limited to the following:
  - (a) You must demonstrate continuous compliance with each emission limitation and operating limitation according to methods specified in Table 6 to this subpart.

**Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance With Emission Limitations, Operating Limitations, Work Practices, and Management Practices**

As stated in §63.6640, you must continuously comply with the emissions and operating limitations and work or management practices as required by the following:

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
existing emergency and black start stationary RICE located at an area source of HAP	a. Work or Management practices	i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

(b) You must report each instance in which you did not meet each emission limitation or operating limitation in Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in §63.6650.

(c) you must operate the emergency stationary RICE according to the requirements in paragraphs (i) through (iii) of this section. Any operation other than emergency operation, maintenance and

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testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (i) through (iii) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (i) through (iii) of this section, the engine will not be considered an emergency engine under this subpart and will need to meet all requirements for non-emergency engines.

(i) There is no time limit on the use of emergency stationary RICE in emergency situations.

(ii) You may operate your emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency RICE beyond 100 hours per year.

(iii) You may operate your emergency stationary RICE up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity, except that owners and operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this paragraph (iii), as long as the power provided by the financial arrangement is limited to emergency power.

5. The owner/operator shall comply with the applicable record keeping requirements specified in 63.6655 and 63.6660.

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#### **GENERAL PROVISIONS**

1. This permit may be revised, revoked, reopened and reissued, or terminated for cause, or for failure to comply with regulatory requirements, permit terms, or conditions. [3004(a)(7)(C)]
2. This permit does not convey any property rights of any sort or any exclusive privilege. [3004(a)(7)(E)]

#### **Permit Renewal and Expiration**

3. (A) Except for solid waste incineration facilities subject to standards under section 129(e) of the Clean Air Act, this permit shall expire five years from the date that this Title V permit is issued. The operator's right to operate under this permit terminates at midnight on this date, unless the facility is protected by an application shield in accordance with Rule 3002(b), due to the filing of a timely and complete application for a Title V permit renewal, consistent with Rule 3003. [3004(a)(2), 3004(f)]  
  
(B) A Title V permit for a solid waste incineration facility combusting municipal waste subject to standards under Section 129(e) of the Clean Air Act shall expire 12 years from the date of issuance unless such permit has been renewed pursuant to this regulation. These permits shall be reviewed by the Executive Officer at least every five years from the date of issuance. [3004(f)(2)]
4. To renew this permit, the operator shall submit to the Executive Officer an application for renewal at least 180 days, but not more than 545 days, prior to the expiration date of this permit. [3003(a)(6)]

#### **Duty to Provide Information**

5. The applicant for, or holder of, a Title V permit shall furnish, pursuant to Rule 3002(d) and (e), timely information and records to the Executive Officer or designee within a reasonable time as specified in writing by the Executive Officer or designee. [3004(a)(7)(F)]

#### **Payment of Fees**

6. The operator shall pay all required fees specified in Regulation III - Fees. [3004(a)(7)(G)]

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#### Reopening for Cause

7. The Executive Officer will reopen and revise this permit if any of the following circumstances occur:
- (A) Additional regulatory requirements become applicable with a remaining permit term of three or more years. Reopening is not required if the effective date of the requirement is later than the expiration date of this permit, unless the permit or any of its terms and conditions has been extended pursuant to paragraph (f)(4) of Rule 3004.
  - (B) The Executive Officer or EPA Administrator determines that this permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit.
  - (C) The Executive Officer or EPA Administrator determines that the permit must be revised or revoked to assure compliance with the applicable requirements. [3005(g)(1)]

#### COMPLIANCE PROVISIONS

8. The operator shall comply with all regulatory requirements, and all permit terms and conditions, except:
- (A) As provided for by the emergency provisions of condition no. 17 or condition no. 18, or
  - (B) As provided by an alternative operating condition granted pursuant to a federally approved (SIP-approved) Rule 518.2.

Any non-compliance with any federally enforceable permit condition constitutes a violation of the Federal Clean Air Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or denial of a permit renewal application. Non-compliance may also be grounds for civil or criminal penalties under the California State Health and Safety Code. [3004(a)(7)(A)]

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9. The operator shall allow the Executive Officer or authorized representative, upon presentation of appropriate credentials to:
- (A) Enter the operator's premises where emission-related activities are conducted, or records are 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 the permit;
  - (C) Inspect at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
  - (D) Sample or monitor at reasonable times, substances or parameters for the purpose of assuring compliance with the facility permit or regulatory requirements. [3004(a)(10)(B)]
10. All terms and conditions in this permit, including any provisions designed to limit a facility's potential to emit, are enforceable by the EPA Administrator and citizens under the federal Clean Air Act, unless the term or condition is designated as not federally enforceable. Each day during any portion of which a violation occurs is a separate offense. [3004(g)]
11. A challenge to any permit condition or requirement raised by EPA, the operator, or any other person, shall not invalidate or otherwise affect the remaining portions of this permit. [3007(b)]
12. The filing of any application for a permit revision, revocation, or termination, or a notification of planned changes or anticipated non-compliance does not stay any permit condition. [3004(a)(7)(D)]
13. It shall not be a defense for a person in an enforcement action, including those listed in Rule 3002(c)(2), that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit, except as provided for in "Emergency Provisions" of this section. [3004(a)(7)(H)]

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14. The operator shall not build, erect, install, or use any equipment, the use of which, without resulting in a reduction in the total release of air contaminants to atmosphere, reduces or conceals an emission which would otherwise constitute a violation of Chapter 3 (commencing with Section 41700) of Part 4, of Division 26 of the California Health and Safety Code or of AQMD rules. This rule shall not apply to cases in which the only violation involved is of Section 41700 of the California Health and Safety Code, or Rule 402 of AQMD Rules. [408]
15. Nothing in this permit or in any permit shield can alter or affect:
- (A) Under Section 303 of the federal Clean Air Act, the provisions for emergency orders;
  - (B) The liability of the operator for any violation of applicable requirements prior to or at the time of permit issuance;
  - (C) The applicable requirements of the Acid Rain Program, Regulation XXXI;
  - (D) The ability of EPA to obtain information from the operator pursuant to Section 114 of the federal Clean Air Act;
  - (E) The applicability of state or local requirements that are not "applicable requirements", as defined in Rule 3000, at the time of permit issuance but which do apply to the facility, such as toxics requirements unique to the State; and
  - (F) The applicability of regulatory requirements with compliance dates after the permit issuance date. [3004(c)(3)]
16. For any portable equipment that requires an AQMD or state permit or registration, excluding a) portable engines, b) military tactical support equipment and c) AQMD-permitted portable equipment that are not a major source, are not located at the facility for more than 12 consecutive months after commencing operation, and whose operation does not conflict with the terms or conditions of this Title V permit: 1) the facility operator shall keep a copy of the AQMD or state permit or registration; 2) the equipment operator shall comply with the conditions on the permit or registration and all other regulatory requirements; and 3) the facility operator shall treat the permit or registration as a part of its Title V permit, subject to recordkeeping, reporting and certification requirements. [3004(a)(1)]

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17. An emergency<sup>1</sup> constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limit only if:

(A) Properly signed, contemporaneous operating records or other credible evidence demonstrate that:

(1) An emergency occurred and the operator can identify the cause(s) of the emergency;

(2) The facility was operated properly (i.e. operated and maintained in accordance with the manufacturer's specifications, and in compliance with all regulatory requirements or a compliance plan), before the emergency occurred;

(3) The operator took all reasonable steps to minimize levels of emissions that exceeded emissions standard, or other requirements in the permit; and,

(4) The operator submitted a written notice of the emergency to the AQMD within two working days of the time when the emissions limitations were exceeded due to the emergency. The notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken; and

(B) The operator complies with the breakdown provisions of Rule 430 – Breakdown Provisions, or subdivision (i) of Rule 2004 – Requirements, whichever is applicable. [3002(g), 430, 2004(i)]

18. The operator is excused from complying with any regulatory requirement that is suspended by the Executive Officer during a state of emergency or state of war emergency, in accordance with Rule 118 - Emergencies. [118]

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<sup>1</sup> "Emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the operator, including acts of God, which: (A) requires immediate corrective action to restore normal operation; and (B) causes the facility to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency; and (C) is not caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

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19. In addition to any other recordkeeping requirements specified elsewhere in this permit, the operator shall keep records of required monitoring information, where applicable, that include:
- (A) The date, place as defined in the Title V permit, and time of sampling or measurements;
  - (B) The date(s) analyses were performed;
  - (C) The company or entity that performed the analyses;
  - (D) The analytical techniques or methods used;
  - (E) The results of such analyses; and
  - (F) The operating conditions as existing at the time of sampling or measurement. [3004(a)(4)(B)]
20. The operator shall maintain records pursuant to Rule 109 and any applicable material safety data sheet (MSDS) for any equipment claimed to be exempt from a written permit by Rule 219 based on the information in those records. [219(t)]
21. The operator shall keep all records of monitoring data required by this permit or by regulatory requirements for a period of at least five years from the date of the monitoring sample, measurement, report, or application. [3004(a)(4)(E)]

### **REPORTING PROVISIONS**

22. The operator shall comply with the following requirements for prompt reporting of deviations:
- (A) Breakdowns shall be reported as required by Rule 430 – Breakdown Provisions or subdivision (i) of Rule 2004 - Requirements, whichever is applicable.

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- (B) Other deviations from permit or applicable rule emission limitations, equipment operating conditions, or work practice standards, determined by observation or by any monitoring or testing required by the permit or applicable rules that result in emissions greater than those allowed by the permit or applicable rules shall be reported within 72 hours (unless a shorter reporting period is specified in an applicable State or Federal Regulation) of discovery of the deviation by contacting AQMD enforcement personnel assigned to this facility or otherwise calling (800) CUT-SMOG.
  - (C) A written report of such deviations reported pursuant to (B), and any corrective actions or preventative measures taken, shall be submitted to AQMD, in an AQMD approved format, within 14 days of discovery of the deviation.
  - (D) All other deviations shall be reported with the monitoring report required by condition no. 23. [3004(a)(5)]
23. Unless more frequent reporting of monitoring results are specified in other permit conditions or in regulatory requirements, the operator shall submit reports of any required monitoring to the AQMD at least twice per year. The report shall include a) a statement whether all monitoring required by the permit was conducted; and b) identification of all instances of deviations from permit or regulatory requirements. A report for the first six calendar months of the year is due by August 31 and a report for the last six calendar months of the year is due by February 28. [3004(a)(4)(F)]
24. The operator shall submit to the Executive Officer and to the Environmental Protection Agency (EPA), an annual compliance certification. For RECLAIM facilities, the certification is due when the Annual Permit Emissions Program (APEP) report is due and shall cover the same reporting period. For other facilities, the certification is due on March 1 for the previous calendar year. The certification need not include the period preceding the date the initial Title V permit was issued. Each compliance certification shall include:
- (A) Identification of each permit term or condition that is the basis of the certification;

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- (B) The compliance status during the reporting period;
- (C) Whether compliance was continuous or intermittent;
- (D) The method(s) used to determine compliance over the reporting period and currently, and
- (E) Any other facts specifically required by the Executive Officer to determine compliance.

The EPA copy of the certification shall be sent to: Director of the Air Division Attn:  
Air-3 USEPA, Region IX 75 Hawthorne St. San Francisco, CA 94105 [3004(a)(10)(E)]

25. All records, reports, and documents required to be submitted by a Title V operator to AQMD or EPA shall contain a certification of accuracy consistent with Rule 3003(c)(7) by a responsible official (as defined in Rule 3000). [3004(a)(12)]

**PERIODIC MONITORING**

26. All periodic monitoring required by this permit pursuant to Rule 3004(a)(4)(c) is based on the requirements and justifications in the AQMD document "Periodic Monitoring Guidelines for Title V Facilities" or in case-by-case determinations documented in the TitleV application file. [3004(a)(4)]

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#### *FACILITY RULES*

*This facility is subject to the following rules and regulations*

With the exception of Rule 402, 473, 477, 1118 and Rules 1401 through 1420, the following rules that are designated as non-federally enforceable are pending EPA approval as part of the state implementation plan. Upon the effective date of that approval, the approved rule(s) will become federally enforceable, and any earlier versions of those rules will no longer be federally enforceable.

<b>RULE SOURCE</b>	<b>Adopted/Amended Date</b>	<b>FEDERAL Enforceability</b>
RULE 104	1-9-1976	Federally enforceable
RULE 1102	11-17-2000	Federally enforceable
RULE 1147	9-9-2011	Non federally enforceable
RULE 1166	5-11-2001	Non federally enforceable
RULE 1166	7-14-1995	Federally enforceable
RULE 1178	4-7-2006	Federally enforceable
RULE 1303(a)(1)-BACT	12-6-2002	Non federally enforceable
RULE 1303(a)(1)-BACT	5-10-1996	Federally enforceable
RULE 1303(b)(2)-Offset	12-6-2002	Non federally enforceable
RULE 1303(b)(2)-Offset	5-10-1996	Federally enforceable
RULE 1313(g)	12-7-1995	Federally enforceable
RULE 1401	9-10-2010	Non federally enforceable
RULE 1402	6-5-2015	Non federally enforceable
RULE 202	5-7-1976	Federally enforceable
RULE 204	10-8-1993	Federally enforceable
RULE 205	1-5-1990	Federally enforceable
RULE 3004(a)(4)-Periodic Monitoring	12-12-1997	Federally enforceable
RULE 301	5-1-2015	Non federally enforceable
RULE 304	5-1-2015	Non federally enforceable
RULE 407	4-2-1982	Federally enforceable
RULE 463	11-4-2011	Federally enforceable

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<b>RULE SOURCE</b>	<b>Adopted/Amended Date</b>	<b>FEDERAL Enforceability</b>
40CFR 60 Subpart JJJJ	1-18-2008	Federally enforceable
40CFR 60 Subpart Kb	10-15-2003	Federally enforceable
40CFR 63 Subpart GGGGG	11-29-2006	Federally enforceable
40CFR 63 Subpart GGGGG	12-22-2008	Federally enforceable
40CFR 63 Subpart ZZZZ	1-30-2013	Federally enforceable
40CFR 63SubpartZZZZ	3-9-2011	Federally enforceable
40 CFR 64	11-21-1997	Federally enforceable

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**APPENDIX A: NOX AND SOX EMITTING EQUIPMENT EXEMPT FROM WRITTEN  
PERMIT PURSUANT TO RULE 219**

NONE

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**APPENDIX B: RULE EMISSION LIMITS**

**NOT APPLICABLE**