

South Coast Air Quality Management District

Statement of Basis

Title V Permit

(Issued for Public Notice 7/07/08)

(Revised for Final Permit 5/29/09)

Facility Name: Ultramar Refinery (A Valero Company)
Facility ID: 800026
SIC Code: 2911
Facility Address: 2402 E. Anaheim Street
Wilmington, CA 90744

Application Number: 337243
Application Submittal Date: 2/27/98

AQMD Contact Person: Bhaskar Chandan, Senior Air Quality Engineer
Phone Number: (909) 396-3902
E-Mail Address: bchandan@aqmd.gov

1. Introduction and Scope of Permit

Title V is a national operating permit program for air pollution sources. Facilities subject to Title V must obtain a Title V permit and comply with specific Title V procedures to modify the permit. This permit replaces the facility's other existing permits. Title V does not necessarily include any new requirements for reducing emissions. It does, however, include new permitting, noticing, recordkeeping, and reporting requirements.

The South Coast Air Quality Management District (AQMD) implements Title V through Regulation XXX – Title V Permits, adopted by the AQMD Governing Board in order to comply with EPA's requirement that local air permitting authorities develop a Title V program. Regulation XXX was developed with the participation of the public and affected facilities through a series of public workshops, working group meetings, public hearings and other meetings. AQMD also has published a draft of the Technical Guidance Document for Title V Permit Program (March 2005, Version 4.0) available on the AQMD website at <http://www.aqmd.gov/titlev/TGD.html>.

The Title V major source threshold for a particular pollutant depends on the attainment status of the pollutant in the South Coast Air Basin. The Basin is in attainment with National Ambient Air Quality Standards (NAAQS) for NO₂, SO₂, CO, and lead. The status for CO was redesignated from nonattainment to attainment in June 2007 (72 FR 26718). The status for PM-

2.5 is currently non-attainment and PM-10 is currently serious nonattainment. The status for ozone is currently extreme nonattainment.

The AQMD proposes to issue an initial Title V permit for the refinery operations of Ultramar, Inc., which are located at 2402 E. Anaheim Street, Wilmington, CA 90744. The refinery is subject to Title V requirements because the company's operations at this location as an aggregate are a major source of pollution as defined in Title V and the facility is subject to certain New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) requirements.

Ultramar also operates a Marine Terminal (Facility I.D. 800198) (leased from the Port of Los Angeles), which is located at 961 W. La Paloma in Wilmington, California and Marine Tank Farm (Facility I.D. 127648) (leased from the Los Angeles Department of Water and Power) located at 130 West A Street in Wilmington. Raw, intermediate, and finished materials are transferred between Ultramar's Marine Terminal and Marine Tank Farm via pipeline. These materials are also transferred between the marine tank farm and the refinery via pipeline.

Ultramar has been issued permits to operate for equipment at the Olympic Tank Farm (ID 127749) (leased from the Los Angeles Department of Water and Power), which is located at 1220 N. Alameda in Wilmington. Ultramar is not currently utilizing this facility but they expect to be utilizing the Olympic Tank Farm in lieu of the Marine Tank Farm by early 2011.

Ultramar's Marine Terminal and Olympic Tank Farm have applied for their own separate Title V permits. Ultramar's Marine Tank Farm is currently not subject to Title V permitting requirements.

2. Facility Description

This refinery is owned and operated by Ultramar Inc., which is a Valero Company. The refinery processes crude oil into various petroleum products such as gasoline, diesel, jet fuel, fuel oil, Liquefied Petroleum Gases (LPG), and coke. Currently, the Ultramar refinery has a capacity to process approximately 80,000 barrels of crude oil per day. The refinery utilizes several processes to separate petroleum components in crude oil and to convert heavy components into lighter hydrocarbon compounds. These hydrocarbon compounds are used as blending components for gasoline, diesel, and other products.

Operations at Ultramar refinery include the following major processes:

Crude and Vacuum Distillation Units

These units are the first major processing units in the refinery flow. They are used to separate the crude oil by distillation into fractions according to boiling points. The products from these units are gases (propane, butane, etc), gasoline, naphtha, diesel, gasoil, and straight run and vacuum residual.

Fluid Catalytic Cracking Unit (FCCU)

The FCCU converts heavy gasoil into lighter hydrocarbon compounds. The process is called the "cracking process." It involves mixing gasoil feed with fluidized catalyst in a

reactor under appropriate temperature and pressure. The FCCU produces a large quantity of gasoline blending components and feed stocks for the alkylation operations.

Isomerization (Butamer) Unit

The isomerization unit changes straight-chain hydrocarbon molecules into branched-chain hydrocarbons with higher octane rating. The product, isomerate, is a gasoline blending stock that is extremely low in benzene.

Reforming

Reforming converts naphtha fractions to products of higher octane value. Thermal reforming is a light cracking process applied to heavy naphthas to produce increased yields of hydrocarbons in the gasoline boiling range. Catalytic reforming is applied to various naphtha fractions, and primarily consists of the conversion of naphthenes and paraffins to aromatics. Hydrogen is an important byproduct of this process.

Alkylation Unit

This unit produces alkylate, a high octane gasoline component by allowing olefin feed stock, such as butylenes, to react with isobutane in the presence of a catalyst. Ultramar uses a modified HF (hydrofluoric acid) alkylation process.

Hydrotreating

Petroleum products are catalytically stabilized and impurities are removed from products or feedstocks by reacting them with hydrogen. Impurities removed by hydrotreating include sulfur, nitrogen, and oxygen. Hydrotreating is applied to a wide range of feedstocks, from naphtha to reduced crude oil. Most of the hydrogen utilized at the refinery is currently purchased from the Air Products and Chemical, Inc. Wilmington Hydrogen Plant.

Blending

The various process units create blend stocks for gasoline, jet fuel and diesel. For example, alkylate, reformate, and FCC gasoline are all gasoline blend stocks. The blending process combines these blend stocks to assure that all finished products meet their specifications.

Coking

Heavy residual oil and recovered oil are thermally cracked at a high temperature to produce light hydrocarbons and petroleum coke. Petroleum coke is transferred as a slurry to one of three hydrobins from which the coke is loaded into trucks for transport out of the refinery.

In addition to the above major processes, the facility operates other distillation and separation processes, numerous combustion units such as heaters and boilers that are utilized in many of the above processes, sulfur plants, stationary internal combustion engines, refinery flares, and wastewater treatment systems. Also, the facility uses fixed roof tanks, internal storage tanks, external storage tanks, and pressurized storage tanks to store crude oil, intermediate and finished products.

3. Construction and Permitting History

The refinery has been in constant operation since 1969. Numerous permits to construct and permits to operate have been issued to the refinery since initial construction in 1969. The current permit to operate and/or permit to construct for each permit unit located at the refinery is contained in the Title V permit.

4. Regulatory Applicability Determinations

Applicability determinations (i.e., determinations made by the AQMD with respect to what legal requirements apply to a specific piece of equipment, process, or operation) for this facility have been completed. Applicable legal requirements with which this refinery must comply have been identified in the Title V permit (for example, Sections D, E, H and J of the Title V permit). Federal NSPS requirements of 40 CFR Part 60 apply to certain units at the facility and the permit terms and conditions have been added to Sections D and H of the Title V permit. Federal NESHAP requirements of 40 CFR Part 63 apply to certain units at the facility and the permit terms and conditions have been added to Sections D, H, and J of the Title V permit.

Standards of Performance for New Stationary Sources (NSPS) (40 CFR 60)

Applicability Determinations

All of the equipment in the Title V Permit has been reviewed to determine whether they are subject to any of the NSPSs. With the exception of the equipment specified in Tables 4.1 to 4.3 below, the refinery is generally subject to the following NSPS's:

- 40 CFR 60 Subpart Db – Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units;
- 40 CFR 60 Subpart J – Standards of Performance for Petroleum Refineries;
- 40 CFR 60 Subpart Ja – Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007;
- 40 CFR 60 Subpart K – Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973 and Prior to May 19, 1978;
- 40 CFR 60 Subpart Ka – Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978 and Prior to July 23, 1984;
- 40 CFR 60 Subpart Kb – Standards of Performance for Volatile Organic Storage Vessels (Including Petroleum Liquids Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced July 23, 1984;
- 40 CFR 60 Subpart GGG – Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries;
- Subpart GGGa – Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After November 7, 2006; and

- 40 CFR 60 Subpart QQQ – Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater Systems.

The above regulations specify standards for applicable equipment within the refinery based on construction date or subsequent modifications that resulted in an emission increase as defined by 40 CFR 60.14(a) or reconstruction with a capital cost of the new components exceeding 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility as defined in 40 CFR 60.15(a) and (b). The applicability of the above rules is based on information contained in the permit application files or through refinery responses to information requests. Each of the standards listed above, as applicable to the Ultramar refinery, is incorporated into the Title V permit.

Alternative Monitoring Plans (AMPs)

EPA allows facilities to apply for an alternative monitoring plan (AMP) in lieu of meeting the monitoring requirements specified under an individual NSPS. NSPS Subpart A, section 60.13(i) states that “After receipt and consideration of written application, the administrator may approve alternative procedures to any monitoring procedures or requirements of [Part 60] ...”. EPA, which retains delegation of the authority to approve these AMPs, approves AMPs that include adequate monitoring to verify compliance with the emission standard(s) of an NSPS.

The Ultramar refinery has received EPA approval on an AMP for fuel gas combustion device 70-H-1/2/3 (D74). This is a process heater that has three fireboxes vented to a common stack. The AMP is for the monitoring requirements of the fuel gas H₂S as specified at §60.104(a)(1) and 60.105(a)(3)(i-iv) of NSPS Subpart J. A copy of this EPA approved AMP is included as Attachment 1 to this SOB. Heater 70-H-1/2/3 (D74) is tagged with a condition that specifies that Ultramar must comply with the requirements of the approved AMP.

Non-Applicability Determinations

Tables 4.1 to 4.3 below contain tabulated summaries of selected negative determinations regarding NSPS applicability.

Table 4.1 Combustion Sources Not Subject to NSPS Requirements

Device ID	Equipment	Regulation	Summary of Non-Applicability Determination
D377	Boiler	40 CFR 60, Subparts Db/Dc ¹	Capacity less than the 100 MMBtu/hr applicability threshold of NSPS Subpart Db and was constructed prior to the June 9, 1989 applicability date of NSPS Subpart Dc with no subsequent modification or reconstruction.
D378	Boiler	40 CFR 60, Subparts Db/Dc ¹	Capacity greater than the 10 - 100 MMBtu/hr applicability range of NSPS Subpart Dc and was constructed prior to

Device ID	Equipment	Regulation	Summary of Non-Applicability Determination
			the June 19, 1984 applicability date of NSPS Subpart Db with no subsequent modification or reconstruction.
C401	Flare	40 CFR 60, Subpart J	Fuel gas combustion device was constructed prior to June 11, 1973, and have not been modified or reconstructed since then.
All Fuel Gas Combustion Devices		40 CFR 60, Subpart Ja	None of the fuel gas combustion devices at the refinery have been constructed, modified, or reconstructed since May 14, 2007.

¹ 40 CFR 60 Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

Table 4.2 Storage Tanks and Wastewater Systems Not Subject to NSPS Requirements

Device ID	Equipment	Regulation	Summary of Non-Applicability Determination
D449 D848 D998	Storage Tank	40 CFR 60, Subpart K/Ka/Kb	Tanks are permitted to store inorganic liquids only.
D234 D245 D251 D279 D283 D974 D975 D979 D980 D981 D982 D990 D1610	Storage Tank	40 CFR 60, Subpart K/Ka/Kb	Storage capacity below threshold for the subject NSPSs.
D28 D1129	Storage Tank	40 CFR 60, Subpart K/Ka/Kb	Vapor pressure of permitted commodities is below the vapor pressure threshold of the subject NSPSs.
D284 D285 D286 D287 D288 D289 D290 D291 D292 D293 D294 D295 D296 D978 D1547	Storage Tank	40 CFR 60, Subpart K/Ka/Kb	These tanks are pressure vessels designed to operate in excess of 30 psig without emissions to the atm. except under emergency conditions.
D219 D220 D222 D223 D224 D276 D277 D278	Storage Tank	40 CFR 60, Subpart K/Ka/Kb	Tanks were constructed prior to June 11, 1973, and have not been modified or reconstructed since then.

Device ID	Equipment	Regulation	Summary of Non-Applicability Determination
D201 D210 D214 D215 D1000 D1003 D1006 D1133 D1224 D1225 D1226 D1227 D1240 D1241 D1405	Wastewater Treatment System	40 CFR 60, Subpart QQQ	Last modifications in 1979. No subsequent modifications or reconstruction.

Table 4.3 Fugitive Components Not Subject to NSPS Requirements

Device ID	Equipment	Regulation	Summary of Non-Applicability Determination
D1623	Fug. Comp. (P12S1)	40 CFR 60, Subpart GGG	Components associated with material loading or unloading. Not part of a process unit.
D1624	Fug. Comp. (P12S2)		
D1625	Fug. Comp. (P12S3)		
D1626	Fug. Comp. (P12S4)		
D1353	Fug. Comp. (P13S1)	40 CFR 60, Subpart GGG	Components associated with wastewater treatment systems. Not part of a process unit.
D1354	Fug. Comp. (P13S2)		
D1355	Fug. Comp. (P14S1)	40 CFR 60, Subpart GGG	Components associated with material storage. Not part of a process unit.
D1357	Fug. Comp. (P14S4)		
D1358	Fug. Comp. (P14S4)		
D1442	Fug. Comp. (P14S5)		
D1353	Fug. Comp. (P13S1)	40 CFR 60, Subpart GGG	Components associated with wastewater treatment systems. Not a process unit.
D1354	Fug. Comp. (P13S2)		
D1310	Fug. Comp. (P1S1)	40 CFR 60, Subpart GGG	Process unit was constructed prior to January 4, 1983, and has not been modified or reconstructed since then.
D1312	Fug. Comp. (P1S3)		
D1314	Fug. Comp. (P1S5)		
D1317	Fug. Comp. (P2S1)		
D1318	Fug. Comp. (P2S3)		
D1319	Fug. Comp. (P2S5)		
D1321	Fug. Comp. (P3S1)		
D1323	Fug. Comp. (P4S1)		
D1325	Fug. Comp. (P4S3)		
D1331	Fug. Comp. (P5S1)		
D1336	Fug. Comp. (P8S1)		
D1337	Fug. Comp. (P8S3)		

Device ID	Equipment	Regulation	Summary of Non-Applicability Determination
D1338	Fug. Comp. (P8S5)		
D1340	Fug. Comp. (P9S1)		
D1341	Fug. Comp. (P10S2)		
D1343	Fug. Comp. (P13S2)		
D1344	Fug. Comp. (P10S3)		
D1345	Fug. Comp. (P10S4)		
D1346	Fug. Comp. (P10S5)		
D1347	Fug. Comp. (P10S6)		
D1349	Fug. Comp. (P11S1)		
D1350	Fug. Comp. (P11S2)		
D1352	Fug. Comp. (P11S39)		
D1367	Fug. Comp. (P10S12)		
D1369	Fug. Comp. (P17S50)		
D1370	Fug. Comp. (P17S97)		
D1418	Fug. Comp. (P17S88)		
D57	Compressor (P4S3)		
D58	Compressor (P4S3)		
D125	Compressor (P7S3)		
D126	Compressor (P7S3)		
D548	Compressor (P17S1)		
D549	Compressor (P17S1)		
D553	Compressor (P4S1)		
D554	Compressor (P5S1)		
D555	Compressor (P5S1)		
D556	Compressor (P5S1)		
D557	Compressor (P7S3)		
D558	Compressor (P8S5)		
D593	Compressor (P4S7)		
D945	Compressor (P5S1)		
D963	Compressor (P8S2)		
All fugitive components in process units and all compressors.		40 CFR 60, Subpart GGGa	Process unit/compressor was constructed prior to November 7, 2006, and has not been modified or reconstructed since then.

This refinery is not subject to the NSPSs listed below.

- 40 CFR 60 Subpart Cd – Emissions Guidelines and Compliance Times for Sulfuric Acid Production Units. This refinery does not operate any sulfuric acid production units.
- 40 CFR 60 Subpart D - Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced after August 17, 1971. This refinery does not operate any steam generators that have a permitted heat capacity greater than 250 MMBtu/hr.
- 40 CFR 60 Subpart Da - Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978. This refinery does not meet the definition of an electric utility.
- 40 CFR 60 Subpart UU - Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture. The refinery does not operate any asphalt roofing processes, asphalt storage tanks, or asphalt blowing stills.
- 40 CFR 60 Subpart XX - Standards of Performance for Bulk Gasoline Terminals. This refinery does not own or operate a bulk gasoline terminal or pipeline breakout station at this location. The gasoline loading rack at this facility is subject to 40 CFR 63 Subpart CC as a Group 1 loading rack.
- 40 CFR 60 Subpart III- Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes. This refinery does not conduct any SOCMI operations.
- 40 CFR 60 Subpart NNN - Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations. The refinery does not conduct any SOCMI operations.
- 40 CFR 60 Subpart RRR - Standards of Performance for Volatile Organic Compound Emissions from Synthetic Organic Chemical. This refinery does not conduct any SOCMI operations.

National Emission Standard for Hazardous Air Pollutants (NESHAP) (40 CFR 61 and 63)

Applicability Determinations

All of the equipment in the Title V Permit has been reviewed to determine whether they are subject to any of the NESHAPs. With the exception of the equipment specified in Tables 4.4 to 4.12 below, this refinery is generally subject to the following NESHAPs:

- 40 CFR 61 Subpart FF - National Emission Standard for Benzene Waste Operation,
- 40 CFR 63 Subpart CC - National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries,
- 40 CFR 63 Subpart UUU - National Emission Standard for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units,
- 40 CFR 63 Subpart EEEE - National Emission Standard for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline), and

- 40 CFR 63 Subpart GGGGG – National Emission Standard for Hazardous Air Pollutants for Site Remediation.

Each of these standards, as applicable to the Ultramar refinery, is incorporated into the Title V permit. Provided below is a brief description of requirements for each of the above NESHAP regulations. Discussed within each section are the non-applicability determinations for each NESHAP as pertaining to the Ultramar refinery.

40 CFR 61 Subpart FF

40 CFR 61 Subpart FF-National Emission Standard for Benzene Waste Operations (Benzene Waste NESHAP) defines a major source as any chemical manufacturing plant, coke by-product recovery plant, or petroleum refinery with 10 megagram per year (Mg/yr) (11 tons/yr) or more of benzene in the waste streams. The Ultramar refinery is a major source that is subject to the control requirements of this regulation.

Summary of Requirements

Under this regulation, a major source must control benzene in non-exempt waste streams that contain 10 parts per million by weight (ppmw) or more of benzene on a flow-weighted annual average basis. As specified in §61.348, the benzene contained in these wastes must be removed or destroyed using a treatment process or waste water treatment system that either a) removes benzene from the waste stream to a level less than 10 ppmw on a flow-weighted annual average basis, b) removes benzene from the waste stream by 99 percent or more on a mass basis, or c) destroys benzene in the waste stream by incinerating the waste in a combustion unit that achieves a destruction efficiency of 99 percent or greater for benzene.

This refinery has chosen to comply with the “6 BQ” compliance option at §61.342(e) of this NESHAP. Under the “6 BQ” compliance option, Ultramar must comply with the standards specified in §61.342(e) as follows:

- The operator shall manage and treat all waste streams, with a flow-weighted annual average water content of less than 10 percent, in accordance with the requirements specified in §61.342(c)(1). It is specified in §61.342(c)(1) that the waste stream must be recycled back to a process or the benzene contained in the waste stream must be removed or destroyed using a treatment process or wastewater treatment system that complies with the standards specified in Section 61.348 [§61.342(e)(1)].
- The operator shall manage and treat or recycle all waste streams (including remediation and process turnaround waste), with a flow-weighted annual average water content of 10 percent or greater, in such a manner that the total quantity of benzene in the treated and untreated aqueous waste streams is less than 6.0 Mg/yr. The benzene in each waste stream shall be quantified in accordance with §61.355(k)(6) [§61.342(e)(2)].

For each stream that is treated to comply with §61.342(e)(1) or §61.342(e)(2), the operator shall comply with the treatment process standard specified in Section 61.348. For waste management units, which are used to handle or treat waste streams that are treated as specified in §61.348 and/or recycled to a process, the operator shall comply with the following standards:

- Tanks standards. {61.343 and/or 61.351}
- Surface impoundments standards. {61.344}
- Containers standards. {61.345}
- Individual drain system standards. {61.346}
- Oil-water separator standards. {61.347}

Condition P13.1 of the Title V permit is tagged to all processes that contain benzene waste streams that are subject to Subpart FF. All of these waste streams are subject to the recordkeeping and reporting requirements of 40 CFR 61.356 and 61.357, respectively. Waste management units and waste treatment systems that are subject to the individual standards of §61.343 through §61.348 are identified in the permit by the tagging of condition S13.7 to the permit unit at a system level or condition H23.13 or H23.25 in the “Conditions” column of an individual device.

Additionally, for all equipment that is subject to the individual standards of this NESHAP, “Benzene: (10) [40CFR 61 Subpart FF_01, 12-4-2003]” is listed in the “Emissions and Requirements” column for that equipment. Footnote 10 at the bottom of the permit page directs the permit reader to see Section J of the permit for the NESHAP/MACT requirements. The pages in Section J that contain the requirements for this NESHAP have “40CFR 61 Subpart FF_01, 12-4-2003” in their headers. As an artifact of the Title V permit software design, “40CFR 61 Subpart FF_01, 12-4-2003” also appears in the table of applicable rules and regulations in Section K of the permit.

If equipment is subject to the 500 ppmv VOC limit of one of the individual standards, this limit is also specified in the “Emissions and Requirements” column. Each of the subject conditions, references, and emission limits are tagged with “40CFR61, Subpart FF”.

Non-Applicability Determinations

Determinations for equipment that is not subject to this NESHAP are discussed in this section.

Storage Tanks

As mentioned above, storage tanks that handle or treat waste streams that are treated as specified in §61.348 and/or recycled to a process are subject to the standards specified in §61.343 and/or §61.351. Waste stream is defined in this NESHAP as the waste generated by a particular process unit, product tank, or waste management unit. Examples include process wastewater, product tanks drawdown, sludge and slop oil removed from waste management units, and landfill leachate. The vast majority of storage tanks at the refinery store crude oil, intermediate products, final products or other materials that are not waste streams as defined in this regulation. Therefore, they are not subject to the control requirements of this regulation.

Table 4.4 below shows tanks that store waste streams but are not subject to this NESHAP because they store waste streams that are exempt from the control requirements of this regulation.

Table 4.4 Benzene Waste NESHAP Non-Applicability Determinations for Storage Tanks

Emission Unit	Summary of Non-Applicability Determination
D202, D1598, D1602, D1604, D1607, D1610	Storage tanks that store benzene wastes that are subject to Subpart FF but are exempted from control requirements per §61.342(e)(2).

Surface Impoundments

A surface impoundment is defined as a natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials, which is designed to hold an accumulation of liquid wastes or waste-containing free liquids. Examples include holding, storage, settling, and aeration pits, ponds, and lagoons. This refinery does not have any surface impoundments.

Containers

Containers are defined as any portable waste management unit in which material is stored, transported, treated, or otherwise handled. Examples include drums, barrels, tank trucks, barges, dumpsters, tank cars, dump trucks, and ships. Mobile sources and marine vessels, such as tank trucks, tank cars, dump trucks, barges, and ships are not covered by the Title V permit. Portable containers, such as drums, barrels, and dumpsters are exempt from permitting under AQMD Rule 219, and are not listed in the Title V permit.

Individual Drain Systems

An individual drain system is defined as the system used to convey waste from a process unit, product storage tank, or waste management unit to a waste management unit. The drain system includes all process drains and common junction boxes, together with their associated sewer lines and other junction boxes, down to the receiving waste management unit. Due to the large number of drain system components at refineries, drain system components are grouped together in the AQMD’s Title V permit as a single “drain system component” device. Table 4.5 below contains non-applicability determinations for individual drain systems at the refinery.

Table 4.5 Benzene Waste NESHAP Non-Applicability Determinations for Individual Drain Systems

Emission Unit	Summary of Non-Applicability Determination
D1409, D1468, D1469, D1470, D1471, D1472, D1611	Individual drain systems that collect and transport benzene wastes that are subject to Subpart FF but exempted from control requirements as allowed at §61.342(e)(2).

Oil-Water Separators

An oil-water separator is defined as a waste management unit, generally a tank or surface impoundment, used to separate oil from water. An oil-water separator consists of the separation unit as well as the forebay and other separator basins, skimmers, weirs, grit chambers, sludge

hoppers, and bar screens that are located directly after the individual drain system and prior to additional treatment units such as an air flotation unit, clarifier, or biological treatment unit. Examples include an API separator, parallel-plate interceptor, and corrugated-plate interceptor with associated ancillary equipment.

All of the oil-water separators, as defined in this NESHAP, at the refinery are subject to this NESHAP and are identified in the Title V permit as being subject. Table 4.6 below contains non-applicability determinations for potentially subject waste stream handling equipment at the refinery.

Table 4.6 Benzene Waste NESHAP Non-Applicability Determinations for Oil-Water Separators

Emission Unit	Summary of Non-Applicability Determination
D202, D1598, D1602, D1604, D1607, D1610 (Determinations for these storage tanks included in Table 4.4 above)	Storage tanks that store wastewater or recovered oil but do not meet the definition of an oil-water separator at §61.341.
None	Oil-water separators as defined at §61.341 that process waste streams that are exempted from control requirements per §61.342(e)(2).

40 CFR 63 Subpart CC

This refinery is also a major source under the definition of 40 CFR 63 Subpart CC (NESHAP for Petroleum Refineries). This regulation, which is commonly referred to as the Refinery MACT, seeks to reduce the emissions of eleven air toxics, including benzene, by requiring controls for emissions of air toxics from storage tanks, equipment leaks, process vents, and wastewater collection and treatment system. The refinery is an existing source under this regulation since its construction commenced prior to July 14, 1994. The refinery does not contain any equipment that is subject to the new source standards of this regulation.

Summary of Requirements

The Refinery MACT includes requirements for the following emission sources:

- *Storage vessel. {§63.646}*
- *Wastewater management and treatment equipment {§63.647}*
- *Equipment leak (fugitive) components {§63.648 & §63.649}*
- *Miscellaneous process vents {§63.643 - §63.645}*
- *Gasoline loading racks {§63.650}*
- *Marine tank vessel loading operations {§63.651}*

Equipment that is subject to the Refinery MACT has “HAP” listed in the “Emissions and Requirements” column of the device along with a reference to Section J of the permit. For example, Group 1 storage vessels include “HAP: (10) [40CFR 63 Subpart CC, #3A,5-25-2001]”

in the “Emissions and Requirements” column. The pages in Section J that contain the requirements for Group 1 storage vessels have “40CFR 63 Subpart CC, #3A,5-25-2001” in their headers. As an artifact of the Title V permit software, “40CFR 63 Subpart CC, #3A,5-25-2001” also appears in the table of applicable rules and regulations in Section K of the permit.

Non-applicability Determinations

The remainder of this section contains a summary of determinations for equipment that is not subject to this regulation.

Storage Vessels

Group 1 storage vessels are subject to the standards specified in §63.346. Group 1 storage vessels at existing facilities are defined as vessels that have a design capacity greater than or equal to 177 cubic meters (m³) (46763 gallons) and store an organic liquid that meets the following specifications:

- maximum true vapor pressure (TVP) greater than or equal to 10.4 kilopascals, and
- annual-average TVP greater than or equal to 8.3 kilopascals, and
- annual-average total organic HAP concentration greater than 4 percent (by weight).

Under this regulation, any storage vessel with a capacity greater than 40 m³ (10,566 gallons) that stores an organic liquid that does not exceed the vapor pressure and HAP-content thresholds outlined above are Group 2 storage vessels, which are subject to some recordkeeping requirements. Group 2 storage vessels are identified in the permit by the following notation in the “Emissions and Requirements” column: HAP: (10) [40CFR 63 Subpart CC, #2,5-25-2001]. Storage vessels that are not specified in the permit as Group 1 or Group 2 storage vessels are not subject to any requirements under this regulation. Per the definition of storage vessel under §63.641, the following storage vessels are not subject to the requirements this regulation as storage vessels:

- pressure storage vessels designed to operate in excess of 204.9 kPa without emissions to the atmosphere,
- tanks with a design capacity less than 40m³,
- tanks not storing an organic liquid,
- storage tanks used to store wastewater, and
- storage tanks used as a bottoms receiver tank.

Note that storage tanks that store wastewater may be subject to the requirements for equipment that manages a wastewater stream. Table 4.7 below contains non-applicability determinations for storage vessels that are not identified in the Title V permit as Group 1 or Group 2 storage vessels.

Table 4.7 Refinery MACT Non-Applicability Determinations for Storage Vessels

Emission Unit	Summary of Non-Applicability Determination
D284, D285, D286, D287, D288, D289, D290, D291, D292, D293, D294, D295, D296, D978, D1547	Storage vessel is a pressure storage vessel designed to operate in excess of 204.9 kPa without emissions to the atmosphere.
D449, D848, D998	Storage vessel stores inorganic liquids only.
D234, D245, D251, D279, D974, D975, D979, D980, D981, D1000	Design storage capacity is less than 40 m ³ (10,566 gallons).
None	Storage vessel is used to store wastewater, as defined in this regulation.
None	Storage vessel is used as a bottoms receiver tank
D201, D209, D213, D214, D219, D220, D221, D222, D223, D224, D252, D881, D882, D1000, D1003, D1129, D1133, D1225, D1226, D1227, D1240, D1241	Storage vessel is an emission point that is routed to a fuel gas system (vapor recovery system). [<i>§63.640(d)(5) – Applicability</i>]

Wastewater Streams

In this regulation, wastewater is defined as “water or wastewater that, during production or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product and is discharged into any individual drain system”. The Refinery MACT has requirements for Group 1 and 2 wastewater streams. Group 1 wastewater streams are wastewater streams that have a flow rate of 0.02 liters per minute or greater, a benzene concentration of 10 ppmw or greater, and are not exempt from control requirements under the provisions of 40 CFR 61, Subpart FF. Group 2 wastewater streams are all other waste or wastewater streams that meet the definition of wastewater in this regulation.

As specified at §63.647, Group 1 wastewater streams are subject to the requirements of §61.340 through 61.355 of 40 CFR 61, Subpart FF. Group 2 wastewater streams are subject to recordkeeping requirements only. Group 1 and 2 wastewater streams are identified in the Title V permit with the following notations, respectively, in the “Emissions and Requirements” column of any equipment that manages or treats a wastewater stream that is subject to this regulation: HAP: (10) [40CFR 63 Subpart CC, #4,5-25-2001] and HAP: (10) [40CFR 63 Subpart CC, #2,5-25-2001].

Tables 4.8 below contains non-applicability determinations for equipment that manages wastewater streams that are not identified in the Title V permits as Group 1 or Group 2 wastewater streams.

**Table 4.8 Refinery MACT Non-Applicability Determinations
for Equipment that Manages Wastewater Streams**

Emission Unit	Summary of Non-Applicability Determination
None	Manages water or wastewater that does not come into direct contact with or result from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.
None	Manages water or wastewater that comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product but is not discharged into an individual drain system.

Equipment Leak (Fugitive) Components

Equipment leak is defined in the Refinery MACT as emissions of organic HAPs from a pump, compressor, pressure relief device, sampling connection system, open-ended valve or line, valve, or instrumentation system “in organic HAP service”. Vents from wastewater collection and conveyance systems (including, but not limited to wastewater drains, sewer vents, and sump drains), tank mixers, and sample valves on storage tanks are not equipment leaks. “In organic HAP service” means that the equipment either contains or contacts a fluid (liquid or gas) that is at least 5 percent by weight of total organic HAP's. There is only one category of equipment leak components in this regulation. Unlike storage vessels, wastewater stream, and miscellaneous process vents, equipment leak components are not categorized by Group 1 and 2.

The refinery contains thousands of individual fugitive components such as valves, connectors, pumps, etc. For this reason, the fugitive components for each permit unit are grouped and identified in the Title V permit by a “fugitive emissions, miscellaneous” device. Grouping the fugitive components into a singular device is a manageable method for identifying regulatory requirements for some or all of the fugitive components in a permit unit. Permit units that contain some fugitive leak components that are subject to Refinery MACT requirements are identified by the notation “HAP: (10) [40CFR 63 Subpart CC, #5A,5-25-2001]” in the “Emissions and Requirements” column for the “fugitive emissions, miscellaneous” device for the permit unit.

Table 4.9 below contains non-applicability determinations for equipment leak (fugitive) components at the refinery

**Table 4.9 Refinery MACT Non-Applicability Determinations
for Equipment Leak (Fugitive) Components**

Emission Unit	Summary of Non-Applicability Determination
D872, D1314, D1334, D1341, D1342, D1343, D1344, D1346, D1347, D1348, D1349, D1350, D1351, D1352, D1354, D1355, D1357, D1367, D1368, D1369, D1370, D1418, D1442, D1548, D1623, D1624, D1625, D1626	Permit unit does not contain any fugitive leak components that are in “organic HAP service” as defined at §63.641 of this regulation.

Miscellaneous Process Vents

A fully integrated refinery, such as the subject refinery, has a number of gas streams that are periodically or continuously vented from process units to the atmosphere. These vents, which are referred to as process vents, include gas streams that are discharged directly to the atmosphere, gas streams that are routed to a control device prior to discharge to the atmosphere, or gas streams that are diverted through a product recovery device prior to control or discharge to the atmosphere. Due to the large number of these process vents, requirements for the venting of the majority of these vents are specified in the Title V permit at the system level by S15.x conditions. Routine process vents that are directed to control equipment are specified in the “Connect To” column of the permit.

The Refinery MACT specifies requirements for some of the process vents at a refinery. The regulated vents are called “miscellaneous process vents”. Miscellaneous process vents are defined at §63.641 as “gas streams containing greater than 20 ppmv organic HAP that are continuously or periodically discharged during normal operation of a petroleum refining process unit. According to the definition at §63.641, miscellaneous process vents include vent streams from: caustic wash accumulators, distillation tower condensers/accumulators, flash/knockout drums, reactor vessels, scrubber overheads, stripper overheads, vacuum (steam) ejectors, wash tower overheads, water wash accumulators, blowdown condensers/accumulators, and delayed coker vents. This definition also specifies fourteen (14) different vent stream types that are not miscellaneous process vents. These fourteen (14) vent stream types, which are shown in Table 4.10 below, make up the vast majority of the atmospheric vents at a refinery.

A Group 1 miscellaneous process vent is a miscellaneous process vent for which the total organic HAP concentration is greater than or equal to 20 ppmv, and the total VOC emissions are greater than or equal to 33 kg/day at the outlet of the final recovery device (if any) and prior to any control device and prior to discharge to the atmosphere. A Group 2 miscellaneous process vent has a total organic HAP concentration of greater than or equal to 20 ppmv and total VOC emissions of less than 33 kg/day at the outlet of the final recovery device (if any) and prior to any control device and prior to discharge to the atmosphere.

Group 1 and 2 miscellaneous process vents are identified in the Title V permit with the following notations, respectively, in the “Emissions and Requirements” column of the equipment from which the vent emanates: HAP: (10) [40CFR 63 Subpart CC, #1,5-25-2001] and HAP: (10)

[40CFR 63 Subpart CC, #2,5-25-2001]. The following table contains non-applicability determinations for process vents that are not identified in the Title V permit as Group 1 or Group 2 miscellaneous process vents. These non-applicability determinations are based on the definition of miscellaneous process vent in §63.641.

Table 4.10 Refinery MACT Non-Applicability Determinations for Miscellaneous Process Vent

Emission Unit	Summary of Non-Applicability Determination
Individual vent streams that vent to the refinery vapor recovery and fuel gas treating systems are too numerous to list individually in the permit. Routine vents are permitted through the following system conditions: S15.2, S15.3, and S15.5.	Gaseous streams routed to a fuel gas system.
Emergency relief valves are too numerous to list individually in the permit. Emergency vents are permitted through following system conditions: S15.6, S15.8 and S15.12.	Relief valve discharge stream.
D1310, D1312, D1317, D1318, D1319, D1321, D1323, D1325, D1327, D1328, D1331, D1333, D1336, D1337, D1338, D1339, D1340, D1345, D1353, D1358, D1363, D1364, D1365, D1366	Leak from equipment regulated under §63.648.
None	Episodic or nonroutine releases such as those associated with startup, shutdown, malfunction, maintenance, depressuring, and catalyst transfer operations.
Onstream analyzers. This equipment is not listed in the permit.	In situ sampling systems (onstream analyzers).
D36	Catalytic cracking unit catalyst regeneration vent
D68, D69, D71, and D932.	Catalytic reforming regeneration vent
D1413 and D1417.	Sulfur plant vent
D849, D850, D1262, D1263, D1299 and D1576.	Vents from control devices such as scrubbers, boilers, incinerators, and electrostatic precipitators applied to catalytic cracking unit catalyst regeneration vents, catalytic reformer regeneration vents, and sulfur plant vents.
None	Vent from a stripping operation that was installed to comply with the wastewater

Emission Unit	Summary of Non-Applicability Determination
	provisions of 40CFR63 Subpart CC and/or 40CFR61 Subpart FF.
D10, D11, D14, and D15	Coking unit vent associated with coke drum depressuring at or below a drum outlet pressure of 15 psig, deheading, draining, decoking (coke cutting, or pressure testing after decoking).
All storage vessels.	Vent from storage vessel.
D1405, D1409, D1468, D1469, D1470, D1471, D1472, D1611, D1638 [Note: Subject wastewater collection and conveyance systems are included in the “Drain System Component” devices in the permit.]	Emissions from wastewater collection and conveyance systems including, but not limited to, wastewater drains, sewer vents, and sump drains.
None. The refinery does not have a hydrogen plant.	Hydrogen production plant vents through which CO ₂ is removed from process streams or through which steam condensate produced or treated within the hydrogen plant is degassed or deaerated.
None	Other process vent streams that have a total organic HAP content of less than 20 ppmv.

Gasoline Loading Operations

Gasoline is defined in §63.641 of this regulation, as “any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kilopascals or greater that is used as a fuel for internal combustion engines”. Gasoline loading operations that are subject to Refinery MACT requirements are identified by the notation “HAP: (10) [40CFR 63 Subpart CC, #6,5-25-2001]” in the “Emissions and Requirements” column for the loading equipment. Table 4.11 below contains non-applicability determinations for loading racks at the refinery

Table 4.11 Refinery MACT Non-Applicability Determinations for Loading Racks

Emission Unit	Summary of Non-Applicability Determination
All loading racks at the refinery except D197 in Process 12, System 4, which is currently idled.	Loading rack does not load gasoline as defined at §63.641 of 40 CFR 63 Subpart CC.

Marine Tank Vessel Loading Operations

Provisions for marine tank vessel loading operations located at petroleum refineries are located at §63.651, which references 40CFR 63 Subpart Y. The applicable definition of marine tank vessel loading operation from 40 CFR 63 Subpart Y is as follows: “any operation under which a

commodity is bulk loaded onto a marine tank vessel from a terminal, which may include the loading of multiple marine tank vessels during one loading operation. Marine tank vessel loading operations do not include refueling of marine tank vessels”. This refinery does not contain any marine tank vessel loading operations.

40 CFR 63 Subpart UUU

Subpart CC addresses the emissions of air toxics from miscellaneous process vents in petroleum refineries. However, as noted above in Table 4.10, catalytic cracking unit catalyst regeneration vents, catalytic reforming regeneration vents and sulfur plant vents are not miscellaneous process vents as defined in §63.641. To address air toxics emissions from these sources, EPA adopted 40 CFR 63 Subpart UUU- National Emission Standard for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units (CCUs), Catalytic Reforming Units (CRUs), and Sulfur Recovery Units (SRUs).

For equipment in the CRU, FCCU, and SRUs with process vents that are subject to Subpart UUU, the regulated pollutant is listed in the “Emissions and Requirements” column. This listing references Section J of the permit, which contains the emission limits and requirements of Subpart UUU. As an artifact of the AQMD’s permit software, the names for the Subpart UUU templates (40 CFR 63 Subpart UUU # 1, 2 and 4) from Section J of the Title V permit also appear in the rules table at the end of this section. This regulation is not applicable to any process vents in process units other than a catalytic cracking unit catalyst regeneration vents, catalytic reforming regeneration vents and sulfur plant vents

40 CFR 63 Subpart EEEE

This NESHAP applies to Organic Liquid (Non-Gasoline) Distribution operations that are located at or are part of a major source of HAPs and that are not subject to another part 63 standard such as 40 CFR 63 Subpart CC. Organic liquids as defined at §63.2406 are non-crude oil liquids or mixtures that contain at least 5 percent organic HAP and have an annual average true vapor greater than 0.1 psia and all crude oils downstream of the first point of transfer. The standard covers storage tanks, transfer racks, equipment leak components and transport vehicles that handle organic liquids. Table 4.12 below contains non-applicability determinations for potentially applicable emission units at the refinery.

Table 4.12 Organic Liquid Distribution MACT Non-Applicability Determinations

Emission Unit	Summary of Non-Applicability Determination
All loading/unloading racks listed in Process 14 of the Title V permit.	Transfer operation does not load or unload organic liquid as defined at §63.2406.
All storage tanks and equipment leak components that are specified in the Title V permit to be subject to 40 CFR 63 Subpart CC.	Equipment is subject to 40 CFR 63 Subpart CC.

40 CFR 63 Subpart GGGGG

This NESHAP is applicable to site remediation activities located at facilities that are a major source of HAP emissions and have at least one other source category that is regulated by a part 63 standard. This standard does not cover site remediation activities performed under CERCLA or RCRA. Affected sources include: remediation process vents, remediation material management units (tanks, containers, oil-water separators, transfer systems, etc.), and equipment leak components.

According to Ultramar, the refinery is subject to this NESHAP due to soil excavation and spill response activities that may qualify as site remediation as defined in this regulation. The facility does not have any ongoing in-situ or ex-situ remediation processes such as soil vapor extraction, bioremediation or air stripping processes. The refinery uses the 30-day Short Term Exemption, described in 63.7884(b), to demonstrate compliance with all site remediation activities subject to this NESHAP. Site remediation activities that qualify for the 30-day Short Term Exemption are not subject to the standards specified in 63.7885 through 63.7955 of the regulation. Applicability of this regulation is specified in the Title V permit at a facility level with condition F52.2

Other NESHAP Non-applicability Determinations

This refinery is not subject to the NESHAPs listed below.

- 40 CFR 61 Subpart J - National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene. This refinery does not operate any equipment in “benzene service.”
- 40 CFR 61 Subpart Y - National Emission Standards for Benzene Emissions from Benzene Storage Vessels. This refinery does not store or transfer benzene.
- 40 CFR 61 Subpart BB - National Emission Standards for Benzene Emissions from Benzene Transfer Operations. This refinery does not store or transfer benzene.
- 40 CFR 63 Subpart F - National Emission Standards for Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry. This refinery does not operate any SOCOMI operations.
- 40 CFR 63 Subpart G - National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater. This refinery does not operate any SOCOMI operations.
- 40 CFR 63 Subpart H - National Emission for Organic Hazardous Air Pollutants for Equipment Leaks. This refinery does not operate any SOCOMI operations.
- 40 CFR 63 Subpart Q - National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers. This refinery does not use chromium based water treatment chemicals.
- 40 CFR 63 Subpart R - National Emission Standards for Hazardous Air Pollutants for Gasoline Distribution Facilities. This refinery does not own or operate a bulk gasoline terminal or pipeline breakout station at this location.
- 40 CFR 63 Subpart VV - National Emission Standards for Oil-Water Separators and Organic-Water Separators. This subpart is not applicable because no other subpart of 40

CFR Part 60, 61, or 63 references this subpart, even though this refinery controls emissions from oil-water and organic-water separators.

- 40 CFR 63 Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. This subpart does not apply because this refinery does not own or operate stationary reciprocating internal combustion engines with a site rating of more than 500 brake horsepower.
- 40 CFR 63 Subpart EEE - National Emission Standards for Hazardous Air Pollutants for Hazardous Waste Incinerators. There are no hazardous waste incinerators, cement kilns, or aggregate kilns located at this refinery.

Compliance Assurance Monitoring (CAM) (40 CFR 64)

This regulation requires facilities of major sources to submit CAM plans to accompany the application for renewal of their respective Title V permits or for initial Title V applications submitted after 4/20/98. Since Ultramar's Title V permit application was deemed complete by the District on March 24, 1998, no CAM plans are required at this time.

5. Periodic Monitoring Requirements

Applicable monitoring and operational requirements for which the facility is required to comply are identified in the Title V permit (for example, Section D, F, and J and Appendix B of the proposed Title V permit).

This refinery is subject to RECLAIM monitoring, source test requirements, and other monitoring provisions that are required by federal, state or AQMD laws and regulations. Section F of the permit contains the monitoring and source test permit conditions imposed by Regulation XX. More specifically, it summarizes the monitoring and testing requirements for Major, Large and Process units at NOx and SOx RECLAIM facilities. Finally, Compliance Assurance Monitoring (CAM) requirements of 40 CFR Part 64 do not currently apply to any of the permitted emission sources at this facility.

As specified in AQMD Rule 3004(a)(4), the proposed permit includes periodic monitoring conditions for equipment that is subject to SIP-approved, federally enforceable rules, which do not require sufficient monitoring to assure compliance with emission limitations or other requirement of the rule. Permit conditions in Section D and H of the permit that fulfill Title V periodic monitoring requirements are tagged with the following: *Rule 3004(a)(4)-Periodic Monitoring, 12-12-1997*. These periodic monitoring conditions are also tagged with the underlying rule(s) for which the condition is fulfilling the monitoring requirement. In some cases, existing monitoring conditions that were installed under NSR fulfill the periodic monitoring requirements for other rules or regulations. For these cases, the monitoring condition was tagged with Rule 3004(a)(4) and the underlying rule(s) for which the condition is fulfilling the monitoring requirement.

A draft Periodic Monitoring Guidance document was published by the AQMD in August 1997. A public consultation was held to solicit public input. The final Periodic Monitoring Guideline Document was published by the AQMD in November 1997. This guideline was used to

establish the periodic monitoring requirements in the Title V permit. In addition, the AQMD used the CAPCOA/CARB/EPA Region IX Recommended Periodic Monitoring for Generally Applicable Requirements in SIP (June 24, 1999) for applicable opacity limits, grain loading limits for material handling equipment, and for sulfur content of fuels. Furthermore, the AQMD used the CAPCOA/ARB/EPA Region IX Recommended Periodic Monitoring for Generally Applicable Grain Loading Standards in the SIP for combustion sources (July 2001). These documents are included in Appendix II.

6. Title V Permit Format

The Title V permit consists of eleven sections and two appendices. Each section is devoted to a particular function as summarized below:

Section A Facility Information

This section contains operator name, facility location and mailing address. It also lists the name of the responsible official and contact person for the facility. Lastly, this section indicates whether Regulation XXX and RECLAIM apply to the facility.

Section B RECLAIM Annual Emission Allocation

This section applies to RECLAIM facilities only and lists NO_x and SO_x allocations for the facility. This facility is subject to both the NO_x and SO_x requirements of RECLAIM.

Section C Facility Plot Plan

This section is reserved for the development of the facility plot plan in the future.

Section D Facility Description and Equipment Specific Conditions

This section describes equipment at the refinery that has been issued permits to operate. It also includes facility-wide operating conditions, emission limitations, the rules for which the emission limits and permit conditions are derived, and the periodic monitoring requirements as appropriate. The description of the process and equipment is structured in the following manner:

Process

A process is the largest grouping of equipment under the Title V permit, which includes all equipment involved in the making of final product from raw feed. A process can end at an intermediate product if the succeeding process is significantly different.

System

A system is the combination of equipment into a unit which is a logical subsystem of a process. A system can be used to identify individual process lines, or it can separate a long process line into separate functions. The main use of this grouping will be to separate a large process into manageable groups.

Equipment

This column describes equipment contained within a system or a process. It contains information necessary to identify equipment and ensure compliance with rules and regulations such as dimensions of a tank, heat input of a heater, horsepower of an engine, etc.. This section also lists the equipment application number (A/N). The A/N is an identification number issued by the AQMD to the application submitted by the applicant for a Permit to Construct or Permit to Operate for a piece of equipment. A facility is required to submit a permit application when it plans to install a new piece of equipment, alter an existing piece of equipment, or modify a permit condition. An A/N in the Title V permit changes each time the AQMD approves a new application.

Device Identification (I.D.) Number

Each piece of equipment is assigned a unique I.D. number. When a piece of equipment is modified it retains its existing I.D. number. However, when it is removed from service, the I.D. number is retired and will not be used to identify another piece of equipment at this facility.

Connected to

This column is used to identify air pollution control equipment that is connected to a specific piece of equipment at the refinery. This column is not intended to show process connection at the refinery.

RECLAIM Source Type/Monitoring Unit

This column is used to identify equipment classification pursuant to the RECLAIM program. The classification of major source, large source and process units are defined in Rule 2012. The equipment classification is assigned to NO_x and SO_x emission sources subject to RECLAIM. Each classification of equipment is subject to a specific monitoring requirement under RECLAIM.

Emissions and Requirements

This column lists emission limits applicable to each piece of equipment. It also lists the rules for which the limits were derived. If AQMD adopted a rule that has not yet been approved into the State Implementation Plan (SIP), emission limits established by both the SIP-approved and non SIP-approved versions of the rule are included in the permit. The listing of the SIP-approved version of a rule is in bold text.

Conditions

This column lists specific permit conditions applicable to the facility, process, system or equipment. A facility level condition applies to the whole facility and is designated by the letter F. The process conditions apply to the entire process and are designated by the letter P. The system conditions apply to the entire system and are designated by the letter S. The equipment (device) level conditions are designated by other letters depending on the category of conditions such as monitoring, recordkeeping, etc. Each permit condition references the law

or rule for which the requirements in the condition were derived. If AQMD adopted a rule that has not yet been approved into the SIP, emission limits established by both the SIP-approved and non SIP-approved versions of the rule are included in the permit. The listing of the SIP-approved version of a rule is in bold text. One category of the device level condition is the periodic monitoring condition.

Section E Administrative Conditions

This section contains general administrative permit conditions that apply to all facilities. The conditions listed in this section apply to all permitted equipment at the facility unless superseded by other conditions listed elsewhere in the facility permit.

Section F RECLAIM Monitoring & Source Testing Requirements

This section contains monitoring and source testing permit conditions imposed by Regulation XX. It summarizes the monitoring and testing requirements for Major, Large and Process units at RECLAIM facilities.

Section G RECLAIM Recordkeeping & Reporting Requirements

This section contains recordkeeping and reporting requirements specified in Regulation XX. It summarizes the recordkeeping and reporting requirements for RECLAIM sources.

Section H Permit to Construct and Temporary Permit to Operate

The permit format in this section is the same as described for Section D above. However, equipment listed in this section has not been issued permits to operate, but were issued a permit to construct and/or a temporary permit to operate.

Section I Compliance Plans & Schedules

This section lists active compliance plans specified in the SIP-approved rules.

Section J Air Toxics

This section lists permit conditions pertaining to Federal NESHAP/MACT requirements.

Section K Title V Administration

This section lists the Title V administrative conditions. They are the same for all Title V facilities, except for the list of applicable rules table at the end of the section. The table at the end of the section lists all applicable rules referenced in Sections D and H (emission limit and conditions) and any rules that are referenced to the facility. This table also indicates which rules are federally enforceable and which are only enforceable by AQMD.

As part of the AQMD's permit software, the names for the NESHAP templates (40CFR 63 Subpart CC # 1, 2 3A, 4 and 5A; 40 CFR 63 Subpart

UUU # 1, 2 and 4; and 40CFR 61 Subpart FF_01) from Section J of the Title V permit also appear in the rules table at the end of this section.

Appendix A NO_x and SO_x Emitting Equipment Exempt from Written Permit Pursuant to Rule 219

This section lists classes of NO_x- and SO_x- emitting Rule 219 exempt equipment present at the facilities that are subject to RECLAIM.

Appendix B Rule Emission Limits

Some emission limits that are too complex to be listed in the Emissions and Requirements column of Sections D and H are listed in Appendix B of the Title V permit. Emission limits in this appendix are referenced by an emission type “(9)” in the “Emissions and Requirements” column of the permit.

7. Permit Features

Permit Shield

A permit shield is an optional part of a Title V permit that gives the facility an explicit protection from requirements that do not apply to the facility. A permit shield is a provision in a permit that states that compliance with the conditions of the permit shall be deemed compliance with all identified regulatory requirements. Incorporation of a permit shield into the Title V permit involves submission of applications for change of conditions for each equipment affected by the permit shield. Permit shields are addressed in AQMD Rule 3004 (c). This facility has not applied for a permit shield for any of the equipment at the refinery.

Alternate Operating Scenarios

An alternative operating scenario (AOS) is a set of provisions and conditions in a permit that allow the operator to switch back and forth between alternative modes of operation without submitting an application for a permit revision before each switch. However, each AOS must be evaluated for compliance with AQMD rules and regulations and applicable State and Federal requirements. AOS is addressed in AQMD Rule 3005 (j). This facility has not applied for an AOS for any of the equipment at the refinery.

Emissions Trading

This facility is subject to the NO_x and SO_x emissions trading requirements under Regulation XX.

Prevention of Significant Deteriorations (PSD) Permits

PSD is a federal program for permitting new and modified sources that emit air pollutants for which the AQMD is classified as in attainment with the National Ambient Air Quality Standards (NAAQS). This facility has not been issued a PSD permit by either the EPA or the AQMD.

EPA New Source Review (NSR) Permits

NSR is a federal program for permitting new and modified sources that emit air pollutants for which the AQMD is classified as in Non-attainment with NAAQS. Before SIP-approval of the AQMD NSR Rule in 1978, EPA issued NSR permits for new construction and/or equipment

modifications in the AQMD. A check of the records indicates that there are no NSR permits issued by the EPA for the Ultramar refinery.

8. Summary of Emissions and Health Risks

Summary of Refinery Criteria Air Pollutant and Toxic Air Contaminant Emissions

This section contains a summary of the Criteria Air Pollutant (CAP) and Toxic Air Contaminant (TAC) emissions for the refinery as reported in the refinery's Annual Emission Report (AER) for fiscal year 2006-2007.

**Table 8.1 Criteria Pollutant Emissions (tons/year)
from Annual Reported Emissions for Reporting Fiscal Year 2006 – 2007**

Pollutant	Emissions (tons/year)
NOx	342
CO	162
VOC	129
PM	106
SOx	524

**Table 8.2 Toxic Air Contaminants Emissions (TAC)
Annual Reported Emissions for Reporting Year 2006 – 2007**

The Following TACs Were Reported	Emissions (lbs/yr)
1,1,2,2-Tetrachloroethane*	0.002
1,2,4-Trimethylbenzene*	347
1,3-Butadiene*	94.
2-Methyl naphthalene [PAH, POM]	0.13
3-Methylcholanthrene	0.03
7,12-Dimethylbenz[a]anthracene	0.006
Acenaphtene	0.16
Acenaphthylene	0.15
Anthracene	0.65
Acetaldehyde*	6734
Acrolein*	2.2
Ammonia	72829
Arsenic*	6.3
Benzo(ghi)perylene	0.06
Benzo[a]anthracene	0.23
Benzene*	855
Benzo[a]pyrene	0.05
Benzo[b]fluoranthene	0.04
Benzo[e]pyrene [PAH, POM]	0.008
Benzo[j]fluoranthene	0.01
Benzo[k]fluoranthene	0.03

The Following TACs Were Reported	Emissions (lbs/yr)
Beryllium*	0.15
Cadmium*	1.2
Chromium (VI)*	2.5
Chrysene	0.29
Copper*	8.5
Di (2-ethylhexyl) phthalate*	7.1
Dibenz[a,h]anthracene	0.03
Diesel engine exhaust, particulate matter	4292
Ethylbenzene*	233
Fluoranthene	0.36
Fluorene	78.
Formaldehyde*	2455
Hexane*	2181
Hydrochloric acid*	585.
Hydrogen fluoride (hydrofluoric acid)*	44.5
Hydrogen sulfide	8023
Indeno[1,2,3-cd]pyrene	0.03
Lead (inorganic)*	10.7
Methyl t-Butylether*	15.3
Manganese*	31.3
Mercury*	5.6
Methyl chloride (Chloromethane)*	0.08
Methyl ethyl ketone*	22.9
Naphthalene*	36.8
Nickel*	47.5
PAHs, total, with components not reported*	252
Phenanthrene	18.6
Pyrene*	0.36
Perchloroethylene*	14.2
Perylene [PAH, POM]*	0.01
Phosphorus*	6.2
Selenium*	3.7
Styrene*	0.60
Toluene*	856
Xylenes*	728
o-Xylene*	13.8

*TACs that are also Hazardous Air Pollutants (HAPs). Total HAPs reported are 8425 lbs/yr.

Health Risk from Toxic Air Contaminants

The Ultramar refinery is subject to review by the Air Toxics Information and Assessment Act (AB2588). The Final Facility Health Risk was approved in 2002 with the following risk factors.

Cancer Risk	6.08 in one million
Acute Hazard Index	0.80
Chronic Hazard Index	0.07

9. Compliance History

The Ultramar refinery is subject to the terms of a consent decree entered by the U.S. District Court (Western District of Texas) on November 23, 2005; and a Hearing Board Order entered for Case No. 3845-69 regarding compliance with AQMD Rule 1118.

Consent Decree (Civil Action No. SA-05-CA-0569)

In 2000, the United States Environmental Protection Agency (USEPA) initiated a nationwide, broad-based compliance and enforcement initiative involving the petroleum refining industry. As a result of this initiative, the subject Consent Decree is the product of a settlement between Valero and EPA over alleged violations of certain Clean Air Act and CERCLA/EPCRA provisions. This comprehensive settlement covers Valero refineries located in Benicia and Wilmington, California; Corpus Christi (two refineries), Houston, Sunray, Texas City and Three Rivers, Texas; Krotz Springs and St. Charles Parish, Louisiana; Ardmore, Okla.; Denver, Colo.; and Paulsboro, N.J.

As part of the Consent Decree, Valero agreed to install additional air pollution control equipment and implement other enhancements to air pollution management practices at its refineries to reduce air emissions. Specifically for the Wilmington Refinery, Valero agreed to the following:

- Establish new NO_x and SO_x emissions limits for the FCCU regenerator.
- Enhancements of the Benzene Waste Operations NESHAP (40CFR61 Subpart FF) program.
- Enhancements of the Leak Detection and Repair (LDAR) program.
- Implementation of new investigative, reporting, and corrective action procedures for flares.

Paragraphs 291 - 292 of the Consent Decree specify that Ultramar shall submit applications to incorporate the "emission limits and standards" required by the Consent Decree into a federally enforceable NSR permit. Paragraph 293 specifies that these emission limits and standards shall be incorporated into the refinery Title V permit in accordance with local Title V rules. Table 9.1 summarizes the refinery's compliance status with the requirements of paragraphs 291 - 292 of the Consent Decree. A copy of the most recent semi-annual report for the Consent Decree is included as Attachment 2 to this Statement of Basis. Condition F52.3 specifies that the refinery shall comply with the requirements of the Consent Decree.

Table 9.1 Ultramar Consent Decree (CD): Summary of Emission Limits and Standards Required to be Added to New Source Review and Title V Permits

Application Number	Emission Unit	Specific Emission Limit and Standard	Specified Compliance Date	Date Appl. Submitted	Date Permit Issued
494177	FCCU Regenerator	NOx: 80 ppm at 0% oxygen, 365 day rolling average; NOx: 160 ppmv at 0% oxygen, 7 day rolling average	12/31/2008	12/17/2008	TBD
TBD	Heater and Boilers	NOx emission limit ¹	12/31/2009	TBD	TBD
TBD	FCCU Regenerator	SOx emission limit ²	4/30/2011	TBD	TBD

¹ Ultramar has indicated they may not need to accept any new NOx limits on any of the process heaters/boilers under the Consent Decree.

² Future requirement required by the Consent Decree

Variance(s)

Hearing Board Case No. 3845-69: AQMD Rule 1118 was amended in November of 2005. The Ultramar Refinery operates the following three General Service Flares that are subject to Rule 1118: Phase 0 Flare (C401), Phase I Flare (C402) and Phase II Flare (C403).

Subsection (g)(3) of the amended rule specifies that owners or operators with flares subject to the rule shall install and operate a flare monitoring system (FMS) by July 1, 2007 to perform monitoring and recording of the parameters specified in the second section of Table 1 of the rule. This monitoring includes gas flow, gas higher heating value (HHV), and total sulfur concentration (TSC) of the gas. Subsections (g)(3) and (j)(1)(C) contain performance specifications for the monitors. Rule 1118(j)(1)(C) also requires that the accuracy of the flow meter be verified annually according to manufacturer specifications. Additionally, Rule 1118 contains reporting requirements that are based on these monitoring requirements.

At the time of the rule adoption in 2005, technical challenges and issues related to feasibility, reliability, maintainability, accuracy, and safety of the HHV and TSC analyzers had the potential to delay implementation of the specified monitoring systems. Due to these known issues, the AQMD Governing Board adopted a resolution directing AQMD staff to work with the Western States Petroleum Association and its refiner members to resolve outstanding issues. Due to the analyzer related delays, each of the refineries requested and was granted a variance to the requirement to continuously monitoring TSC and HHV by July 1, 2007. The variances gave the refineries until September 1, 2008, to complete the design, acquisition, and installation of the required analyzers

Pilot projects for the development of TSC and HHV analyzers were completed in March 2008. Based on a determination that the pilot analyzers demonstrated compliance with the technical requirements of Rule 1118, the AQMD approved the tested TSC and HHV analyzers on May 20, 2008. Since the analyzer approval was given later than expected, the refineries petitioned for a modification and extension of the variance. The Hearing Board granted an extension of Ultramar's variance (Case No. 3845-69) until July 8, 2009. Under the increments of progress for the variance, Ultramar must install and test the TSC and HHV analyzers on each of the flares by July 1, 2008.

As required by Rule 3004(a)(10)(C), condition II.1 has been added to the affected equipment in section D of the permit requiring the operator to comply with all the conditions of the variance. The issuance of a regular Variance and/or Stipulated Order of Abatement (SOA) by the AQMD Hearing Board does not affect federal or citizen enforceability of the subject requirements. A copy of each of the documents related to this regular variance is available on the internet under the AQMD's "Facility Information Detail" database (FIND, at http://www.aqmd.gov/webappl/fim/prog/hbdisplay.aspx?fac_id=800026).

Order(s) for Abatement

The refinery is not currently subject to any AQMD Orders for Abatement.

Notices to Comply and Notices of Violation

As noted, the refinery has been in continuous operation since 1969. Since that time, the refinery has been subject to both self-reporting requirements and AQMD inspections. Further information regarding the facility's compliance status is available on the internet under the AQMD's "Facility Information Detail" database (FIND, at http://www.aqmd.gov/webappl/fim/prog/novnc.aspx?fac_id=800026).

Likewise, the compliance documentation for Variances and Abatement Orders is also available on the internet under the AQMD's "Facility Information Detail" database (FIND, at http://www.aqmd.gov/webappl/fim/prog/novnc.aspx?fac_id=800026). As of May 6, 2009, the refinery had come into compliance with the specific rule requirements for which each of the listed NCs and NOVs were issued.

10. Compliance Certification

By virtue of the Title V permit application and issuance of this permit, the reporting frequency for compliance certification for the refinery shall be annual.

11. Appendices

In order to minimize printing, all of the following appendices are available on the AQMD website as shown below. In addition, they will be made available on CDs upon request. Please contact the AQMD contact person identified on the public notice for this facility or call Bhaskar Chandan at (909) 396-3902 for assistance in finding the information on the website or to obtain a copy of the CD.

- I. Technical Guidance Document For the Title V Permit Program (March 2005, Version 4.0) (<http://www.aqmd.gov/titlev/TGD.html>)
- II. Periodic Monitoring Guidance Documents
 - A. AQMD Periodic Monitoring Guidelines for Title V Facilities (November 1997) (<http://www.aqmd.gov/titlev/pdf/PeriodicMonitoringGuidelines-97.pdf>)
 - B. CAPCOA/CARB/EPA Region IX Periodic Monitoring Recommendations for Generally Applicable Requirements in SIP (June 1999) (<http://www.arb.ca.gov/fcaa/tv/tvinfo/pmrec624.pdf>)
 - C. CAPCOA/CARB/EPA Region IX Recommended Periodic Monitoring for Generally Applicable Grain Loading Standards in the SIP: Combustion Sources (July 2001) (<http://www.arb.ca.gov/fcaa/tv/tvinfo/pmrecoms.pdf>)
- III. Summary Report of Notice of Violations. Further information regarding the facility's compliance status is available on the internet under the AQMD's "Facility Information Detail" database (FIND, at http://www.aqmd.gov/webappl/fim/prog/novnc.aspx?fac_id=800026).
- IV. Variances and Abatement Orders. Further information regarding the facility's compliance status is available on the internet under the AQMD's "Facility Information Detail" database (FIND, at http://www.aqmd.gov/webappl/fim/prog/hbdisplay.aspx?fac_id=800026).

Attachment 1

Alternative Monitoring Plan Approval Letter(s)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



12/2 Pang

Jason Lee
Environmental Manager for Special Projects
Valero Wilmington Refinery
2402 East Anaheim
Wilmington, CA 90744

From: Office of the Executive Officer	Date: 11/21/05
To: Carol Coy	
Cy:	
For your action by:	For your info: <input checked="" type="checkbox"/>
Mail response for:	signature, cc:

RE: Request for Approval of Alternate Monitoring Plan to 40 C.F.R. § 60.13(i) – Process Gas Streams Vented to NSPS Subpart J Fuel Gas Combustion Devices, 70-H-1/2/3, at the Ultramar Inc., Wilmington, California Refinery

Dear Mr. Lee:

This letter is in response to your letter dated July 29, 2004, and follow-up letter dated February 9, 2005, requesting approval of an alternate monitoring plan (“AMP”) for the Process Gas Streams Vented to NSPS Subpart J Fuel Gas Combustion Devices, 70-H-1/2/3 at the Ultramar Inc., Wilmington California Refinery (“Ultramar Wilmington”), located at 2402 East Anaheim in Wilmington, California. The request and the follow-up contain all of the information specified in the policy “Conditions for Approval of [An] Alternative Monitoring Plan for Miscellaneous Refinery Fuel Gas Stream.” The United States Environmental Protection Agency (“USEPA”), Region 9, has reviewed the information and has decided to approve the AMP as submitted on July 29, 2004.

Regulatory Background

The New Source Performance Standards for Petroleum Refineries (Petroleum Refinery NSPS), 40 C.F.R. § 60.100 through 60.109, include emission standards and monitoring requirements for fuel gas combustion devices (FGCDs). 40 C.F.R. § 60.104(a)(1) requires the owner or operator of a FGCD at a petroleum refinery to burn no refinery fuel gas that contains hydrogen sulfide (“H₂S”) in excess of 230 milligrams per dry standard cubic meter (0.10 grain per dry standard cubic foot; 162 parts per million by Volume, dry basis). Pursuant to 40 C.F.R. § 60.105(a)(3), the owner or operator of a FGCD subject to 40 C.F.R. § 60.104(a)(1) is required to install, calibrate, maintain, and operate a continuous monitoring system (CMS) to monitor and record the concentration by volume of sulfur dioxide emitted into the atmosphere. The specifications for the CMS are codified in 40 C.F.R. § 60.105(a)(3)(i-iv).

40 C.F.R. § 60.13(i) also sets forth: “After receipt and consideration of written application, the Administrator may approve alternative procedures to any monitoring procedures or requirements of [Part 60]....”

Ultramar Request

July 29, 2004 Ultramar Wilmington requested approval of the AMP for Process Gas Streams vented to NSPS Subpart J fuel gas combustion devices 70-H-1/2/3. The process gas

streams are defined as:

1. Lock hopper #1 vent stream, which enters the firebox of heater, 70-H-1;
2. Lock hopper # 2 vent stream, which enters the firebox of heater, 70-H-2;
3. Regenerator offgas stream, which ties into the common stack shared by heaters, 70-H-1, 70-H-2, and 70-H-3.

Ultramar Wilmington states that "these streams contain inherently low and relatively stable levels of H₂S." Ultramar Wilmington states that "sulphur and other catalyst poisons are removed from the Platformer charge in the upstream Naphtha Hydrotreater, Unit 56. Feed sulphur is a permanent catalyst poison that cokes and deactivates the Platformer catalyst."

To determine the H₂S concentration of the Lock hopper #1 vent stream, Lock hopper # 2 vent stream, and the Regenerator offgas stream, Ultramar Wilmington conducted daily drager tube testing H₂S content from February 20th, 2004 to July 24th, 2004 (with approximately 3/6/04 to 4/2/04 missing due to platformer shutdown for turnaround). The tests showed that the H₂S concentration was typically 0. All test results during that period were non-detect. The source test conducted May 19-20, 2004 also found non-detect levels in the three vent streams.

Ultramar Wilmington proposes to test the Lock Hopper # 1 and Lock Hopper # 2 vent gas streams once per day. Testing will be conducted using Draeger tubes ranged from 0 to 10 ppmv/ 0 to 100 ppmv (N= 10/1). Draeger tubes ranged from 0 to 500 ppmv will be used if the measured concentration exceeds 100 ppmv H₂S.

Approval of Ultramar's Request

USEPA has determined that the proposed AMP for the Lock hopper #1 vent stream, Lock hopper # 2 vent stream, is appropriate. Therefore, the Administrator of USEPA, by authority duly-delegated to the undersigned, approves Ultramar's proposed AMP for the Process Gas Streams Vented to NSPS Subpart J Fuel Gas Combustion Devices, 70-H-1/2/3 at Ultramar Wilmington. The approval of the proposed AMP does not alter any of the other requirements of New Source Performance Standards, Subparts A and J that may apply to Ultramar Wilmington.

US EPA concurs that Regenerator offgas stream which ties into the common stack shared by heaters, 70-H-1, 70-H-2, and 70-H-3 is not subject to NSPS J fuel gas requirements because it is not combusted.

If you have any questions regarding this response, please contact Matt Salazar, Air Enforcement Office, at (415) 972-3982.

Sincerely,



Tina Prevatte
Acting Chief, Enforcement Office

cc: Dr. Barry R. Wallerstein, SCAQMD

Attachment 2

Consent Decree Semiannual Report (4/1/2008 – 9/30/2008)



October 20, 2008

Director
Air Enforcement Division (2242A)
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
CERTIFIED MAIL: 7007 0220 0003 6236 8439

Ref: United States, et.al. v. Valero Refining Company, et.al.
Civil Action No. SA-05-CA-0569
Ultramar, Inc.; Wilmington Refinery
Semi-Annual Progress Report – 4/1/2008 to 9/30/2008

To Whom It May Concern:

Paragraph 308 of the consent decree between the United States and Valero requires the submission of a progress report for each refinery owned and operated by Valero within 30 days of the end of the first calendar quarter following date of entry. This report fulfills this obligation and covers the period between 4/1/2008 to 9/30/2008 for the Wilmington refinery. The report is certified in accordance with paragraph 309.

The "action taken" information in the 308(a) section of this report comes from a consent decree obligation database. References to attached documents in this section of the report are for internal purposes; these documents do not appear in this report.

If you have any questions regarding this report, please contact me at (562) 491-6940.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dale Botts', written in a cursive style.

Dale Botts
Senior Environmental Engineer
Valero Wilmington Refinery

October 20, 2008
Civil Action # SA-05-CA-0569
Page 2 of 2

cc: Director, Air Division (AIR-1)
Attn: Chief, Air Enforcement Office
U. S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105
CERTIFIED MAIL: 7007 0220 0003 6236 8446

With .pdf copy of file to:
csullivan@matrixnewworld.com

If unable to send electronic file, please mail to:

Director, Air Enforcement Division
c/o Matrix New World Engineering, Inc.
120 Eagle Rock Ave., Suite 207
East Hanover, NJ 07936-3159
CERTIFIED MAIL:



Valero Consent Decree - Semi-Annual Update Report
Period: 04/01/2008 to 09/30/2008
Wilmington Refinery

Paragraph	Action Item	Due Date	Completion Date	Action Taken
Paragraph 30(a) - Consent Decree Action Items				
CD01: IV: Heaters and Boilers NOx				
29.(c)	If new NOx controls added to Heaters/Boilers <100 MMBtu/hr and >40 MMBtu/hr, verify that stack test were conducted within 180 days of start-up. Attach copy of stack test summary. *Reoccurring Action Item related to Action Item 35176	7/15/2008	7/15/2008	No new NOx controls were added to Heaters/Boilers <100 MMBtu/hr and >40 MMBtu/hr, therefore no new CEMS were required.
30.	Verify, for CEMS installed to comply with paragraph 29, the required Cylinder Gas Audit (CGA) or RATA has been completed. See most recent Annual Update Report for a list of covered heaters and boilers. CGAs are required quarterly (except for the quarter when a RATA is performed) and RATAs at least once every three years. Attach summary of RATA or CGA. *Reoccurring Action Item related to Action Item 35189	7/15/2008	7/15/2008	CGA and RATA results for CEMS of refinery's heaters and boilers to comply with paragraph 29. RATAs and CGAs were completed for the 12 covered heaters and boilers. Attached are the 4 RATAs and 8 CGA. See attached file.
29.(b)	If new NOx controls added to Heaters/Boilers greater than 100 MMBtu/hr, but less than 150 MMBtu/hr, verify that CEMS were installed within 180 days of start-up. *Reoccurring Action Item related to Action Item 35152	7/15/2008	7/15/2008	No new NOx controls were added to Heaters/Boilers greater than 100 MMBtu/hr and less than 150 MMBtu/hr; thus, no new CEMs were needed or added.
29.(a)	If new NOx controls added to Heaters/Boilers >150 MMBtu, verify that CEMS were installed within 180 days of start-up. *Reoccurring Action Item related to Action Item 35128	7/15/2008	7/15/2008	No new NOx controls were added to Heaters/Boilers >150 MMBtu; thus, no new CEMs were needed or added.
CD01: IX: Heaters and Boilers SO2 NSPS				
121.	Conduct a CGA on H2S CEMS each calendar quarter during which a RATA is not performed. *Reoccurring Action Item related to Action Item 35672	7/15/2008	7/15/2008	Conducted successful CGAs or RATAs on all five H2S CEMS on May 13-15 and June 30, 2008. See attached file.
CD01: V: FCCU NOx				
62.	Conduct CGA on FCCU NOx CEMS each calendar quarter during which a RATA is not performed. *Reoccurring Action Item related to Action Item 35313	7/15/2008	7/15/2008	A RATA was performed on June 4, 2008 for the second quarter 2008 NOx test requirement. The NOx RATA passed and is attached.
CD01: VI: FCCU SO2				
90.	Conduct a CGA on the FCCU SO2 CEMS each calendar quarter during which a RATA is not performed. *Reoccurring Action Item related to Action Item 35439	7/15/2008	7/15/2008	A successful RATA was conducted on the FCCU SO2 CEMS on June 4-5, 2008.
CD01: VII: FCCU CO, Opacity, and PM				
94.	Confirm for the last quarter that all exceedances of the FCCU CO concentration emission limits were inputted into IMPACT. The FCCU CO emission limit is 500 ppmvd at 0% O2 measured as a 1-hr block average. *Reoccurring Action Item related to Action Item 35465	4/7/2008	3/31/2008	There were no exceedances of the FCCU CO concentration emission limit during the 1st quarter of 2008. See attached file.
97.	Confirm for the last quarter that all exceedances of the FCCU PM emission limit were inputted into IMPACT. The PM limit is 1 pound per 1,000 pounds of coke burned (front half only according to Method 5B or 5F, as appropriate). *Reoccurring Action Item related to Action Item 35501	4/7/2008	3/31/2008	No exceedances of the FCCU PM emission limit during the 1st quarter of 2008. The PM average was 0.38 pound per 1,000 pounds of coke burned. See attached file.
94.	Confirm for the last quarter that all exceedances of the FCCU CO concentration emission limits were inputted into IMPACT. The FCCU CO emission limit is 500 ppmvd at 0% O2 measured as a 1-hr block average. *Reoccurring Action Item related to Action Item 35465	7/7/2008	7/3/2008	For the last quarter (2nd quarter of 2008) all exceedances of the FCCU CO concentration emission limits were inputted into IMPACT. See Impact Incident Item No. 67410.



Valero Consent Decree - Semi-Annual Update Report
Period: 04/01/2008 to 09/30/2008
Wilmington Refinery

Paragraph	Action Item	Due Date	Completion Date	Action Taken
97.	Confirm for the last quarter that all exceedances of the FCCU PM emission limit were inputted into IMPACT. The PM limit is 1 pound per 1,000 pounds of coke burned (front half only according to Method 5B or 5F, as appropriate). *Reoccurring Action Item related to Action Item 35501	7/7/2008	7/3/2008	There was no exceedance of the FCCU PM emission limit during the last quarter (2nd quarter of 2008). The PM limit was calculated to be 0.35 pounds per 1,000 pounds of coke burned. See attached file.
101.	Conduct a CGA on the FCCU CO CEMS each calendar quarter during which a RATA is not performed. *Reoccurring Action Item related to Action Item 35537	7/15/2008	7/15/2008	A RATA for the FCCU CO CEMS was successfully performed on June 4, 2008. See attached file.
cb01-x: Benzene NESHAP				
161.	Document the quantity of waste/slop/off-spec oil movements for benzene waste streams for preceding year.	4/7/2008	4/10/2008	Documentation of the quantity of waste/slop/off-spec oil movements for benzene waste streams for the preceding year was conducted as part of the Annual BWON TAB report. See attached TAB report.
152.	Annually review benzene containing spills for TAB impact/reporting.	4/7/2008	5/21/2008	Reviewed IMPACT for benzene containing spills for TAB impact/reporting. During 2007, there were no spills reportable under federal or state standards, therefore, there were no spills that impacted the TAB.
146.	Review refinery process changes annually to ensure that all new benzene waste streams are included in each Refinery's waste stream.	4/7/2008	4/28/2008	There were no refinery process changes during the last year that created new benzene waste streams.
172.(c.)	For the previous quarter, verify that weekly visual inspections occurred of conservation vents/indicators on process sewers required to be controlled per Benzene Waste NESHAP. Reset any vents where leaks are detected. *Reoccurring Action Item related to Action Item 36075	4/7/2008	5/2/2008	Weekly visual inspections on process sewers required to be controlled per BWN have been verified to be completed in accordance with BWN provisions. (See attached Sewer Vent Checklist for example of inspection records.)
172.(a.)	For the previous quarter, verify monthly visual inspections of water traps that are controlled under the BWN provisions. *Reoccurring Action Item related to Action Item 36042	4/7/2008	4/21/2008	Monthly visual drain inspections of water traps for the first quarter, 2008 were reviewed and verified to meet the provisions of the enhanced BWON program. See attached example of 1Q08 monthly visual drain inspection logs.
144.	For previous quarter, verify that there is a "reasonable supply" of fresh carbon and carbon canisters onsite. *Reoccurring Action Item related to Action Item 35832	4/7/2008	4/28/2008	For the previous quarter (1Q08) fresh carbon for TK-1000's engineered carbon system (>5000#) was supplied by a local Carbon Vendor.
143.	For previous quarter, verify replacement of original secondary carbon canister with a fresh carbon canister when breakthrough between the primary and secondary canister is detected according to the provisions in paragraphs X.143.(a.) - (c.). *Reoccurring Action Item related to Action Item 35821	4/7/2008	4/7/2008	For the previous quarter (1Q08), replacement of original secondary carbon canister with a fresh carbon canister when breakthrough between the primary and secondary canister was detected occurred according to the provisions in paragraphs X.143.(a.) - (c.).
142.	For previous quarter, verify that breakthrough monitoring for dual carbon canister systems occurred according to the frequency specified in \$61.354(d) (but in no event less frequently than once per month), or alternatively at least once on each operating weekday. *Reoccurring Action Item related to Action Item 35810	4/7/2008	4/7/2008	For the previous quarter (1Q08), breakthrough monitoring for the dual carbon canister system on 21-TK-1000 occurred at least once on each operating weekday.
166.	If changes occurred during the last quarter in processes, operations, or other factors to cause the approved sampling locations and approved methods for determining flow calculations to no longer provide an accurate measure of the refinery's EOL benzene quantity, submit 2 copies of a revised EOL sampling plan to EPA for approval. *Reoccurring Action Item related to Action Item 36006	4/7/2008	4/8/2008	No changes occurred during the last quarter (1Q08) in processes, operations, or other factors to cause the approved sampling locations and approved methods for determining flow calculations to no longer provide an accurate measure of the refinery's EOL benzene quantity.



Valero Consent Decree - Semi-Annual Update Report
Period: 04/01/2008 to 09/30/2008
Wilmington Refinery

Paragraph	Action Item	Due Date	Completion Date	Action Taken
139.	For previous quarter, verify that when necessary single canisters were replaced upon breakthrough. Where single canisters are utilized for short term operations to control emissions on equipment that requires control pursuant to the BWN provisions, replace canister when breakthrough (any reading of VOCs above background) is determined within 8 hours or 24 hours as applicable according to its historical replacement interval. *Reoccurring Action Item related to Action Item 35766	4/7/2008	4/7/2008	There were no single carbon canister installations operated for short-term operations during the previous quarter (1Q08).
138.	For previous quarter, confirm daily monitoring for single carbon canister installations. For all canisters operated for short-term operations as part of a single canister system, monitor for breakthrough (any reading of VOCs above background) on a daily basis. *Reoccurring Action Item related to Action Item 35755	4/7/2008	4/7/2008	There were no single carbon canister installations operated for short-term operations during the previous quarter (1Q08).
137.	For previous quarter, confirm no single carbon canisters on new units and new installations where a carbon canister is used as a control device under the Benzene Waste NESHAP. *Reoccurring Action Item related to Action Item 35733	4/7/2008	4/8/2008	For previous quarter (1Q08), there were no single carbon canisters on new units and no new installations where a single carbon canister was used as a control device under the Benzene Waste NESHAP.
158.	Review schematics reflecting the movements of waste/slop/off-spec oil streams within the refinery. If any changes were made last quarter, update and submit two copies (with certification) to EPA. *Reoccurring Action Item related to Action Item 35938	4/7/2008	4/7/2008	No changes were made to the movements of waste/slop/off-spec oil streams within the refinery during the last quarter (1Q08).
165.	Conduct quarterly end of line sampling (see items X.165.-X.169.) and benzene quantification. *Reoccurring Action Item related to Action Item 35994	4/21/2008	4/21/2008	For 1Q08: Conducted quarterly end of line sampling and Benzene quantification based on end of line sampling. See attached 1Q08 Benzene quantification.
176.	Include in § 61.357(d)(6) and (7) quarterly reports the additional information listed in X.176.(i) - (iii). If EOL exceeds quarterly target but annual target is expected to be met, explain in this report. Maintain records supporting quarterly EOL quantity calculations, including methodology and data used to identify and calculate flow. *Reoccurring Action Item related to Action Item 36106	4/30/2008	4/30/2008	Included in § 61.357(d)(6) and (7) quarterly reports the additional information listed in X.176.(i) - (iii). EOLs did not exceed quarterly or annual targets. All records supporting quarterly EOL quantify calculations, including methodology and data used to identify and calculate flow are being maintained by Environmental Department. (See attached 1Q08 Benzene NESHAPS report).
168.	If quarterly EOL results indicates exceedance of the annual target, submit two copies of corrective action plan to EPA. *Reoccurring Action Item related to Action Item 36020	5/30/2008	5/1/2008	Quarterly (1Q08) EOL results did not indicate exceedance of the annual target. No corrective action plan is required. (See attached 1Q08 Benzene NESHAPS report.)
172.(d.)	Conduct quarterly monitoring in accordance with the "no detectable emissions" provisions for oil/waters separators in §61.347. *Reoccurring Action Item related to Action Item 36086	6/30/2008	6/23/2008	Quarterly monitoring of the Oil/Water separator was conducted in the second quarter 2008 per CD Section X, paragraph 172(d). See attached Oil/Water separator LeakDAS inspection history for 2Q08.
172.(c.)	For the previous quarter, verify that weekly visual inspections occurred of conservation vents/indicators on process sewers required to be controlled per Benzene Waste NESHAP. Reset any vents where leaks are detected. *Reoccurring Action Item related to Action Item 36075	7/7/2008	7/7/2008	Due to a refinery-wide re-survey of drain system components, revised inspection lists of wastewater vents were distributed on 5/9/08. Logistics Complex contains 10 vents, 4 of 7 weekly inspections were completed; Heavy Oils Complex contains 5 vents, 0 of 7 weekly inspections were completed. Corrective Action: Distributed an instruction sheet (5/29/08), conducted Operator training (06/2008), met with both Complexes to discuss NESHAP compliance requirements and redistributed weekly inspection forms (06/2008).



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Paragraph	Action Item	Due Date	Completion Date	Action Taken
172.(a)	For the previous quarter, verify monthly visual inspections of water traps that are controlled under the BWN provisions. *Reoccurring Action Item related to Action Item 36042	7/7/2008	6/29/2008	For the previous quarter (2Q08), monthly visual inspections of water traps were reviewed and verified to meet the provisions of the enhanced BWN program. (See attached example of inspection logs.)
144.	For previous quarter, verify that there is a "reasonable supply" of fresh carbon and carbon canisters onsite. *Reoccurring Action Item related to Action Item 35832	7/7/2008	7/7/2008	For the previous quarter (2Q08), verified that there is a "reasonable supply" of fresh carbon and carbon canisters onsite (located at the warehouse).
143.	For previous quarter, verify replacement of original secondary carbon canister with a fresh carbon canister when breakthrough between the primary and secondary canister is detected according to the provisions in paragraphs X.143.(a.) - (c.). *Reoccurring Action Item related to Action Item 35821	7/7/2008	7/3/2008	For the previous quarter (2Q08) replacement of original secondary carbon canister with a fresh canister upon breakthrough was not completed within 24 hours on one occasion: breakthrough on 4/16/08, fresh canisters were installed 4/18/08. The secondary canister was monitored on 4/17/08 and did not show breakthrough. The work notification was not written until 4/17/08 and incorrectly stated the carbon change-out requirements. Corrective Action: Procedure 811.12 to monitor and change-out carbon canisters was finalized and distributed on 6/2/08. No further exceptions have been noted.
142.	For previous quarter, verify that breakthrough monitoring for dual carbon canister systems occurred according to the frequency specified in §61.354(d) (but in no event less frequently than once per month), or alternatively at least once on each operating weekday. *Reoccurring Action Item related to Action Item 35810	7/7/2008	7/2/2008	For the previous quarter (2Q08) breakthrough monitoring for the dual carbon canister system located at 82-V-9 occurred daily, in accordance with the frequency specified in §61.354(d). (See attachment.)
166.	If changes occurred during the last quarter in processes, operations, or other factors to cause the approved sampling locations and approved methods for determining flow calculations to no longer provide an accurate measure of the refinery's EOL benzene quantity, submit 2 copies of a revised EOL sampling plan to EPA for approval. *Reoccurring Action Item related to Action Item 36006	7/7/2008	6/13/2008	No changes occurred during the previous quarter (2Q08) in processes, operations, or other factors to cause the approved sampling locations and approved methods for determining flow calculations to no longer provide an accurate measure of the refinery's EOL benzene quantity.
139.	For previous quarter, verify that when necessary single canisters were replaced upon breakthrough. Where single canisters are utilized for short term operations to control emissions on equipment that requires control pursuant to the BWN provisions, replace canister when breakthrough (any reading of VOCs above background) is determined within 8 hours or 24 hours as applicable according to its historical replacement interval. *Reoccurring Action Item related to Action Item 35766	7/7/2008	6/13/2008	For the previous quarter (2Q08), there were no single carbon canisters utilized for short term operations to control emissions on equipment that requires control pursuant to the BWN provisions.
138.	For previous quarter, confirm daily monitoring for single carbon canister installations. For all canisters operated for short-term operations as part of a single canister system, monitor for breakthrough (any reading of VOCs above background) on a daily basis. *Reoccurring Action Item related to Action Item 35755	7/7/2008	6/13/2008	There were no single carbon canister installations operated for short term operations during the previous quarter (2Q08).
137.	For previous quarter, confirm no single carbon canisters on new units and new installations where a carbon canister is used as a control device under the Benzene Waste NESHAP. *Reoccurring Action Item related to Action Item 35733	7/7/2008	6/13/2008	For the previous quarter (2Q08), there were no single carbon canisters in new units and no new installations where a single carbon canister was used as a control device under Benzene Waste NESHAP.



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Paragraph	Action Item	Due Date	Completion Date	Action Taken
158.	Review schematics reflecting the movements of waste/slop/off-spec oil streams within the refinery. If any changes were made last quarter, update and submit two copies (with certification) to EPA. *Reoccurring Action Item related to Action Item 35938	7/7/2008	6/13/2008	No changes were made to the movements of waste/slop/off-spec oil streams within the Wilmington Refinery during the previous quarter (2Q08).
165.	Conduct quarterly end of line sampling (see items X.165.-X.169.) and benzene quantification. *Reoccurring Action Item related to Action Item 35994	7/15/2008	7/11/2008	Conducted quarterly end of line sampling and benzene quantification for 2Q08. Results indicated 0.24 Mg. (See attached 2Q08 Benzene NESHAP Results.)
165.	Conduct quarterly end of line sampling (see items X.165.-X.169.) and benzene quantification.	7/21/2008	7/21/2008	This is a duplicate of AI 71534. Conducted quarterly end of line sampling and benzene quantification for 2Q08. Results indicated 0.24 Mg. (See attached 2Q08 Benzene NESHAP Results.)
176.	Include in § 61.357(d)(6) and (7) quarterly reports the additional information listed in X.176.(i) - (iii). If EOL exceeds quarterly target but annual target is expected to be met, explain in this report. Maintain records supporting quarterly EOL quantity calculations, including methodology and data used to identify and calculate flow.	7/30/2008	7/30/2008	Report submitted, see attached.
168.	If quarterly EOL results indicates exceedance of the annual target, submit two copies of corrective action plan to EPA.	8/29/2008	10/6/2008	Quarterly (2Q08) EOL results did not indicate exceedance of the annual target. No corrective action plan is required. (See attached 2Q08 Benzene NESHAP report.)
CD001-X1: Leak Detection and Repair				
211.	For the previous quarter, verify daily Calibration Drift Assessments of LDAR monitoring equipment and the remonitoring if required. *Reoccurring Action Item related to Action Item 36342	4/7/2008	4/7/2008	All daily calibration drift assessment records of the LDAR monitoring equipment and the remonitoring of equipment were verified to have been completed for the first quarter 2008. Attached are examples of the calibration and drift assessment records.
186.(1.)	For the previous quarter, confirm initial training for newly-assigned LDAR employees. If training required, attach documentation. *Reoccurring Action Item related to Action Item 36145	4/7/2008	4/15/2008	Initial training was done in conjunction with the annual training per the attached document. The newly assigned LDAR employees shown on the first two pages of the attached document were Bruce Young, Omar Franquez, Treshawnda Caldwell, Jason Spencer, Miranda Aristeo, Jeff Singleton, Tony Ortiz, and Leron Simmons.
207.(2.)	Perform quarterly QA/QC review of monitoring data per the procedures in the LDAR QA/QC Plan. *Reoccurring Action Item related to Action Item 36294	4/15/2008	4/8/2008	The quarterly QA/QC review of the monitoring data was completed for the first quarter of 2008 per the procedure in the LDAR QA/QC Plan. Attached is the QA/QC review certification.
215.(b.)	Include, as part of the semiannual NSPS and MACT LDAR report, the information specified in 215.(b.). *Reoccurring Action Item related to Action Item 36438	4/30/2008	4/17/2008	The information specified in the Consent Decree, paragraph 215(b) was included in the second half 2007 semiannual NSPS and MACT LDAR report, as shown in the attachments.
211.	For the previous quarter, verify daily Calibration Drift Assessments of LDAR monitoring equipment and the remonitoring if required. *Reoccurring Action Item related to Action Item 36342	7/7/2008	7/1/2008	All calibration forms were QA/QC'd for completeness and review of calibration drift assessments were performed. No re-monitoring was needed for the quarter. Attached is the second quarter 2008 certification of daily Calibration Drift Assessment of LDAR equipment.
186.(1.)	For the previous quarter, confirm initial training for newly-assigned LDAR employees. If training required, attach documentation. *Reoccurring Action Item related to Action Item 36145	7/7/2008	7/1/2008	All training was completed. The power point presentation file name is "Training 20080715 LDAR.ppt" and it is filed under AI-25-20 Consent Decree-LDAR Program. This file was too large to be attached, therefore the attached file has been stripped of its pictures. Also attached is the list of names of people trained this quarter.



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Paragraph	Action Item	Due Date	Completion Date	Action Taken
207.(2.)	Perform quarterly QA/QC review of monitoring data per the procedures in the LDAR QA/QC Plan. *Reoccurring Action Item related to Action Item 36294	7/15/2008	7/14/2008	The quarterly QA/QC review of the monitoring data was completed for the second quarter of 2008 per the procedure in the LDAR QA/QC Plan. Attached is the signed QA/QC review form.
215.(b.)	Include, as part of the semiannual NSPS and MACT LDAR report, the information specified in 215.(b.). *Reoccurring Action Item related to Action Item 36438	7/30/2008	7/30/2008	The semiannual NSPS and MACT LDAR report, including the information specified in 215(b) was submitted on July 30, 2008. The report is attached.
CD01: XII.B: Sulfur Recovery Plant (SRP) SO2 NSPS				
224.	Monitor and report upon tail gas emissions from SRP stacks according to applicable NSPS A and J requirements. AG Flaring devices identified in Appendix K are not subject to this requirement. *Reoccurring Action Item related to Action Item 36468	7/30/2008	7/30/2008	The Semiannual NSPS Report was submitted on July 30, 2008 for the first half of 2008. Attachment VI of this report documents that the tail gas emissions from SRP stacks were monitored according to applicable NSPS A and J requirements. This report is attached.
CD01: XII.D-H: Inv. & Rpt. for Flaring Incidents				
242.	Confirm that all RCFAs where completed and submitted for Acid Gas Flaring, Hydrocarbon Flaring, and Tail Gas Incidents. *Reoccurring Action Item related to Action Item 36599	4/7/2008	4/7/2008	The Wilmington Refinery had two flaring events that required submittal of RCFAs in the first quarter 2008. These two events occurred on November 2, 2007 and on January 5, 2008. Attached are the RCFAs that were submitted by the respective due dates, January 1, 2008 and March 4, 2008. There were no flaring events requiring RCFAs in the first quarter 2008 that will require submittal of RCFAs in the second quarter 2008.
242.	Confirm that all RCFAs where completed and submitted for Acid Gas Flaring, Hydrocarbon Flaring, and Tail Gas Incidents. *Reoccurring Action Item related to Action Item 36599	7/7/2008	7/1/2008	The Wilmington Refinery had no flaring events that required submittal of RCFAs in the second quarter 2008. There were no flaring events requiring RCFAs in the second quarter 2008 that will require submittal of RCFAs in the next quarter 2008.
CD01: XVI: General Recordkeeping/Reporting				
308.	Prepare and submit "Progress Report" with the information specified in 308.(a.) thru (e.). Also include any new hydrocarbon flaring device. *Reoccurring Action Item related to Action Item 36823	4/30/2008	4/30/2008	A "Progress Report" with the information specified in 308.(a.) thru (e.) was submitted on 4/29/08 and is attached. There were no new hydrocarbon flaring devices that required inclusion in this "Progress Report".
Paragraph 308(a) - Compliance Review Automations				
CD01: XIII.B: NSPS QQQ Audits				
Consent Decree - NSPS QQQ				
270.	For each drain and catch basin without a water seal, either: 1) Install a water seal inserts; OR, 2) Plug and seal the drain or catch basin and inspect semiannually; OR, 3) For catch basins, physically separate the catch basins from oily water flow.	9/30/2008	9/30/2008	Pursuant to findings from the QQQ Audit: four drains and one catch basin in the Logistics complex were identified as requiring water seals, plugs or seals. The four drains (tag# 100107, 100113, 100114 and 100115) were sealed and the catch basin (tag # 101550) was sealed, all in accordance with QQQ requirements. Lastly, the QQQ audit identified a catch basin (18-CD-1-23) as possibly needing to be segregated from the oily water sewer system. The catch basin drawings were reviewed and it was determined that the catch basin is part of the oily water sewer system and does not need to be segregated (it is also controlled with a water seal).



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Paragraph	Action Item	Due Date	Completion Date	Action Taken
270.	Verify whether heat exchanger backflush enters any post-May 4, 1987 drain systems. If so, pursue one or more of the following actions: Determine if the addition of cooling water backflush to a drain system would trigger QQQ applicability to an "affected facility", submit a determination request to the EPA to clarify whether or not cooling water backflush meets the QQQ definition of "oily wastewater", reroute the backflush to an exempt drain system, or, include the applicable sewer components into a QQQ compliance program.	9/30/2008	9/29/2008	A determination request was submitted on behalf of Valero in April 2007. As of the target date, despite numerous follow-ups, no response has been received from EPA Region 6.

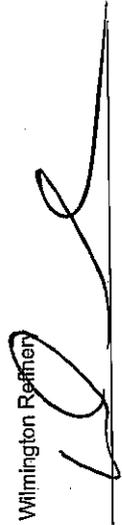


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Paragraph	Action Item	Due Date	Completion Date	Action Taken
None	Paragraph 308(b) - Consent Decree Emissions Data			
None	Paragraph 308(c) - Anticipated Timing Issues			
None	Paragraph 308(d) - Environmentally Beneficial Project Implementation			
None	Paragraph 308(e) - Other Issues			
None	Paragraph 309 - Certification			

I certify under penalty of law that this information was prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my directions and my inquiry of the person(s) who manage the system, or the person(s) directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

Wilmington Refinery

Signature:  Date: 10-29-08
 Print Name: DAVID SANDEES
 Print Title: VP & GENERAL MGR.