FACILITY PERMIT TO OPERATE

ULTRAMAR, INC
1220 N ALAMEDA ST
WILMINGTON, CA 90744

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
Barry R. Wallerstein, D. Env.
Executive Officer

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
21865 Copley Drive, Diamond Bar, CA 91765

FACILITY PERMIT TO OPERATE
ULTRAMAR, INC

TABLE OF CONTENTS

Section	Description	Revision #	Date Issued
A	Facility Information	0	01/26/2009
B	RECLAIM Annual Emission Allocation	0	01/26/2009
C	Facility Plot Plan	TO BE DEVELOPED	
D	Facility Description and Equipment Specific Conditions	0	03/03/2009
E	Administrative Conditions	0	01/26/2009
F	RECLAIM Monitoring and Source Testing Requirements	0	01/26/2009
G	Recordkeeping and Reporting Requirements for RECLAIM Sources	0	01/26/2009
H	Permit To Construct and Temporary Permit to Operate	1	03/03/2010
I	Compliance Plans & Schedules	0	01/26/2009
J	Air Toxics	0	01/26/2009
K	Title V Administration	1	03/03/2010
Appendix			
A	NOx and SOx Emitting Equipment Exempt From Written Permit Pursuant to Rule 219	0	01/26/2009
B	Rule Emission Limits	0	01/26/2009

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

Facility Equipment and Requirements
(Section H)

This section consists of a table listing all individual Permits to Construct issued to various equipment at the facility. Each permit 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.

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

PERMITTED EQUIPMENT LIST

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

Application Number	Equipment Description	Page Number
495059	STORAGE TANK FUEL OIL (NO. 299-TK-1501)	3
495064	STORAGE TANK FUEL OIL (NO. 299-TK-1502)	5
495068	STORAGE TANK FUEL OIL (NO. 299-TK-1503)	7
495069	STORAGE TANK FUEL OIL (NO. 299-TK-1504)	9
495073	STORAGE TANK FUEL OIL (NO. 299-TK-721)	11
495076	STORAGE TANK FUEL OIL (NO. 299-TK-722)	13
495079	STORAGE TANK FUEL OIL (NO. 299-TK-501)	15
495082	EMERGENCY IC ENGINE	17
495085	EMERGENCY IC ENGINE	19

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 CONSTRUCT
ULTRAMAR, INC

PERMIT TO CONSTRUCT

A/N 495059
Granted as of 3/03/2010

Equipment Description:

STORAGE TANK, INTERNAL FLOATING ROOF, NO. 299-TK-1501, 141,271 BBL WORKING CAPACITY, 150'-0" DIA. x 55'-6" H., WITH A WELDED SHELL, A MECHANICAL SHOE PRIMARY SEAL, AND A RIM MOUNTED SECONDARY SEAL.

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. THE PRODUCTS STORED IN THIS EQUIPMENT SHALL ONLY CONSIST OF GAS OIL, DISTILLATE, LIGHT CYCLE OIL, DECANT, OR DIESEL.
[RULE 1401]

4. THE OPERATOR SHALL LIMIT THE THROUGHPUT TO NO MORE THAN 400,000 BARRELS IN ANY ONE CALENDAR MONTH.
[RULE 1303(b)(2)-Offset, RULE 1304 (c)(2) – Concurrent Facility Modification]

5. THE OPERATOR SHALL USE THIS EQUIPMENT IN SUCH A MANNER THAT THE ORGANIC VAPOR CONCENTRATION IN THE VAPOR SPACE ABOVE THE INTERNAL FLOATING ROOF, DOES NOT EXCEED 30 PERCENT OF THE LOWER EXPLOSIVE LIMIT (LEL).
[RULE 463]

6. THIS OPERATOR SHALL NOT USE THIS EQUIPMENT WITH MATERIALS HAVING A TRUE VAPOR PRESSURE OF GREATER THAN 1.5 PSIA UNDER ACTUAL STORAGE CONDITIONS.
[RULE 1303(b)(2)-Offset, RULE 1304 (c)(2) – Concurrent Facility Modification]

7. THE OPERATOR SHALL KEEP RECORDS, IN A MANNER APPROVED BY THE DISTRICT, FOR THE FOLLOWING PARAMETER(S) OR ITEM(S):

   THROUGHPUT AND VAPOR PRESSURE OF STORED LIQUID.
   [RULE 463]

8. THE OPERATOR SHALL COMPLY WITH THE FOLLOWING THROUGHPUT MEASUREMENT PRACTICES:

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

A. THE OPERATOR SHALL CALCULATE THE THROUGHPUT, IN BARRELS, BY THE FOLLOWING EQUATION: 0.14 X D X D X L, WHERE D IS THE DIAMETER OF THE TANK, IN FEET, BASED ON THE TANK STRAPPING CHART, AND L IS THE TOTAL VERTICAL ONE-WAY ROOF TRAVEL, IN FEET PER MONTH.

B. THE OPERATOR SHALL INSTALL AND MAINTAIN AN AUTOMATIC TANK LEVEL GAUGE (ATLG) AND RECORDER TO CONTINUOUSLY RECORD THE VERTICAL MOVEMENT OF THE ROOF. FOR THE PURPOSE OF THIS CONDITION, CONTINUOUS RECORDING IS DEFINED AS ONCE PER 15 MINUTES.

C. THE OPERATOR SHALL CALCULATE THE TOTAL ONE-WAY ROOF MOVEMENT, IN FEET, ON A DAILY AND MONTHLY BASIS.

D. THE ATLG INSTALLED SHALL BE VERIFIED ONCE PER QUARTER BY COMPARING AGAINST A MANUAL TANK LEVEL MEASUREMENT. IF THE ATLG DIFFERS FROM THE MANUAL TANK LEVEL MEASUREMENT BY MORE THAN 1.0 INCH OR 0.8%, WHICHEVER IS GREATER, THE ATLG SHALL BE REPAIRED AND PUT BACK INTO SERVICE WITHIN 10 DAYS. WHILE THE ATLG IS BEING REPAIRED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE DISCOVERY OF THE DISCREPANCY.

E. IN THE EVENT OF A FAILURE OR ROUTINE MAINTENANCE OF THE ATLG, THE ATLG SHALL BE REPAIRED (IF NECESSARY) AND PUT BACK INTO SERVICE WITHIN 10 DAYS OF THE TIME THAT THE ATLG FAILED OR WAS REMOVED FROM SERVICE FOR MAINTENANCE. WHILE THE ATLG IS BEING REPAIRED OR MAINTAINED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE TIME THAT THE ATLG WENT OUT OF SERVICE.
[RULE 204]

Periodic Monitoring: NONE

Emissions and Requirements:

9. THIS EQUIPMENT IS SUBJECT TO THE APPLICABLE REQUIREMENTS OF THE FOLLOWING RULES AND REGULATIONS:

VOC: RULE 463
VOC: RULE 1149
VOC: RULE 1173
VOC: 40CFR, SUBPART Kb

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

PERMIT TO CONSTRUCT

A/N 495064
Granted as of 3/03/2010

Equipment Description:

STORAGE TANK, INTERNAL FLOATING ROOF, NO. 299-TK-1502, 141,271 BBL WORKING CAPACITY, 150'-0" DIA. x 55'-6" H., WITH A WELDED SHELL, A MECHANICAL SHOE PRIMARY SEAL, AND A RIM MOUNTED SECONDARY SEAL.

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. THE PRODUCTS STORED IN THIS EQUIPMENT SHALL ONLY CONSIST OF GAS OIL, DISTILLATE, LIGHT CYCLE OIL, DECANT, OR DIESEL.
[RULE 1401]

4. THE OPERATOR SHALL LIMIT THE THROUGHPUT TO NO MORE THAN 400,000 BARRELS IN ANY ONE CALENDAR MONTH.
[RULE 1303(b)(2)-Offset, RULE 1304 (c)(2) – Concurrent Facility Modification]

5. THE OPERATOR SHALL USE THIS EQUIPMENT IN SUCH A MANNER THAT THE ORGANIC VAPOR CONCENTRATION IN THE VAPOR SPACE ABOVE THE INTERNAL FLOATING ROOF, DOES NOT EXCEED 30 PERCENT OF THE LOWER EXPLOSIVE LIMIT (LEL).
[RULE 463]

6. THIS OPERATOR SHALL NOT USE THIS EQUIPMENT WITH MATERIALS HAVING A TRUE VAPOR PRESSURE OF GREATER THAN 1.5 PSIA UNDER ACTUAL STORAGE CONDITIONS.
[RULE 1303(b)(2)-Offset, RULE 1304 (c)(2) – Concurrent Facility Modification]

7. THE OPERATOR SHALL KEEP RECORDS, IN A MANNER APPROVED BY THE DISTRICT, FOR THE FOLLOWING PARAMETER(S) OR ITEM(S):

   THROUGHPUT AND VAPOR PRESSURE OF STORED LIQUID.
   [RULE 463]

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

8. THE OPERATOR SHALL COMPLY WITH THE FOLLOWING THROUGHPUT MEASUREMENT PRACTICES:

   A. THE OPERATOR SHALL CALCULATE THE THROUGHPUT, IN BARRELS, BY THE FOLLOWING EQUATION: 0.14 X D X D X L, WHERE D IS THE DIAMETER OF THE TANK, IN FEET, BASED ON THE TANK STRAPPING CHART, AND L IS THE TOTAL VERTICAL ONE-WAY ROOF TRAVEL, IN FEET PER MONTH.

   B. THE OPERATOR SHALL INSTALL AND MAINTAIN AN AUTOMATIC TANK LEVEL GAUGE (ATLG) AND RECORDER TO CONTINUOUSLY RECORD THE VERTICAL MOVEMENT OF THE ROOF. FOR THE PURPOSE OF THIS CONDITION, CONTINUOUS RECORDING IS DEFINED AS ONCE PER 15 MINUTES.

   C. THE OPERATOR SHALL CALCULATE THE TOTAL ONE-WAY ROOF MOVEMENT, IN FEET, ON A DAILY AND MONTHLY BASIS.

   D. THE ATLG INSTALLED SHALL BE VERIFIED ONCE PER QUARTER BY COMPARING AGAINST A MANUAL TANK LEVEL MEASUREMENT. IF THE ATLG DIFFERS FROM THE MANUAL TANK LEVEL MEASUREMENT BY MORE THAN 1.0 INCH OR 0.8%, WHICHEVER IS GREATER, THE ATLG SHALL BE REPAIRED AND PUT BACK INTO SERVICE WITHIN 10 DAYS. WHILE THE ATLG IS BEING REPAIRED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE DISCOVERY OF THE DISCREPANCY.

   E. IN THE EVENT OF A FAILURE OR ROUTINE MAINTENANCE OF THE ATLG, THE ATLG SHALL BE REPAIRED (IF NECESSARY) AND PUT BACK INTO SERVICE WITHIN 10 DAYS OF THE TIME THAT THE ATLG FAILED OR WAS REMOVED FROM SERVICE FOR MAINTENANCE. WHILE THE ATLG IS BEING REPAIRED OR MAINTAINED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE TIME THAT THE ATLG WENT OUT OF SERVICE.
   [RULE 204]

Periodic Monitoring: NONE

Emissions and Requirements:

9. THIS EQUIPMENT IS SUBJECT TO THE APPLICABLE REQUIREMENTS OF THE FOLLOWING RULES AND REGULATIONS:

   VOC: RULE 463
   VOC: RULE 1149
   VOC: RULE 1173
   VOC: 40CFR, SUBPART Kb

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

PERMIT TO CONSTRUCT

A/N 495068
Granted as of 3/03/2010

Equipment Description:

STORAGE TANK, INTERNAL FLOATING ROOF, NO. 299-TK-1503, 141,271 BBL WORKING CAPACITY, 150'-0" DIA. x 55'-6" H., WITH A WELDED SHELL, A MECHANICAL SHOE PRIMARY SEAL, AND A RIM MOUNTED SECONDARY SEAL.

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. THE PRODUCTS STORED IN THIS EQUIPMENT SHALL ONLY CONSIST OF GAS OIL, DISTILLATE, LIGHT CYCLE OIL, DECANT, OR DIESEL.
[RULE 1401]

4. THE OPERATOR SHALL LIMIT THE THROUGHPUT TO NO MORE THAN 400,000 BARRELS IN ANY ONE CALENDAR MONTH.
[RULE 1303(b)(2)-Offset, RULE 1304 (c)(2) – Concurrent Facility Modification]

5. THE OPERATOR SHALL USE THIS EQUIPMENT IN SUCH A MANNER THAT THE ORGANIC VAPOR CONCENTRATION IN THE VAPOR SPACE ABOVE THE INTERNAL FLOATING ROOF, DOES NOT EXCEED 30 PERCENT OF THE LOWER EXPLOSIVE LIMIT (LEL).
[RULE 463]

6. THIS OPERATOR SHALL NOT USE THIS EQUIPMENT WITH MATERIALS HAVING A TRUE VAPOR PRESSURE OF GREATER THAN 1.5 PSIA UNDER ACTUAL STORAGE CONDITIONS.
[RULE 1303(b)(2)-Offset, RULE 1304 (c)(2) – Concurrent Facility Modification]

7. THE OPERATOR SHALL KEEP RECORDS, IN A MANNER APPROVED BY THE DISTRICT, FOR THE FOLLOWING PARAMETER(S) OR ITEM(S):

   THROUGHPUT AND VAPOR PRESSURE OF STORED LIQUID.
   [RULE 463]

8. THE OPERATOR SHALL COMPLY WITH THE FOLLOWING THROUGHPUT MEASUREMENT PRACTICES:

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

A. THE OPERATOR SHALL CALCULATE THE THROUGHPUT, IN BARRELS, BY THE FOLLOWING EQUATION: 0.14 X D X D X L, WHERE D IS THE DIAMETER OF THE TANK, IN FEET, BASED ON THE TANK STRAPPING CHART, AND L IS THE TOTAL VERTICAL ONE-WAY ROOF TRAVEL, IN FEET PER MONTH.

B. THE OPERATOR SHALL INSTALL AND MAINTAIN AN AUTOMATIC TANK LEVEL GAUGE (ATLG) AND RECORDER TO CONTINUOUSLY RECORD THE VERTICAL MOVEMENT OF THE ROOF. FOR THE PURPOSE OF THIS CONDITION, CONTINUOUS RECORDING IS DEFINED AS ONCE PER 15 MINUTES.

C. THE OPERATOR SHALL CALCULATE THE TOTAL ONE-WAY ROOF MOVEMENT, IN FEET, ON A DAILY AND MONTHLY BASIS.

D. THE ATLG INSTALLED SHALL BE VERIFIED ONCE PER QUARTER BY COMPARING AGAINST A MANUAL TANK LEVEL MEASUREMENT. IF THE ATLG DIFFERS FROM THE MANUAL TANK LEVEL MEASUREMENT BY MORE THAN 1.0 INCH OR 0.8%, WHICHEVER IS GREATER, THE ATLG SHALL BE REPAIRED AND PUT BACK INTO SERVICE WITHIN 10 DAYS. WHILE THE ATLG IS BEING REPAIRED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE DISCOVERY OF THE DISCREPANCY.

E. IN THE EVENT OF A FAILURE OR ROUTINE MAINTENANCE OF THE ATLG, THE ATLG SHALL BE REPAIRED (IF NECESSARY) AND PUT BACK INTO SERVICE WITHIN 10 DAYS OF THE TIME THAT THE ATLG FAILED OR WAS REMOVED FROM SERVICE FOR MAINTENANCE. WHILE THE ATLG IS BEING REPAIRED OR MAINTAINED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE TIME THAT THE ATLG WENT OUT OF SERVICE.
[RULE 204]

Periodic Monitoring: NONE

Emissions and Requirements:

9. THIS EQUIPMENT IS SUBJECT TO THE APPLICABLE REQUIREMENTS OF THE FOLLOWING RULES AND REGULATIONS:

VOC: RULE 463
VOC: RULE 1149
VOC: RULE 1173
VOC: 40CFR, SUBPART Kb

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

PERMIT TO CONSTRUCT

A/N 495069
Granted as of 3/03/2010

Equipment Description:

STORAGE TANK, INTERNAL FLOATING ROOF, NO. 299-TK-1504, 141,271 BBL WORKING CAPACITY, 150'-0" DIA. x 55'-6" H., WITH A WELDED SHELL, A MECHANICAL SHOE PRIMARY SEAL, AND A RIM MOUNTED SECONDARY SEAL.

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. THE PRODUCTS STORED IN THIS EQUIPMENT SHALL ONLY CONSIST OF GAS OIL, DISTILLATE, LIGHT CYCLE OIL, DECANT, OR DIESEL.
[RULE 1401]

4. THE OPERATOR SHALL LIMIT THE THROUGHPUT TO NO MORE THAN 400,000 BARRELS IN ANY ONE CALENDAR MONTH.
[RULE 1303(b)(2)-Offset, RULE 1304 (c)(2) – Concurrent Facility Modification]

5. THE OPERATOR SHALL USE THIS EQUIPMENT IN SUCH A MANNER THAT THE ORGANIC VAPOR CONCENTRATION IN THE VAPOR SPACE ABOVE THE INTERNAL FLOATING ROOF, DOES NOT EXCEED 30 PERCENT OF THE LOWER EXPLOSIVE LIMIT (LEL).
[RULE 463]

6. THIS OPERATOR SHALL NOT USE THIS EQUIPMENT WITH MATERIALS HAVING A TRUE VAPOR PRESSURE OF GREATER THAN 1.5 PSIA UNDER ACTUAL STORAGE CONDITIONS.
[RULE 1303(b)(2)-Offset, RULE 1304 (c)(2) – Concurrent Facility Modification]

7. THE OPERATOR SHALL KEEP RECORDS, IN A MANNER APPROVED BY THE DISTRICT, FOR THE FOLLOWING PARAMETER(S) OR ITEM(S):

   THROUGHPUT AND VAPOR PRESSURE OF STORED LIQUID.
   [RULE 463]

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

8. THE OPERATOR SHALL COMPLY WITH THE FOLLOWING THROUGHPUT MEASUREMENT PRACTICES:

   A. THE OPERATOR SHALL CALCULATE THE THROUGHPUT, IN BARRELS, BY THE FOLLOWING EQUATION: 0.14 X D X D X L, WHERE D IS THE DIAMETER OF THE TANK, IN FEET, BASED ON THE TANK STRAPPING CHART, AND L IS THE TOTAL VERTICAL ONE-WAY ROOF TRAVEL, IN FEET PER MONTH.

   B. THE OPERATOR SHALL INSTALL AND MAINTAIN AN AUTOMATIC TANK LEVEL GAUGE (ATLG) AND RECORDER TO CONTINUOUSLY RECORD THE VERTICAL MOVEMENT OF THE ROOF. FOR THE PURPOSE OF THIS CONDITION, CONTINUOUS RECORDING IS DEFINED AS ONCE PER 15 MINUTES.

   C. THE OPERATOR SHALL CALCULATE THE TOTAL ONE-WAY ROOF MOVEMENT, IN FEET, ON A DAILY AND MONTHLY BASIS.

   D. THE ATLG INSTALLED SHALL BE VERIFIED ONCE PER QUARTER BY COMPARING AGAINST A MANUAL TANK LEVEL MEASUREMENT. IF THE ATLG DIFFERS FROM THE MANUAL TANK LEVEL MEASUREMENT BY MORE THAN 1.0 INCH OR 0.8%, WHICHEVER IS GREATER, THE ATLG SHALL BE REPAIRED AND PUT BACK INTO SERVICE WITHIN 10 DAYS. WHILE THE ATLG IS BEING REPAIRED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE DISCOVERY OF THE DISCREPANCY.

   E. IN THE EVENT OF A FAILURE OR ROUTINE MAINTENANCE OF THE ATLG, THE ATLG SHALL BE REPAIRED (IF NECESSARY) AND PUT BACK INTO SERVICE WITHIN 10 DAYS OF THE TIME THAT THE ATLG FAILED OR WAS REMOVED FROM SERVICE FOR MAINTENANCE. WHILE THE ATLG IS BEING REPAIRED OR MAINTAINED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE TIME THAT THE ATLG WENT OUT OF SERVICE.
   [RULE 204]

Periodic Monitoring: NONE

Emissions and Requirements:

9. THIS EQUIPMENT IS SUBJECT TO THE APPLICABLE REQUIREMENTS OF THE FOLLOWING RULES AND REGULATIONS:

   VOC: RULE 463
   VOC: RULE 1149
   VOC: RULE 1173
   VOC: 40CFR, SUBPART Kb

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

PERMIT TO CONSTRUCT

A/N 495073
Granted as of 3/03/2010

Equipment Description:

STORAGE TANK, INTERNAL FLOATING ROOF, NO. 299-TK-721, 62,277 BBL WORKING CAPACITY, 120'-0" DIA. x 40'-0" H., WITH A WELDED SHELL, A MECHANICAL SHOE PRIMARY SEAL, AND A RIM MOUNTED SECONDARY SEAL.

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. THE PRODUCTS STORED IN THIS EQUIPMENT SHALL ONLY CONSIST OF GAS OIL, DISTILLATE, LIGHT CYCLE OIL, DECANT, OR DIESEL.
[RULE 1401]

4. THE OPERATOR SHALL LIMIT THE THROUGHPUT TO NO MORE THAN 74,175 BARRELS IN ANY ONE CALENDAR MONTH.
[RULE 1303(b)(2)-Offset, RULE 1304 (c)(2) – Concurrent Facility Modification]

5. THE OPERATOR SHALL USE THIS EQUIPMENT IN SUCH A MANNER THAT THE ORGANIC VAPOR CONCENTRATION IN THE VAPOR SPACE ABOVE THE INTERNAL FLOATING ROOF, DOES NOT EXCEED 30 PERCENT OF THE LOWER EXPLOSIVE LIMIT (LEL).
[RULE 463]

6. THIS OPERATOR SHALL NOT USE THIS EQUIPMENT WITH MATERIALS HAVING A TRUE VAPOR PRESSURE OF GREATER THAN 1.5 PSIA UNDER ACTUAL STORAGE CONDITIONS.
[RULE 1303(b)(2)-Offset, RULE 1304 (c)(2) – Concurrent Facility Modification]

7. THE OPERATOR SHALL KEEP RECORDS, IN A MANNER APPROVED BY THE DISTRICT, FOR THE FOLLOWING PARAMETER(S) OR ITEM(S):

   THROUGHPUT AND VAPOR PRESSURE OF STORED LIQUID.
   [RULE 463]

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

8. THE OPERATOR SHALL COMPLY WITH THE FOLLOWING THROUGHPUT MEASUREMENT PRACTICES:

   A. THE OPERATOR SHALL CALCULATE THE THROUGHPUT, IN BARRELS, BY THE FOLLOWING EQUATION: 0.14 X D X D X L, WHERE D IS THE DIAMETER OF THE TANK, IN FEET, BASED ON THE TANK STRAPPING CHART, AND L IS THE TOTAL VERTICAL ONE-WAY ROOF TRAVEL, IN FEET PER MONTH.

   B. THE OPERATOR SHALL INSTALL AND MAINTAIN AN AUTOMATIC TANK LEVEL GAUGE (ATLG) AND RECORDER TO CONTINUOUSLY RECORD THE VERTICAL MOVEMENT OF THE ROOF. FOR THE PURPOSE OF THIS CONDITION, CONTINUOUS RECORDING IS DEFINED AS ONCE PER 15 MINUTES.

   C. THE OPERATOR SHALL CALCULATE THE TOTAL ONE-WAY ROOF MOVEMENT, IN FEET, ON A DAILY AND MONTHLY BASIS.

   D. THE ATLG INSTALLED SHALL BE VERIFIED ONCE PER QUARTER BY COMPARING AGAINST A MANUAL TANK LEVEL MEASUREMENT. IF THE ATLG DIFFERS FROM THE MANUAL TANK LEVEL MEASUREMENT BY MORE THAN 1.0 INCH OR 0.8%, WHICHEVER IS GREATER, THE ATLG SHALL BE REPAIRED AND PUT BACK INTO SERVICE WITHIN 10 DAYS. WHILE THE ATLG IS BEING REPAIRED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE DISCOVERY OF THE DISCREPANCY.

   E. IN THE EVENT OF A FAILURE OR ROUTINE MAINTENANCE OF THE ATLG, THE ATLG SHALL BE REPAIRED (IF NECESSARY) AND PUT BACK INTO SERVICE WITHIN 10 DAYS OF THE TIME THAT THE ATLG FAILED OR WAS REMOVED FROM SERVICE FOR MAINTENANCE. WHILE THE ATLG IS BEING REPAIRED OR MAINTAINED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE TIME THAT THE ATLG WENT OUT OF SERVICE.
   [RULE 204]

Periodic Monitoring: NONE

Emissions and Requirements:

9. THIS EQUIPMENT IS SUBJECT TO THE APPLICABLE REQUIREMENTS OF THE FOLLOWING RULES AND REGULATIONS:

   VOC: RULE 463
   VOC: RULE 1149
   VOC: RULE 1173

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

PERMIT TO CONSTRUCT

A/N 495076
Granted as of 3/03/2010

Equipment Description:

STORAGE TANK, INTERNAL FLOATING ROOF, NO. 299-TK-722, 62,277 BBL WORKING CAPACITY, 120'-0" DIA. x 40'-0" H., WITH A WELDED SHELL, A MECHANICAL SHOE PRIMARY SEAL, AND A RIM MOUNTED SECONDARY SEAL.

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. THE PRODUCTS STORED IN THIS EQUIPMENT SHALL ONLY CONSIST OF GAS OIL, DISTILLATE, LIGHT CYCLE OIL, DECANT, OR DIESEL.
[RULE 1401]

4. THE OPERATOR SHALL LIMIT THE THROUGHPUT TO NO MORE THAN 74,175 BARRELS IN ANY ONE CALENDAR MONTH.
[RULE 1303(b)(2)-Offset, RULE 1304 (c)(2) – Concurrent Facility Modification]

5. THE OPERATOR SHALL USE THIS EQUIPMENT IN SUCH A MANNER THAT THE ORGANIC VAPOR CONCENTRATION IN THE VAPOR SPACE ABOVE THE INTERNAL FLOATING ROOF, DOES NOT EXCEED 30 PERCENT OF THE LOWER EXPLOSIVE LIMIT (LEL).
[RULE 463]

6. THIS OPERATOR SHALL NOT USE THIS EQUIPMENT WITH MATERIALS HAVING A TRUE VAPOR PRESSURE OF GREATER THAN 1.5 PSIA UNDER ACTUAL STORAGE CONDITIONS.
[RULE 1303(b)(2)-Offset, RULE 1304 (c)(2) – Concurrent Facility Modification]

7. THE OPERATOR SHALL KEEP RECORDS, IN A MANNER APPROVED BY THE DISTRICT, FOR THE FOLLOWING PARAMETER(S) OR ITEM(S):

   THROUGHPUT AND VAPOR PRESSURE OF STORED LIQUID.
   [RULE 463]

8. THE OPERATOR SHALL COMPLY WITH THE FOLLOWING THROUGHPUT MEASUREMENT PRACTICES:

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

A. THE OPERATOR SHALL CALCULATE THE THROUGHPUT, IN BARRELS, BY THE FOLLOWING EQUATION: 0.14 X D X D X L, WHERE D IS THE DIAMETER OF THE TANK, IN FEET, BASED ON THE TANK STRAPPING CHART, AND L IS THE TOTAL VERTICAL ONE-WAY ROOF TRAVEL, IN FEET PER MONTH.

B. THE OPERATOR SHALL INSTALL AND MAINTAIN AN AUTOMATIC TANK LEVEL GAUGE (ATLG) AND RECORDER TO CONTINUOUSLY RECORD THE VERTICAL MOVEMENT OF THE ROOF. FOR THE PURPOSE OF THIS CONDITION, CONTINUOUS RECORDING IS DEFINED AS ONCE PER 15 MINUTES.

C. THE OPERATOR SHALL CALCULATE THE TOTAL ONE-WAY ROOF MOVEMENT, IN FEET, ON A DAILY AND MONTHLY BASIS.

D. THE ATLG INSTALLED SHALL BE VERIFIED ONCE PER QUARTER BY COMPARING AGAINST A MANUAL TANK LEVEL MEASUREMENT. IF THE ATLG DIFFERS FROM THE MANUAL TANK LEVEL MEASUREMENT BY MORE THAN 1.0 INCH OR 0.8%, WHICHEVER IS GREATER, THE ATLG SHALL BE REPAIRED AND PUT BACK INTO SERVICE WITHIN 10 DAYS. WHILE THE ATLG IS BEING REPAIRED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE DISCOVERY OF THE DISCREPANCY.

E. IN THE EVENT OF A FAILURE OR ROUTINE MAINTENANCE OF THE ATLG, THE ATLG SHALL BE REPAIRED (IF NECESSARY) AND PUT BACK INTO SERVICE WITHIN 10 DAYS OF THE TIME THAT THE ATLG FAILED OR WAS REMOVED FROM SERVICE FOR MAINTENANCE. WHILE THE ATLG IS BEING REPAIRED OR MAINTAINED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE TIME THAT THE ATLG WENT OUT OF SERVICE.
[RULE 204]

Periodic Monitoring: NONE

Emissions and Requirements:

9. THIS EQUIPMENT IS SUBJECT TO THE APPLICABLE REQUIREMENTS OF THE FOLLOWING RULES AND REGULATIONS:

VOC: RULE 463
VOC: RULE 1149
VOC: RULE 1173

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

PERMIT TO CONSTRUCT

A/N 495079
Granted as of 3/03/2010

Equipment Description:

STORAGE TANK, INTERNAL FLOATING ROOF, NO. 299-TK-501, 43,364 BBL WORKING CAPACITY, 100'-0" DIA. x 40'-0" H., WITH A WELDED SHELL, A MECHANICAL SHOE PRIMARY SEAL, AND A RIM MOUNTED SECONDARY SEAL.

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. THE PRODUCTS STORED IN THIS EQUIPMENT SHALL ONLY CONSIST OF GAS OIL, DISTILLATE, LIGHT CYCLE OIL, DECANT, OR DIESEL.
[RULE 1401]

4. THE OPERATOR SHALL LIMIT THE THROUGHPUT TO NO MORE THAN 51,650 BARRELS IN ANY ONE CALENDAR MONTH.
[RULE 1303(b)(2)-Offset, RULE 1304 (c)(2) – Concurrent Facility Modification]

5. THE OPERATOR SHALL USE THIS EQUIPMENT IN SUCH A MANNER THAT THE ORGANIC VAPOR CONCENTRATION IN THE VAPOR SPACE ABOVE THE INTERNAL FLOATING ROOF, DOES NOT EXCEED 30 PERCENT OF THE LOWER EXPLOSIVE LIMIT (LEL).
[RULE 463]

6. THIS OPERATOR SHALL NOT USE THIS EQUIPMENT WITH MATERIALS HAVING A TRUE VAPOR PRESSURE OF GREATER THAN 1.5 PSIA UNDER ACTUAL STORAGE CONDITIONS.
[RULE 1303(b)(2)-Offset, RULE 1304 (c)(2) – Concurrent Facility Modification]

7. THE OPERATOR SHALL KEEP RECORDS, IN A MANNER APPROVED BY THE DISTRICT, FOR THE FOLLOWING PARAMETER(S) OR ITEM(S):

   THROUGHPUT AND VAPOR PRESSURE OF STORED LIQUID.
   [RULE 463]

8. THE OPERATOR SHALL COMPLY WITH THE FOLLOWING THROUGHPUT MEASUREMENT PRACTICES:

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

A. THE OPERATOR SHALL CALCULATE THE THROUGHPUT, IN BARRELS, BY THE FOLLOWING EQUATION: 0.14 X D X D X L, WHERE D IS THE DIAMETER OF THE TANK, IN FEET, BASED ON THE TANK STRAPPING CHART, AND L IS THE TOTAL VERTICAL ONE-WAY ROOF TRAVEL, IN FEET PER MONTH.

B. THE OPERATOR SHALL INSTALL AND MAINTAIN AN AUTOMATIC TANK LEVEL GAUGE (ATLG) AND RECORDER TO CONTINUOUSLY RECORD THE VERTICAL MOVEMENT OF THE ROOF. FOR THE PURPOSE OF THIS CONDITION, CONTINUOUS RECORDING IS DEFINED AS ONCE PER 15 MINUTES.

C. THE OPERATOR SHALL CALCULATE THE TOTAL ONE-WAY ROOF MOVEMENT, IN FEET, ON A DAILY AND MONTHLY BASIS.

D. THE ATLG INSTALLED SHALL BE VERIFIED ONCE PER QUARTER BY COMPARING AGAINST A MANUAL TANK LEVEL MEASUREMENT. IF THE ATLG DIFFERS FROM THE MANUAL TANK LEVEL MEASUREMENT BY MORE THAN 1.0 INCH OR 0.8%, WHICHEVER IS GREATER, THE ATLG SHALL BE REPAIRED AND PUT BACK INTO SERVICE WITHIN 10 DAYS. WHILE THE ATLG IS BEING REPAIRED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE DISCOVERY OF THE DISCREPANCY.

E. IN THE EVENT OF A FAILURE OR ROUTINE MAINTENANCE OF THE ATLG, THE ATLG SHALL BE REPAIRED (IF NECESSARY) AND PUT BACK INTO SERVICE WITHIN 10 DAYS OF THE TIME THAT THE ATLG FAILED OR WAS REMOVED FROM SERVICE FOR MAINTENANCE. WHILE THE ATLG IS BEING REPAIRED OR MAINTAINED, THE THROUGHPUT SHALL BE DETERMINED BY THE HOURLY TANK LEVEL DATA AVERAGED FROM THE PREVIOUS 30 DAYS PRIOR TO THE TIME THAT THE ATLG WENT OUT OF SERVICE.
[RULE 204]

Periodic Monitoring: NONE

Emissions and Requirements:

9. THIS EQUIPMENT IS SUBJECT TO THE APPLICABLE REQUIREMENTS OF THE FOLLOWING RULES AND REGULATIONS:

VOC: RULE 463
VOC: RULE 1149
VOC: RULE 1173

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

PERMIT TO CONSTRUCT

A/N 495082
Granted as of 3/03/2010

Equipment Description:

INTERNAL COMBUSTION ENGINE, EMERGENCY FIRE PUMP, DIESEL, CUMMINS, MODEL NUMBER CFP 15E-F20, TURBOCHARGED, 6 CYLINDERS, 525 HP, OR APPROVED EQUIVALENT

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 ENGINE SHALL NOT BE OPERATED MORE THAN 200 HOURS IN ANY ONE YEAR, WHICH INCLUDES NO MORE THAN 50 HOURS IN ANY ONE YEAR FOR MAINTENANCE AND TESTING AND NO MORE THAN 4.2 HOURS IN ANY ONE MONTH FOR MAINTENANCE AND TESTING.
[RULE 1304(a)(4) – Emergency Equipment, RULE 1470]

4. AN OPERATIONAL NON-RESETTABLE TOTALIZING TIME METER SHALL BE INSTALLED AND MAINTAINED TO INDICATE THE ENGINE ELAPSED OPERATING TIME.
[RULE 204, 40 CFR Part 60, Subpart IIII]

5. ON OR BEFORE JANUARY 15TH OF EACH YEAR, THE OPERATOR SHALL RECORD IN THE ENGINE OPERATING LOG:

   A. THE TOTAL HOURS OF ENGINE OPERATION FOR THE PREVIOUS CALENDAR YEAR, AND
   B. THE TOTAL HOURS OF ENGINE OPERATION FOR MAINTENANCE AND TESTING FOR THE PREVIOUS CALENDAR YEAR.

   ENGINE OPERATION LOG(S) SHALL BE RETAINED ON SITE FOR A MINIMUM OF FIVE CALENDAR YEARS AND SHALL BE MADE AVAILABLE TO THE EXECUTIVE OFFICER OR REPRESENTATIVE UPON REQUEST.
   [RULE 204]

6. THE OPERATOR SHALL KEEP A LOG OF ENGINE OPERATIONS DOCUMENTING THE TOTAL TIME THE ENGINE IS OPERATED EACH MONTH AND THE SPECIFIC REASON FOR OPERATION AS:

   A. EMERGENCY USE
   B. MAINTENANCE AND TESTING
   C. OTHER (BE SPECIFIC)

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

IN ADDITION, FOR EACH TIME THE ENGINE IS MANUALLY STARTED, THE LOG SHALL INCLUDE THE DATE OF ENGINE OPERATION, THE SPECIFIC REASON FOR OPERATION, AND THE TOTALIZING HOUR METER READING (IN HOURS AND TENTHS OF HOURS) AT THE BEGINNING AND THE END OF OPERATION.

7. THE OPERATOR SHALL COMPLY WITH ALL APPLICABLE REQUIREMENTS OF RULES 431.2 AND 1470.
[RULE 1470, RULE 431.2]

Periodic Monitoring:

NONE

Emissions and Requirements:

8. THE EQUIPMENT IS SUBJECT TO THE APPLICABLE REQUIREMENTS OF THE FOLLOWING RULES AND REGULATIONS:

NOx + ROG:	3.0 GM/BHP-HR	40 CFR Part 60, Subpart IIII, RULE 1303 (a)(1) BACT
CO:	2.6 GM/BHP-HR	40 CFR Part 60, Subpart IIII, RULE 1303 (a)(1) BACT
PM:	0.15 GM/BHP-HR	40 CFR Part 60, Subpart IIII, RULE 1303 (a)(1) BACT

40 CFR Part 63, Subpart ZZZZ

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

PERMIT TO CONSTRUCT

A/N 495085
Granted as of 3/03/2010

Equipment Description:

INTERNAL COMBUSTION ENGINE, EMERGENCY FIRE PUMP, DIESEL, CUMMINS, MODEL NUMBER CFP 15E-F20, TURBOCHARGED, 6 CYLINDERS, 525 HP, OR APPROVED EQUIVALENT

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 ENGINE SHALL NOT BE OPERATED MORE THAN 200 HOURS IN ANY ONE YEAR, WHICH INCLUDES NO MORE THAN 50 HOURS IN ANY ONE YEAR FOR MAINTENANCE AND TESTING AND NO MORE THAN 4.2 HOURS IN ANY ONE MONTH FOR MAINTENANCE AND TESTING.
[RULE 1304(a)(4) – Emergency Equipment, RULE 1470]

4. AN OPERATIONAL NON-RESETTABLE TOTALIZING TIME METER SHALL BE INSTALLED AND MAINTAINED TO INDICATE THE ENGINE ELAPSED OPERATING TIME.
[RULE 204, 40 CFR Part 60, Subpart IIII]

5. ON OR BEFORE JANUARY 15TH OF EACH YEAR, THE OPERATOR SHALL RECORD IN THE ENGINE OPERATING LOG:

   A. THE TOTAL HOURS OF ENGINE OPERATION FOR THE PREVIOUS CALENDAR YEAR, AND
   B. THE TOTAL HOURS OF ENGINE OPERATION FOR MAINTENANCE AND TESTING FOR THE PREVIOUS CALENDAR YEAR.

   ENGINE OPERATION LOG(S) SHALL BE RETAINED ON SITE FOR A MINIMUM OF FIVE CALENDAR YEARS AND SHALL BE MADE AVAILABLE TO THE EXECUTIVE OFFICER OR REPRESENTATIVE UPON REQUEST.
   [RULE 204]

6. THE OPERATOR SHALL KEEP A LOG OF ENGINE OPERATIONS DOCUMENTING THE TOTAL TIME THE ENGINE IS OPERATED EACH MONTH AND THE SPECIFIC REASON FOR OPERATION AS:

   A. EMERGENCY USE
   B. MAINTENANCE AND TESTING
   C. OTHER (BE SPECIFIC)

FACILITY PERMIT TO CONSTRUCT
ULTRAMAR, INC

IN ADDITION, FOR EACH TIME THE ENGINE IS MANUALLY STARTED, THE LOG SHALL INCLUDE THE DATE OF ENGINE OPERATION, THE SPECIFIC REASON FOR OPERATION, AND THE TOTALIZING HOUR METER READING (IN HOURS AND TENTHS OF HOURS) AT THE BEGINNING AND THE END OF OPERATION.

7. THE OPERATOR SHALL COMPLY WITH ALL APPLICABLE REQUIREMENTS OF RULES 431.2 AND 1470.
[RULE 1470, RULE 431.2]

Periodic Monitoring:

NONE

Emissions and Requirements:

8. THE EQUIPMENT IS SUBJECT TO THE APPLICABLE REQUIREMENTS OF THE FOLLOWING RULES AND REGULATIONS:

NOx + ROG:	3.0 GM/BHP-HR	40 CFR Part 60, Subpart IIII, RULE 1303 (a)(1) BACT
CO:	2.6 GM/BHP-HR	40 CFR Part 60, Subpart IIII, RULE 1303 (a)(1) BACT
PM:	0.15 GM/BHP-HR	40 CFR Part 60, Subpart IIII, RULE 1303 (a)(1) BACT

40 CFR Part 63, Subpart ZZZZ

FACILITY PERMIT TO OPERATE
ULTRAMAR, INC

SECTION K: TITLE V Administration

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)]

FACILITY PERMIT TO OPERATE
ULTRAMAR, INC

SECTION K: TITLE V Administration

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)]

FACILITY PERMIT TO OPERATE
ULTRAMAR, INC

SECTION K: TITLE V Administration

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)]

FACILITY PERMIT TO OPERATE
ULTRAMAR, INC

SECTION K: TITLE V Administration

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)]

FACILITY PERMIT TO OPERATE
ULTRAMAR, INC

SECTION K: TITLE V Administration

EMERGENCY PROVISIONS

17. An emergency[1] 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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1 "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.

FACILITY PERMIT TO OPERATE
ULTRAMAR, INC

SECTION K: TITLE V Administration

RECORDKEEPING PROVISIONS

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.

FACILITY PERMIT TO OPERATE
ULTRAMAR, INC

SECTION K: TITLE V Administration

(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;

(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)]

FACILITY PERMIT TO OPERATE
ULTRAMAR, INC

SECTION K: TITLE V Administration

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.

RULE SOURCE	Adopted/Amended Date	FEDERAL Enforceability
RULE 1110.2	2-1-2008	Non federally enforceable
RULE 1113	11-8-1996	Federally enforceable
RULE 1113	7-13-2007	Non federally enforceable
RULE 1140	2-1-1980	Federally enforceable
RULE 1140	8-2-1985	Non federally enforceable
RULE 1146	11-17-2000	Federally enforceable
RULE 1146.2	1-7-2005	Non federally enforceable
RULE 1146.2	1-9-1998	Federally enforceable
RULE 1149	7-14-1995	Federally enforceable
RULE 1171	11-7-2003	Federally enforceable
RULE 1171	2-1-2008	Non federally enforceable
RULE 1173	5-13-1994	Federally enforceable
RULE 1173	6-1-2007	Non federally enforceable
RULE 1401	6-5-2009	Non federally enforceable
RULE 1402	3-4-2005	Non federally enforceable
RULE 1404	4-6-1990	Non federally enforceable
RULE 1415	10-14-1994	Non federally enforceable
RULE 1418	9-10-1999	Non federally enforceable
RULE 1470	6-1-2007	Non federally enforceable
RULE 204	10-8-1993	Federally enforceable
RULE 3002	11-14-1997	Federally enforceable
RULE 3003	11-14-1997	Federally enforceable

FACILITY PERMIT TO OPERATE
ULTRAMAR, INC

SECTION K: TITLE V Administration

RULE SOURCE	Adopted/Amended Date	FEDERAL Enforceability
RULE 3003	3-16-2001	Non federally enforceable
RULE 3004	12-12-1997	Federally enforceable
RULE 3005	11-14-1997	Federally enforceable
RULE 3005	3-16-2001	Non federally enforceable
RULE 3007	10-8-1993	Federally enforceable
RULE 301	5-2-2008	Non federally enforceable
RULE 401	11-9-2001	Non federally enforceable
RULE 401	3-2-1984	Federally enforceable
RULE 402	5-7-1976	Non federally enforceable
RULE 404	2-7-1986	Federally enforceable
RULE 405	2-7-1986	Federally enforceable
RULE 407	4-2-1982	Federally enforceable
RULE 408	5-7-1976	Federally enforceable
RULE 409	8-7-1981	Federally enforceable
RULE 429	12-21-1990	Non federally enforceable
RULE 431.2	5-4-1990	Federally enforceable
RULE 431.2	9-15-2000	Non federally enforceable
RULE 442	12-15-2000	Federally enforceable
RULE 462	5-14-1999	Federally enforceable
RULE 463	5-6-2005	Federally enforceable
40CFR 60 Subpart IIII	7-11-2006	Federally enforceable
40CFR 60 Subpart Kb	10-15-2003	Federally enforceable
40CFR 63 Subpart ZZZZ	1-18-2008	Federally enforceable
40CFR 82 Subpart F	5-14-1993	Federally enforceable